House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN).

PLEDGE OF ALLEGIANCE
The SPEAKER pro tempore. Will the gentleman from Georgia (Mr. Barrow) come forward and lead the House in the Pledge of Allegiance.

Mr. BARROW of Georgia 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.

SEQUESTER
(Mr. BARROW of Georgia asked and was given permission to address the House for 1 minute.)

Mr. BARROW of Georgia. Madam Speaker, in a few hours, the so-called “sequester” will begin to take effect, and the things we cannot do without will be cut just the same as the things we don’t need and can’t afford.

What got us to this point was the failure to compromise, and what’s kept us from solving this problem is that same failure to compromise. Only in Washington can so many folks agree on what the problem is, yet no solution is brought to the table.

My home State of Georgia is home to some of this country’s vital military installations, including Fort Gordon in my district, the central nervous system of our national defense. Nearly $1 billion in cuts will spread across these installations and will have devastating impacts on surrounding communities.

I urge my colleagues to come back to the table, find the spending cuts we need to avoid this disaster, and begin the process of putting these partisan games behind us.

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

Mr. BROOKS of Alabama. Madam Speaker, in 2011, I voted against the Budget Control Act and President Obama’s sequester because I believed and feared they posed a grave threat to
national security. That fear has come true. As I stand here today, north Alabamians face job furloughs in the thousands because Washington would rather spend money on frivolous programs than protect national security.

Madam Speaker, I have voted against sequester at every opportunity. I sent a letter to the White House calling on the President to face and avoid the horrendous consequences of his sequester. I’ve escorted members of the House Armed Services Committee around Redstone to help them better understand how our civilian defense workers are critical to America’s security, and I have repeatedly cosponsored legislation to end the sequester.

For nearly 2 years I have been fighting sequester and the hollowing out of our Armed Forces. It’s time for the President and the Senate to do the same.

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SEQUESTRATION

(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. Many of my colleagues ask the question of what work are we doing for them. I’m very glad this morning that we will finally end the long journey for the Violence Against Women Act and finally vote on a recognized compromise that the Senate has proposed.

But I also say that I’m not here to talk about process and blame when it comes to this pending sequester, which most Americans do not understand. But I’m ready to work, and I believe we should stay and work. We should follow the Senate plan that follows the Buffett rule and provides for modest reductions in defense and does not provide for these devastating cuts until 2014.

We can get this done, but we cannot have any compromise when one side refuses to acknowledge that it takes revenue to run this government to be able to ensure that people have the resources that they need. Or, for example, in Texas, for my colleagues who refuted the idea that I stand for children, where we’re losing some 4,000 spots in Head Start, we can do something. Madam Speaker. We simply need to stay and work and follow the Senate plan.

---

SEQUESTRATION

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

Mr. OLSON. Madam Speaker, I rise today to ask the White House to lead and turn away from Mayan politics: the world is going to end.

This strategy over the President’s automatic cuts borders on untruthful. For example, the FAA released a list of 238 regional airports that could potentially close due to the President’s cuts, saying that at least 100 of them would be closed. How can the FAA list 238 at-risk airports and admit that only 100 of them will close? It’s Mayan politics. The 238 affected airports puts more fear in people than all 90 regional airports. Even with tomorrow’s spending cuts, FAA operations and facilities will have $500 million more than 2008 levels, and air traffic is lower.

More money, less traffic, and dramatic cuts? My seventh-grader would say, “That’s fuzzy math, Dad.” It’s true. He’s right.

The truth will prevail.

STOP THE SEQUESTER

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

Ms. BROWNLEY of California. As a member of the Veterans Affairs’ Committee, as an American, and as the proud Representative of Ventura County—we are home to a large naval base with a very significant veteran community—I am extremely concerned about the impact the sequester will have on our women and men and their families who have courageously served, sacrificed, and defended our country.

If Congress fails to stop the across-the-board and unnecessary cuts at this moment, so many programs that help veterans—like transitioning to civilian life and finding employment—will be reduced.

More veterans with less resources is unacceptable. Our brave men and women deserve better. Now is the time to be doing more, not less. For our veterans’ sake, we need to come together to stop this sequester now.

DEBT AND OVERSPENDING

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

Mr. HULTGREN. Madam Speaker, $52,653. A lot of numbers have been associated with our skyrocketing debt and government overspending, but $52,653 is a particularly striking one and should give everyone pause as the specter of an unwanted sequester looms over the Federal budget this week. $52,653 is the amount each individual American man, woman, and child owes as of today to pay off the country’s $16.6 trillion debt.

Clearly, overspending by the Federal Government has saddled us and our children with a unsustainable debt. And just as clearly, any alternative must include reduction in spending.

I’m not looking for winners or losers in D.C.; I want the American people to win when we make the cuts that need to be made. Controlling spending is a necessary first step. To targeted spending cuts, such as the House has twice proposed and passed, is vital to the sequestration solution.

There is nothing worse than passing on a legacy to our children of a lower standard of living. Madam Speaker, we can and must deal with this issue of debt and overspending so that our children will not have to face $52,653.

SAFE CLIMATE CAUCUS

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

Mr. BLUMENAUER. Madam Speaker, while Congress is dealing with this manufactured sequester crisis, we have a real climate crisis occurring right outside the window.

There is clarity on what should be a bipartisan issue with the public. Seven out of 10 Americans believe the scientists that climate change is happening and that humans are making it worse. Every day, Americans see the impact. With record droughts and extreme storm events, 2012 set more than 3,500 monthly records for extreme heat, rain, and snow.

This week, 38 leading Republicans and national security advisors urged international action to prevent and mitigate the impact of climate change. The letter highlights the importance of immediate action and expresses national security concerns should we fail to address these issues.

We should be addressing the real climate crisis instead of dealing with a phony, made-up fiscal crisis.

PAYING TRIBUTE TO ANDREW LEWIS

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

Ms. DELBENE. Madam Speaker, I rise today to pay tribute to Andrew Lewis, who tragically and suddenly passed away this weekend.

Andrew was a volunteer leader for the Sierra Club for over 25 years, serving most recently as the chair of the Washington State chapter. He was a local leader known for his intelligence, humor, and dedication, and Andrew was also a friend.

Over the course of his life, Andrew was a strong advocate for the protection of our wildlands and rivers—natural resources that make the Pacific Northwest such a special place.

As an avid rafter, Andrew had a great love for the rivers of Washington State. His early advocacy work helped lay the groundwork that eventually led to bipartisan legislation to protect the Middle Fork, Snoqualmie, and Pratt Rivers and expand the Alpine Lakes Wilderness, a bill that I’m proud to cosponsor.

I was fortunate to get to know him when we both served on the board of our children’s school. Here, I saw his passion and love for his community and his family.

Andrew was a man that was large in stature, voice, and heart. My thoughts and prayers go to his wife Maaike, son
VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

Mrs. McMORRIS RODGERS. Madam Speaker, pursuant to House Resolution 83, I call up the bill (S. 47) to reauthorize the Violence Against Women Act of 1994, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 83, the bill is considered read.

The text of the bill is as follows:

S.47

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 “Violence Against Women Reauthorization Act of 2013”.

SECTION 2. TABLE OF CONTENTS. The table of contents for this Act is as follows:

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TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

Sec. 101. Stop grants.
Sec. 102. Grants to encourage arrest policies and enforcement of protection orders.
Sec. 103. Legal assistance for victims.
Sec. 104. Consolidation of grants to support families in the justice system.
Sec. 105. Sex offender management.
Sec. 106. Court-appointed special advocate program.
Sec. 107. Criminal provision relating to stalking, including cyberstalking.
Sec. 108. Outreach and services to underserved populations grant.
Sec. 109. Culturally specific services grant.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 201. Sexual assault services program.
Sec. 203. Training and services to end violence against women with disabilities grants.
Sec. 204. Enhanced training and services to end abuse in later life.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

Sec. 301. Rape prevention and education grant.
Sec. 302. Creating hope through outreach, options, services, and education for children and youth.
Sec. 303. Grants to combat violent crimes on campuses.
Sec. 304. Campus sexual violence, domestic violence, dating violence, and stalking education and prevention.

TITLE IV—VIOLENCE REDUCTION PRACTICES

Sec. 401. Study conducted by the centers for disease control and prevention.
Sec. 402. Saving money and reducing tragedies through prevention grants.

TITHE V—STRENGTHENING THE HEALTHCARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 501. Consolidation of grants to strengthen the healthcare system’s response to domestic violence, dating violence, sexual assault, and stalking.

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.

TITLE VIII—PROTECTION OF RATTED IMMIGRANTS

Sec. 801. U nonimmigrant definition.
Sec. 802. Annual report on immigration applications made by victims of abuse.
Sec. 803. Protection for children of VAWA self-petitioners.
Sec. 804. Public charge.
Sec. 805. Requirements applicable to U visas.
Sec. 806. Hardship waivers.
Sec. 807. Protections for a fiancée or fiancé of a citizen.
Sec. 808. Regulation of international marriage brokers.
Sec. 809. Eligibility of crime and trafficking victims in the Commonwealth of the Northern Marianas Islands to adjust status.
Sec. 810. Disclosure of information for national security purposes.

TITLE IX—SAFETY FOR INDIAN WOMEN

Sec. 901. Grants to Indian tribal governments.
Sec. 902. Grants to Indian tribal coalitions.
Sec. 903. Consultation.
Sec. 904. Tribal jurisdiction over crimes of domestic violence.
Sec. 905. Tribal protection orders.
Sec. 906. Amendments to the Federal assault statute.
Sec. 907. Analysis and research on violence against Indian women.
Sec. 908. Effective dates; pilot project.
Sec. 909. Indian law and order commission; Report on the Alaska Rural Justice and Law Enforcement Commission.
Sec. 910. Special rule for the State of Alaska.

TITLE X—SAFER ACT

Sec. 1001. Short title.
Sec. 1002. Debbie Smith grants for auditing sexual assault evidence backlogs.
Sec. 1003. Reports to Congress.
Sec. 1004. Reducing the rape kit backlog.
Sec. 1005. Oversight and accountability.
Sec. 1006. Sunset.

TITLE XI—OTHER MATTERS

Sec. 1101. Sexual abuse in custodial settings.
Sec. 1102. Anonymous online harassment.
Sec. 1103. Stalker database.
Sec. 1104. Federal victim assistants reauthorization.
Sec. 1105. Child abuse training programs for judicial personnel and practitioners reauthorization.

TITLE XII—TRAFFICKING VICTIMS PROTECTION

Subtitle A—Combating International Trafficking in Persons
Sec. 1201. Regional strategies for combating trafficking in persons.
Sec. 1202. Partnerships against significant trafficking in persons.
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Sec. 1206. Protections for domestic workers and other nonimmigrants.
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Sec. 1208. Child soldiers.

Subtitle B—Combating Trafficking in Persons in the United States

PART I—Penalties Against Traffickers and Other Crimes
Sec. 1211. Criminal trafficking offenses.
Sec. 1212. Civil remedies; clarifying definition.

PART II—Ensuring Availability of Possible Witnesses and Informants
Sec. 1221. Protections for trafficking victims who cooperate with law enforcement.
Sec. 1222. Protection against fraud in foreign labor contracting.

PART III—Ensuring Interagency Coordination and Expanded Reporting
Sec. 1231. Reporting requirements for the Attorney General.
Sec. 1232. Reporting requirements for the Secretary of Labor.
Sec. 1233. Information sharing to combat child labor and slave labor.
Sec. 1234. Government training efforts to include the Department of Labor.
Sec. 1235. GAO report on the use of foreign labor contractors.
Sec. 1236. Accountability.

PART IV—Enhancing State and Local Efforts to Combat Trafficking in Persons
Sec. 1241. Assistance for domestic minor sex trafficking victims.
Sec. 1242. Expanding local law enforcement grants for investigations and prosecutions of trafficking.
Sec. 1243. Model State criminal law protections for child trafficking victims and survivors.

Subtitle C—Authorization of Appropriations
Sec. 1251. Adjustment of authorization levels for the Trafficking Victims Protection Reauthorization Act of 2005.
Sec. 1252. Adjustment of authorization levels for the Trafficking Victims Protection Reauthorization Act of 2005.

Subtitle D—Unaccompanied Alien Children
Sec. 1261. Appropriate custodial settings for unaccompanied minors who reach the age of majority while in Federal custody.
Sec. 1262. Appointment of child advocates for unaccompanied minors.
Sec. 1263. Access to Federal foster care and unaccompanied refugee minor protections for certain U Visa recipients.
Sec. 1264. GAO study of the effectiveness of border screenings.
al, e-mail or Internet protocol address, or protected, including—

(1) striking paragraphs (5), (17), (18), (23), (29), (33), (36), and (37);
(2) by redesignating—
(A) paragraphs (34) and (35) as paragraphs (41) and (42), respectively;
(B) paragraphs (39), (31), and (32) as paragraphs (36), (37), and (38), respectively;
(C) paragraphs (24) through (28) as paragraphs (30) through (34), respectively;
(D) paragraphs (19) and (22) as paragraphs (28) and (27), respectively;
(E) paragraphs (19) and (20) as paragraphs (23) and (24), respectively;
(F) paragraphs (10) through (16) as paragraphs (13) through (19), respectively;

(5) in paragraph (4), as redesignated, by striking “serious harm,” and inserting “serious harm to an unemancipated minor.”;

(6) as redesignated, by striking “The term ‘community-based organization’ means a nonprofit, nongovernmental organization that serves a specific geographic community that—”;

(7) by inserting after paragraph (5), as redesignated, the following:

(6) **CULTURALLY SPECIFIC.**—The term ‘culturally specific’ means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300e-8(g)).

(7) **CULTURALLY SPECIFIC SERVICES.**—The term ‘culturally specific services’ means community-based services that include culturally relevant and linguistically specific support services and resources targeted to culturally specific communities.

(8) in paragraph (8), as redesignated, by inserting ‘‘or in intimate partner’’ after ‘‘former spouse’’ and ‘‘as a spouse’’;

(9) by inserting after paragraph (11), as redesignated, the following:

(12) **HOMES.**—The term ‘homeless’ has the meaning provided in section 41601(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a government entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.

(14) in paragraph (26), as redesignated—

(A) in subparagraph (A), by striking ‘‘or’’ after the semicolon;

(B) in subparagraph (B), by striking the period and inserting ‘‘; or’’; and

(C) by inserting at the end the following:

‘‘(5) any federally recognized Indian tribe.’’;

(15) in paragraph (27), as redesignated—

(A) by striking ‘‘32’’ and inserting ‘‘37’’;

(B) by striking ‘‘150,000’’ and inserting ‘‘250,000’’;

(16) by inserting after paragraph (27), as redesignated, the following:

(28) **SEX TRAFFICKING.**—The term ‘sex trafficking’ means any conduct proscribed by section 1591 of title 18, United States Code, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

(29) **SEXUAL ASSAULT.**—The term ‘sexual assault’ means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent;--

(17) by inserting after paragraph (34), as redesignated, the following:

(35) **TRIBAL COALITION.**—The term ‘tribal coalition’ means an established nonprofit, nongovernmental Indian organization, Alaska Native organization, or a Native Hawaiian organization that—

‘‘(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those providers to establish and maintain that culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

(18) by inserting after paragraph (38), as redesignated, the following:

(39) **UNIT OF LOCAL GOVERNMENT.**—The term ‘‘unit of local government’’ means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.’’;

(19) by inserting after paragraph (42), as redesignated, the following:

(43) **VICTIM SERVICE PROVIDER.**—The term ‘‘victim service provider’’ means a nonprofit, nongovernmental or tribal organization or coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

(44) **VICTIM SERVICES OR SERVICES.**—The terms ‘‘victim services’’ and ‘‘services’’ mean services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephone or other related supportive services.

(45) **YOUTH.**—The term ‘‘youth’’ means a person who is 11 to 24 years old.

(b) **GRANTS CONDITIONS.**—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 3382(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

‘‘(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services provided, utilized through grantees’ and subgrantees’ programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected;

(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the person or by the parent or guardian of the person, or the abuser of the other parent of the minor.
If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent’s or guardian’s consent, the minor or person with a guardian shall have the right to receive the same information without additional consent.’’;

(B) by amending subparagraph (D), to read as follows:

‘’(D) INFORMATION SHARING.—

‘’(1) Grantees and subgrantees may share

‘’(I) nonpersonally identifying data in the aggregate regarding services to their clients and recipients identified by demograph-

ic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements; and

‘’(II) nonpersonally identifying information and law enforcement-generated information con-

ained in secure, governmental registries for protection order enforcement purposes; and

‘’(II) law enforcement-generated and pros-

ecution-generated information necessary for law enforcement and prosecution purposes.

(iii) In no circumstances may

‘’(I) an adult, youth, or child victim of domes-

tic violence, dating violence, sexual assault,

or stalking be required to provide a con-

sent to release his or her personally iden-

tifiable information as a condition of eligi-

bility for the services provided by the grant-

ee or subgrantee;

‘’(II) any personally identifying information

be shared in order to comply with Fed-

eral civil rights law, whether statutory or

regulatory.

(c) by redesigning paragraph (E) as sub-

paragraph (F);

(d) by inserting after subparagraph (D) the

following:

‘’(E) STATUTORILY MANDATED REPORTS

OF ABUSE OR NEGLECT.—Nothing in this section prohibits a grantee or subgrantee from re-

porting abuse or neglect as a condition of eligi-

bility for the services provided by the grant-

ee or subgrantee;

‘’(ii) persons and nonpersonally identifying demographic information necessary for law enforcement purposes; and

‘’(ii) nonpersonally identifying in-

formation that is awarded a grant under a grant

program described in this Act to a nonprofit or-

ganization that holds money in offshore ac-

counts.

‘’(B) AREAS COVERED.—The areas of con-

cern that shall be the subject of the report

shall include, at a minimum:

‘’(i) methodologies that are used by grantees to deter-

mine accountability and performance; and

‘’(ii) emerging trends.

‘’(C) CONFERRAL.—

‘’(1) IN GENERAL.—The Office on Violence

Against Women shall establish a biennial con-

ference on legal coalitions and technical assis-

tance providers who receive funding through grants administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

‘’(2) AREAS COVERED.—The areas of con-

ference under this paragraph shall include

‘’(i) statutes and regulations of grants;

‘’(ii) unmet needs;

‘’(i) areas of focus;

‘’(ii) promising practices in the field; and

‘’(iv) emerging trends.

‘’(D) IRS TAX-EXEMPT.—The first con-

ference shall be initiated not later than 6 months

after the date of enactment of the Violence Against Women Reauthorization Act of 2013.

‘’(D) REPORT.—Not later than 90 days after the

conclusion of each conferral period, the Office on Violence Against Women shall pub-

lish a comprehensive report that

‘’(i) summarizes the issues presented dur-

ing conferral and what, if any, policies it in-

tends to implement to address those issues;

‘’(ii) the Violence Against Women’s website and submitted to the Committee on the Jus-

diciary of the Senate and the Committee on the Jus-

diciary of the House of Representa-

‘’(15) CONFIDENTIALITY ASSESSMENT AND AS-

SURANCES.—Grantees and subgrantees must
document their compliance with the con-

fidentiality and privacy provisions required

under this section.

‘’(ii) emerging trends.

‘’(C) TAX-CREDIT.—The first con-

ference shall be initiated not later than 6 months

after the date of enactment of the Violence Against Women Reauthorization Act of 2013.

‘’(ii) DEFINITION.—For purposes of this para-

graph and the grants programs described in this Act, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

‘’(ii) PROHIBITION.—The Attorney General may not award a grant under any grant pro-

gram described in this Act to a nonprofit or-

ganization that holds money in offshore ac-

counts.

‘’(D) CONFERENCE EXPENDITURES.—

‘’(A) IN GENERAL.—Beginning in the first fis-

cal year beginning after the date of the en-

actment of this Act, and in each fiscal year thereafter, the Inspector General of the De-

partment of Justice shall report to the Con-

gress and the grant programs described in this Act, by inserting after subparagraph (A) the

following:

‘’(I) the average amount that any granti-

ee or subgrantee providing legal assist-

ance to victims of domestic violence, dating violence, sexual assault, or stalking be required to provide a

consent to release his or her personally iden-

tifiable information as a condition of eligi-

bility for the services provided by the grant-

ee or subgrantee; and

‘’(i) information necessary to the es-

sential operation of a program, in-

cluding a program or activity from consider-

ation of an individual’s sex. In such circumstances, grantees

may meet the requirements of this para-

graph by providing comparable services to

comparable and nonpersonally identifying demographic information necessary for law enforce-

ment purposes.

‘’(ii) emerging trends.

‘’(B) AREAS COVERED.—The areas of con-

cern that shall be the subject of the report

shall include, at a minimum:

‘’(i) statutes and regulations of grants;

‘’(ii) unmet needs;

‘’(iii) promising practices in the field; and

‘’(iv) emerging trends.

(3) APPROVED ACTIVITIES.—In carrying out

the activities under this title, grantees and
conferral process with State and tribal coali-

tions and technical assistance providers who

receive funding through grants administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

(4) TAX-CREDIT.—The first con-

ference shall be initiated not later than 6 months

after the date of enactment of the Violence Against Women Reauthorization Act of 2013.

(5) REPORT.—Not later than 90 days after the

conclusion of each conferral period, the Office on Violence Against Women shall pub-

lish a comprehensive report that

(16) ACCOUNTABILITY.—All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

‘’(A) AUDIT REQUIREMENT.—

‘’(i) IN GENERAL.—Beginning in the first fis-

cal year beginning after the date of the en-

actment of this Act, and in each fiscal year thereafter, the Inspector General of the De-

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lish a comprehensive report that

(16) ACCOUNTABILITY.—All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

‘’(A) AUDIT REQUIREMENT.—

‘’(i) IN GENERAL.—Beginning in the first fis-

cal year beginning after the date of the en-

actment of this Act, and in each fiscal year thereafter, the Inspector General of the De-

partment of Justice shall report to the Con-

gress and the grant programs described in this Act, by inserting after subparagraph (A) the

following:

‘’(I) the average amount that any granti-

ee or subgrantee providing legal assist-

ance to victims of domestic violence, dating violence, sexual assault, or stalking be required to provide a

consent to release his or her personally iden-

tifiable information as a condition of eligi-

bility for the services provided by the grant-

ee or subgrantee; and

‘’(i) information necessary to the es-

sential operation of a program, in-

including a program or activity from consider-

ation of an individual’s sex. In such circumstances, grantees

may meet the requirements of this para-

gram by providing comparable services to

comparable and nonpersonally identifying demographic information necessary for law enforce-

ment purposes.

‘’(ii) emerging trends.

(3) APPROVED ACTIVITIES.—In carrying out

the activities under this title, grantees and
conferral process with State and tribal coali-
tions and technical assistance providers who

receive funding through grants administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

(4) TAX-CREDIT.—The first con-

ference shall be initiated not later than 6 months

after the date of enactment of the Violence Against Women Reauthorization Act of 2013.
Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

(ii) Written Approval.—Written approval that shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and entertainment.

(iii) Report.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

SEC. 4. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, V, VI, VII, VIII, IX, XV, and XVI, sections 3, 502, 901, and 902 of this Act shall not take effect until the beginning of the fiscal year following the date of enactment of this Act.

TITLES E—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1986 (42 U.S.C. 3711 et seq.) is amended—

(i) in section 101(a)(18) (42 U.S.C. 3790(b)), by striking “$220,000,000 for each of fiscal years 2007 through 2011” and inserting “$220,000,000 for each of fiscal years 2014 through 2018”;

(ii) in section 301(b) (42 U.S.C. 3796h(b))—

(A) in the matter preceding paragraph (1)—

(i) by striking “equipment” and inserting “resources”;

and

(ii) inserting “for the protection and safety of victims,” after “women,”;

(B) in paragraph (1), by striking “sexual assault” and all that follows through “and sexual assault,” and inserting “domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a))”;

(C) in paragraph (2), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(D) in paragraph (3), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims”;

(E) in paragraph (4), by striking—

(i) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

and

(ii) by inserting “, classifying,” after “identifying”;

(F) in paragraph (5)—

(i) by inserting “and legal assistance” after “victim services”;

(ii) by striking “domestic violence and dating violence, domestic violence, dating violence, and stalking”;

and

(iii) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as redesignated by subparagraph (G), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(I) in paragraph (7), as redesignated by subparagraph (G), by striking “dating violence” and inserting “dating violence, and stalking”;

(J) in paragraph (9), as redesignated by subparagraph (G), by striking “sexual violence or sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking”;

(K) in paragraph (12), as redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking “‘triumph protocols to ensure that dangerous or potentially identified and prioritized” and inserting “the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases”;

and

(ii) by striking “and at the end”;

(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking “to provide” and inserting “providing”;

(ii) by striking “nonprofit nongovernmental”;

(iii) by striking the comma after “local governments”;

(iv) in the matter following subparagraph (C), by striking “paragraph (14)” and inserting “paragraph (13)”;

and

(v) by striking the period at the end and inserting “seminar”;

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

(1) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, including preventing, sexual violence, sexual assault, and stalking;

(2) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

(3) developing and strengthening policies, protocols, best practices, and training for State, local, or tribal law enforcement, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

(4) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims;

(5) developing, enlarging, or strengthening programs and projects to provide services to牟 victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and resources is affected by their sexual orientation or gender identity, as defined in section 219(c) of title 18, United States Code; and

(6) by striking “and” and inserting “or”;

and

(v) by adding at the end the following:

(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 20 percent of the total amount granted to a State under this subchapter shall be allocated for programs or projects in 2 or more allocations listed in paragraph (4) that are designed to address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”;

(D) by striking subsection (d) and inserting the following:

(4) Application Requirements.—An application for a grant under this section shall include—

(I) the certifications of qualification required under subsection (c);

(II) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 3207;

(III) proof of compliance with the requirements for paying fees and costs relating to

“developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.”;

(3) in section 2007 (42 U.S.C. 3796gg–1)—

(A) in subsection (a), by striking “nonprofit nongovernmental programs” and inserting “victim service providers”;

(B) in subsection (b)(6), by striking “(not including populations of Indian tribes)”;

(C) in subsection—

(i) by striking paragraph (2) and inserting the following:

(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with—

(A) the State domestic assault coalition;

(B) the State domestic violence coalition;

(C) the law enforcement entities within the State;

(D) the State prosecution offices;

(E) State and local courts;

(F) Tribal governments in those States with State or federally recognized Indian tribes;

(G) representatives from underserved populations, including culturally specific populations;

(H) victim service providers;

(I) population specific organizations; and

(J) other entities that the State or the Attorney General identifies as needed for the planning process;

(ii) by redesignating paragraph (3) as paragraph (4);

(iii) by inserting after paragraph (2), as amended by clause (i), the following:

(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the programs described in section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603) and section 393A of the Public Health Service Act (42 U.S.C. 238n–1b);”;

(iv) in paragraph (4), as redesignated by clause (ii)—

(I) in subparagraph (A), by striking “and not less than 25 percent shall be allocated for prosecutors”;

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(III) by inserting after subparagraph (A), the following:

(B) not less than 25 percent shall be allocated for prosecutors”; and

(IV) in subparagraph (D) as redesignated by subclause (II) by striking “for” and inserting “to”;

and

(v) by striking the period at the end and inserting “not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 20 percent of the total amount granted to a State under this subchapter shall be allocated for programs or projects in 2 or more allocations listed in paragraph (4) that are designed to address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”;

(D) by striking subsection (d) and inserting the following:

(4) Application Requirements.—An application for a grant under this section shall include—

(I) the certifications of qualification required under subsection (c);

(II) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 3207;

(III) proof of compliance with the requirements for paying fees and costs relating to...
domestic violence and protection order cases, described in section 2011 of this title; (4) proof of compliance with the require-
ments prohibiting polygraph examinations of victims of sexual assault, described in sec-
tion 2013 of this title; (5) an implementation plan required
under subsection (i); and (6) any other documentation that the At-
torney General may require.

E. in subsection (e)—
(1) in paragraph (2)—
(I) in subparagraph (A), by striking “dom-
estic violence and sexual assault” and in-
serting “domestic violence, dating violence, sexual assault”;
and (II) in subparagraph (D), by striking “ling-
guistically and”; and
(ii) by adding at the end the following:
(3) in disburse grants under this part, the Attorney General may impose reasonable conditions on grant
awards to ensure that the States meet statu-
tory, regulatory, and other program require-
ments.
(F) in subsection (f), by striking the period at the end and inserting “, except that, for purposes of this
subsection, the costs of the projects for victim services or tribes for which there is an exemption under section
40022(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13926(b)(1)) shall not count toward the total costs of
the projects.”; and
(G) by adding at the end the following:
(1) IMPLEMENTATION PLANS.—A State ap-
plying for a grant under this part shall—
(I) develop an implementation plan in sub-
collection with the entities listed in sub-
section (c)(2), that identifies how the State will use the funds awarded under this part, including how the State will meet the re-
quirements of this section and this sub-
section; and
(II) submit to the Attorney General—
(A) the implementation plan developed
under paragraph (1); (B) documentation from each member of
the planning committee as to their partici-
pation in the planning process;
(C) documentation from the prosecution,
law enforcement, court, and victim services programs to be assisted, describing—
(I) the need for the grant funds;
(ii) the intended use of the grant funds;
(iii) the expected result of the grant funds; and
(iv) the demographic characteristics of
the populations to be served, including age,
disability, race, ethnicity, and language
background;
(II) a description of how the State will en-
sure that any subgrantees will consult with victim service providers during the course of
developing their grant applications in order to
ensure that the proposed activities are de-
signed to promote the safety, confiden-
tiality, and economic independence of vic-
tims;
(E) demographic data on the distribution of
underserved populations within the State and a descrip-
tion of how the State will meet the needs of underserved populations, includ-
ing the minimum allocation for population specific services required under subsection
(c)(3)(C); (F) a description of how the State plans
to meet the regulations issued pursuant to
subsection (c)(4); (G) goals and objectives for reducing do-

cestic violence-related homicides within the State; and
(H) any other information requested by the Attorney General.
(2) REALLOCATION OF FUNDS.—A State may use any returned or remaining funds for any authorized
purposes under this part:
(A) funds from a subgrant awarded under this part are returned to the State; or
(ii) in paragraph (1), by striking “and pro-
tection order cases, described in section
2011 of this title; or
(iii) in paragraph (3), by inserting “and pro-
tection order cases, described in section
2011 of this title; or
(iv) in paragraph (4), by deleting “and pro-
tection order cases, described in section
2011 of this title; or
(v) in paragraph (5), by inserting “and pro-
tection order cases, described in section
2011 of this title; or
(vi) in paragraph (6), by inserting “and pro-
tection order cases, described in section
2011 of this title; or
(vii) in paragraph (8), by striking “and sex-
ual assault” and inserting “dating violence,
sexual assault, and stalking”;
(viii) in paragraph (10), by striking “non-
profit, non-governmental victim services or
organizations,” and inserting “victim service
providers, staff from population specific or-
ganizations,” and
(ix) by striking at the end the following:
“(14) To develop and implement training programs for prosecutors and other prosecu-
tion-related personnel regarding best prac-
tices to ensure offender accountability, vic-
tim safety, and victim consultation in cases
involving domestic violence, dating violence,
sexual assault, and stalking;
“(15) To develop or strengthen policies, protocols, and training for law enforcement,
prosecutors, and the judiciary in recog-
nizing, investigating, and prosecuting in-
stances of domestic violence, dating vio-

ASSIGNMENT ACT (8 U.S.C. 1101(a)(15)).
“(22) To develop multidisciplinary high-

risk response teams focusing on domestic vio-

several of domestic violence, dating violence,

ual assault, and stalking.

ethics, investigating, and prosecuting in-
stances of domestic violence, dating vio-

nal assault, and stalking.

ional justice system or cooperates with law en-
forcement.

whether the victim participates in the crimi-
nal justice system or cooperates with law en-
forcement.

COMPLIANCE PERIOD.—States, terri-
tories, and Indian tribal governments shall
have 3 years from the date of enactment of
this Act to come into compliance with this
section.; and
(3) CONDITIONS.—In disbursing grants
under this part, the Attorney General may impose reasonable conditions on grant
awards to ensure that the States meet statu-
tory, regulatory, and other program require-
ments.

NONCOOPERATION.—
(1) IN GENERAL.—To be in compliance with
this section, a State, Indian tribal govern-
ments, or unit of local government shall com-
ply with subsection (c)(5); and
(2) CONDITIONS.—In disbursing grants
under this part, the Attorney General may impose reasonable conditions on grant
awards to ensure that the States meet statu-
tory, regulatory, and other program require-
ments.

Omnibus Crime Control and Safe Streets Act
of 1968 (42 U.S.C. 3796hh et seq.) is amended—
(1) IN GENERAL.—A State, Indian tribal
government, or unit of local government shall not be entitled to funds under this sub-
chapter unless the State, Indian tribal gov-
ernment, unit of local government, or an-
other governmental entity—
(A) incurs the full out-of-pocket cost of
forensic medical exams described in sub-
section (b) for victims of sexual assault; and
(B) coordinates with health care providers
in the region to notify victims of sexual as-
sault of the availability of rape exams at
no cost to the victims.;
(2) in subsection (b)—
(i) in paragraph (1), by inserting “or” after
the semicolon;
(ii) in paragraph (2), by striking “;” or” and
inserting a period; and
(iii) by striking paragraph (3); and
(3) by amending subsection (d) to read as
follows:
“(d) NONCOOPERATION.—
(1) IN GENERAL.—To be in compliance with
this section, a State, Indian tribal govern-
ment, or unit of local government shall comply
with subsection (c)(5); and
(2) CONDITIONS.—In disbursing grants
under this part, the Attorney General may impose reasonable conditions on grant
awards to ensure that the States meet statu-
tory, regulatory, and other program require-
ments.

SEC. 102. GRANTS TO ENCOURAGE ARREST POLI-
CIES AND ENFORCEMENT OF PROTEC-
TION ORDERS.
(a) IN GENERAL.—Part U of title I of the
Omnibus Crime Control and Safe Streets Act
of 1968 (42 U.S.C. 3796hh et seq.) is amended—
(1) in section 2011 (42 U.S.C. 3796hh–
(5) in paragraph (1), by inserting “and pro-
tection order cases, described in section
2011 of this title; or
(iii) in paragraph (2), by striking “and en-
forcement, dismissal, withdrawal” after “reg-
istration,” each place it appears;
(II) in subparagraph (D), by inserting “;”
(d) NONCOOPERATION.—
(1) IN GENERAL.—To be in compliance with
this section, a State, Indian tribal govern-
ment, or unit of local government shall com-
ply with subsection (c)(5); and
(2) CONDITIONS.—In disbursing grants
under this part, the Attorney General may impose reasonable conditions on grant
awards to ensure that the States meet statu-
tory, regulatory, and other program require-
ments.

Omnibus Crime Control and Safe Streets Act
of 1968 (42 U.S.C. 3796hh et seq.) is amended—
(1) IN GENERAL.—A State, Indian tribal
government, or unit of local government shall not be entitled to funds under this sub-
chapter unless the State, Indian tribal gov-
ernment, unit of local government, or an-
other governmental entity—
(A) incurs the full out-of-pocket cost of
forensic medical exams described in sub-
section (b) for victims of sexual assault; and
(B) coordinates with health care providers
in the region to notify victims of sexual as-
sault of the availability of rape exams at
no cost to the victims.;
(2) in subsection (b)—
(i) in paragraph (1), by inserting “or” after
the semicolon;
(ii) in paragraph (2), by striking “;” or” and
inserting a period; and
(iii) by striking paragraph (3); and
(3) by amending subsection (d) to read as
follows:
“(d) NONCOOPERATION.—
(1) IN GENERAL.—To be in compliance with
this section, a State, Indian tribal govern-
ment, or unit of local government shall comply
with subsection (c)(5); and
(2) CONDITIONS.—In disbursing grants
under this part, the Attorney General may impose reasonable conditions on grant
awards to ensure that the States meet statu-
tory, regulatory, and other program require-
ments.

Omnibus Crime Control and Safe Streets Act
of 1968 (42 U.S.C. 3796hh et seq.) is amended—
(1) IN GENERAL.—A State, Indian tribal
government, or unit of local government shall not be entitled to funds under this sub-
chapter unless the State, Indian tribal gov-
ernment, unit of local government, or an-
other governmental entity—
(A) incurs the full out-of-pocket cost of
forensic medical exams described in sub-
section (b) for victims of sexual assault; and
(B) coordinates with health care providers
in the region to notify victims of sexual as-
sault of the availability of rape exams at
no cost to the victims.;
(2) in subsection (b)—
(i) in paragraph (1), by inserting “or” after
the semicolon;
(ii) in paragraph (2), by striking “;” or” and
inserting a period; and
(iii) by striking paragraph (3); and
(3) by amending subsection (d) to read as
follows:
“(d) NONCOOPERATION.—
(1) IN GENERAL.—To be in compliance with
this section, a State, Indian tribal govern-
ment, or unit of local government shall comply
with subsection (c)(5); and
(2) CONDITIONS.—In disbursing grants
under this part, the Attorney General may impose reasonable conditions on grant
awards to ensure that the States meet statu-
tory, regulatory, and other program require-
ments.
Crime Control and Safe Streets Act of 1968

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “aris- as a consequence of” and inserting “rel- ing to or arising out of”; and

(B) in the second sentence, by inserting “or arising out of” after “relating to”;

(2) in subsection (b)—

(A) in the heading, by inserting “AND GRANT Winners” after “Definitions”; and

(B) by inserting “and grant conditions” after “definitions”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “victim services organizations” and inserting “victim service providers”; and

(B) by striking paragraph (3) and inserting the following:

“(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, sexual assault, or stalking; except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in paragraph (5).”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “this sec- tion has completed” and all that follows and inserting the following: “this section—”;

(B) (i) has demonstrated expertise in pro- viding legal assistance to victims of domes- tic violence, dating violence, sexual assault, or stalking; except that not more than 10 percent of the funds awarded under this section—”;

(C) (I) by inserting “and” after “this sec- tion”,

and

(iii) by striking “and” after “this sec- tion”, and

(iv) by striking “and” after “this sec- tion”, and

(v) by striking “and” after “this sec- tion”, and

(vi) by striking “and” after “this sec- tion”, and

(vii) by striking “and” after “this sec- tion”, and

(viii) by striking “and” after “this sec- tion”, and

(ix) by striking “and” after “this sec- tion”, and

(x) by striking “and” after “this sec- tion”, and

(xi) by striking “and” after “this sec- tion”, and

(xii) by striking “and” after “this sec- tion”, and

(xiii) by striking “and” after “this sec- tion”, and

(xiv) by striking “and” after “this sec- tion”, and

(xv) by striking “and” after “this sec- tion”, and

(xvi) by striking “and” after “this sec- tion”, and

(xvii) by striking “and” after “this sec- tion”, and

(xviii) by striking “and” after “this sec- tion”, and

(xix) by striking “and” after “this sec- tion”, and

(xx) by striking “and” after “this sec- tion”, and

(2) in section 2102(a) (42 U.S.C. 3796hh– 1(a))—

(A) in paragraph (1), by inserting “court, after “tribunal government,” and

(B) in paragraph (4), by striking “non- profit, private sexual assault and domestic violence programs” and inserting “victim service providers and, as appropriate, popu- lation specific organizations.”;

(b) AUTHORIZATION OF APPROPRIATIONS.—

Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3780) is amended—

(1) by striking “$75,000,000 and all that fol- lows through “2011.” and inserting

“$73,000,000 for each of fiscal years 2014 through 2018.”; and

(2) by striking the period that immediately follows another period.

SECTION 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—(i) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, and domestic and sexual assault; and

(ii) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court func- tions, responses, and services in cases involving a history of domestic viol- ence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

(b) Education and outreach programs to improve community access, including enhanced access for underserved populations; and

(c) Other programs likely to improve court responses to domestic violence, dating vio- lence, sexual assault, and stalking; including civil legal assistance and advoca- cy services, including legal information and resources in cases in which the victim proceeds pro se, to—

(i) victims of domestic violence; and

(ii) nonoffending parents in matters—

(A) that involve allegations of child sexual abuse;

(B) that relate to family matters, including civil protection orders, custody, and divorc- e; and

(iii) in which the other parent is rep- resentated by counsel;

(D) to collect data and provide training and technical assistance, including developing State, local, and tribal model codes and poli- cies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are pro- ceeding pro se, or who are proceeding with the assistance of a legal advocate; and

(2) to improve training and education at all levels, judicial personnel, including judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

(c) CONSIDERATIONS.—

(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (7) of subsection (b), the Attorney General shall consider—

(2) the ability of the grantee to serve diverse populations;

(3) the extent to which the grantee will develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, and services in cases involving a history of domestic viol- ence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

(4) the extent to which the grantee will develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, and services in cases involving a history of domestic viol- ence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;
“(A) the number of families to be served by the proposed programs and services; 
“(B) the extent to which the proposed programs and services serve underserved populations; 
“(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community for the development and implementation of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence, sexual assault, or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and 
“(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

“(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system’s handling of family violence, child custody, child abuse and neglect, adoption, involuntary commitment, supervised visitation, divorce, and parentage.

“(d) APPLICANT REQUIREMENTS.—The Attorney General shall make a grant under this section to an applicant that—

“(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, or stalking, or child sexual abuse, as appropriate; 
“(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order; 
“(3) for a court-based program, certifies that violent offenders, dating violence, sexual assault, or stalking are not charged fees or any other costs related to the filing, petitioning, modifying, issuance, revocation, enforcement, withdrawal, or dismissal of matters relating to the domestic violence, dating violence, sexual assault, or stalking.

“(4) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violent offenders, dating violence, sexual assault, or stalking are not charged fees or any other costs related to the filing, petitioning, modifying, issuance, revocation, enforcement, withdrawal, or dismissal of matters relating to the domestic violence, dating violence, sexual assault, or stalking.

“(5) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violent offenders, dating violence, sexual assault, or stalking are not charged fees or any other costs related to the filing, petitioning, modifying, issuance, revocation, enforcement, withdrawal, or dismissal of matters relating to the domestic violence, dating violence, sexual assault, or stalking.

“(6) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking service provider or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation decisions.

“(e) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to carry out this section, $22,000,000 for each of fiscal years 2014 through 2018.

“(1) ALLLOTMENT FOR INDIAN TRIBES.—

“(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg–10 of title 42, United States Code.

“(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).


SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking “fiscal years 2007 through 2011” and all that follows and inserting “$5,000,000 for each of fiscal years 2014 through 2018.”

SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13901 et seq.) is amended—

“(1) in section 216 (42 U.S.C. 13901), by striking—

“(A) the number of families to be served by a program covered by this grant; and 

“(B) the extent to which the program serves underserved populations.

“(2) in section 217 (42 U.S.C. 13902),—

“(A) by striking “Code of Ethics” in section (c)(2) and inserting “Standards for Programs”; and 

“(B) by adding at the end the following:

“(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in serving children in the child welfare system.”; and

“(3) in section 219(a) (42 U.S.C. 13904(a)),—

“(A) by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018.”

SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

(a) INTERSTATE DOMESTIC VIOLENCE.—Section 2261A(a)(1) of title 18, United States Code, is amended—

“(1) by inserting “is present” after “Indian Country or”; and 

“(2) by inserting “or presence” after “as a result of such travel”;

(b) STALKING.—Section 2261A of title 18, United States Code, is amended to read as follows:

“§ 2261A. Stalking

“Whoever—

“(1) travels in interstate or foreign commerce to engage in a course of conduct to damage or destroy property, or to carry out a threat of unlawful violence, with the intent to cause serious emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

“(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

“(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

“(C) Planning Grants.—The Attorney General may use up to 25 percent of funds provided under this section to authorize grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult and youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations.
available under this section to make one-

time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

“(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

“(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors influence those barriers by inputting from the targeted underserved population or populations;

“(3) identifying promising prevention, outreach, and intervention strategies for victims from a targeted underserved population or populations;

“(4) developing a plan, with the input of the community and the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program;

“(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services to adult and youth victims in one or more underserved populations, including—

“(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific services;

“(2) strengthening the capacity of underserved populations to provide population specific services;

“(3) strengthening the capacity of traditional victim service providers to provide population specific services;

“(4) developing the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, and stalking in underserved populations;

“(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

“(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

“(f) REPORTS.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds.

“(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(5), there are authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2013 through 2018.

“(h) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 4002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.”

SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14043a) is amended—

“(1) in the heading, by striking ‘‘AND LINGUISTICALLY’’;

“(2) by striking ‘‘and linguistically’’ each place it appears;

“(3) by striking ‘‘and linguistic’’ each place it appears;

“(4) by striking subsection (a)(2) and inserting—

“(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:


“(D) Section 40862 of the Violence Against Women Act of 1994 (42 U.S.C. 13948(a)) (Enhanced Training and Services to End Violence Against Women Later in Life).

“(E) Section 1402 of division B of the Victims of Trafficking and Violence Prevention Act of 2000 (42 U.S.C. 3796gg–7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities); and

“(5) in subsection (g), by striking ‘‘linguistic and’’.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

“(1) in paragraph (1), by striking “other programs’’ and all that follows and inserting “other nongovernmental or tribal programs that provide services to victims who have been victimized by sexual assault, without regard to the age of the individual’’;

“(2) in paragraph (2), by striking (A) in subparagraph (B), by inserting “or tribal programs and activities’’ after “non-governmental organizations’’; and

“(B) in subparagraph (C), by striking “linguistically and’’;

“(3) in subsection (g), by striking “(i) by inserting “including sexual assault forensic examiners’’ after ‘‘risk reduction’’;

“(4) in subsection (f), by striking “and other long- and short-term assistance’’ and inserting “and legal assistance, and other long-term and short-term victim and population specific services’’; and

“(5) in subsection (h), by striking “(i), by inserting “victim advocacy groups’’ and inserting “victim service providers’’;

“(6) in subsection (i), by striking “(ii) by striking ‘‘and’’ at the end; and

“(C) Section 1402 of division B of the Victims of Trafficking and Violence Prevention Act of 2000 (42 U.S.C. 3796gg–7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities); and

“(3) in subsection (e)(1), by striking “$55,000,000 for each of the fiscal years 2007 through 2011’’ and inserting “$50,000,000 for each of fiscal years 2014 through 2018’’.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

“(1) in subsection (a)(1)(H), by inserting ‘‘, including sexual assault forensic examiners’’ before the semicolon;

“(2) in subsection (b)—

“(A) in paragraph (1), by striking ‘‘and’’ at the end; and

“(B) in paragraph (2), by striking ‘‘victim advocacy groups’’ and inserting ‘‘victim service providers’’;

“(C) by inserting ‘‘and legal assistance’’ at the end;

“(D) in paragraph (3) by striking ‘‘victim services’’ and inserting ‘‘victim service providers’’; and

“(E) in paragraph (4), by striking ‘‘and’’ at the end; and

“(C) in paragraph (5), by striking ‘‘victim services organization’’ and inserting ‘‘victim service provider’’;

“(D) by adding at the end the following:

“(3) in subsection (b), by striking “(i) by inserting “including evidence-based indicators to assess the risk of domestic and dating violence homicides’’ after ‘‘risk reduction’’; and

“(B) by paragraph (4), by striking ‘‘victim service organizations’’ and inserting ‘‘victim service providers’’; and

“(C) in paragraph (5), by striking ‘‘victim services organization’’ and inserting ‘‘victim service provider’’;

“(E) by striking “(i) by inserting “including individuals’’ after ‘‘risk reduction’’.

“(3) in subsection (e), by striking “$10,000,000 for each of the fiscal years 2007 through 2011’’ and inserting “$30,000,000 for each of fiscal years 2014 through 2018’’.

SEC. 204. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

(a) IN GENERAL.—Subtitle H of the Violence Against Women Act of 1994 (42 U.S.C. 14041 et seq.) is amended to read as follows:

“Subtitle H—Enhanced Training and Services To End Abuse Later in Life

“SEC. 40801. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

“(a) DEFINITIONS.—In this section—

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“(1) the term ‘exploitation’ has the meaning given in the term in section 1371 of the Social Security Act (42 U.S.C. 1331);

(2) the term ‘latter life’, relating to an individual or group, means the individual is 50 years of age or older;

(3) the term ‘neglect’ means the failure of a caretaker or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

(b) Grant Program.

(1) Grants Authorized. — The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

(2) Mandatory and Permissible Activities.

(A) Mandatory Activities. — An eligible entity receiving a grant under this section shall use the funds received under the grant to—

(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing elder abuse;

(ii) provide or enhance services for victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, and neglect;

(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; and

(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; or

(B) Permissible Activities. — An eligible entity receiving a grant under this section may use the funds received under the grant to—

(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in making determinations that the activity would duplicate services available in the community.

(ii) Limitation. — An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(i).

(ii) Eligible Entities. — An entity shall be eligible to receive a grant under this section if—

(A) the entity is—

(i) a unit of local government;

(ii) a tribal government or tribal organization;

(iii) a population specific organization with demonstrated experience in assisting individuals over 50 years of age;

(iv) a victim service provider with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking; or

(v) a State, tribal, or territorial domestic violence or sexual assault coalition; and

(B) the entity demonstrates that it is part of a multidisciplinary partnership that includes—

(i) a law enforcement agency;

(ii) a prosecutor’s office;

(iii) a victim service provider; and

(iv) the appropriate government agency with demonstrated experience in assisting individuals in later life;

(C) Waiver. — The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

(D) Program Purposes. — Funds provided under this section may be used for the following program purpose areas:

(i) Services to Advocate for and Respond to Youth.— To develop, expand, and strengthen community- and youth-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking.

(ii) Services to Victimized Youth.— To provide services for youth affected by domestic violence, dating violence, sexual assault, stalking, and sex trafficking.

(iii) Services to Other Victims of Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Sex Trafficking. — To provide services to other victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking.[25x202]
“(B) a victim service provider that is partnered with an entity that has a documented history of effective work addressing the needs of youth; or

“(C) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with youth offenders; or

“(i) a State, tribe, unit of local government, or territory;

“(ii) a population specific or community-based organization;

“(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

“(iv) any other agencies or nonprofit, non-governmental organizations with the capacity to provide assistance to the adult, youth, and child victims served by the partnership.

“(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

“(1) require and include appropriate referral systems for child and youth victims;

“(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party decisional consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

“(3) require that individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, training in connection with domestic violence, dating violence, sexual assault, stalking, and sex trafficking;

“(e) DEFINITIONS AND GRANT CONDITIONS.—

“In this section, the definitions and grant conditions provided for in section 40002 shall apply.

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“There are authorized to be appropriated to carry out this section, $15,000,000 for each of fiscal years 2014 through 2018.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized under section 101 of the Omnibus Crime Control and Safe Streets Act of 1968.

“The requirements of this section shall not apply to funds allocated under this paragraph.

“(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.”.

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 303 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 1404b) is amended—

“(1) in subsection (a) in paragraph (1)—

“(i) by striking ‘‘stalking on campuses, and’’ and inserting ‘‘stalking on campuses,’’;

“(ii) by striking ‘‘against women on’’ and inserting ‘‘on’’; and

“(iii) by inserting ‘‘, and to develop and strengthen prevention education and awareness programs’’ before the period; and

“(B) in paragraph (2), by striking ‘‘$500,000’’ and inserting ‘‘$300,000’’;

“(2) in subsection (b)—

“(A) in paragraph (1)—

“(i) by inserting ‘‘, strengthen,’’ after ‘‘To develop’’; and

“(ii) by inserting ‘‘including the use of technology to combat these crimes,’’ after ‘‘sexual assault and stalking,’’;

“(B) in paragraph (4)—

“(i) by inserting ‘‘and population specific services’’ after ‘‘strength victim services programs’’;

“(ii) by striking ‘‘entities carrying out’’ and all that follows thereof, ‘‘victim services programs’’ and inserting ‘‘victim service providers’’; and

“(iii) by inserting ‘‘, regardless of whether the services are in the interest of the victim or in coordination with community victim service providers’’ before the period at the end; and

“(C) by adding at the end the following:

“(9) To develop or adapt and provide development, culturally appropriate, and linguistically accessible print or electronic materials to address both prevention and intervention in domestic violence, dating violence, sexual violence, and stalking.

“(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.

“(3) in subsection (c)—

“(A) in paragraph (2)—

“(i) in subparagraph (B), by striking ‘‘any non—campus sex offenders on’’ and inserting ‘‘victim services programs’’ and inserting ‘‘victim service providers’’;

“(ii) by redesignating subparagraphs (D) through (K) as paragraphs (E) through (G), respectively; and

“(iii) by inserting after subparagraph (C), the following:

“(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services;’’;

“(B) in paragraph (3), by striking ‘‘2007 through 2011’’ and inserting ‘‘2014 through 2018’’;

“(4) in subsection (d)—

“(A) by redesignating paragraph (3) as paragraph (4); and

“(B) by inserting after paragraph (2), the following:

“(3) GRANTER MINIMUM REQUIREMENTS.—

“Each grantee shall comply with the following minimum requirements during the grant period:

“(A) The grantee shall develop a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

“(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

“(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

“(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.”; and

“(5) in subsection (e), by striking ‘‘there are sufficient policies and procedures in place’’ and inserting ‘‘there is authorized to be appropriated $12,000,000 for each of fiscal years 2014 through 2018’’.

SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

“(1) in paragraph (1)—

“(A) in subparagraph (C)(iii), by striking the period at the end and inserting ‘‘, when the victim of such criminal offense is or is unable to make such a report,’’; and

“(B) in subparagraph (F)—

“(i) in clause (i)(VIII), by striking ‘‘and’’ after the semicolon.

“(ii) in clause (ii)—

“(i) by striking ‘‘sexual orientation’’ and inserting ‘‘national origin, sexual orientation, gender identity,’’;

“(ii) by striking ‘‘the period and inserting ‘‘and,’’ and

“(iii) by adding at the end the following:

“(v) in the case of crimes on campuses, and stalking incidents that were reported to campus security authorities or local police agencies.’’;

“(2) in paragraph (3), by inserting ‘‘, that withdraws the names of victims as confidential,’’ after ‘‘that is timely’’;

“(3) in paragraph (6)(A)—

“(i) by redesigning clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

“(B) in paragraph (5), by striking ‘‘crimes against women on’’ and inserting ‘‘crimes on,’’ after ‘‘sex offenders’’ before the period; and

“(iii) by inserting ‘‘, and to develop and strengthen victim services programs’’ after ‘‘population specific services’’;

“(C) in paragraph (8) and inserting ‘‘clauses (i) and (ii) of paragraph (7)’’; and

“(D) by inserting after ‘‘Hate Crime Statistics Act.‘’ the following: ‘‘For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)),’’; and

“(B) in paragraph (4), by striking ‘‘as defined in the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)),’’; and

“(C) in paragraph (4), by inserting ‘‘, and to develop and strengthen victim services programs’’ after ‘‘population specific services’’ and inserting ‘‘victim service providers’’;

“(D) by redesignating subparagraphs (D) through (K) as paragraphs (E) through (G), respectively; and

“(E) by striking after paragraph (2), the following:

“(3) GRANTER MINIMUM REQUIREMENTS.—

“Each grantee shall comply with the following minimum requirements during the grant period:

“(A) The grantee shall develop a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

“(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

“(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

“(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.”; and

“(E) in the case of crimes on campuses, and stalking incidents that were reported to campus security authorities or local police agencies.’’;

“(4) in paragraph (7)—

“(A) by striking ‘‘paragraph (1)(F)’’ and inserting ‘‘clauses (i) and (ii) of paragraph (1)(F)’’; and

“(B) by inserting after ‘‘Hate Crime Statistics Act.‘’ the following: ‘‘For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)),’’; and

“(E) by striking after paragraph (2), the following:

“(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and publish a annual report of the described in paragraph (1) a statement of policy regarding

“(i) such institution’s programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

“(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that
will be used during any institutional conduct proceeding arising from such a report.

(II) The policy described in subparagraph (A) shall address the following areas:

(i) Education programs to promote the awareness of domestic violence, dating violence, sexual assault, and stalking, which shall include—

(I) primary prevention and awareness programs to include, for example, training for new employees, which shall include—

(aa) a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking, which shall include—

(bb) procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

(I) the importance of preserving evidence as may be necessary to the course of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order; and

(II) to whom the alleged offense should be reported;

(III) options regarding law enforcement and other authorities, including notification of the victim’s option to—

(aa) notify proper law enforcement authorities, including on-campus and local police;

(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

(cc) decline to notify such authorities; and

(IV) where applicable, the rights of victims and the institution’s responsibilities regarding domestic violence, dating violence, sexual assault, or stalking, including notice of his or her rights and opportunities to obtain relocation, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

(ii) Procedures victims shall follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking, has occurred, including information in writing about—

(I) the specific steps victims shall take to ensure their safety and security, including—

(aa) obtaining a protection order, restraining order, or similar judicial order; and

(bb) obtaining assistance, including counseling or advocacy, and support for the victim, to the extent permissible by law.

(III) Written notification of victims and employees about existing counseling, health, mental health, legal assistance, and other services available for victims both on-campus and in the community.

(IV) Written notification of victims about options for protection in the institution, including information about domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus. Such notification shall be in writing and shall include, at a minimum, the type of service, available resources, and whether the victim chooses to report the crime to campus police or local law enforcement.

(V) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee’s rights and options, as described in clauses (ii) through (vii) of subparagraph (B).

(6) in paragraph (9), by striking “The Secretary” and inserting “The Attorney General of the United States’’;

(7) by striking paragraph (16) and inserting the following:

(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including information about domestic violence prevention programs that have been proven successful based on evidence-based outcome measurements.

(8) by striking paragraph (17) and inserting the following:

(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising his or her rights or responsibilities under any provision of this subsection.

(9) Effective Date.—The amendments made by this section shall take effect with respect to the annual security report under subsection (b) of the Campus Security Act of 1965 (20 U.S.C. 1092(c)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 2800–40(c)) is amended by striking "$2,000,000 for each of the fiscal years 2007 through 2011" and inserting "$1,000,000 for each of the fiscal years 2014 through 2018".

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (2 U.S.C. 25003d–2) is amended to read as follows:

(1) DATING VIOLANCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

(1) MINIMUM DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking, and properly refer children exposed to violence in the home. Such a program should include—

(A) age and developmentally-appropriate education on domestic violence, dating violence, sexual assault, and stalking, and violence prevention programs.

(B) community-based collaboration and training for those with influence on youth, such as community leaders, schools, healthcare providers, faith-leaders, older teens, and mentors.

(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

(D) policy development targeted to prevent violence, including school-based policies and protocols.

(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain, or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking, preventing and reducing violence in the home. Such programs may include—

(A) providing services for children exposed to domestic violence, dating violence, sexual assault, and stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

(B) training and coordination for education and children exposed to after-school and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, and stalking, and children exposed and their families to services and violence prevention programs.
and partnering organizations to undertake demonstration projects to improve service delivery. To be eligible to receive a grant under this section, an entity shall be—

(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence, dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual assault, or stalking prevention, dating violence, sexual assault, or stalking: (A) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1602 of the Defense Dependents’ Education Act of 1978, a group of schools, or a school district.

(B) a local community-based organization, population-specific organization, university or health care clinic, faith-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization with a demonstrated history of effective work addressing the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking.

(C) a community-based organization, population-specific organization, university or health care clinic, faith-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization with the capacity to provide necessary expertise to meet the special needs of children and youth.

(D) a nonprofit, nongovernmental entity providing services for runaway or homeless youth exposed to domestic violence, dating violence, sexual assault, or stalking.

(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with diverse prevention and educational programs and not duplicate existing efforts.

(2) an entity that—

(A) include outcome-based evaluation; and

(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

(3) a State that—

(A) include outcome-based evaluation; and

(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

(4) a Department that gives preference to applicants that—

(A) provide necessary expertise to meet the special needs of children and youth.

(B) have completed or will complete sufficient training in connection with diverse prevention and educational programs and not duplicate existing efforts.

(5) a Department that gives preference to applicants that—

(A) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

(6) an entity that—

(A) include outcome-based evaluation; and

(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

(7) a grantee that is an entity that—

(A) include outcome-based evaluation; and

(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

(8) an entity that—

(A) include outcome-based evaluation; and

(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.
“(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and counsel those who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.”

“(2) ELIGIBLE ENTITIES.—

(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section, as part of an comprehensive programmatic approach implemented under the grant, issues relating to child and elder abuse.

(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

(C) ELIGIBLE ENTITIES.—Grants funded under subsection (a)(3) may be used for—

(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and elder abuse, as well as childhood exposure to domestic and sexual violence.

(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs.

(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral and health promotion efforts. Each health profession, training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses;

(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other such examinations.

(c) REQUIREMENTS FOR GRANTEES.—

(1) CONFIDENTIALITY AND SAFETY.—

(A) IN GENERAL.—Grantees under this section shall ensure all grantees under this section who have been awarded funds under grant agreements with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 6002(b)(3) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with the educational components that have been fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, record, and staff. Each grantee shall complete with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentiality and security procedures, and provide documentation of such consultation.

(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed in mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

(C) ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

(8) APPLICATION.—

(A) PREREQUISITES.—In selecting grant recipients, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations, under this subsection.

(B) SUBSECTION (A)(1) AND (2) GRANTEE.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each—

(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

(II) a health care facility or system; or

(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

(ii) strategies for the dissemination and sharing of curricula, training materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

(C) SUBSECTION (A)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions and victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and public and private organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make connections to those they are victims of domestic violence, dating violence, sexual assault, or stalking, other types of violence, and documentation of an ongoing collaborative relationship with a local victim service provider; and

(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs established with such grant funds will adhere to the guidelines set forth by the Attorney General.

(d) ELIGIBLE ENTITIES.—

(1) PROHIBITIONS ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

(2) APPLICATION.—

(A) PREREQUISITES.—In selecting grant recipients, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations, under this subsection.

(B) SUBSECTION (A)(1) AND (2) GRANTEE.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and, which includes at least one of each—

(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

(II) a health care facility or system; or

(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and, health care, including physical or mental health care; or

(IV) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization that has a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care.

(2) TECHNICAL ASSISTANCE.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

(3) REPORTING.—The Secretary shall publish a biennial report on—

(A) the distribution of funds under this section; and

(B) the programs and activities supported by such funds.

(9) RESEARCH AND EVALUATION.—

(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity, or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care.

(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

(3) REPORTING.—The Secretary shall publish a biennial report on—

(A) the distribution of funds under this section; and

(B) the programs and activities supported by such funds.

(10) RESEARCH AND EVALUATION.—

(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity, or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care.

(2) RESEARCH.—Research authorized in paragraph (1) may include—

(A) research on the effects of domestic violence, dating violence, sexual assault, and sexual violence on health behaviors, health conditions, and health status of individuals, populations, and communities; and

(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and sexual violence.

(3) REPORTING.—The impact of domestic violence, dating violence, sexual assault, and sexual violence on health care setting that prevent domestic violence, dating violence, sexual assault, and sexual violence.

February 28, 2013

CONGRESSIONAL RECORD — HOUSE

H719
Title VI—Safe Homes for Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Sec. 601. Housing Protections for Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

(a) Definition. In this chapter:

‘(1) AFFILIATED INDIVIDUAL.—The term ‘affiliated individual’ means, with respect to an individual—

(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

(B) any individual, tenant, or lawful occupant of the household of the individual who is a tenant or lawful occupant of the housing program;

‘(2) APPROPRIATE AGENCY.—The term ‘appropriate agency’ means, with respect to a covered housing program, the responsible agency that—

(A) has jurisdiction under Federal, State, or local law that provides eligibility, admission, assistance, or participation in the program;

(B) extends to the applicant or tenant documentation described in this paragraph at its discretion.

‘(3) COVERED HOUSING PROGRAM.—The term ‘covered housing program’ means—

(A) the program under section 202 of the Housing Act of 1937 (12 U.S.C. 170q);

(B) the program under section 2 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8031);

(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

(D) the program under title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 13600 et seq.);

(E) the program under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1715q); and

(F) the program under section 236 of the National Housing Act (12 U.S.C. 1715z-1);

‘(4) FAILURE TO PROVIDE CERTIFICATION.—If the appropriate agency that—

(A) has jurisdiction under Federal, State, or local law that provides eligibility, admission, assistance, or participation in the program;

(B) extends to the applicant or tenant documentation described in this paragraph at its discretion.

‘(5) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

(A) a certification form approved by the appropriate agency that—

(B) requires the applicant to establish eligibility for housing under another covered housing program.

‘(6) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program—

(A) evicts the applicant or tenant, or a lawful occupant of the housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

(i) terminate the participation of the applicant or tenant in the covered housing program; or

(ii) terminate the participation of any other tenant.

‘(7) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

(A) a certification form approved by the appropriate agency that—

(B) requires the applicant to establish eligibility for housing under another covered housing program.

‘(8) RULES OF CONSTRUCTION.—Nothing in this chapter shall be construed to—

(A) require any public housing agency or owner or manager of housing assisted under the covered housing program, if notified of a court order, to comply with such court order.

‘(9) APPROPRIATE AGENCY.—The term ‘appropriate agency’ means, with respect to a covered housing program—

(A) the public housing agency or owner or manager of housing assisted under a covered housing program, if notified of a court order, to comply with such court order.

‘(10) AFFILIATED INDIVIDUAL.—The term ‘affiliated individual’ means, with respect to an individual—

(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

(B) any individual, tenant, or lawful occupant of the household of the individual who is a tenant or lawful occupant of the housing program;

‘(11) APPROPRIATE AGENCY.—The term ‘appropriate agency’ means, with respect to a covered housing program—

(A) the public housing agency or owner or manager of housing assisted under a covered housing program, if notified of a court order, to comply with such court order.

‘(12) COVERED HOUSING PROGRAM.—The term ‘covered housing program’ means—

(A) the program under section 202 of the Housing Act of 1937 (12 U.S.C. 170q);

(B) the program under section 2 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8031);

(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

(D) the program under title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 13600 et seq.);

(E) the program under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1715q); and

(F) the program under section 236 of the National Housing Act (12 U.S.C. 1715z-1);

‘(E) the program under section 236 of the National Housing Act (12 U.S.C. 1715z-1);

‘(F) the program under section 236 of the National Housing Act (12 U.S.C. 1715z-1);

‘(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z-1);
“(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;”

“(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and”

“(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;”

“(B) in paragraphs (3)(A), (C), and (D) of paragraph (3).

“(i) is signed by—

“(1) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, sexual assault, or stalking, or

“(2) the public housing agency or owner or manager under this subsection that contains conflicting information, the public housing agency or owner or manager may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

“(A) requested or consented to by the individual in writing;

“(B) required for use in an eviction proceeding under subsection (b); or

“(C) otherwise required by applicable law.

“(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to supersedes any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

“(d) NOTIFICATION.—

“(1) DIVERSION.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality as described in subsection (c)(3)(A), to an applicant or tenants of housing assisted under a covered housing program that—

“(A) the time at the applicant is denied residency in a dwelling unit assisted under the covered housing program;

“(B) the tenant expresses a request to the public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

“(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking, shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

“(A) requested or consented to by the individual in writing;

“(B) required for use in an eviction proceeding under subsection (b); or

“(C) otherwise required by applicable law.

“(g) IMPLEMENTATION.—The appropriate agency shall implement this section, as amended—

“(1) DATES.—The United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

“(B) in paragraphs (3) and (4), respectively; and

“(C) by striking paragraph (20); and

“(D) in subparagraph (C), by striking ‘‘and’’ and all that follows through ‘‘stalking.’’; and

“(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively; and

“(ii) by striking paragraphs (8), (9), (10), and (11); and

“(1) in paragraph (6), by adding ‘‘and’’ at the end; and

“(2) in paragraph (7), by striking the semi-colon at the end and inserting a period; and

“(ii) by striking paragraph (20); and

“(B) required for use in an eviction proceeding under subsection (b); or

“(C) otherwise required by applicable law.

“(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute an unreasonable act or omission by the public housing agency or owner or manager to disqualify an owner, manager, or agent of the public housing agency or owner or manager.

“(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenants of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

“(B) by striking paragraph (20); and

“(B) by striking paragraph (5), by striking ‘‘and’’ and all that follows through ‘‘stalking.’’; and

“(ii) by striking paragraph (20); and

“(D) in subparagraph (B), by striking the last sentence;

“(ii) by striking paragraph (7), by striking the semi-colon at the end and inserting a period; and

“(ii) by striking paragraphs (8), (9), (10), and (11); and

“(ii) by striking paragraphs (8), (9), (10), and (11); and

“(B) in paragraph (6), by adding ‘‘and’’ at the end; and

“(ii) by striking paragraph (7), by striking the semi-colon at the end and inserting a period; and

“(ii) by striking paragraph (20); and

“(B) by striking paragraph (5), by striking ‘‘and’’ and all that follows through ‘‘stalking.’’; and

“(D) in subparagraph (B), by striking ‘‘and’’ and all that follows through ‘‘stalking.’’; and

“(ii) by striking paragraph (20); and

“...
TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 4108(e) of the Violence Against Women Act (42 U.S.C. 14093(e)) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

SEC. 801. U NONIMMIGRANT DEFINITION.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by striking “a” and inserting “the”.

SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICATIONS.

The number of aliens who—

(i) in paragraph (1), by striking “$40,000,000 for each of fiscal years 2007 through 2011” and inserting “$35,000,000 for each of fiscal years 2007 through 2011”;

(ii) in section 40299 (42 U.S.C. 13975); and

(iii) in section (a)(1), by striking “$10,000,000 for each of fiscal years 2007 through 2011” and inserting “$35,000,000 for each of fiscal years 2007 through 2011”.

The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14094 et seq.) is amended—

(1) in section 4104 (42 U.S.C. 14094), by striking “$10,000,000 for each of fiscal years 2007 through 2011” and inserting “$4,000,000 for each of fiscal years 2014 through 2018”.

(a) IN GENERAL.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking “$40,000,000 for each of fiscal years 2007 through 2011” and inserting “$35,000,000 for each of fiscal years 2007 through 2011”;

(2) in the undesignated paragraph at the end; and

(3) in section (a), is further amended—

(A) in the first sentence, by striking “At-
(1) by striking "a consular officer" and inserting "the Secretary of Homeland Security"; and
(ii) by striking the officer and inserting the Secretary.
(2) in paragraph (3)(B)(i), by striking "abuse, and stalking," and inserting "abuse, stalking, or an attempt to commit any such crime."

(2) R EPORT.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall submit to Congress a report that includes the following:
(A) The name of the component of the Department of Justice that will investigate and prosecute violations of the Immigration and Nationality Act described in subsection (5)(B)(i).
(B) A description of the policies and procedures of the Attorney General for consultation with the Secretary of Homeland Security and the State in investigating and prosecuting such violations.

(c) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended by striking "Federal and State sex offender public registries and inserting "the National Sex Offender Public Website".

(d) AUTHORITY.—The Attorney General shall submit to Congress a report that includes the following:
(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with the personal contact information, photograph, or general information about the background or interests of any individual, for the purpose of facilitating a relationship between a person under the age of 18 and an individual.
(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall:
(i) obtain a signed certification from each foreign national client's birth certificate or other proof of age document issued by an appropriate government entity;
(ii) indicate on such certificate or document the date it was received by the international marriage broker;
(iii) retain the original of such certificate or document for 7 years after such date of receipt; and
(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.

(2) in paragraph (2)—
(A) in subparagraph (A)(i)—
(1) the heading, by striking "REGISTRIES. . . ." and inserting "WEBSITE. . . ."; and
(ii) by striking "Registries of State sex offender public registry," and inserting "Website,";
(B) in subparagraph (B)(i), by striking "or stalking," and inserting "or attempting to commit any such crime."
(3) in paragraph (3)—
(A) in subparagraph (A)(i)—
(i) the heading, by striking "Registries of State sex offender public registry," and inserting "Website,";
(ii) by striking "(iii) retain the original of such certificate or document for not more than 1 year, or both.
(4) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively.

(f) Failure of International Marriage Brokers to Comply with Obligations.—Except as provided in clause (ii), an international marriage broker that, in circumstances in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States—
(1) except as provided in subsection (h), violates (or attempts to violate) paragraph (1), (2), (3), or (4) shall be fined in accordance with section 1001, United States Code, or imprisoned for not more than 1 year, or both;
(2) knowingly violates or attempts to violate paragraphs (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 5 years, or both.

(2) MISUSE OF INFORMATION.—A person who knowingly discloses, uses, or causes to be used any information obtained by an international marriage broker as a result of a requirement under paragraph (2) or (3) for any purpose other than the disclosures required under paragraph (3) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both.

(iii) Fraudulent Failures of United States Clients to Make Required Self-Disclosures.—A person who knowingly and intentionally fails to disclose any information that is required to be disclosed by- a United States citizen in order to recruit, solicit, entice, or induce that person into entering a marriage relationship that violates any of the provisions of this Act, shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both.

(iv) Relationship to Other Penalties.—Such penalties provided in clauses (i), (ii), and (iii) are in addition to any other civil or criminal liability under Federal or State law to which a person may be subject for the making of false or fraudulent representations, including misuse to threaten, intimidate, or harass any individual.

(v) CONSTRUCTION.—Nothing in this paragraph or any other provision of this Act shall be deemed to prevent the disclosure of information to law enforcement pursuant to a court order.

(g) Enforcement.—The Attorney General shall be responsible for the enforcement of the provisions of this section, including the
prosecution of civil and criminal penalties provided for by this section.

"(B) CONSULTATION.—The Attorney General shall consult with the Director of the Office on Violence Against Women of the Department of Justice to develop policies and public education designed to promote enforcement of this section.

(4) REPORT.—Section 833(f) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(f)) is amended—

(a) in the subsection heading, by striking "STUDY AND REPORT." and inserting "STUDIES AND REPORTS."; and

(b) by adding at the end the following:

"(4) CONTINUING IMPACT STUDY AND REPORT.—

"(A) STUDY.—The Comptroller General shall conduct a study on the continuing impact of the implementation of this section and of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) on the process for granting K nonimmigrant visas, including specifically a study of the items described in subparagraphs (A) through (E) of paragraph (1).

"(B) REPORT.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Comptroller General shall submit to the Committee on the Judiciary of the House of Representatives a report setting forth the results of the study conducted under paragraph (A).

"(C) DATA COLLECTION.—The Attorney General, the Secretary of Homeland Security, and the Secretary of State shall collect and maintain data necessary for the Comptroller General to conduct the study required by paragraph (1).

SEC. 809. ELIGIBILITY OF CRIME AND TRAFFICKING VICTIMS IN THE WEALTH OF THE NORTHERN MARIANA ISLANDS TO ADJUST STATUS.

Section 101(a)(15)(U) of the Consolidated Natural Resources Act of 2008 (Public Law 110–229; 48 U.S.C. 1806 note), is amended by striking "except that," and all that follows through (E) of paragraph (1).

"(2) for the purpose of determining whether an alien lawfully admitted for permanent residence was defined in section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) has abandoned or lost such status by reason of absence from the United States, an alien's presence in the Commonwealth, before, on or after November 28, 2009, shall be considered to be presence in the United States; and

"(3) in the purpose of determining whether an alien's application for status under subparagraph (T) or (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) was granted is subsequently eligible for adjustment under subsection (1) or (m) of section 245 of such Act (8 U.S.C. 1255), such alien's physical presence in the Commonwealth, on or after November 28, 2009, and subsequent to the grant of status shall be considered to be equivalent to presence in the United States pursuant to a nonimmigrant admission in such status.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 201(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(b) by striking ". . . , after "sexual assault," . . .

"(c) by striking "and stalking" after "sexual assault," ;

"(d) by striking "fleeing," after "sexual assault," ;

"(e) in paragraph (5), by striking "fleeing," after "sexual assault," ;

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 903 of the Violence Against Women Act of 2000 (42 U.S.C. 13952(a)) is amended—

(a) by striking "Secretary of the Department of

"by striking "Secretary or the" before "Attorney General may";

"by striking "Secretary or the" before "Attorney General for"; and

"by inserting "in a manner that protects the confidentiality of such information" after "Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.

(b) GUIDELINES.—Section 384(d) of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended—

"(1) in paragraph (2), by inserting "Secretary or the" before "Attorney General may";

"(2) in paragraph (5), by inserting "Secretary or the" before "Attorney General for";

"by inserting "Secretary or the" before "Attorney General are"; and

"by adding at the end a new paragraph as follows:

"(6) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.

"(c) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Attorney General, the Secretary of State, and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 by amending by striking "241(a)(2)" in the matter following subparagraph (F) and inserting "(a)(2)".

"(d) TRIBAL COALITION GRANTS.—The Attorney General shall award grants on an annual basis under paragraph (1) to—

"(A) each tribal coalition that—

"(i) meets the criteria for a tribal coalition under section 4002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13952(a));

"(ii) is recognized by the Office on Violence Against Women; and

"(iii) provides services to Indian tribes; and

"(B) organizations that propose to incorporate and operate a tribal coalition in areas where Indian tribes are located but no tribal coalition exists.

"(2) USE OF FUNDS.—For each of fiscal years 2014 through 2018, of the amounts appropriated to carry out this subsection—

"(B) not less than 50 percent shall be made available to tribal coalitions described in paragraph (2)(B), provided that 1 or more organizations determined by the Attorney General to be qualified apply;

"(C) not less than 50 percent shall be made available to tribal coalitions described in paragraph (2)(A), which amounts shall be distributed equally among each eligible tribal coalition for the application fiscal year.

"(D) NOTwithstanding paragraph (1) the Attorney General may award grants on an annual basis under this title to carry out the purposes described in paragraph (1).

"(2) OTHER GRANTS.—Nothing in this subsection prohibits any tribal coalition or organization described in paragraph (2) from applying for funding to address sexual assault or domestic violence needs in the same application.

"(3) USE OF FUNDS.—For each of fiscal years 2014 through 2018, of the amounts appropriated to carry out this subsection—

"(A) not more than 10 percent shall be made available to organizations described in paragraph (2)(B), provided that 1 or more organizations determined by the Attorney General to be qualified apply;
Health and Human Services” and inserting “Secretary of Health and Human Services, the Secretary of the Interior,”; and

(B) in paragraph (2), by striking “and stalking” and inserting “stalking, and sex trafficking”; and

(3) by adding at the end the following:

“(c) ANNUAL REPORT.—The Attorney General shall annually consult with each participating tribe to address the recommendations made under subsection (a).”

SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

Title II of Public Law 90-284 (25 U.S.C. 1301 et seq. commonly known as the “Indian Civil Rights Act of 1968”) is amended by adding at the end the following:

“SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

“(a) DEFINITIONS.—In this section:

“(1) DATING VIOLENCE.—The term ‘dating violence’ means violence committed by a person against a person with whom the victim has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, and the interaction between the persons involved in the relationship.

“(2) DOMESTIC VIOLENCE.—The term ‘domestic violence’ means violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic- or family- violence laws of an Indian tribe.

“(3) NOTICE.—An Indian tribe that has or—

“(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

“(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

“(4) EXCEPTIONS.—

“(A) VICTIM AND DEFENDANT ARE BOTH NON-INDIANS.—In general.—A participating tribe may not exercise special domestic violence criminal jurisdiction over an alleged offense if neither the defendant nor the alleged victim is an Indian.

“(B) DEFENDANT LACKS TIES TO THE INDIAN COMMUNITY.—A participating tribe may exercise special domestic violence criminal jurisdiction over an alleged offense if the defendant is not an Indian.

“(C) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

“(i) domestic violence; or

“(ii) sexual violence; or

“(iii) stalking.

“(D) ALTERNATIVE REHABILITATION CENTERS.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

“(i) domestic violence; or

“(ii) sexual violence; or

“(iii) stalking.

“(E) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

“(1) all applicable rights under this Act; and

“(2) if a term of imprisonment of any length may be imposed, all rights described in section 2265(c);

“(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

“(C) former tribunals that have had jurisdiction over the defendant.

“(D) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

“(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

“(a) law enforcement (including the capacity of law enforcement or court personnel to obtain information from national crime information databases);

“(b) prosecution;

“(c) trial and appellate courts;

“(d) probation systems;

“(e) detention and correctional facilities;

“(f) alternative rehabilitation centers;

“(g) culturally appropriate services and assistance for victims and their families; and

“(h) criminal codes and rules of criminal procedure, appellate procedure, and evidence.

“(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in all criminal proceedings in which a participating tribe exercises a crime of domestic violence or dating violence or a criminal violation of a protection order;

“(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

“(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 5771(a) of title 18, United States Code, consistent with title 18, United States Code, section 3771; and

“(g) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section...
(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking ‘‘assault with intent to commit murder, assault with a dangerous weapon, or reckless discharge of a firearm [as defined in section 1346 of this title]’’ and inserting ‘‘a felony assault under section 1153’’.

(c) REPEAT OFFENDERS.—Section 2265(b)(1) of title 18, United States Code, is amended by inserting ‘‘or tribal’’ after ‘‘State’’.

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a)(1) of the Violence Against Women and Department of Justice Reauthorization Act of 2012 (25 U.S.C. 506e–2–A) is amended—

(1) in the case of the Secretary of Health and Human Services, by striking ‘‘5 years’’ and inserting ‘‘10 years’’; and

(2) in subsection (c), by striking ‘‘fiscal years 2007 through 2011’’ and inserting ‘‘fiscal years 2007 through 2016’’.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking ‘‘assault with intent to commit murder, assault with a dangerous weapon, or reckless discharge of a firearm [as defined in section 1346 of this title]’’ and inserting ‘‘a felony assault under section 1153’’.

(c) REPEAT OFFENDERS.—Section 2265(b)(1) of title 18, United States Code, is amended by inserting ‘‘or tribal’’ after ‘‘State’’.

SEC. 1002. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT FORENSIC EVIDENCE.

(a) IN GENERAL.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—In section 904, of title 18, United States Code (as in effect on the date of enactment of this Act), clause (v) relating to section 1153(a)(2) of title 18, United States Code, is amended by striking ‘‘Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the National’’.

(c) EFFECTIVE DATE FOR PILOT PROJECT.—In section 127, of title 18, United States Code (as in effect on the date of enactment of this Act), clause (v) relating to section 1153(a)(2) of title 18, United States Code, is amended by striking ‘‘Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the National’’.

SEC. 1006. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 904(a)(1) of the Violence Against Women and Department of Justice Reauthorization Act of 2012 (25 U.S.C. 506e–2–A) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

‘‘(1) in subsection (a)—

(A) I N GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act or an amendment made by this Act, the Secretary of Health and Human Services, the Attorney General, the Secretary of the Interior, and the Secretary of Agriculture may petition the Attorney General to designate the tribe as a participating tribe under section 904(a) of this title on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants’ rights, consistent with section 204 of Public Law 90–284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under section 904(a) of this title may, in exercising special domestic violence criminal jurisdiction pursuant to subsections (b) and (c) of section 204 of Public Law 90–284, conduct an audit and consulting with the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 1007. BARRING PROSECUTION.

(a) IN GENERAL.—Section 904(a)(1) of the Violence Against Women and Department of Justice Reauthorization Act of 2012(f) is amended by striking ‘‘2 years’’ and inserting ‘‘3 years’’.

(b) EXERCISE OF JURISDICTION.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriated authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

SEC. 1010. SPECIAL RULE FOR THE STATE OF ALASKA.

(a) EXPANDED JURISDICTION.—In the State of Alaska, the amendments made by sections 904, 906, and 907 shall only apply to an Indian country (as defined in section 1151 of title 18, United States Code) of the Metlakatla Indian Community, Annette Island Reserve.

(b) EFFECTIVE DATE FOR USE ON ALASKA.—The jurisdiction and authority of each Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the date of enactment of this Act)—

(1) shall remain in full force and effect; and

(2) are not limited or diminished by this Act or any amendment made by this Act.

(c) SAVINGS PROVISION.—Nothing in this Act or an amendment made by this Act limits or diminishes the jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

TITLE X—SAFER ACT

SEC. 1001. SHORT TITLE.

This title may be cited as the ‘‘Sexual Assault Forensic Evidence Reporting Act of 2013’’ or the ‘‘SAFER Act of 2013’’.

SEC. 1002. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT FORENSIC EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

‘‘(7) To conduct an audit consistent with subsection (b) of the sample of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

(2) To ensure that the collection and processing of DNA evidence by law enforcement agencies from crimes, including sexual assault and other violent crimes against persons, is carried out in a timely and in accordance with the protocols and practices developed under subsection (a)(1).’’;

(b) in subsection (c), by adding at the end the following new paragraph:

‘‘(4) ALLOCATION OF GRANT AWARDS FOR AUDITS.—For each of fiscal years 2014 through 2016, not more than 7 percent of the amount provided under paragraph (1) shall, if sufficient applications to justify such amounts are received, be awarded by the Attorney General for purposes described in subsection (a)(7), provided that none of the funds required to
be distributed under this paragraph shall decrease or otherwise limit the availability of funds required to be awarded to States or units of local government under paragraph (3).”;

(3) by adding at the end the following new subsections:

“(D) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

“(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(7) only if the State or unit of local government—

(A) submits a plan for performing the audit of samples described in such subsection; and

(B) includes in such plan a good-faith estimate of the number of such samples.

“(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(7)—

(A) may not enter into any contract or agreement with any non-governmental vendor laboratory to conduct an audit described in subsection (a)(7); and

(B) shall—

(i) not later than 1 year after receiving the grant, complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under paragraph (1); and

(ii) not later than 60 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of the initiation of an audit under paragraph (1)(A), subject to paragraph (4)(F), include in any required reports under clause (V), the information listed under paragraph (4)(B);

(iii) for each sample of sexual assault evidence that is identified as awaiting testing as part of the audit referred to in paragraph (1)(A)—

(I) assign a unique numeric or alphanumeric identifier to each sample of sexual assault evidence described in such subsection, to allow for the State or unit of local government, the Attorney General, which shall contain the information required under subparagraph (B).

(‘B) CONTENTS OF REPORTS.—A report under this paragraph shall contain the following information:

(i) the name of the State or unit of local government filing the report;

(ii) the period of dates covered by the report;

(iii) the cumulative total number of samples of sexual assault evidence that, at the end of the reporting period, the State or unit of local government has determined should undergo DNA or other appropriate forensic analyses;

(iv) the cumulative total number of samples of sexual assault evidence in the possession of the State or unit of local government that, at the end of the reporting period, the State or unit of local government has determined should undergo DNA or other appropriate forensic analyses, provided that the reporting form shall allow for the State or unit of local government, at its sole discretion, to explain the reason for this determination in some or all cases.

(v) The cumulative total number of samples of sexual assault evidence identified by an audit referred to in paragraph (1)(A) or (2)(B)(ii) for which DNA or other appropriate forensic analysis has been completed at the end of the reporting period;

(vi) The cumulative total number of samples of sexual assault evidence described under clause (iii) for which the State or unit of local government has been barred within 12 months by any applicable statute of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates;

(vii) The period of dates covered by the report;

(viii) the information listed under paragraph (4)(B);

(‘D) PERSONALLY IDENTIFIABLE INFORMATION.—The cumulative total number of samples of sexual assault evidence described under clause (iii) for which the State or unit of local government has been barred within 12 months by any applicable statute of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates.

(‘O) ESTABLISHMENT OF PROTOCOLS, TECHNICAL ASSISTANCE, AND DEFINITIONS.—

(‘) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the SAFER Act of 2013, the Director, in consultation with Federal, State, and local law enforcement agencies and government laboratories, shall develop and publish a description of protocols and practices the Director shall ensure that law enforcement personnel, and forward for testing;

(‘) the preferred order in which evidence from the same case is to be collected and disseminated; and

(‘) what information to take into account when determining the type of crime victims regarding the status of crime scene evidence to be tested; and
(E) standards for conducting the audit of the backlog for DNA case work in sexual assault cases required under subsection (n).

(2) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

(3) DEFINITIONS.—In this subsection, the terms ‘awaiting testing’ and ‘possession’ have the meanings given those terms in subsection (n).

SEC. 1004. REPORTS TO CONGRESS.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(7) of the DNA Analysis Backlog Elimination Act of 2000, as amended by section 1002, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) summarizes extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1002; and

(3) summarizes the processing status of the samples of sexual assault evidence identified in Sexual Assault Forensic Evidence Reports established under section 2(n)(4) of the DNA Analysis Backlog Elimination Act of 2000, including the number of samples that have not been tested.

SEC. 1005. REDUCING THE RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(A) in subparagraph (B), by striking “2014” and inserting “2018”; and

(B) by adding at the end the following:

“(C) For each of fiscal years 2014 through 2018, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (1), (2), and (3) of subsection (a).”.

SEC. 1006. SUNSET.

Not later than December 31, 2018, subsections (a)(6) and (n) of section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)(6) and (n)) are repealed.

TITLE XI.—OTHER MATTERS

SEC. 1101. SEXUAL ABUSE IN CUSTODIAL SETTING.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Prisoners Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following:

“(e) by any individual or organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 501(a) of the Internal Revenue Code of 1986.”

(b) UNITED STATES AS DEFENDANT.—Section 1331 of title 28, United States Code, is amended by inserting before the period at the end the following:

“(f) that the commission of a sexual act as defined in section 2266 of title 18, United States Code”.

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

“(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Attorney General shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain in custody any person taken into custody for a violation of the immigration laws of the United States.

“(2) APPLICABILITY.—The standards adopted under paragraph (1) apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Homeland Security shall—

(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

(B) include the results of the assessments in performance evaluations of facilities operated by the Department of Homeland Security.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission on under section 7(e).

“(5) DEFINITION.—As used in this section, the term ‘detention facilities operated under contract with the Department’ includes, but is not limited to, contract detention facilities and detention facilities operated through an intergovernmental service agreement with the Department of Homeland Security.

(d) INAPPLICABILITY.—The detention facilities operated by the Department of Homeland Security.
"(1) In general.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

"(2) Application.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated with the assistance of the Department.

"(3) Compliance.—The Secretary of Health and Human Services shall—

(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

"(4) Considerations.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 1103.

SEC. 1102. ANONYMOUS ONLINE HARASSMENT.

Section 223a(a)(1) of the Communications Act of 1934 (47 U.S.C. 223a(a)(1)) is amended—

(1) in subparagraph (A), in the undesignated matter following clause (ii), by striking "annoys,"; and

(2) in subparagraph (C)—

(A) by striking "annoys,"; and

(B) by striking "harass any person at the called number or who receives the communication" and inserting "harass any specific person.

SEC. 1103. STALKER DATABASE.

Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended by striking "$3,000,000 for fiscal years 2014 through 2018.".

SEC. 1104. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.

Section 40114 of the Violence Against Women Act of 1994 (Public Law 103–322; 108 Stat. 1910) is amended by striking "fiscal years 2014 and 2015; and inserting "fiscal years 2014 through 2018".

SEC. 1105. CHILD ABUSE TRAINING PROGRAMS FOR PEOPLE PERSONNEL AND PRACTITIONERS REAUTHORIZATION.

Subtitle B of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13021) is amended in subsection (a) by striking "$2,300,000" and all that follows and inserting "$3,000,000 for each of fiscal years 2014 through 2018.

TITLE XII—TRAFFICKING VICTIMS PROTECTION

Subtitle A—Combating International Trafficking in Persons

SEC. 1201. REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.

Section 105 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105) is amended—

(1) in subsection (d)(7)(J), by striking "sec-

tion 105(f) of this division" and inserting "subsection (g)");

(2) in subsection (e)(2)—

(A) by striking "(2) COORDINATION OF CERTAIN ACTIVITIES.—", and all that follows through "exploitation."

(B) by redesignating subparagraph (A) as paragraph (2), and moving such paragraph, as so redesignated, 2 ems to the left; and

(C) by redesigning clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the left;

(3) by redesignating subsection (f) as sub-

section (g); and

(4) by inserting after subsection (e) the fol-

lowing:

"(f) REGIONAL STRATEGIES FOR COMBAT-

TING TRAFFICKING IN PERSONS.—Each regional bureau in the Department of State shall con-

tribute to the achievement of the anti-traf-

ficking goals and objectives of the Secretary of State. Each year, in cooperation with the Office to Monitor and Combat Trafficking in Persons in the State Department, the Secretary shall submit a list of anti-trafficking goals and objectives to the Secretary of State for each country in the geographic area of responsibilities of the regional bureau. Host governments shall be informed of the goals and objectives for their particular country and, to the extent possible, host government officials should be consulted regarding the goals and objectives.

"SEC. 1202. PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING.

The Trafficking Victims Protection Act of 2000 is amended by inserting after section 105 (22 U.S.C. 7105) the following:

"SEC. 105A. PARTNERSHIPS TO BUILD, AND STRENGTHEN PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING.

"(a) DECLARATION OF PURPOSE.—The pur-

pose of this section is to promote collabora-

tion and cooperation.

"(1) between the United States Government and governments listed on the annual Trafficking in Persons Report; and

"(2) between foreign governments and civil society actors.

"(b) Partnerships.—The Director of the office established pursuant to section 105(e)(1) of this Act, in coordination and co-

operation with other officials at the Depart-

ment of State, officials at the Department of Labor, and other relevant officials of the United States Government, shall promote, build, and sustain partnerships between the United States Government and private enti-

ties, including foundations, universities, cor-

porations, community-based organizations, and other nongovernmental organizations, to ensure that—

"(1) United States citizens do not use any item, product, or material produced or ex-

tracted with the use and labor from victims of severe forms of trafficking; and

"(2) such entities do not contribute to traf-

ficking in persons involving sexual exploi-

tation.

"(c) PROGRAM TO ADDRESS EMERGENCY SIT-

uations.—The Secretary of State, acting through the Director established pursuant to section 105(e)(1) of this Act, in coordination and co-

operation with other officials at the Depart-

ment of State, officials at the Department of Labor, and other relevant officials of the United States Government, shall promote, build, and sustain partnerships between the United States Government and private enti-

ties, including foundations, universities, cor-

porations, community-based organizations, and other nongovernmental organizations, to ensure that—

"(1) United States citizens do not use any item, product, or material produced or ex-

tracted with the use and labor from victims of severe forms of trafficking; and

"(2) such entities do not contribute to traf-

ficking in persons involving sexual exploi-

tation.

"(d) CHILD PROTECTION COMPACTS.—

"(1) In cooperation with the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, the Secretary of Labor, and the head of any other appropriate agency, the Secretary is au-

thorized to provide assistance under this sec-

tion for each country that enters into a child protection compact with the United States to support policies and programs that—

(A) prevent and respond to violence, ex-

ploitation, and abuse against children; and

(B) measurably reduce the trafficking of minors and the development of effective systems of justice, prevention, and protec-

tion.

"(2) ELEMENTS.—A child protection com-

pact under this subsection shall establish a multi-year plan for achieving shared objec-

tives in furtherance of the purposes of this Act. The compact should take into account, if applicable, the national child protection strategies and national action plans for human trafficking of a country, and shall de-

scribe—

"(A) the specific objectives the foreign government and the United States Government expect to achieve during the term of the compact; and

"(B) the responsibilities of the foreign gov-

ernment and the United States Government in the achievement of such objectives; and

"(C) the particular programs or initiatives to be undertaken in the achievement of such objectives and the amount of funding to be allocated to each program or initiative by both countries;

"(D) regular outcome indicators to moni-

tor and measure progress toward achieving such objectives;

"(E) a multi-year financial plan, including the estimated amount of contributions by the United States Government and the for-

eign government, and proposed mechanisms to implement the plan and provide oversight;";

"(F) by a country for a compact to be devel-

oped to sustain progress toward achieving such objectives after expiration of the compact; and

"(G) how child protection data will be col-

clected, tracked, and managed to provide strengthened case management and policy planning.

"(3) FORM OF ASSISTANCE.—Assistance under this subsection may be provided in the form of grants, cooperative agreements, or contracts to or with national governments, regional or local governmental units, or non-
governmental organizations or private enti-

ties with expertise in the protection of vic-

tims of severe forms of trafficking in per-

sons.

"(4) ELIGIBLE COUNTRIES.—The Secretary of State, in consultation with the agencies set forth in paragraph (1) and relevant officers of the Department of Justice, shall select coun-

tries with which to enter into child protec-

tion compacts. The selection of countries under this paragraph shall be based on—

"(A) the selection criteria set forth in paragraph (5); and

"(B) objective, documented, and quantifi-

able indicators, to the maximum extent pos-

sible.

"(5) SELECTION CRITERIA.—A country shall be selected under paragraph (4) on the basis of criteria developed by the Secretary of State in consultation with the Admin-

istrator of the United States Agency for Interna-

tional Development and the Secretary of Labor. Such criteria shall include—

"(A) a documented high prevalence of traf-

ficking in persons within the country; and

"(B) demonstrated political motivation and continued commitment by the govern-

ment of such country to undertake meaningful measures to address severe forms of traf-

ficking in persons, including prevention, pro-

tection of victims, and the enactment and enforcement of anti-trafficking laws against perpetrators.

"(6) SUSPENSION AND TERMINATION OF AS-

ISTANCE.—

"(A) In general.—The Secretary may sus-

pend or terminate assistance provided under this subsection in whole or in part for a foreign government or a region in which the Secretary deter-

mines that—

"(i) the country or entity is engaged in ac-

tivities that are contrary to the national se-

cretory interests of the United States; or

(ii) the country or entity has engaged in a pattern of actions inconsistent with the
SEC. 1203. PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING.

(a) TASK FORCE ACTIVITIES.—Section 108(d)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7108(d)(3)) is amended by inserting “and shall brief Congress annually on such efforts” before the period at the end.

(b) CONGRESSIONAL BRIEFING.—Section 107(a)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(d)(6)) is amended—

(1) in paragraph (3)—

(A) by striking “peacekeeping” and inserting “diplomatic, peacekeeping,”;

(B) by striking “and measures” and inserting “and a transparent system for remediating or punishing such public officials as a deterrent, measures”; and

(C) by inserting “, effective bilateral, multilateral, or regional information sharing and cooperation arrangements with other countries, and effective policies or laws regulating foreign labor recruiters and holding them criminally liable for fraudulent recruiting” before the period at the end;

(2) in paragraph (4), by inserting “and has entered into effective bilateral, multilateral, or regional law enforcement cooperation and coordination arrangements with other countries” before the period at the end;

(3) in paragraph (8)—

(A) by inserting “, including diplomats and soldiers,” after “public officials”;

(B) by striking “peacekeeping” and inserting “diplomatic, peacekeeping,”;

and

(C) by inserting “A government’s failure to appropriately address public allegations against such public officials, especially once such officials have returned to their home countries, shall be considered inaction under these criteria.” after “such trafficking;”;

(4) by redesignating paragraphs (9) through (11) and paragraphs (10) through (12), respectively; and

(5) by inserting after paragraph (8) the following:

“(9) Whether the government has entered into effective, transparent partnerships, cooperative arrangements, or agreements that have resulted in concrete and measurable outcomes with—

“A domestic civil society organizations, private sector entities, or international non-governmental organizations, or into multilateral or regional arrangements or agreements, to assist the government’s efforts to prevent trafficking, protect victims, and punish traffickers; or

“Bilateral United States toward agreed goals and objectives in the collective fight against trafficking.”.

SEC. 1205. BEST PRACTICES IN TRAFFICKING IN PERSONS ERADICATION.

Section 118(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) is amended—

(1) in paragraph (1)—

(A) by striking “with respect to the status of severe forms of trafficking in persons that shall include”— and inserting “describing the anti-trafficking efforts of the United States and foreign governments according to the minimum standards and criteria enumerated in section 108, and the nature and scope of trafficking in persons in each country and analysis of the trend lines for individual government efforts. The report should include”—;

(B) in subparagraph (E), by striking “,” and inserting “and”; and

(C) in subparagraph (F), by striking the period at the end and inserting “;” and “;

and

(D) by inserting at the end the following:

“(G) a section entitled ‘Promising Practices in the Eradication of Trafficking in Persons’ to highlight effective practices and use of innovation and technology in prevention, protection, prosecution, and partnerships, including by foreign governments, the private sector, and domestic civil society actors.”

(2) in paragraph (2);

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(4) in paragraph (3), as redesignated, by adding at the end the following:

“(E) PUBLIC NOTICE.—Not later than 30 days after notifying Congress of each country determined to have met the requirements under subsection (b), the Secretary of State shall provide a detailed description of the credible evidence supporting such determination on a publicly available website maintained by the Department of State.”.

SEC. 1206. PROTECTIONS FOR DOMESTIC WORKERS AND OTHER NONIMMIGRANTS.

Section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375b) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting “and video for consular waiting rooms” after “information pamphlet”;

and

(B) in paragraph (1)—

(i) by inserting “and video” after “information pamphlet”;

and

(ii) by adding at the end the following:

“(A) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

(B) younger than 18 years of age, if no such law exists.”;

(2) in subsection (b), the authorities contained in section 518(a)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 note) are amended—

(1) in subsection (a) by striking “(b), (c), (d), (e), and (f)” and inserting “(a), (b), (c), (d), (e), and (f)”;

(2) by adding at the end the following:

“(2) to promote the empowerment of girls at risk of child marriage in developing countries;

(3) to provide information on severe forms of trafficking in persons, including the terms ‘child marriage’ or ‘forced marriage’; and

(4) to highlight efforts of each country in which child marriage is prevalent, a description of the status of the practice of child marriage in such country.

(2) DEFINED TERM.—In this subsection, the term ‘child marriage’ means the marriage of a girl or boy who is—

(A) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

(B) younger than 18 years of age, if no such law exists.”;

SECT. 1208. CHILD SOLDIERS.

Section 404 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (22 U.S.C. 2370c–1) is amended—

(1) in subsection (a), by striking “(b), (c), and (d)” and inserting “(b), (c), (d), (e), (f), and (g)”;

(2) in paragraph (1)—

(A) by inserting “and video” after “information pamphlet”; and

(B) in paragraph (2), by inserting “and the video produced or dubbed” after “translated”;

and

(3) in subsection (d)—

(A) in paragraph (1), by inserting “and video” after “information pamphlet”; and

(B) in paragraph (2), by inserting “and the video produced or dubbed” after “translated”;

and

(4) by inserting “Exception for Peacekeeping Operations.” after the date of the enactment of the Violence Against Women Reauthorization Act of 2013,

the Secretary of State shall make available the video developed under subsection (a) produced or dubbed in all the languages referred to in subsection (c).”.

SEC. 1207. PREVENTION OF CHILD MARRIAGE.

(a) IN GENERAL.—Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105) is amended by adding at the end the following:

“(j) PREVENTION OF CHILD TRAFFICKING THROUGH CHILD MARRIAGE.—The Secretary of State shall establish and implement a multi-year, multi-sectoral strategy—

(1) to prevent child marriage;

(2) to promote the empowerment of girls at risk of child marriage in developing countries;

(3) that should address the unique needs, vulnerabilities, and potential of girls younger than 18 years of age in developing countries;

(4) that targets areas in developing countries with high prevalence of child marriage; and

(5) that includes diplomatic and programmatic initiatives.”.

(b) INCLUSION OF CHILD MARRIAGE STATUS IN REPORTS.—The Foreign Assistance Act of 1961 (22 U.S.C. 2321j, 2347, and 2348) is amended—

(1) in section 116 (22 U.S.C. 2515n), by adding at the end the following:

“(g) CHILD MARRIAGE STATUS.—

(1) IN GENERAL.—The report required under subsection (b) shall include, for each country in which child marriage is prevalent, a description of the status of the practice of child marriage in such country.

(2) DEFINED TERM.—In this subsection, the term ‘child marriage’ means the marriage of a girl or boy who is—

(A) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

(B) younger than 18 years of age, if no such law exists.”;

SEC. 1209. PERSONS ERADICATION.
Subtitle B—Combating Trafficking in Persons in the United States

PART I—PENALTIES AGAINST TRAFFICKERS AND OTHER CRIMES

SEC. 1211. CRIMINAL TRAFFICKING OFFENSES.

(a) TRAFFICKING—Section 1591(b) of title 18, United States Code, is amended by inserting “section 1351 relating to fraud in foreign labor contracting,” before “section 1425.”

(b) ENGAGING IN ILICT SEXUAL CONDUCT IN FOREIGN PLACES.—Section 2423(c) of title 18, United States Code, is amended by inserting “or resides, either temporarily or permanently, in a foreign country” after “commerce.”

(c) UNLAWFUL CONDUCT WITH RESPECT TO DOCUMENTS.—

(1) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by adding at the end the following:

“§ 1597. Unlawful conduct with respect to immigration documents

“(a) DESTRUCTION, CONCEALMENT, REMOVAL, CONFISCATION, OR POSSESSION OF DOCUMENTS.—It shall be unlawful for any person to knowingly destroy, conceal, remove, confiscate, or possess, an actual or pretended immigration document of another individual —

“(1) in the course of violating section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324);

“(2) with intent to violate section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

“(3) in order to, without lawful authority, maintain, prevent, or restrict the labor of the services of the individual.

“(b) VIOLATION.—Any person who violates subsection (a) shall be fined under this title, imprisoned for not more than 1 year, or both.

“(c) VIOLATION.—Any person who knowingly obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (b).”.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(i) in section 110(e) (22 U.S.C. 7107(e))—

(1) by striking “section 103(7)” and inserting “section 103(7)(A)”;

(2) by striking “section 103(6)” and inserting “section 103(6)(A)”;

(ii) in section 112(g)(2) (22 U.S.C. 7107(g)(2)), by striking “section 103(6)” and inserting “section 103(6)(A)”;

(B) NORTH KOREAN HUMAN RIGHTS ACT OF 2005.—Section 110(a)(15)(U)(i) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7833(b)(2)) is amended by striking “section 103(14)” and inserting “section 103(15)”.

(C) THE TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.—Section 207 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 1444(e)) is amended—

(i) in paragraph (1), by striking “section 103(6)” and inserting “section 103(6)(A)”;

(ii) in paragraph (2), by striking “section 103(6)” and inserting “section 103(6)(A)”;

(iii) in paragraph (3), by striking “section 103(3)” and inserting “section 103(4)”.

(D) VIOLENT AGAINST WOMEN AND DEPARTMENT OF JUSTICE TRAFFICKING VICTIMS PROTECTION ACT OF 2005.—Section 111(a)(1) of the Violence Against Women and Department of Justice Trafficking Victims Protection Act of 2005 (42 U.S.C. 1444(a)(1)) is amended by striking “paragraph (8)” and inserting “paragraph (9)”.

PART II—ENSURING AVAILABILITY OF POSSIBLE WITNESSES AND INFORMANTS

SEC. 1212. PREVENTION OF TRAFFICKING VICTIMS WHO COOPERATE WITH LAW ENFORCEMENT.

Section 1591(a)(15)(T)(i) of title 18, United States Code, is amended by adding at the end the following:

“(R) the activities undertaken by the Department of Health and Human Services in providing assistance and support, including services provided to victims to secure avoidance of future victimization;

(S) the number of victims granted continued presence in the United States under section 107(c)(3); and

(T) the activities undertaken by Federal agencies to ensure the effective and efficient use of programs for which the victims are eligible.”.

PART III—ENSURING INTERAGENCY COORDINATION AND EXPANDED REPORTING

SEC. 1213. REPORTING REQUIREMENTS FOR THE ATTORNEY GENERAL.

Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7109(d)(7)) is amended—

(A) by redesignating subparagraphs (D) through (H) as subparagraphs (E) through (J) respectively;

(B) by adding at the end the following:

“(B) the number of persons who have been granted continued presence in the United States under section 107(c)(3) during the preceding fiscal year and the mean and median time to adjudicate applications submitted under such section, including the time from the receipt of an application by law enforcement to the issuance of a visa and work authorization;

“(C) the mean and median time in which it takes to adjudicate applications submitted under the provisions of law set forth in subparagraph (C), including the time between the receipt of an application and the issuance of a visa or status under clause (ii) of section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)) during the preceding fiscal year;

“(D) the number of persons who have applied for, been granted, or been denied a visa or status under clause (ii) of section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)) during the preceding fiscal year;

“(E) the number of Federal funds expended in direct benefits paid to individuals described in subparagraph (D) in conjunction with T visa status;

“(F) the number of persons who have applied for, been granted, or been denied a visa or status under each offense under section 101(a)(15)(U)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(i)) during the preceding fiscal year;

“(G) the mean and median time in which it takes to adjudicate applications submitted under the provisions of law set forth in subparagraph (C), including the time between the receipt of an application and the issuance of a visa or work authorization;

“(H) any efforts being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing of the applications;”.

(3) in subparagraph (N)(iii), as redesignated, by striking “and” at the end;

(4) in subparagraph (O)(iii), as redesignated, by striking the period at the end and inserting “and”;

(5) by adding at the end the following:

“(P) the activities undertaken by Federal agencies to ensure the effective and efficient use of programs for which the victims are eligible.”.

(1) ABUSE OR THREATENED ABUSE OF LAW ENFORCEMENT.—Section 101(a)(15)(U)(ii) of the Trafficking Victims Protection Act of 2000 (8 U.S.C. 1101(a)(15)(T)(ii)) is amended by inserting “a minor or adult child of a derivative beneficiary of the alien, as” after “age”.


PART III—ENSURING INTERAGENCY COORDINATION AND EXPANDED REPORTING

SEC. 1221. PENALTIES AND CONFIRMING TRAFFICKING VICTIMS WHO CooperATE WITH LAW ENFORCEMENT.

Section 207(a)(15) of the Trafficking Victims Protection Act of 2005 (42 U.S.C. 1444(a)(15)) is amended—

(A) by redesignating subparagraphs (D) through (J) as subparagraphs (E) through (J) respectively;

(B) by adding at the end the following:

“(B) the number of persons who have been granted continued presence in the United States under section 107(c)(3) and

“(C) the number of individuals referred for prosecution for State offenses, including offenses relating to the purchasing of commercial sex acts;

“(D) the number of victims granted continued presence in the United States under section 107(c)(3); and

“(E) the activities undertaken by Federal agencies to ensure the effective and efficient use of programs for which the victims are eligible.”.

SEC. 1222. PROTECTION AGAINST FRAUD IN FOREIGN LABOR CONTRACTING.


SEC. 1223. REPORTING REQUIREMENTS FOR THE SECRETARY.

Section 105(b) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(b)) is amended by adding at the end the following:

“(3) SUBMISSION TO CONGRESS.—Not later than December 1, 2014, and every 2 years thereafter, the Secretary of Labor shall submit the list developed under paragraph (2)(C) to Congress.”.
Section 105(a) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)) is amended by adding at the end the following:

“(3) INFORMATION SHARING.—The Secretary of State shall, on a regular basis, provide information about any labor and forced labor in the production of goods in violation of international standards to the Department of Labor to be used in developing the list described in subsection (b)(2)(C).

SEC. 1234. GOVERNMENT TRAINING EFFORTS TO INCLUDE THE DEPARTMENT OF LABOR.

Section 107(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(c)(4)) is amended—

(a) In General.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct any audit of foreign labor contractors to—

(1) address the role and practices of United States employers in—

(A) the use of labor recruiters or brokers; or

(B) directly recruiting foreign workers;

(2) analyze the laws that protect such workers, both overseas and domestically;

(3) describe the oversight and enforcement mechanisms in Federal departments and agencies for such laws; and

(4) identify any gaps that may exist in those protections; and

(5) recommend possible actions for Federal departments and agencies to combat any abuses.

(b) Requirements.—The report under subsection (a) shall—

(1) describe the role of labor recruiters or brokers working in countries that are sending workers to the United States under the temporary worker programs, including any identified involvement in labor abuses;

(2) describe the role and practices of employers in the United States that commission labor recruiters or brokers or directly recruit foreign workers;

(3) describe the role of Federal departments and agencies in overseeing and regulating recruitment processes, including certifying and enforcing under existing regulations;

(4) describe the type of jobs and the numbers of foreign workers in the United States that have been filled through foreign workers during each of the last 8 years, including positions within the Federal Government;

(5) describe contracts or programs undertaken by Federal, State and local government entities to encourage employers, directly or indirectly, to use foreign workers or to use foreign employers for using foreign workers; and

(6) based on the information required under paragraphs (1) through (3), identify any common recruitment patterns and the employment system, including the use of fees and debts, and recommendations of actions that could be taken by Federal departments and agencies to combat any identified abuses.

SEC. 1236. ACCOUNTABILITY.

All grants awarded by the Attorney General under this Act or an Act amended by this title shall be subject to the following accountability provisions:

(1) Audit Requirement.—In this paragraph, the term “unresolved audit finding” means an audit report finding in the final audit report of the Inspector General of the Department of Justice that has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during the 12-month period beginning on the date on which the final audit report is issued.

(2) Requirement.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title or an Act amended by this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

SEC. 1237. GAO REPORT ON THE USE OF FOREIGN LABOR CONTRACTORS.

(a) In General.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct an audit of the foreign labor recruitment process, the role of United States employers in—

(B) directly recruiting foreign workers;

(b) Requirement.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title or an Act amended by this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

SEC. 1238. INFORMATION SHARING TO COMBAT LABOR EXEEESS.

(a) In General.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 14044a) is amended—

(3) Mandatory exclusion.—A recipient of a grant under this Act or an Act amended by this Act that has had an unresolved audit finding shall not be eligible to receive grant funds under this Act or an Act amended by this Act for the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

(b) Proportionality.—In awarding grants under this Act or an Act amended by this Act, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this Act or an Act amended by this Act.

(c) Reimbursement.—If an entity is awarded grant funds under this Act or an Act amended by this Act that were improperly awarded to the grantee into the General Fund of the Treasury; and

(2) seek to recover the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(d) Nonprofit Organization Requirement.—

(1) Definition.—For purposes of this paragraph and the grant programs under this Act or an Act amended by this Act, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(2) Prohibition.—The Attorney General may not award a grant under this Act or an Act amended by this Act to a nonprofit organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

SEC. 1239. PROVISIONS FOR CERTAIN PERSONS SUBJECT TO TRAFFICKING.

(a) Definitions.—In this section—

(1) Assistant Secretary.—The term ‘Assistant Secretary’ means the Assistant Secretary for Children and Families of the Department of Health and Human Services.

(2) Assistant Attorney General.—The term ‘Assistant Attorney General’ means the Assistant Attorney General for the Office of Justice Programs of the Department of Justice.

SEC. 202. ESTABLISHMENT OF A GRANT PROGRAM TO DEVELOP, EXPAND, AND STRENGTHEN PROGRMS FOR CERTAIN PERSONS SUBJECT TO TRAFFICKING.

(a) In General.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 14044a) is amended to read as follows:

(2) Trust Fund.—The term ‘Trust Fund’ means an trust fund established by the Attorney General for purposes of avoiding the payment of the tax described in section 511(a) of the Internal Revenue Code of 1986.
“(B) has demonstrated cooperation between Federal, State, local, and, where applicable, tribal law enforcement agencies, prosecutors, and social service providers in addressing sex trafficking of minors;”

“(C) has developed a workable, multi-disciplinary plan to combat sex trafficking of minors, including—

“(1) EVALUATING—The Assistant Attorney General may renew a grant under this section for up to 31-year periods.

“(2) PRIORITY.—In making grants in any fiscal year in which grants are made under this section, the Assistant Attorney General shall give priority to an eligible entity that received a grant in the previous fiscal year and is eligible for a renewal under this subparagraph, taking into account any evaluation of the eligible entity conducted under paragraph (4), if available.

“(E) CONSULTATION.—In carrying out this section, the Assistant Attorney General shall consult with the Assistant Secretary with respect to—

“(i) evaluations of grant recipients under paragraph (4);

“(ii) avoiding unintentional duplication of grants; and

“(iii) any other areas of shared concern.

“(2) USE OF FUNDS.—

“(A) ALLOCATION.—Not less than 67 percent of each grant made under paragraph (1) shall be used by the eligible entity to provide residential care and services (as described in clauses (i) through (iv) of subparagraph (B)) to minor victims of sex trafficking through qualified nongovernmental organizations.

“(B) AUTHORIZED ACTIVITIES.—Grants awarded pursuant to paragraph (2) may be used for—

“(i) providing residential care to minor victims of sex trafficking, including temporary or long-term placement as appropriate;

“(ii) providing 24-hour emergency social services response for minor victims of sex trafficking;

“(iii) providing minor victims of sex trafficking with clothing and other daily necessities needed to keep such victims from turning to living on the street;

“(iv) case management services for minor victims of sex trafficking;

“(v) mental health counseling for minor victims of sex trafficking, including specialized counseling and substance abuse treatment;

“(vi) legal services for minor victims of sex trafficking;

“(vii) specialized training for social service providers, public sector personnel, and private sector personnel likely to encounter sex trafficking victims on issues related to the sex trafficking of minors and severe forms of trafficking in persons;

“(viii) outreach and education programs to provide information about deterrence and prevention of sex trafficking of minors; and

“(ix) programs to provide treatment to individuals charged or cited with purchasing or attempting to purchase sex acts in contexts where—

“(1) a treatment program can be mandated as a condition of a sentence, fine, suspended sentence, or probation, or is an appropriate alternative to criminal prosecution; and

“(2) the individual was not charged with purchasing or attempting to purchase sex acts with a minor; and

“(x) screening and referral of minor victims of severe forms of trafficking in persons.

“(B) CONTENTS.—Each application submitted pursuant to subparagraph (A) shall—

“(i) describe the activities for which assistance under this section is sought; and

“(ii) provide such information as the Assistant Attorney General determines to be essential to ensure compliance with the requirements of this section.

“(C) MANDATORY EXCLUSION.—An eligible entity that receives a grant under this section that is found to have utilized grant funds for any unauthorized expenditure or otherwise unallowable cost shall not be eligible for any grant funds awarded under the grant for 2 fiscal years following the year in which the unauthorized expenditure or unallowable cost was incurred.

“(D) COMPLIANCE REQUIREMENT.—An eligible entity shall not be eligible to receive a grant under this section if, during the 5 fiscal years before the eligible entity submits an application for the grant, the eligible entity has been found to have violated the terms or conditions of a Government grant program by utilizing grant funds for unauthorized expenditures or otherwise unallowable costs.

“(E) ADMINISTRATIVE CAP.—The cost of administering the grants authorized by this section shall not exceed 3 percent of the total amount appropriated to carry out this section.

“(F) AUDIT REQUIREMENT.—For fiscal years 2016 and 2017, the Inspector General of the Department of Justice shall conduct an audit of all 4 eligible entities that receive block grants under this section.

“(G) MATCH REQUIREMENT.—An eligible entity that receives a grant under this section shall provide a non-Federal match in an amount equal to not less than—

“(1) 15 percent of the grant during the first year;

“(2) 25 percent of the grant during the first renewal period;

“(3) 40 percent of the grant during the second renewal period; and

“(4) 50 percent of the grant during the third renewal period.

“(H) NO LIMITATION ON SECTION 204 GRANTS.—An entity that applies for a grant under section 204 is not prohibited from also applying for a grant under this section.

“(I) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $8,000,000 to the Attorney General for each of the fiscal years 2014 through 2017 to carry out this section.

“(J) GAO EVALUATION.—Not later than 30 months after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains—

“(1) an evaluation of the impact of this section in aiding minor victims of sex trafficking in the jurisdiction of the entity receiving the grant; and

“(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate.”

“(b) SUNSET PROVISION.—The amendment made by subsection (a) expires during the 4-year period beginning on the date of the enactment of this Act.

“H733
SEC. 1242. EXPANDING LOCAL LAW ENFORCEMENT GRANTS FOR INVESTIGATIONS AND PROSECUTIONS OF TRAFFICKING IN PERSONS.

Section 204 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 7109a) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking “,” which include United States citizens, or

(B) by redesigning subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively; and

(C) by inserting after subparagraph (A) the following:

“(B) to train law enforcement personnel how to prevent and identify forms of trafficking in persons and related offenses;“ and

(D) in subparagraph (C), as redesignated, by inserting “and prioritize the investigations and prosecutions of those cases involving minor victims” after “sex acts”;

(2) by redesigning subsection (d) as subsection (e);

(3) by inserting after subsection (c) the following:

“(d) NO LIMITATION ON SECTION 202 GRANT APPLICATIONS.—An entity that applies for a grant under section 202 is not prohibited from also applying for a grant under this section.

(4) in subsection (e), as redesignated, by striking “$20,000,000 for each of the fiscal years 2008 through 2011 and inserting “$10,000,000 for each of the fiscal years 2014 through 2017”;

(5) by adding at the end the following:

“(f) GAO EVALUATION AND REPORT.—Not later than 30 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study of and submit to Congress a report evaluating the impact of this section on—

“(1) the ability of law enforcement personnel to identify victims of severe forms of trafficking in persons and investigate and prosecute cases against offenders, including offenders who engage in the purchasing of commercial sex acts with a minor; and

“(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate to improve the ability described in paragraph (1).”.

SEC. 1243. MODEL STATE CRIMINAL LAW PROTECTION FOR CHILD TRAFFICKING VICTIMS AND SURVIVORS.

Section 225(b) of the Trafficking Victims Reauthorization Act of 2008 (22 U.S.C. 7101 note) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) protects children exploited through prostitution by including safe harbor provi-
sions that—

“(A) treat an individual under 18 years of age who has been arrested for engaging in, or attempting to engage in, a sexual act with another person in exchange for monetary compensation as a victim of a severe form of trafficking in persons;

“(B) prohibit the charging or prosecution of an individual described in subparagraph (A) for a prostitution offense;

“(C) require the referral of an individual described in subparagraph (A) to appropriate service providers, including comprehensive service or community-based programs that provide assistance to child victims of commercial sexual exploitation; and

“(D) provide that an individual described in subparagraph (A) shall not be required to prove fraud, force, or coercion in order to receive the protections described under this paragraph.”;

Subtitle C—Authorization of Appropriations


The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(1) in section 112A(b)(4) (22 U.S.C. 7109a(b)(4))—

(A) by striking “$2,000,000” and inserting “$1,000,000”; and

(B) by striking “2008 through 2011” and inserting “2014 through 2017”;

(2) in section 113 (22 U.S.C. 7110)—

(A) in subsection (a), by striking “$5,500,000 for each of the fiscal years 2008 through 2011” each place it appears and inserting “$2,000,000 for each of the fiscal years 2014 through 2017”; and

(B) in subsection (b) and (c), by striking “Secretary of Health and Human Services” and all that follows and inserting “$8,000,000 for the fiscal years 2008 through 2011 and $4,000,000 for the fiscal years 2014 through 2017”;

(3) in subsection (e), by striking “$12,500,000 for each of the fiscal years 2008 through 2011” and inserting “$2,000,000 for each of the fiscal years 2014 through 2017”;

(4) in subsection (f), as redesignated, by striking “$15,500,000 for each of the fiscal years 2008 through 2011 and” and inserting “$10,000,000 for each of the fiscal years 2014 through 2017”;

(5) by adding at the end the following:

“(g) GAO EVALUATION AND REPORT.—Not later than 30 months after the date of enactment of this Act, the Comptroller General shall conduct an audit and submit to Congress a report evaluating the impact of this section on—

“(1) the ability of law enforcement personnel to investigate and prosecute cases against offenders, including offenders who engage in the purchasing of commercial sex acts with a minor or in a supervised group home, and

“(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate to improve the ability described in paragraph (1).”.


The Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164) is amended—

(1) by striking section 102(b)(7); and

(2) in section 201(c)(2), by striking “$1,000,000 for each of the fiscal years 2008 through 2011” and inserting “$1,000,000 for each of the fiscal years 2014 through 2017”;

Subtitle D—Unaccompanied Alien Children

SEC. 1261. APPROPRIATE CUSTODIAL SETTINGS FOR UNACCOMPANIED MINORS WHO REMAIN IN THE AGE OF MAJORITY WHILE IN FEDERAL CUSTODY.

Section 235(c)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(2)) is amended—

(1) by striking “Subject to” and inserting the following:

“(A) MINORS IN DEPARTMENT OF HEALTH AND HUMAN SERVICES CUSTODY.—Subject to; and

(2) by adding at the end the following:

“(B) ALIENS TRANSFERRED FROM DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEPARTMENT OF HOMELAND SECURITY.—If a minor described in subparagraph (A) is under 18 years of age and transferred to the custody of the Secretary of Homeland Security, the Secretary shall consider placement in the least restrictive setting available that will ensure that the alien’s danger to self, danger to the community, and risk of flight. Such aliens shall be eligible to participate in alternative to detention programs, utilizing a continuum of alternatives based on the alien’s need for supervision, which may include placement of the alien with an individual or an organizational sponsor, or in a supervised residence; and

SEC. 1262. APPOINTMENT OF CHILD ADVOCATES FOR UNACCOMPANIED MINORS.

Section 235(c)(6) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(6)) is amended—

(1) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—The Secretary; and

(2) by striking “criminal” and inserting “crime”;

(3) by adding at the end the following:

“(B) APPOINTMENT OF CHILD ADVOCATES.—

“(i) INITIAL SITES.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall appoint child advocates at 3 new immigration detention sites to provide services to unaccompanied alien children.

“(ii) ADDITIONAL SITES.—Not later than 3 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary shall appoint child advocates at not more than 3 additional immigration detention sites.

“(iii) SELECTION OF SITES.—Sites at which child advocate programs will be established under this subparagraph shall be located at immigration detention sites at which more than 50 children are held in immigration custody, and shall be selected sequentially, with priority given to locations with—

“(I) the largest number of unaccompanied alien children; and

“(II) the most vulnerable populations of unaccompanied children.

“(C) EXPENDITURES.—

“(i) ADMINISTRATIVE EXPENSES.—A child advocate program may not use more than 10 percent of the Federal funds received under this section for administrative expenses.

“(ii) NONEXCLUSIVITY.—Nothing in this section may be construed to restrict the ability
of a child advocate program under this section to apply for or obtain funding from any other source to carry out the programs described in this section.

(III) CONTRIBUTION OF FUNDS.—A child advocate program selected under this section shall contribute non-Federal funds, either directly or through in-kind contributions, to the costs of the child advocate program in an amount in excess of 25 percent of the total amount of Federal funds received by the child advocate program under this section. In-kind contributions may not exceed 40 percent of the matching requirement under this clause.

(D) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, and annually thereafter, the Secretary of Health and Human Services shall submit a report describing the activities undertaken by the Secretary to authorize the appointment of independent Child Advocates for trafficking victims and vulnerable unaccompanied alien children to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

(E) ASSESSMENT OF CHILD ADVOCATE PROGRAM.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Comptroller General of the United States shall conduct a study regarding the effectiveness of the Child Advocate Program operated by the Secretary of Health and Human Services.

(2) MATTERS TO BE STUDIED.—In the study required under clause (1), the Comptroller General shall—

(A) analyze the effectiveness of child advocate programs in improving outcomes for trafficking victims and other vulnerable unaccompanied alien children;

(B) evaluate the implementation of child advocate programs in new sites pursuant to subparagraph (B);

(C) evaluate the extent to which eligible trafficking victims and other vulnerable unaccompanied alien children are receiving child advocate services and assess the possible budgetary implications of increased participation in the program;

(D) evaluate the barriers to improving outcomes for trafficking victims and other vulnerable unaccompanied children; and

(E) make recommendations on statutory changes to improve the Child Advocate Program in relation to the matters analyzed under subclauses (I) through (IV).

(III) GAO REPORT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives, a report that contains the findings and recommendations.

(IV) GENERAL.—The Comptroller General shall—

(A) analyze the effectiveness of existing child advocate programs in improving outcomes for trafficking victims and other vulnerable unaccompanied alien children;

(B) evaluate the implementation of child advocate programs in new sites pursuant to subparagraph (B);

(C) evaluate the extent to which eligible trafficking victims and other vulnerable unaccompanied alien children are receiving child advocate services and assess the possible budgetary implications of increased participation in the program;

(D) evaluate the barriers to improving outcomes for trafficking victims and other vulnerable unaccompanied children; and

(E) make recommendations on statutory changes to improve the Child Advocate Program in relation to the matters analyzed under subclauses (I) through (IV).

(III) GAO REPORT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives, a report that contains the findings and recommendations.

SEC. 1263. ACCESS TO FEDERAL FOSTER CARE AND UNACCOMPANIED REFUGEE MINOR PROTECTIONS FOR CERTAIN VULNERABLE UNACCOMPANIED ALIEN CHILDREN.


(1) in subparagraph (A), by striking “either”; and

(2) in subparagraph (B), by striking “or” and inserting “and”.

SEC. 1264. GAO STUDY OF THE EFFECTIVENESS OF BORDER SCREENINGS.

(A) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study examining the effectiveness of screenings conducted by Department of Homeland Security personnel in carrying out section 235(a)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1101(a)(15)(U)).

(2) STUDY.—In carrying out paragraph (1), the Comptroller General shall take into account—

(A) the degree to which Department of Homeland Security personnel are adequately ensuring that—

(i) all children are being screened to determine whether they are described in section 235(a)(2)(A) of the William Wilberforce Trafficking Victims Protection Reauthorization Act;

(ii) appropriate and reliable determinations are being made about whether children are described in section 235(a)(2)(A) of such Act, including determinations of the age of such children;

(iii) children are repatriated in an appropriate manner, consistent with clauses (i) through (iii) of section 235(a)(2)(C) of such Act;

(iv) children are appropriately being permitted to withdraw their applications for admission, in accordance with section 235(a)(2)(B)(iv) of such Act;

(v) children are being properly cared for while they are in the custody of the Department of Homeland Security and awaiting repatriation or transfer to the custody of the Secretary of Health and Human Services; and

(vi) children are being transferred to the custody of the Secretary of Health and Human Services in a manner that is consistent with such Act; and

(B) the number of such children that have been transferred to the custody of the Department of Health and Human Services, the Federal funds expended to maintain custody of such children, and the Federal benefits available to such children, if any.

(3) ACCESS TO DEPARTMENT OF HOMELAND SECURITY OPERATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), for the purposes of conducting the study described in subsection (a), the Secretary shall provide the Comptroller General with unrestricted access to all stages of screenings, and the results of interactions between Department of Homeland Security personnel and children encountered by the Comptroller General.

(B) EXCEPTION.—The Secretary shall not permit unrestricted access under subparagraph (A) if the Secretary determines that the security of a particular interaction would be threatened by such access.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of the commencement of the study described in subsection (a), the Comptroller General of the United States shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains the Commission’s findings and recommendations.

The SPEAKER pro tempore. After 1 hour of debate on the bill equally divided and controlled by the majority leader and the minority leader or their designees, it shall be in order to consider an amendment in the nature of a substitute consisting of the text of Rules Committee print 113–2, if offered by the majority leader or his designee, which shall be in order without interjection of any point of order, shall be considered as read, and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent.

Mrs. McMorris Rodgers from Washington (Mrs. MC MORRIS RODGERS) and the gentlewoman from California (Ms. PELOSI) each will control 30 minutes.

The Chair recognizes the gentlewoman from Washington.

Mrs. McMorris Rodgers. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on S. 47, currently under consideration.

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

There was no objection.

Mrs. McMorris Rodgers. Madam Speaker, I yield myself such time as I may consume.

Today, as we consider the Violence Against Women Act, I’d like to start by thanking our majority leader, Eric Cantor, and my colleagues Republicans in the House for their time and their commitment to this important issue.

The Violence Against Women Act first passed on the floor of this very House nearly two decades ago, and it has long enjoyed bipartisan support. Years later—after two reauthorizations, a pivotal Supreme Court case, and a nationwide expansion of laws condemning violence against women—Republicans are committed to protecting victims of violence and putting offenders behind bars. That’s why we are bringing it to the floor today.

It’s important to protect all women against acts of domestic violence and other violent crimes and ensure that resources go directly to the victims. Because that is what this bill is really about: It’s about people.

It’s time to remember why this bill passed nearly two decades ago. Protecting women was our first priority then, and it should be our first priority now.

I reserve the balance of my time.
Madam Speaker, when Congress enacted the original Violence Against Women Act nearly two decades ago, we sent a very clear and immediate message to the American people: no—and I emphasize “no”—woman would ever be forced to live in the shadow of abuse. No one would ever be forced to fear for their lives and their safety in their own homes because of domestic violence. That promise formed the foundation of our work then, and it has served as a cornerstone for our efforts in the years since to reauthorize and strengthen this landmark law.

Even as the times have changed, our commitments have remained the same, and strong, yet over the years we have always sought out ways to improve this legislation. Today on the floor of the House we will have a very clear choice. We have the choice to support the bipartisan legislation that has passed in the United States Senate. It passed by a seventy-eight percent of the Senate voted for this legislation. A majority of the Republicans in the Senate supported this legislation. All of the women in the Senate—Democrats and Republican allies—support the bipartisan legislation that I hope will have an opportunity to vote on today on the floor of the House.

In contrast, we have the House Republican proposal, which, while described in such lovely terms, is a step backward for the women in America and those who suffer domestic violence or sexual assault.

It’s really hard to explain why, what eyes are the Republicans looking through, that they do not see the folly of their ways on this legislation that they are proposing. Not only is it much weaker than the Senate bill; it is much weaker than current law. And that is why whatever groups you want to name, whether it’s 1,300 groups opposed from A to Y—we don’t have a Z—any group that has anything to do with addressing the challenge of violence against women, and we have the documentation to prove that without going into the specifics.

I just want to say how proud I am of Congresswoman GWEN MOORE. She comes from Wisconsin, and she is a respected leader in the House. She has made this, I would say, her life’s work. She has a number of things on her agenda. She has made a tremendous difference, not only in terms of this legislation, but more importantly in terms of what it means, what it means in the lives of America’s women—all of America’s women.

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

MRS. MCGRORIS RODGERS. Madam Speaker, just to make a couple of clarifications, number one, led by the Republicans, passed legislation in early May last year to reauthorize the Violence Against Women Act and, number two, funding has continued, $599 million.

Mr. CRAMER. Madam Speaker, just under 3 years ago, a 2-year-old little boy in Bismarck, North Dakota, was found dead for half an hour after his stepfather beat his mother to death. Today, that little boy is my 5-year-old son. Kris and I were blessed, and are blessed, to have been able to adopt Abel into our family where we work every day to dilute the memories of that awful night and many previously to it with new memories of love and affection.

I know the scourge of violence against women personally. It is not an abstract concept to my family. It’s something that is very real. That is why I support and will vote today for the Violence Against Women Act, because I want the shelters and programs that keep
women safe to be well funded. I want the advocates of change to have the resources to turn victims into victors. I want law enforcement officers and prosecutors to have the tools to impose justice on behalf of my son and other women who have been abused. It is not just theoretical to me. It’s personal to me.

While I support the Violence Against Women Act because it is personal, I support this amendment because it’s principled. Our Constitution in its genius is a process—to the accused. The concept of “innocent until proven guilty” is known as the cornerstone of American justice. It is what gives moral authority to our system of justice.

By codifying the language acknowledging “inherent sovereignty,” I fear we risk giving up the moral high ground for a political slogan that does nothing to protect the victims of violence.

Even if you are willing to rationalize trading justice through due process guarantees in the 5th and 14th Amendments of our Constitution we pledged to uphold, please consider the damage we will have done if a court overturns this act and its protections because we wanted a good political slogan more than good law.

Friends, let’s vote for the Violence Against Women Act that not only protects the vulnerable in our society, but also protects the civil liberties upon which genuine justice is built.

Ms. PELOSI. Madam Speaker, I yield 1 minute to the gentlewoman from Wisconsin, Congresswoman Mooney.

Ms. MOORE. Madam Speaker, as I stand under the “E Pluribus Unum,” I pray that this body will do as the Senate has done and come together as one to protect all women from violence.

As I think about the LGBT victims that are not here, the native women that are not here, the immigrants who are not included in this bill, I would say, as Sojourner Truth would say, “Ain’t they women? They deserve protections, and input from law enforcement, victims, service providers, and many more.

The House bill removes protections for the LGBT victims, who face domestic and sexual violence at rates equal to or greater than the rest of us, but who often face barriers to receiving services. Are LGBT women not worthy of protection?

The House bill fails to offer meaningful protections for tribal victims, though domestic violence in tribal communities is an epidemic. Are tribal women not worthy of protection?

The House bill does not include protections for our students on college campuses, though we know that college campuses—which are supposed to be the site of learning and transformation and personal growth—are all too often the site of horrifying assaults against vulnerable young women. Are our young college women students not worthy of protection?

The House bill does not remove the provisions that allow victims of violence to quickly get out of dangerous situations that will keep them safe from further abuse and harm.

Implementing the House GOP VAWA bill would set the plight of women and our country as a whole back indefinitely. But we have a choice and the right choice would be to support the strong, bipartisan Senate version of VAWA—S. 47.

S. 47, the Senate bill. The Senate bill: Removes successful programs such as STOP Grants and Transitional Housing Assistance Grants, legal assistance for victims, and many others that have helped law enforcement, prosecutors, and victim service providers assist women in need and hold perpetrators accountable.

Includes a new focus on sexual assault—due to the ongoing reality of inadequate reporting, enforcement, and services for victims—including a requirement that STOP grant recipients set aside 20% of their funds for sexual assault-related programs.

Includes new tools and best practices for reducing homicide by training law enforcement, victim service providers, and court personnel to intervene more effectively and quickly when they connect with higher-risk victims.

And, of course, the bill improves protections for immigrant survivors, Native American women, and LGBT victims.

As we have debated this bill over the past year or so, I have felt like I was in the Twilight Zone. Some alternate reality, where the passage of a bill; a bill that is supposed to protect all women; a bill that not too long ago would just seem like common sense; a bill that has been enjoyed broad bipartisan support would be held up and watered down for purely partisan reasons. I found myself asking, “when will it end?”

The answer to that question is that it ends today. Right now. It is time to put up or shut up. On behalf of all victims of sexual or domestic assault, I challenge all of my colleagues to make the right choice. We all know that the Senate bill is the real comprehensive Violence Against Women Legislation that will protect all women. And we must vote against the House GOP VAWA and pass the Senate version of VAWA now. Women won’t wait any longer. Now is the time to show the people of this country that we value the lives of all women.

Why Section 904 of S. 47 Is Constitutional

Section 904 of S. 47 is constitutional and under the Supreme Court’s precedent in United States v. Lara based upon hearing before the Senate Committee on Indian Affairs, S. Rep. No. 112-98, at 125-126 (2011) (RESPONDING TO QUESTIONS FOR THE RECORD OF THOMAS J. PERRELLI, ASSOCIATE ATTORNEY GENERAL).

Section 904 of S. 47, the Senate-passed version of the Violence Against Women Reauthorization Act of 2013, is constitutional under the U.S. Supreme Court’s precedent in United States v. Lara, 541 U.S. 190 (2004). In Lara, the Supreme Court addressed a Federal statute providing that Indian tribes’ governmental powers include “the inherent power of Indian tribes, hereby recognized and affirmed, to exercise criminal jurisdiction over all Indians,” including Indians who are not members of the prosecuting tribe (i.e., “nonmember Indians”). 1d. at 210 (appendix, quoting the statute). The Court held generally that Congress has the constitutional power to relax restrictions on the exercise of tribal inherent law among nonmembers. 1d. at 196, and more specifically that “the Constitution authorizes Congress to permit tribes, as an expression of their inherent tribal authority, to prosecute nonmember Indians.” 1d. at 210.

The Senate VAWA reauthorization bill, S. 47, uses language that is nearly identical to the statutory language is built. Specifically, Section 904 of the Senate bill provides that a tribe’s governmental powers...
“include the inherent power of that tribe, which is hereby recognized and affirmed, to exercise special domestic violence criminal jurisdiction over all persons,” including non-Indians. That the tribe has this power does not mean that it has the constitutional authority to enact this statute.

The central question raised in Lara was whether Congress has the constitutional power to recognize Indian tribes’ “inherent” authority to prosecute nonmembers. The Court’s conclusion that Congress did indeed have the power to do so under Federal Constitution rested on six considerations, all of which apply to Section 904 of the Senate bill as well:

(1) “The Constitution grants Congress broad general powers to legislate in respect to Indian tribes,” id. at 200;

(2) “The Court’s approval, has interpreted the Constitution’s ‘plenary’ grants of power as authorizing it to enact legislation that both restricts and, in turn, relaxes those restrictions on tribal sovereign authority,” id. at 202;

(3) “Congress’ statutory goal—to modify the degree of autonomy enjoyed by a dependent nation—does not require an unusual legislative objective,” id. at 203;

(4) “There is no explicit language in the Constitution suggesting a limitation on Congress’s inherent authority to relax restrictions on tribal sovereignty previously imposed by the political branches,” id. at 204;

(5) “The change at issue here is a limited one, . . . [largely concerning] a tribe’s authority to control events that occur upon the tribe’s own land,” id.; and

(6) “The Court’s conclusion that Congress has the power to relax the restrictions imposed by the political branches on the tribes’ inherent authority is consistent with [the Supreme Court’s] earlier cases,” id. at 205.

Each of these six considerations also applies to Section 904 of the Senate bill. That is self-evident for the first four of those six considerations.

As to the fifth consideration, like the statute at issue in Lara, Section 904 of the Senate bill would effectuate only a limited change. Section 904 would touch only those criminal acts that occur in the Indian country on a tribe’s own land and therefore would not cover off-reservation crimes. Section 904 would affect only those crimes that have historically existed in Tribal courts. The changes addressed in the Senate bill are far less significant than the changes addressed in the Papua New Guinea case. Hence, the Senate bill is far narrower than the statute at issue in Lara.

In most respects, then, Section 904 of the Senate bill is far narrower than the statute upheld by the Supreme Court in Lara. As to the sixth consideration analyzed by the Lara Court, concerning the Supreme Court’s precedents, it is noteworthy that in Oliphant v. Suquamish Tribe, 435 U.S. 191 (1978), the key precedent here, the Court suggested that Congress has the constitutional authority to recognize and thus restructure Nations for Congress to exercise criminal jurisdiction over non-Indians. Id. at 195 & n.6, 210-12. Indeed, the Oliphant Court expressly stated that the increasing sophistication of Indian law, the Indian Civil Rights Act’s protection of defendants’ procedural rights, and the prevalence of non-Indian crime in Indian country are among those circumstances to which Congress may respond to protect its status off shore.

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(4) “There is no explicit language in the Constitution suggesting a limitation on Congress’s inherent authority to relax restrictions on tribal sovereignty previously imposed by the political branches,” id. at 204;

(5) “The change at issue here is a limited one, . . . [largely concerning] a tribe’s authority to control events that occur upon the tribe’s own land,” id.; and

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Each of these six considerations also applies to Section 904 of the Senate bill. That is self-evident for the first four of those six considerations.

As to the fifth consideration, like the statute at issue in Lara, Section 904 of the Senate bill would effectuate only a limited change. Section 904 would touch only those criminal acts that occur in the Indian country on a tribe’s own land and therefore would not cover off-reservation crimes. Section 904 would affect only those crimes that have historically existed in Tribal courts. The changes addressed in the Senate bill are far less significant than the changes addressed in the Papua New Guinea case. Hence, the Senate bill is far narrower than the statute at issue in Lara.
entered into with Indian tribes between 1785 and 1796—that is, both immediately before and immediately after the drafting and ratification of the Constitution—expressly provided for tribal jurisdiction over non-Indians residing in Indian country. For example, the very first Indian treaty ratified by the United States Senate under the Federal Constitution—the 1789 Treaty with the Wyandot, Delaware, Ottawa, Chippewa, Potawatomi, and Sac Nations—provided that, “[if] any person or persons, citizens or subjects of the United States, or any other person not being an Indian, shall presume to settle upon the lands confirmed to the said Indians, he and they shall be out of the protection of the United States; and the said nations may punish him or them in such manner as they see fit” (emphasis added). Similar language appeared in the last Indian treaty ratified before the Constitutional Convention—the 1786 Treaty with the Shawnee Nation. It is difficult, then, to say that allowing non-Indian citizens of the United States to be tried and punished by Indian tribes for crimes committed in Indian country is somehow contrary to the Framers’ understanding of the Constitution’s design.

Thus, the Lara Court’s holding that Indian tribes’ status as domestic dependent nations does not prevent Congress from recognizing their inherent authority to prosecute non-members is solidly grounded in our constitutional history. And with Congress’s express authorization, an Indian tribe can prosecute a non-member citizen of the United States, regardless of whether he has consented to the tribe’s jurisdiction.

It is important to note that while the elements of Section 901 discussed above are more than sufficient to address the considerations raised by the Lara Court, we do not mean to suggest that each of these elements is required in order to address these considerations.

Mrs. MCMORRIS RODGERS. Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania, PAT MEEHAN, a champion in prosecuting those in domestic violence situations.

Mr. MEEHAN. Madam Speaker, I rise to encourage my colleagues from both sides of the aisle to put aside this rhetoric and to find a way to work together to pass the bipartisan Violence Against Women Act, to move this important legislation forward in a way in which we can reach a resolution.

I come to this as a former prosecutor who has seen firsthand the implications. I come to give a voice to people who do not have an opportunity to speak for themselves. Because one of the things that we realize is that a woman will be victimized 12 times, beaten 12 times before she has the courage to speak to somebody who needs to be there, to be able to help give them a sense of comfort and dignity to be able to retain control over the circumstances. The Violence Against Women Act enables the kinds of resources to be there to have the trained personnel who can make a difference.

I had a chance to visit SANE nurses, who work in emergency wards, giving victims of rape the dignity to be able to have an examination in the privacy of a room opposed to being violated a second time out in a public space in an emergency ward, to reduce the time they have to spend for that examination from 13 hours after a rape to 2 hours, to be able to collect the evidence and to help that victim to be able to make their case if they so choose in court.

I have had a chance to work with victims of domestic violence cases—one in four women who have, in college campuses, reported that they have been victims of rape or attempted rape. So, unquestionably, we must find a way to pass the Violence Against Women Act. We must reduce the rhetoric and the misrepresentations and the shamefulness representations on both sides about the good intentions to try to do this. There are differences of opinion in small areas. We must find a way to get over those. I rise today to make sure that we give a voice to those victims, to work together to find a way to pass the Violence Against Women Act.

Ms. PELOSI. Madam Speaker, I yield 1 minute to the gentlewoman from Washington State, Congresswoman DELBENE.

Ms. DELBENE. Madam Speaker, I rise in support of S. 47, the Senate-passed version of the Violence Against Women Reauthorization Act. I want to thank the House Speaker for bringing this bill to the floor for debate.

In a time when we must resolve some real disagreements on how to move our country forward, I’m pleased that we’re taking this important step towards the shared goal of reauthorizing the landmark Violence Against Women Act. However, I cannot support the House substitute amendment, because it fails to include critical improvements passed by a large bipartisan margin in the Senate that would strengthen our efforts to combat violence against women.

I’m particularly disappointed that this amendment omits provisions that would enable tribes to address domestic violence in Indian country. This is an issue that’s critical in my district. The Lummi Nation, for example, which I visited just last week in Bellingham, Washington, has seen significant increases in violence against women over the past several years. The House substitute would continue to allow for disparate treatment of Indian and non-Indian offenders, while the bipartisan Senate bill includes key provisions that fill this legal gap.

There are many other ways in which the House substitute amendment unfortuately falls short.

For these reasons, I urge my colleagues to oppose the substitute amendment and support the Senate-passed reauthorization bill.

Mrs. MCMORRIS RODGERS. Madam Speaker, I am pleased to yield 2 minutes to the gentlelady from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Thank you, Madam Chair.

Madam Speaker, I rise today to support the reauthorization of VAWA, Violence Against Women Act. This is extremely important.

I was a past president of a YWCA that has a domestic violence shelter in my hometown of Charleston, West Virginia. I have witnessed firsthand the good work that they do and that other statewide advocates do in this area of sexual assault, to say nothing about domestic violence against women, and I realize that this is way long overdue and necessary. In West Virginia, every 9 minutes a call is made about our domestic violence on the domestic violence hotline.

We’re fighting every single day about an incident that we never want to see happen again, and that’s a little boy named Jahlil Clements, who was from my hometown of Charleston, West Virginia. He was in a car with his mother and his mother’s boyfriend, and his mother’s boyfriend began beating his mother. And he got so afraid, and the car stopped on the interstate, that Jahlil got out of that car and started running across the interstate to get help for his mother. He was hit and killed in the interstate because he was witnessing firsthand one of the most horrible acts of domestic violence. His mother was in danger and he wanted to help her.

If we don’t intervene, if we don’t find help, if we don’t end this cycle of violence for the Jahlil Clements of this country, we’re doing a great disservice to our country. So I’m going to vote “no” on the House bill and “yes” on the Senate bill for Jahli and the Clements families and all the Jahli Clemens throughout this great country.

Ms. PELOSI. Madam Speaker, I yield 1 minute to the distinguished chair of the House Democratic Caucus, Mr. BECERRA of California.

Mr. BECERRA. I thank the leader for yielding.

My friends, every single day in America, three women die at the hands of domestic violence. Yet this Congress allowed the Violence Against Women Act to expire more than 500 days ago. Every one of those 500 days, three women die at the hands of domestic violence.

There’s been a balanced bipartisan solution passed in the Senate by a vote of 98 to 1 that has been on the table for almost a year to reauthorize the Violence Against Women Act. The failure or reluctance of this House to do its work for the American people seems to have now become business as usual. This should not be the new norm.

The 113th Congress has now been in session for 56 days in 2013, and it is only now that a debate on an up or down vote on the bipartisan Senate bill will have an opportunity to be had.

Every woman in America deserves a clean bill to come before them to reauthorize the Violence Against Women Act, and those three women in America who are currently threatened by the odds and live to see another day deserve a vote. We must defeat the Republican substitute amendment and pass the Senate bipartisan bill.
Ms. PELOSI, Madam Speaker, I am pleased to yield 1 minute to the gentlelady from California, Congressman BERA, a physician and a new Member of Congress.

Mr. BERA of California. Today, I rise as a physician to talk about the patients that I've taken care of who have suffered as victims of domestic violence.

As doctors, we don't choose to treat one patient or another patient. We choose to take care of every patient who presents, and as Members of Congress— we don't choose to protect one woman and not protect another. We choose to protect all women in America. That is who we are as a Nation. I urge this body to reject the House version of this bill and to pass the bipartisan Senate version, which is a reflection of who we are in America and our values.

As the father of a daughter, this is personal. I want my daughter to grow up in a country in which we value and respect every woman regardless of her background, ethnicity, creed. This is personal. Let's do the right thing. I urge this body to do the right thing today—pass the Senate's version of the Violence Against Women Act.

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

Ms. PELOSI. Madam Speaker, I am pleased to yield 1 minute to a champion on protecting women and protecting them from violence, Congresswoman JAN SCHAKOWSKY.

Ms. SCHAKOWSKY. Violence is violence, and women are women and men.

For the second year in a row, the Republicans have advanced legislation that not only excludes additional protections for battered immigrant women and battered tribal women and battered gay women, protections which are included in the bipartisan Senate bill, but that advanced a bill that actually rolls back essential protections that are already the law of the land.

We have heard from law enforcement, victims, and victim service providers on the need to pass the improvements included in the bipartisan Senate bill. Last week, more than 1,300 organizations which represent and support millions of victims nationwide joined together and said to bring the Senate bill to the House floor for "a vote as speedily as possible".

We need to pass the Senate-passed legislation so that victims of domestic and sexual violence don't have to wait a minute longer.

Mrs. McMORRIS RODGERS. Madam Speaker, I would like to remind the body that the House amendment actually increases protections for everyone. No protection is denied.

At this time, I am happy to yield 2 minutes to the gentlelady from Indiana (Mrs. WALORSKI).

Mrs. WALORSKI. Madam Speaker, I rise today to urge the passage of the Violence Against Women Act of 2013.

Let me just start off by saying that I support this bill because it is the right thing to do. I am committed to ending violence against all women. This bill takes the necessary steps to protect the rights of all of our mothers, our daughters, and our partners.

The statistics are appalling. It's reported that, in the United States alone, more than 24 people each minute are victims of some sort of domestic violence, dating violence, sexual assault, or stalking. That's more than 12 million individuals each year. These types of crimes happen to individuals from all walks of life. No gender, race, ethnicity or socioeconomic status is immune. This bill provides protection for everyone who may become victim to sexual and domestic violence.

I support this bill because it implements new accountability standards that make programs more effective. These reforms prevent taxpayer dollars from being used to assist victims and to reduce the amount of violence that happens against women. By limiting the amount of money that can be spent on salaries and administrative overhead in other sets, this bill maximizes the amount of funding that goes directly to the victims. It is time for us to do the right thing and pass this bill.

A constituent of mine from South Bend, Indiana, recently wrote my office. She said:

As a woman who has experienced domestic violence and stalking in my own home, and as a physician who has cared for persons affected by domestic violence, I see this as an important tool to improve the quality of life in our Nation.

I urge the Members of this Chamber, both Republican and Democrat, to do the right thing and pass this bill today.

Ms. PELOSI. Madam Speaker, I am pleased to yield 1 minute to the gentlewoman from Florida, a freshmemer, Congresswoman FRANKEL.

Ms. FRANKEL. Madam Speaker, I rise in opposition to the House substitute amendment to S. 47, and I urge the support of the bipartisan Violence Against Women Act sent over by the Senate.

I do so on behalf of women like Olga, who, on her wedding day, thought she had entered a dream marriage for herself and her two small children from a previous relationship. The marriage turned into a nightmare when her husband became insulting, aggressive, controlling and imprisoning Olga and her two small children, and then, even allowing the children to go to school. Olga fled to south Florida, and was nurtured back to emotional and financial health by an organization in her home area called Women in Distress.

The Senate's reauthorization of the Violence Against Women Act will save even more lives across America, lives like Olga's and like those of all women who have been abused by their spouses or partners.

So, today, colleagues, let's stand up for our mothers, our sisters, and our daughters. Let's pass the bipartisan Senate bill.

Mrs. McMORRIS RODGERS. Madam Speaker, I reserve the balance of my time.

Ms. PELOSI. Madam Speaker, I am pleased to yield 1 minute to the gentlelady from Massachusetts, Congressman KEATING, a former prosecutor and a champion on fighting for the safety of America's women.

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

Mr. KEATING. Madam Speaker, I was a DA for 12 years. I solicited and actually used these funds. We talk about issues. As people see issues, I see faces. I see the faces of innocent women who are victims, and I see the faces of the perpetrators, themselves—the rapists, the batterers, the abusers—who sought to isolate these victims, to strip them away from their families, their community, social service agencies, law enforcement.

I used these funds to create a lifeline for these victims, breaking down walls that exist in terms of people who spoke a different language, had a different culture, had a different nationality. This bill removes those barriers, that make the victims more vulnerable, and it strengthens the hands of the perpetrators.

Please, all of you, join me in voting against this amendment, and let's all continue to support the bipartisan American women have lacked serious protections to ensure that does not punish the victim but that puts perpetrators where they belong—behind bars.

Mrs. McMORRIS RODGERS. Madam Speaker, I continue to reserve the balance of my time.

Ms. PELOSI. Madam Speaker, I am pleased to yield 1 minute to another champion on protecting women, the gentleman from Washington State (Mr. LARSEN).
Those amendments strengthen protections Congress put in place for immigrant women like Anastasia King, who was murdered in my district by her husband in 2000.

So I urge my colleagues to support the House VAWA substitute and to pass S. 47.

Mrs. McMORRIS RODGERS. Madam Speaker, I continue to reserve the balance of my time.

Ms. PELOSI. Madam Speaker, I yield 1 minute to the gentlewoman from California (Mrs. CAPPS), a Member of Congress who has been a champion on this issue for a very long time, a health professional in her own right before coming to Congress.

Mrs. CAPPS. Madam Speaker, I thank my leader for yielding, and I rise today in opposition to the Republican amendment that would undermine key provisions in the Violence Against Women Act Reauthorization, and to urge strong support for the underlying Senate bill which protects our young people on our school campuses.

VAWA is a vital program addressing violence against women holistically: through prevention programs, survivor supports, and provisions to hold perpetrators accountable. But it is also a symbol that relationship violence and sexual assault is real and that it’s unacceptable. It has been a symbol in this Congress that we can put aside our differences and come together to do what is right for violence victims and survivors. And as we saw in the Senate—and we will hopefully see it here in the House—this is still true.

Our daughters, sisters, and mothers, no matter where they are, including on our school campuses, deserve to live without fear of abuse, and we cannot delay their safety any longer. I urge my colleagues on both sides of the aisle to support the Senate bill.

Mrs. McMORRIS RODGERS. Madam Speaker, I'm pleased to yield 1 minute to the gentleman from New Jersey (Mr. RUNYAN).

Mr. RUNYAN. Madam Speaker, I rise this morning to speak in favor of S. 47, the Senate version of the Violence Against Women Act. I want to thank Speaker BOEINER and Leader CANTOR for their leadership in bringing this important bill to the floor.

The bottom line is that VAWA programs help save lives in New Jersey and across America. We need to expand the current success of VAWA so that we can help even more women escape the nightmare of domestic violence.

When I was in the state legislature sponsoring this bill, I’m glad we are here today, and I urge my colleagues to support S. 47.

Ms. PELOSI. Madam Speaker, I'm pleased to yield 1 minute to Congresswoman Kirkpatrick of Arizona who has again every day, every step of the way, been helpful in protecting all women, especially those on reservations.

Mrs. KIRKPATRICK. Madam Speaker, I was born and raised on the White Mountain Apache Nation. The necklace I wear today was made by an Apache woman. I've seen firsthand the troubles and hardships that our tribes experience. Now I represent 12 Native American tribes standing on the floor of Congress to give them a voice.

Our Native American women, who need resources and protection, face great hardships. They often live in very remote areas. Unfortunately, Native American women are two-and-a-half times more likely to be assaulted in their lifetimes than other women.

As a prosecutor, I also saw firsthand the need to protect those who are vulnerable. That's why I have pushed so hard for the bipartisan Senate-passed version of this legislation. This legislation strengthens protections for Native American women and so many others.

My district needs this legislation. I urge my colleagues on both sides to come together and pass the Senate version of the Violence Against Women Act today.

Mrs. McMORRIS RODGERS. Madam Speaker, I reserve the balance of my time.

Ms. PELOSI. Madam Speaker, I’m pleased to yield 1 minute to the gentlewoman from California, Congresswoman LEE.

Ms. LEE of California. Madam Speaker, first let me thank Leader PELOSI and Congresswoman GWEN MOORE for their tremendous leadership to reauthorize the Violence Against Women Act.

Today, Madam Speaker, we have an opportunity to really stand up for tribal women, for the LGBT community, for immigrant women for women all across the United States and to finally pass the strongly bipartisan Senate version of the Violence Against Women Reauthorization Act. We should have done this a long time ago. After much grandstanding, feet dragging, and shameful politicking over protecting the right for all women to feel safe in their homes and workplaces, I hope today that finally we can come together to say that violence against any woman is never an option.

When I was in the California Legislature, I authored the Violence Against Women Act for the State of California, and it was signed into law by a Republican Governor. It was, indeed, a bipartisan effort.

As someone who understands domestic violence on a deeply personal level, I know how traumatic it is, and I know the strong and consistent support system needed to emerge as a survivor. That is what the Senate’s VAWA reauthorization will accomplish for all women—and I don’t mean for some women; I mean for all women. So I urge Members to vote “no” on the amendment and “yes” on the underlying bill.

Mrs. McMORRIS RODGERS. Madam Speaker, I’m pleased to yield 1 minute to the gentleman from Virginia (Mr. CANTOR), the champion on our side of the aisle for the reauthorization of this important legislation, our majority leader.

Mr. CANTOR. Madam Speaker, I thank the gentlelady and congratulate her on her leadership on this issue. As chairwoman of our conference, as a strong advocate for families, for women, for children in our conference, I urge her in her efforts to improve the ability for individuals, women, who are subject to domestic abuse to get the relief that they need. And in that spirit today, Madam Speaker, I come to the floor in support of the substitute amendment that is offered today.

Today, Madam Speaker, a mother and her daughter will go to a shelter seeking safe harbor because they are scared. Another young woman will walk into a hospital emergency room seeking treatment after assault. In some cases, women will wait to report such violent crimes because they don’t feel there is a support system in place to help them.

Our goal in strengthening the Violence Against Women Act is simple: we want to help all women who are faced with violent, abusive, and dangerous situations. We want to make sure that all women are safe and have access to the resources they need to protect themselves, their children, and their families. We want them to know that somebody is there and willing to help. And we want them to know that those who commit these horrendous crimes will be punished and not let go, today.

Today, Madam Speaker, that’s why we feel so strongly about providing the proper support system and needed relief to thousands of victims and survivors so that they can get on with their lives.

In the past several months, we’ve worked hard in this House to build consensus and to put together the strongest bill possible to improve on that which came from the Senate. Today, I encourage my colleagues to support the House amendment to the Violence Against Women Act in order to end violence against all people, against all women, and prosecute offenders to the fullest extent of the law.

Mrs. PELOSI. Madam Speaker, I am pleased to yield 1 minute to the gentlewoman from New Mexico (Mr. Luján), who has been a champion for ending violence against women for all women in America.

Mr. Luján. Madam Speaker, I’m pleased to yield 1 minute to the gentlewoman from New Mexico (Mrs. Luján), who has been a champion for ending violence against women for all women in America.
The effort to reauthorize VAWA failed, despite overwhelming bipartisan support in the Senate, because House Republicans stripped the bill of critical provisions to help women, especially Native American women. Sadly, we are seeing this effort repeated on the floor today.

Once again, House Republicans are trying to weaken a bill that passed by a vote of 78-22 in the Senate in order to deny Native American women important protections. Sovereignty is not a bargaining chip. The Republican substitute is an attack on Native American women and does not respect sovereignty.

Studies have found that three out of five American Indian women will experience domestic violence; yet the Republican substitute makes it harder to prosecute abusers and is full of loopholes.

I urge my Republican colleagues to drop their opposition to the Senate bill and pass legislation that gives all women, including Native American women, vital protections against abuse.

Mrs. McMorris Rodgers. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Pennsylvania (Mr. Dent).

Mr. Dent. Madam Speaker, I rise today in support of S. 47, the Violence Against Women Reauthorization Act of 2013, which passed the Senate with a strong bipartisan majority. I do support that underlying bill.

The programs funded under this landmark legislation have proven effective over the past two decades in achieving real and meaningful reductions in domestic violence. Victims’ advocates in my district and around the country rely on funding made available through VAWA for training programs, rape prevention and education, battered women’s shelters, support for runaway teens, and community programs directed at ending the cycle of domestic violence.

In my home State, the Pennsylvania Coalition Against Rape currently operates 50 rape crisis centers that provide services to victims of sexual violence. These centers also utilize public awareness campaigns and prevention education to combat the root causes of sexual assault. Essential institutions such as these are counting on us in this body to ensure that VAWA funds remain available to support their often lifesaving work.

I am proud to serve as a board member of the Crime Victims Council of the Lehigh Valley. This private, nonprofit organization provides free, confidential assistance to victims of violent crime and their significant others to help them cope with the traumatic aftermath of victimization.

Another outstanding institution in my district is Turning Point of Lehigh Valley, which maintains a 24-hour triage line that serves as a constant resource for victims and their loved ones. Turning Point offers empowerment counseling, safe houses, court advocacy, prevention programs, and transitional assistance to ease former abuse victims into independent life. Our community depends on these organizations, and these organizations depend on VAWA.

VAWA not only empowers law enforcement’s response to domestic violence. In 2007, the Pennsylvania Commission on Crime and Delinquency conducted an evaluation of VAWA’s Services Training for Officers and Prosecutors program called STOP grants. This program is designed to promote an enhanced approach to improve the criminal justice system’s handling of violent crimes against women.

The final report indicated that police with STOP training are more likely to work in concert with professional victims’ advocates. Court personnel, including prosecutors and judges, are demonstrating a heightened level of sensitivity towards abuse.

Finally, the strategy of employing dedicated personnel to follow these crimes from beginning to end has resulted in improved arrest policies, investigations, hearings and follow-up. This study demonstrates the positive effect that STOP grants have had across the board in Pennsylvania’s criminal justice system where domestic violence is concerned.

VAWA has substantially improved our Nation’s ability to combat violent crime and protect its victims, providing a strong safety net for women and children across the United States. According to the FBI, incidents of rape have dropped by nearly 20 percent from the law’s enactment in 1994 through 2011. The rate of intimate partner violence has declined by 64 percent over that same period.

However, much work remains to be done. The CDC estimates that 1 in 4 women and 1 in 7 men have experienced severe physical violence by an intimate partner at some point in their lifetime. The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. McMorris Rodgers. I yield an additional minute to the gentleman. Mr. Dent. Congress must reauthorize VAWA to prevent more innocent Americans from becoming victims and to provide critical services for those who do.

Further delaying this crucial legislation does this Congress no credit and leaves State and local service providers facing the lives of their ability to continue protecting some of the most vulnerable members of our society.

The Senate voted to reauthorize the Violence Against Women Act with a strong bipartisan majority, and I would strongly encourage the House of Representatives to do the same, to support that underlying bill. Voting “yes” on the underlying bill will move the reauthorizing legislation to the President’s desk immediately. It’s the right thing to do, and it’s about time we do it.

Ms. Pelosi. Madam Speaker, I am very pleased to recognize our distinguished Democratic whip of the House, Mr. Hoyle. He was there in the nineties when we worked to pass this legislation on the Appropriations Committee. He and Rosa DeLauro and Congresswoman Nita Lowey and I worked to reauthorize the Violence Against Women Act. He’s been there the full time. For a long time. I am pleased to yield 2 minutes to the gentleman from Maryland (Mr. Hoyle).

Mr. Hoyle. Madam Speaker, and was given permission to revise and extend his remarks. (Mr. Hoyle asked and was given permission to revise and extend his remarks.)

Mr. Hoyle. Madam Speaker, I want to congratulate the leader for her efforts in getting us to this point. Today, after 2 months, I think we’re going to do something very positive, and we’re going to do it in a bipartisan way, and I think that’s excellent. I think America will be advanced. Every American—women, yes—but every American will be advanced.

House Democrats support the fully inclusive reauthorization of the Violence Against Women Act which passed the Senate by a bipartisan vote of 78-22, as has been referenced. A majority of Republican Senators, and all Republican women Senators, voted in favor of this bill. This bill represents a compromise, and I urge my colleagues to defeat the partisan, Republican-amended version so we can pass the Senate bill. I voted for the rule, which allows us that opportunity. Let us take it.

The changes House Republicans made in their version significantly weaken its provisions—and I want to say some Republicans. I want to make that clear. It’s not all—aimed at protecting victims of domestic violence and empowering law enforcement to keep our people safe from these crimes.

The House Republican bill omits critical protections for Native Americans, for LGBT Americans, and for immigrants.

Furthermore, the House Republican bill removes protections for students on campus, victims of human trafficking, and those who’ve experienced rape or stalking.

Why? Why not protect everybody, all Americans?

When we fail to protect all victims, abusers can get away with the abuse and repeat it.

Madam Speaker, Congress ought not to be playing games with women’s lives and families’ lives, all who suffer from domestic violence. We owe it to the victims, their families, victims’ advocates, law enforcement and prosecutors to make sure the protections of the Violence Against Women Act work and can meet the challenges we face today.

That’s why we should defeat the weaker House Republican alternative and, instead, pass the fully inclusive version passed by Senate Democrats and Republicans, I expect it to be a bipartisan vote. It is a good day for America.

Mrs. McMorris Rodgers. Madam Speaker, just to clarify, on the House
Mr. QUIGLEY, who came to Congress fully committed to passing this legislation. Mr. QUIGLEY. Well, if this is for all and this is for everybody, why attempt to strip out essential protections for immigrants, tribal, and lesbian, gay, bisexual, and transgender victims? Do they not also die? Once again, we have to stand up and fight for equal protections for all victims. The Senate seems to get what this body does not: we are all in this together.

These victims are not nameless, faceless members of some group of “others.” They are our friends, our neighbors, our family members. We are a Nation built on justice, fairness, and equal protection. We are all stronger when we uphold these ideals and protect the most vulnerable among us. The Senate-passed VAWA embodies these principles and protects all victims. We should pass it today. Ms. MCMICHAELS. I am pleased to yield 4 minutes to a former prosecutor, the gentile lady from Indiana, SUSAN BROOKS.

Mrs. BROOKS of Indiana. I rise in support of VAWA. Yelling. Name calling. Black eyes. Bruises. Belts. Broken bottles. Children scared and crying in the corners, crying for it to stop. The lies and coverups to friends and family. A family, a family out of control, and then the abuser gains the control and says, “I’m sorry.” “I’ll change it.” “I’ll change.” “I’ll give it back.” “I’ll give it back.” So the victim stays again and again and again, year after year.

The cycle of violence goes on from generation to generation, just like Brittany from Tipton County, Indiana, abused by her drug-addicted mother and married a man also the victim of severe child abuse. After they married, the cycle of violence continues. Brittany’s husband verbally and physically abused her while their children watched. She is in every one of our districts, whether you’re in a poor family or a rich family, whether you’re in the city, in the country, or on the farm. We as Members of Congress have the power and the control to change her life.

When Brittany finally took control and made the call, it was VAWA funds that made sure that the cops that responded recognized it. And I’ve done those ride-alongs, and they are the most dangerous work that we can make. When VAWA funds are involved, they keep shelters and transitional housing open so those victims have a safe place to stay. When VAWA has funds, it trains sexual assault nurses who help those victims through the humiliating exams they have to endure that are so important so we have the evidence to put the abusers behind bars.

When VAWA funds are involved, we have advocates in prosecutors offices and in courtrooms who are trained to help those victims through the painful, long, difficult court process. And when VAWA funds are involved, we have counseling services needed for the victims and their families to heal. VAWA gives victims a fighting chance to gain control of their lives. If VAWA doesn’t pass, in my district Alternatives, Inc. will have to lay off two of their five victim advocates, shut down one of their offices and won’t be able to serve the victims in 17 rural counties that they served last year.

VAWA is a program that works. It’s one of those Federal Government programs that works. This bill is not a perfect bill. No bill that Congress passes is perfect. But I will tell the victims being attacked can’t wait for perfect. The three women and the one man who die every day at the hands of intimate partners cannot wait for perfect.

I’m a freshman, and I’ve asked all the time, Isn’t there anything that Congress can agree on and get behind? I think we need to show the American people we can give control back to the women, men, and children who are subjected to the horrors of violence at the hands of someone who supposedly loves them. This shouldn’t be about politics and fighting and about political party control. In my short time in Congress, I’ve seen too often that we lose sight of the people that we protect and to serve. And it is about control. That’s what their lives are about.

I urge every Member to think of the victims. Take those statistics and replace them with the Brittanys in your district. Take control away from the abusers, provide it back to the victims with the control they need. Can’t we be the voice that they don’t have? We as Members of Congress have the ability to give control back to the victims, to give control to the cops, to give control to the sexual assault nurses, to give control to the victim advocates, to give some to the shelters and to the counselors. I’m asking this Congress to show the American people that we can, I do. Please pass this bill.

Ms. PELOSI. Madam Speaker, I have listened attentively to some of the comments made by those who support the House version of VAWA and they use words like “all women” as the distinguished majority leader said. Not true in the Republican bill. Not all women if you’re gay, if you are from the immigrant community, or if you happen to be living on a reservation.

I hear the appeal from a freshman Member very eloquent. Why can’t we work together and put partisanship aside? That’s exactly what the Senate did, 78–22. A majority of the Republicans in the Senate voted for the far superior bill.

We’ve never had a perfect bill, you’re absolutely right. But we have a far superior bill that expands protections, as opposed to the House bill which not only is not as good as the Senate bill, it diminishes protections already in place.

I heard the gentile lady talk eloquently about the money and where it needs to go. It’s sad to say that with
sequestration, $20 million, according to a new estimate from the Justice Department, will be cut from the Violence Against Women Act. That means approximately 35,927 victims of violence would not have access to life-saving services and resources.

So it’s hard to understand why you think ‘‘some’’ equals ‘‘all.’’ It doesn’t. And that’s why it’s really important to reject the House version and support the Senate version.

I am pleased to yield 1 minute to the gentleman from California (Mr. Swalwell), a Member of our freshman class.

Mr. Swalwell of California. Preventing violence against women means preventing violence against all women, especially those from the LGBT community, especially those from the immigrant community, and I’m here to support the bipartisan Senate bill that was passed and to oppose the House amendment.

I was a prosecutor in Alameda County for 7 years. I worked day in and day out with women who came in as violence victims, people who had been battered. And it’s only because of the Violence Against Women funding that we had in our office that allowed our attorneys and our investigators to go to the affected community and provide them with the emotional and physical services that they needed that we could even begin to put them on the track of healing.

Only because of this funding.

So right now it is incumbent upon us to make sure that this funding is available, as we move forward, to all women—all women. Violence against all women must be protected against, and we must have funding that shows that we will go aggressively after their abusers and not allow our law enforcement and their efforts to do that.

1020

Today’s bipartisan bill gives us an opportunity to show that this House can do big things when we work together.

Mrs. McMorris Rodgers. Madam Speaker, I would just ask my colleagues on the other side of the aisle to please point to anywhere in the House bill that coverage for anyone is denied. To specifically state: Where is the coverage denied?

The House covers all victims. This bill does not exclude anyone for any characteristic, and the only way to fix this bill is to pass the McMorris Rodgers amendment, go to negotiations, and get this legislation fixed.

The TIP Office is an extraordinary advocacy mechanism and has had a huge impact worldwide. In addition to providing $2.2 billion for VAWA to help victimized women & children seeking assistance to break the cycle of violence & live free from intimidation, fear, abuse and exploitation.

VAWA is landmark legislation with a proven track record of assisting abused and battered women and must be reauthorized. VAWA includes: $222 million in STOP grants, providing critical funding to improve the criminal justice system’s response to crimes against women; $73 million in Grants to Encourage Arrest Polices and Enforce Protection Orders, providing resources to bring abusers to justice and providing victims with the legal protections to live free of fear from their abusers; $57 million for Legal Assistance for Victims, providing necessary funding to strengthen state legal systems and ensure that agencies charged with handling domestic abuse and sexual assault cases are able to assist victims through the legal process; and millions more in housing assistance to shelter victims away from their abusers; grants to protect young women on college campuses; training and services for abuse against women in rural areas and those with disabilities; funding to reduce rape kit backlogs so we can identify past abusers and provide justice to their victims; and many more critical programs that strengthen communities and combat abuse against vulnerable populations.

I just want to point out something that far too little attention has been paid to: the Leahy Amendment cuts to the State Department Trafficking in Persons, TIP, Office contained in the Senate version.

A little over a decade ago, I authored the Trafficking Victims Protection Act of 2000, the landmark law that created America’s comprehensive policy to combat modern-day slavery. The TVPA created the State Department’s Trafficking in Persons Office, now led by an ambassador-at-large with a robust complement of over 50 dedicated and highly trained people.

The Leahy trafficking amendment to S. 47, title XII, guts the TIP Office and represents a significant retreat in the struggle to end human trafficking. The only way to fix it is to pass the McMorris Rodgers amendment, go to negotiations, and get this legislation fixed.

The TIP Office is an extraordinary advocacy mechanism and has had a huge impact worldwide. In addition to ‘‘best practices’’ advocacy, the office monitors labor and sex trafficking and makes recommendations for whether or not countries be ranked tier one, tier two, or tier three.

For over a decade, the Trafficking in Persons Office has been the flag in our struggle to combat human trafficking. The Leahy amendment cuts the authorization for the TIP Office from about $7 million down to $2 million. It eviscerates the TIP Office; there is no doubt about that. It shifts responsibilities to the regional bureaus. We have had problems over the last decade, as my colleagues, I’m sure, know. The regional bureaus have a whole large portfolio of issues that they deal with. When they deal with those issues, trafficking is on page 4 or page 5 of their talking points. The TIP Office walks past it; it has now been demoted significantly.

I would point out that, when I first did the trafficking bill, there was huge pushback from the State Department. They didn’t want human rights in general, and absolutely they did not want the trafficking-in-persons issue to be dominant and center stage. That’s what happened after the Leahy cut to the Trafficking Victims Protection Act of 2000—the landmark law that created America’s comprehensive policy to combat modern-day slavery.

The Leahy Amendment cuts to the State Department Trafficking in Persons, TIP, Office contained in the Senate version.

The Trafficking Victims Protection Act, TVPA, of 2000—the landmark law that created America’s comprehensive policy to combat modern-day slavery.
the office monitors labor and sex trafficking in every country of the world pursuant to minimum standards prescribed in the TVPA and makes recommendations for whether or not countries should be ranked Tier I, Tier II Watch List or Tier III. Countries with bad record or who fail to meet requirements are subject to “suspended” efforts to improve are designated Tier 3—the worst ranking—which may result in sanctions.

For over a decade the Trafficking in Persons Office has been the flagship in our struggle to combat human trafficking, but that will change with the Rogers VAWA fail and the House has no means to fix the Leahy amendment in conference.

Madam Speaker, for over a decade the Trafficking in Persons Office has been the flagship in our struggle to combat human trafficking.

The Leahy Amendment, cuts the authorization for the TIP office authorization from $7 million down to $2 million—effectively eviscerating the TIP office.

Making matters worse the Leahy Amendment on shifting responsibilities to the regional bureaus—and we have had problems with regional bureaus and trafficking over the last decade—as my colleagues I’m sure know. Regional bureaus have a large portfolio of issues that they handle. As they deal with those other issues, the TIP office is often relegated to page four or page five of their agenda and talking points. The TIP office on the other hand walks with singular focus, and is imperative that it be adequately resourced and vested with current-day powers to act. Under Leahy the TIP office has become significantly weaker.

The simple fact of the matter is that since enactment of the TVPA in 2000, the regional bureaus have often sought to undermine and weaken TIP country ranking recommendations due to other so-called equities. Advancing human rights is general and combating human trafficking in particular, far too often takes a back seat to other priorities.

That’s why, back in 2000, I led the effort and wrote the law to make the Trafficking in Persons Office the lead in gathering, analyzing, and putting forward recommendations for every country.

That’s why slashing the Trafficking in Persons Office is an awful idea. The victims deserve better.

Ms. PELOSI. Madam Speaker, I yield the balance of my time to the gentleman from Michigan (Mr. CONYERS).

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CONYERS) pro tempore the gentleman from Michigan (Mr. CONYERS) pro tempore the gentleman from Michigan (Mr. CONYERS) pro tempore the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Madam Speaker, I yield the balance of my time to the gentleman from Michigan (Mr. CONYERS).

Mr. ELLISON. Madam Speaker, I’d like to talk to you about Lucy. Lucy is not the name of the person I’m referring to, although she is absolutely real. I can’t use her name because Lucy still lives in fear of her abuser, a man she was married to.

Lucy is from a nation in West Africa. The man who was abusing her, physically and sexually, and mistreating her would tell her and threaten her based on her immigration status to the United States that she was hoping to obtain—he would threaten her and tell her, I’m going to hold this against you; I’m going to do this to you; don’t you dare leave me.

The Violence Against Women Act’s self-petition process was a lifeline and a savior to her. She was able to explain the extreme violence that she lived through, and through it, she was able to separate from her husband and seek a way to become a citizen and to stay in this country and get rid of her abuser. Sadly, the House version rolls this protection back. That’s why you should support the Senate version.

Mrs. McMORRIS RODGERS. Madam Speaker, I’m happy to yield 2 minutes to a champion, a former judge who has worked on trafficking issues for many years, the gentleman from Texas (Mr. Poe).

Mr. POE of Texas. I thank the gentlelady for yielding.

Violence against women is awful. I think we can all agree with that. Behind the TVAs, behind closed doors, behind closed doors bad things are happening in those families. It is violent. It affects the spouse, the children, and the quality of life of our community. Today, the House of Representatives has an opportunity to do something about that to make America safer for women, primarily, and their children. We have two choices before us today: the House bill, the Senate bill.

But there’s another thing going on behind closed doors in America as well, and that’s sexual assault that is occurring in America. I spent time on the bench as a judge in criminal cases in Texas for 22 years; and one of the greatest scientific, forensic discoveries was DNA. It’s helped prosecute sexual assault cases.

DNA: when those outlaws commit sexual assault crimes against primarily women and children, they leave DNA behind. The TVA examines DNA throughout America, behind closed doors bad things are happening in those families. It is violent. It affects the spouse, the children, and the quality of life of our community. Today, the House of Representatives has an opportunity to do something about that to make America safer for women, primarily, and their children.

The simple fact of the matter is that since enactment of the TVPA in 2000, the regional bureaus have often sought to undermine and weaken TIP country ranking recommendations due to other so-called equities. Advancing human rights is general and combating human trafficking in particular, far too often takes a back seat to other priorities.

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The SPEAKER pro tempore. The gentleman from Michigan (Mr. CONYERS) pro tempore the gentleman from Michigan (Mr. CONYERS) pro tempore the gentleman from Michigan (Mr. CONYERS) pro tempore the gentleman from Michigan (Mr. CONYERS).
that my colleagues on the other side of the aisle, if they saw a Native American woman being beaten or abused, they would not want that stopped.

Why do they not have it specified in the legislation? The Senate bill does. Let’s stop this back-and-forth and pass the Senate legislation.

Mrs. McMORRIS RODGERS. Madam Speaker, I would just like to remind my colleagues on the other side of the aisle that the House, the Republican majority in the House, passed legislation to reauthorize and to reauthorize with reauthorization the Violence Against Women Act in May of last year. Funding has continued. Congress, including the Republicans in the House, has supported and continues to fund these important programs at $500 million a year. No program has gone unfunded as we have continued to focus on the important work of getting this bill reauthorized.

I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am pleased to yield 1 minute to the distinguished gentlewoman from California, SUSAN DAVIS.

Mrs. DAVIS of California. Madam Speaker, at last, at last. Madam Speaker, like Americans all across the country, this Chamber finally put the Senate Violence Against Women Act to the floor for a vote. I urge my colleagues to support this legislation and to oppose the Republican substitute. If we pass a strong and bipartisan reauthorization, women can breathe a sigh of relief knowing that Congress has got their backs.

Every woman deserves protection and justice. I’m glad that the Senate bill closes the gap in current law by extending that protection to Native American, LGBT, and immigrant victims.

In contrast, as we have heard, the Republican substitute inexplicably continues to exclude these groups and put them at higher risk. That is exclusionary and it is hurtful.

Let’s swiftly pass the Senate VAWA and send it straight to the President’s desk for his signature. I urge my colleagues to vote “yes” on S. 47 and to stand up for all victims of domestic violence. They’ve waited far too long for this day.

Mr. CONYERS. Madam Speaker, I am pleased now to yield 1½ minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman for yielding.

Madam Speaker, 2 weeks ago, the Senate overwhelmingly passed a strong, bipartisan reauthorization of the Violence Against Women Act to extend much-needed protections to all women of domestic violence, including immigrants, Native Americans, and members of the LGBT community.

Domestic violence victims and their families have waited far too long for the House to act to reauthorize VAWA and to provide victims of domestic violence with important resources to help end this violence. It’s critical that we ensure that every single victim of domestic violence, no matter what they look like or where they come from or who they love, has access to these critical tools and resources.

According to the National Task Force to End Sexual and Domestic Violence, violence in four women will be victims of domestic violence in their lifetime. Each year, 15 million American children are exposed to domestic violence and all the dangers of this violence.

Have we really come to the point where we can’t persuade a single Member of Congress that violence against all women is indefensible and that we have a moral responsibility to do everything in our power to stop it? Do we really want to say some women, some girls, are not worthy of protection against such violence? I hope not.

I urge my colleagues to pass the strengthened Senate version reauthorizing the Violence Against Women Act and to protect all American women from violence.

AMERICAN PSYCHOLOGICAL ASSOCIATION, February 4, 2013.

Hon. PATRICK LEAHY, Chairman, U.S. Senate Judiciary Committee, Washington, DC.

Hon. MIKE CRAPO, U.S. Senator, Washington, DC.

DEAR CHAIRMAN LEAHY AND SENATOR CRAPO: On behalf of the 137,000 members and affiliates of the American Psychological Association (APA), I am writing to thank you for your invaluable leadership in introducing the Violence Against Women Reauthorization Act of 2013 (S. 47). As the legislative advances, APA offers its full support of your efforts to ensure a comprehensive and inclusive reauthorization of the Violence Against Women Act (VAWA).

As you know, over the past 20 years, in four women in the United States reports experiencing domestic violence at some point in her life, and 15 million children live in families in which intimate partner violence has occurred within the past year. Domestic violence can result in significant mental and behavioral health consequences including depression, post-traumatic stress disorder, anxiety, post-traumatic stress disorder, relationship problems, diminished self-esteem, social isolation, substance use disorders, and suicidal behavior. VAWA programs can help to mitigate these negative outcomes by providing a vital link to services and supports for survivors and their families.

APA applauds your commitment to protect survivors of violence with a comprehensive VAWA reauthorization. In particular, we appreciate the inclusion of essential public health provisions to reauthorize and strengthen the health care system’s identification, assessment, and response to violence, as well as provisions to protect vulnerable populations, including Native women, immigrants, and LGBT individuals.

We welcome the opportunity to work with you to address these important issues. For further information, please contact Nida Corry, Ph.D., Office of Public Witness Relations Office at (202) 336-5931 or ncorry@apa.org.

Sincerely,
GWENDOLYN PURYEAR KETRA, Ph.D., Executive Director, Public Interest Directorate.

OFFICE OF PUBLIC WITNESS, PRESBYTERIAN CHURCH (U.S.A.), February 1, 2013.

Hon. PATRICK LEAHY, U.S. Senate, Washington, DC.

DEAR SENATOR LEAHY: In the Presbyterian Church (U.S.A.), we believe that “domestic violence is always a violation of God intended for good.” We believe that “God the Creator is preeminently a covenant-maker, the One who creates, and transforms the people of God. Domestic violence and abuse destroys covenants in which people have promised to treat each other with respect and honor” (S. 47).

Further, we wish you to know that we have written to all of your Senate colleagues, asking them to support final passage of this bill, and urging them to oppose any amendments that you have not endorsed.

As you know, VAWA’s programs support state, tribal, and local efforts to address the pervasive and insidious crimes of domestic violence, dating violence, sexual assault, and stalking. These programs have made great progress towards reducing the violence, helping victims to be healthy and feel safe and holding perpetrators accountable. This critical legislation must be reauthorized to ensure a continued response to these crimes.

Again, we thank you for your leadership on this important issue and look forward to the bill’s passage, so that we can build upon VAWA’s successes and continue to enhance our nation’s ability to promote an end to violence, to hold perpetrators accountable, and to keep victims and their families safe from future harm. For our part, we commit to continued ministry with victims and survivors of violence and we can do it through our ministries and our advocacy, to end this desperate cycle of violence and brokenness.

We give thanks for your service to our nation and for your leadership on this issue.

Sincerely,
The Reverend J. HEBERT NELSON II, Director for Public Witness.

NATIONAL TASK FORCE TO END SEXUAL AND DOMESTIC VIOLENCE AGAINST WOMEN, February 6, 2013.

Hon. PATRICK LEAHY, Chair, Senate Judiciary Committee, Dirksen Senate Office Building, U.S. Senate, Washington, DC.

Hon. MICHAEL CRAPO, Dirksen Senate Office Building, U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY AND SENATOR CRAPO: The National Task Force to End Sexual and Domestic Violence—comprised of national, tribal, state, territorial and local organizations, as well as individuals, committed to securing an end to violence against women, including domestic violence, labor unions, advocates for children and youth, anti-poverty groups, immigrant and refugee rights organizations, women’s rights leaders, and education groups—writes to express its strong and unequivocal support for the tribal provisions included in Title IX of S. 47, the Violence Against Women Reauthorization Act. As you are aware, these provisions are identical to those that were contained in S. 1925, the VAWA bill introduced in the 112th Congress. As such, the House provisions were first voted affirmatively out of the Indian Affairs Committee, then added to S. 215 and passed out of the Judiciary Committee, and finally were included in the final version of S. 1925 that passed the Senate last year with bipartisan support.
While we understand that some have expressed constitutional concerns with respect to the criminal jurisdiction provisions contained in section 904. Title IX of S. 47, we wish to respectfully point out that such provisions were drafted and put forward by the U.S. Department of Justice, and were thoroughly vetted before they were submitted to the House and Senate Judiciary Committees. We also wish to remind the members of the Senate of the terrifying rates of victimization that American Indian and Alaska Native women experience. Sixty percent of American Indian and Alaska Native women will be raped in their lifetimes; 39% will be subjected to domestic violence in their lifetimes; 69% of Native victims of rape and sexual assault report that their assailants are non-Native individuals. On some reservations, Native women are murdered at more than ten times the national average. These startling statistics, coupled with the unfortunately high declination rates (U.S. Attorneys declined to prosecute nearly 50% of violent crimes that occur in Indian country; and 67% of cases declined were sexual abuse related cases), provide ample reason for Congress to act in passing section 904 intact.

Additionally, we offer for the consideration of the members of the Senate a letter submitted last year by over 30 U.S. law professors who reviewed the provisions of section 904 and found them to be constitutional. We offer some relevant excerpts below:

It is important to note that Section 904 of S. 1925 does not constitute a full restoration of all tribal criminal jurisdiction—only that which qualifies as “special domestic violence criminal jurisdiction.” So there must be an established intimate-partner relationship to trigger the jurisdiction. Moreover, no defendant who has been determined not to have the requisite congressional consent will be denied Constitutional rights that would be afforded in state or federal courts. Section 904 provides ample safeguards to ensure that non-Indian defendants in domestic violence cases receive all rights guaranteed by the United States Constitution.

In other words, a defendant who has no ties to the tribal community would not be subject to criminal prosecution in tribal court. Federal courts have jurisdiction to review such tribal jurisdiction determinations after exhaustion of tribal remedies. Section 904 is designed to provide Federal courts the ability to prosecute perpetrators of violence and provide protections to all victims.

While domestic violence, dating violence, sexual assault, and stalking on tribal lands occur in all parts of the nation and affect people of all backgrounds, according to the Centers for Disease Control and Prevention, these forms of violence and harassment disproportionately affect the communities represented by the Leadership Conference. For example, 37 percent of Hispanic women are victims; 43 percent of African-American women and 38 percent of African-American men are victims; and a staggering 46 percent of American Indian or Alaska Native women and 45 percent of American Indian or Alaska Native men experience intimate-partner victimization.

VAWA-funded programs have dramatically improved the government's ability to respond to domestic violence, dating violence, sexual assault, and stalking. The annual incidence of domestic violence has decreased by more than 50 percent since VAWA was established in 1994 and reporting by victims has also increased by 51 percent. Not only do these comprehensive programs save lives, they also save money. In its first six years, VAWA saved $12.6 billion in net averted social costs.

Yet, as law enforcement officers, service providers, and health care professionals have acknowledged, even with the successes of the current VAWA programs, there are significant gaps in current VAWA programs which, if addressed, could have a significant impact on diminishing the incidence of domestic violence in the United States. S. 47 helps address these concerns by strengthening services for minority communities and expanding protections to include lesbian, gay, bisexual and transgender communities. S. 47 also includes important improvements to VAWA protections for Native victims of domestic violence and sexual assault. S. 47 addresses the crisis of violence against women in tribal communities by strengthening legal protections for Native victims of domestic violence and sexual assault. S. 47 also includes important improvements to VAWA protections for Native victims. The bill provides new tools and training to prevent domestic violence homicides.

The Leadership Conference believes that the reauthorization of VAWA is critical for protecting the civil and human rights of Americans to be free from domestic violence, dating violence, sexual assault, and stalking. These protections are especially important for Native Americans and people of color, who experience the highest rates of domestic violence and sexual assault. Further, it is essential that these protections be extended to all instances of intimate partner violence, including for gay, lesbian, bisexual and transgender people. In short, S. 47 would strengthen the federal government’s ability to prosecute perpetrators of violence and provide protections to all victims.

In closing, the National Task Force wishes to thank you for your tireless efforts to reauthorize the Violence Against Women Act, S. 47. We appreciate your leadership and look forward to working with you toward a speedy passage of S. 47, including Title IX as introduced with no weakening amendments.

The National Task Force To End Sexual and Domestic Violence

The Leadership Conference On CIVIL AND HUMAN RIGHTS

WASHINGTON, DC, FEBRUARY 11, 2013

VOTE YES ON VAWA (S. 47) AND OPPOSE ANY AMENDMENTS THAT WEAKEN PROTECTIONS

Dear Senator/Representative: The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 210 national organizations to protect and advance the civil and human rights of all persons in the United States, we write to urge you to support S. 47, the Violence Against Women Reauthorization Act of 2013 (VAWA), and to vote against any amendments that would weaken this important legislation.

NATIONAL ALLIANCE TO END SEXUAL VIOLENCE, Washington, DC, January 28, 2013.
Hon. PATRICK LEAHY,
Chairman, Senate Judiciary Committee, U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR CHAIRMAN LEAHY AND SENATOR CRAPO: On behalf of 56 state and territorial sexual assault coalitions and 1800 rape crisis centers, I want to express our sincere gratitude for the introduction of S. 47. The Violence Against Women Act (VAWA) with the SAFER Act included represents the essential and comprehensive legislative package that is necessary to advance this nation’s response to the crime of rape and protect and support victims. S. 47 includes critical enhancements to address sexual assault including criminal justice improvements, housing protections, vital direct service and prevention programs, and SAFER’s policies to address the rape kit backlog.

We are urging all Senators to stand with sexual assault survivors and support the swift passage of this far-reaching legislation.

Sincerely,

MONIKA JOHNSON HOSTLER,
Board President
BOARD OF SUPERVISORS,
COUNTY OF SANTA BARBARA,
January 31, 2013.

Hon. PATRICK LEAHY,
Chairman, Committee on the Judiciary, U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing on behalf of the County of Santa Barbara Board of Supervisors to urge you to take action on legislation to reauthorize the Violence Against Women Act (VAWA).

Thank you for introducing S. 47, the Violence Against Women Reauthorization Act. Programs authorized by VAWA have saved lives as well as providing resources and training to communities like Santa Barbara County to address these reprehensible crimes, and the Board recognizes the importance of reauthorizing and enhancing the resources provided by this important public safety program.

The Violence Against Women Reauthorization Act would expand the law’s focus on sexual assault and help ensure access to services for all victims of domestic and sexual violence. It also responds to these difficult economic times by consolidating programs, focusing on the most effective approaches, and adding accountability measures to ensure that Federal funds are used efficiently and effectively.

The Violence Against Women Act has been successful because it has consistently had strong bipartisan support for nearly two decades. Please work with the members of your committee to expedite action on S. 47 or similar legislation to reauthorize VAWA.

Sincerely yours,

THOMAS P. WALTERS,
Washington Representative.

Mrs. MCMORRIS RODGERS, Madam Speaker, I’m pleased to yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), a champion for all women and families.

Ms. BLACKBURN. Madam Speaker, I thank the gentlelady from Washington for the leadership that she has brought to this issue, and I also stand to thank Leader CANTOR and the leadership that he has placed on this.

It’s an incredible thing when you think about we still need the Violence Against Women Act. And I think for so many of us who have participated in giving birth to sexual assault centers and domestic abuse centers and child advocacy centers, we realize that for far too long domestic abuse was something that people wanted to talk about; it should be swept under the rug; it should be hidden behind the four walls of a house. It was not something that was addressed as a crime, but we all knew it was a crime, and we knew it needed to be addressed. And we know that this act and the grants that have been provided to our State and local law enforcement agencies have allowed so many—so many—people the safe harbor that was needed for their opportunity.

Now I stand here today to support our Republican alternative and the amendment that we have placed on this bill making certain that, in a fiscally responsible, targeted, and focused way, those who need access to the help, the assistance, and the funds are going to be able to receive the help, the assistance, the funds, the focus and the attention that they are going to need.

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

Mrs. MCMORRIS RODGERS. I would be happy to yield the gentlewoman an additional 30 seconds.

Mrs. BLACKBURN. I think that it is noteworthy that we also put some of the attention on stalking, the need to address this; that we look at the need for additional education so that some day we can say, yes, indeed, local law enforcement is fully equipped to handle the kind that nobody ever wanted to talk about. All too sadly, Madam Speaker, the problem has not been dealt with.

Mr. CONYERS. Madam Speaker, I’m pleased to yield 1 minute to the distinguished gentleman from Nevada (Mr. HORSEFORD).

Mr. HORSEFORD. No woman should have to live in fear of violence in this country.

One of my first actions in Congress was to co-sponsor the Violence Against Women Act, which was authored by my colleague, GWEN MOORE.

Her bill took critical steps to strengthen the ability of our local law enforcement and service providers to protect victims of domestic violence, sexual assault, and stalking. Her bill went to great lengths to ensure that all women in our country would be protected under the bill.

The Senate passed overwhelmingly on a bipartisan basis her bill. That is why I find the political game being played by some Republicans today to be frustrating, my colleagues find it to be frustrating, and my constituents find it to be frustrating.

I do not understand why, Madam Speaker, you would eliminate provisions to protect women from immigrant communities—many of which I represent in my district in Congressional District Four—and women from Native American communities, or inappropriately discriminate against women based on their sexual orientation.

I urge my colleagues to pass the bipartisan bill.

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, Washington, DC, February 1, 2013.

Res NAACP Strong Support for S. 47. To Reauthorize VAWA 1994 Violence Against Women Act

Senator PATRICK LEAHY,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY: On behalf of the NAACP, our nation’s oldest, largest and most widely-recognized grassroots-based civil rights organization, I would like to sincerely thank you for your leadership in introducing S. 47, legislation strengthening and reauthorizing the 1994 Violence Against Women Act (VAWA). As strong and consistent supporters of VAWA, the NAACP recognizes that this important legislation would improve criminal justice and community-based responses to domestic violence, dating violence, sexual assault and stalking in the United States.

As you know, the NAACP supported the passage of VAWA in 1994, and its reauthorization in 2000 and 2009. We have pressed VAWA to change the landscape for victims of violence in the United States who once suffered in silence. VAWA’s focus on domestic violence, dating violence, sexual assault and stalking have now been able to access services, and a new generation of families and justice system professionals has come to understand that domestic violence, dating violence, sexual assault and stalking are crimes that our society will no longer tolerate.

Your bill will not only continue proven effective programs, but that it will make key changes to streamline VAWA and make sure that even more people have access to safety, stability and justice.

Thank you again for your continued leadership in this endeavor. Your thoughtfulness and tenacity in this area over the years has served the lives of all Americans. Should you have any questions or comments, please do not hesitate to contact me at my office at (302) 463-2940.

Sincerely,

HILARY O. SHELTON,
Director, NAACP
Washington Bureau & Senior Vice President for Advocacy and Policy.


DEAR SENATOR: The National Coalition Against Domestic Violence (NCADV), the
oldest and largest national anti-domestic violence advocacy organization that serves more than 1.3 million domestic violence victims in more than 2,000 shelter programs nationwide, especially in support of the Violence Against Women Act (VAWA) of 2013 introduced by Senators Patrick Leahy and Michael Crapo.

Since its initial passage in 1994, VAWA has dramatically enhanced our nation’s response to violence against women. More victims report domestic violence to the police and those of non-Indian intimate partners violence against women has decreased by 33 percent. The sexual assault services program in VAWA has also increased by 89 percent their doors open to provide the frontline response to victims of rape. VAWA provides for a coordinated community approach, improving collaborations among law enforcement; victim service providers to better meet the needs of victims. These comprehensive and cost-effective programs not only save lives, they also save money. In fact, VAWA saved nearly $12.6 billion in net averted social costs in just its first six years.

But more work remains. The CDC’s 2010 National Intimate Partner and Sexual Violence Survey found that 1 in 4 women have been the victim of severe physical domestic violence and 1 in 5 women have been raped in their lifetime.

S. 47 renews successful programs that have helped law enforcement, prosecutors, and victim service providers keep victims safe and hold abusers accountable. It consolidates programs in order to reduce administrative costs and avoid duplication. The reauthorization is also mindful of our current fiscal climate and new accountability measures have been included in the bill in order to ensure that VAWA funds are used efficiently.

S. 47 builds on existing efforts to more effectively combat violence against all victims and aims to ensure that VAWA programs reach more communities whose members need services. It expands the definition of “underserved” to include religion, sexual orientation, and gender identity to encourage development of services for people who have had trouble getting help in the past based on those categories. It also includes new provisions to make sure that grants can be used to make services available for all victims regardless of sexual orientation or gender identity. The bill includes important provisions that vulnerable immigrant victims of domestic and sexual violence receive the support and services they need.

This bill addresses the ongoing crisis of violence against Native American victims, who face rates of domestic violence and sexual assault much higher than those faced by the general population, by strengthening existing programs and by narrowly expanding concurrent tribal criminal jurisdiction over those who assault Indian spouses and dating partners off-reservation. This provision would ensure that no perpetrators of abuse can be afforded similar access to justice that many others take for granted. The United States desperately need us to act so that they can be afforded similar access to justice that many others take for granted.

But the work is just beginning. In 2011, over 40,000 incidents of domestic violence were reported in Missouri. Thirty women were murdered by their boyfriends or husbands, while in Missouri women reported more than 1,400 forcible rapes or attempted forcible rapes. And although over 10,000 women in need were able to find a shelter, nearly 20,000 more were turned away.

By reauthorizing VAWA, this Congress will continue the effort undertaken nearly twenty years ago—the effort to eliminate violent crime perpetrated against our mothers, our sisters, our daughters, our neighbors, and our friends. I urge each of you to support this important legislation.

Respectfully,

CHRIS KOSTER,
Attorney General, State of Missouri.

GREAT PLAINS TRIBAL CHAIRMAN’S ASSOCIATION, Rapid City, SD, February 4, 2013,
Re Support for S. 47: VAWA Reauthorization

HON. PATRICK LEAHY,
U.S. Senate, Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Great Plains Tribal Chairman’s Association to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands, regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to their victims and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetime and 1 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, “inadequate to stop the pattern of escalating violence against Native women.” Tribal leaders, police officers, and prosecutors have testified to the fact that many perpetrators of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate to physical injury. A National Institute of Justice-funded analysis of death certificates found, that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation-based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence.

They are limited to enforcement of reservation-based crimes involving individuals who work or live on an Indian reservation and who are in a serious relationship with a tribal member. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

On June 14, 2013, the United States Senate, by unanimous consent, passed the Tribal Law and Order Act (TLOA). On July 27, 2010, the House of Representatives passed the Tribal Law and Order Act. The tribal provisions in S. 47 are subject to a more narrow set of crimes, are limited to misdemeanor level punishments, and would provide states with broader ranges of authorities to suspects of abuse than those required under TLOA. With such broad support for TLOA, it is troubling that some Members of Congress now claim that the same legislation put in place a legal framework that better enabled states like Missouri to effectively investigate violent crimes against women, prosecute and punish offenders, and protect victims from further harm. In the TLOA’s enactment, Congress has twice voted to reauthorize the law. With each reauthorization, Congress not only strengthened the provisions of the law, it also reaffirmed this country’s commitment to support survivors of personal violence and sexual assault. It is time to do so again.

Missouri women and their families rely on the programs and services that VAWA makes possible. For example, non-profit, community, and faith-based organizations use federal funds directed through VAWA’s Sexual Assault Services Program to provide vital support to victims of sexual assault. And Missouri prosecutors, police officers, and victim service providers are trained through the STOP (Services Training Officers Prosecutors) program, equipping them to better address violence against women.

But the work is just beginning. In 2011, over 40,000 incidents of domestic violence were reported in Missouri. Thirty women were killed by their boyfriends or husbands, while in Missouri women reported more than 1,400 forcible rapes or attempted forcible rapes. And although over 10,000 women in need were able to find a shelter, nearly 20,000 more were turned away.

By reauthorizing VAWA, this Congress will continue the effort undertaken nearly twenty years ago—the effort to eliminate violent crime perpetrated against our mothers, our sisters, our daughters, our neighbors, and our friends. I urge each of you to support this important legislation.

Respectfully,

RITA SMITH,
Executive Director.

ATTORNEY GENERAL OF MISSOURI,

DEAR MISSOURI CITIZENS AND FRIENDS: I write on behalf of the Missouri Attorney General and State of Missouri.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to their victims and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetime and 1 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that the
Dear Chairman Leahy:

I write on behalf of the Pueblo of Tesuque to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the necessary tools to combat domestic violence and child abuse on Indian lands. National organizations, Native women, and their families are acutely aware of the need for federal authority and funding to address this critical problem.

The current justice system in place on Indian lands handicaps the local tribal justice system, undermining the rights of Native women and their families. In 2004, the U.S. Supreme Court affirmed a tribe’s authority to try non-Indians who commit crimes on Indian reservations. Yet, in 2005, the U.S. District Court for the District of Arizona ruled against Hopi and Navajo tribes that wanted to try non-Indians. These cases have raised concerns that some Members of Congress now claim that the narrowly tailored provisions of S. 47 are wanting and the Senate bill strikes LGBT women as underserved.

The distinguished floor leader has asked us to find areas in the legislation that are wanting, and I would submit that the House amendment over the Senate amendment is wanting. The House amendment did not include language that would have them as a protected class.

Sincerely,

James C. Edwards,
Chief Executive Officer
PUEBLO OF TESUQUE,
Santa Fe, NM, February 5, 2013.

Re Support for S. 47, VAWA Reauthorization Hon. PATRICK LEAHY, Chairman, U.S. Senate, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN LEAHY: It is not always easy to add a strong voice to the many others that have already joined in support of S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the necessary tools to combat domestic violence and child abuse on Indian lands.

The current justice system in place on Indian lands handicaps the local tribal justice system, undermining the rights of Native women and their families. In 2004, the U.S. Supreme Court affirmed a tribe’s authority to try non-Indians who commit crimes on Indian reservations. Yet, in 2005, the U.S. District Court for the District of Arizona ruled against Hopi and Navajo tribes that wanted to try non-Indians. These cases have raised concerns that some Members of Congress now claim that the narrowly tailored provisions of S. 47 are wanting and the Senate bill strikes LGBT women as underserved.

The distinguished floor leader has asked us to find areas in the legislation that are wanting, and I would submit that the House amendment over the Senate amendment is wanting. The House amendment did not include language that would have them as a protected class.

Sincerely,

JAMES L. MADARA, MD.
We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts. . . . We are not unaware of the high number of Indian crimes on today’s reservations which the tribes forcefully argue requires the ability to try non-Indians. But these are considerations for Congress to weigh.” (Citizens for Equitable Government, Arizona Tribe, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in jurisdictional authority through an amendment to the Indian Self-Determination and Education Assistance Act (ISDEAA) of 1975. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handicaps the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, “inadequate to stop the pattern of escalating violence against Native women.” Tribal leaders, police officers, prosecutors, and researchers have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They prevent the enforcement of federal provisions involving individuals that work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also limits the jurisdiction of the federal court system afforded to the tribes to misdemeanor offenses committed by Indian or non-Indian persons, with the exception of domestic violence. Our organization has long supported the efforts of tribal courts to address the epidemic of domestic violence on tribal lands. On January 21, 2011, the NCJFCJ adopted an organizational policy that states that we recognize tribal courts as equal and parallel systems of justice to the state court systems. We did so because our state court judge members have a strong history of working with tribal courts and are aware of their capacity to adjudicate local cases of domestic violence. Our organization has long supported the efforts of tribal courts to address these crimes, whether these crimes are committed by Indian or non-Indian persons, in order to protect the safety of the victims of these crimes, their family members, and the local community.

In our role as state court judges working alongside tribal lands, we are in a unique position to see the shortcomings of the current system of justice afforded to the tribes through the federal district courts. Currently, the U.S. Attorney can prosecute these cases—but they seldom do, because there are not enough U.S. Attorneys to prosecute cases like these. The Office of the Ombudsperson for Native American Affairs in the Department of Justice has investigated and found that many cases of domestic violence go unaddressed. Too many lives are at risk; too many Native women and children are left to suffer because the only system of justice afforded to them is utterly out of reach.

We believe that the provisions contained in S. 47 create an excellent path for supporting a system of tribal courts that can quickly, appropriately, and fairly respond to the epidemic of domestic violence on tribal lands. We base this belief on the long history of our work with tribal courts and our commitment to providing protection to their most vulnerable community members. In the interests of justice for all, we ask you to vote to contact any of us if you should have any questions.
for S. 47 so that its tribal provisions can become law.
If you have any questions, we stand ready to answer with whatever information you may need.

Sincerely,

Hon. Michael Nashi,
President, National Council of Juvenile and Family Court Judges

SAMISH INDIAN NATION,

Re Support for S. 47, VAWA Reauthorization.

Hon. Patrick Leahy,
Chairman, Senate Committee on the Judiciary,
Washington, DC.

Dear Chairman Leahy: I write on behalf of the Samish Indian Nation to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handicaps the local tribal justice systems through reservation law and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found the current system of justice, “inadequate to stop the pattern of escalating violence against Native women.” Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation-based crimes, making it easier for all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions in S. 47, Section 904, are well-reasoned and limited in scope only to misdemeanor level punishments, and would provide a broader edge of protection to Native women from future harm.


This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in helping to prevent future acts of violence against Native women nationwide. Thank you for again including these vital provisions in your VAWA Reauthorization.

Sincerely,

TOM WOOTEN

Equitas,

Hon. Patrick Leahy,
Chairman,
Senate Committee on Judiciary,
Washington, DC.

Hon. Bob Goodlatte,
Chairman,
House Committee on Judiciary,
Washington, DC.

Hon. Conyers,
Ranking Member,
Senate Committee on Judiciary,
Washington, DC.

Hon. John Conyers,
Ranking Member, House Committee on Jurisdiction,
Washington, DC.

DEAR CHAIRMAN LEAHY, CHAIRMAN GOODLATTE, RANKING MEMBER GRASSLEY AND RANKING MEMBER CONYERS: On behalf of Equitas: The Prosecutors’ Resource on Violence Against Women, we write today regarding the Violence Against Women Act’s (VAWA) reauthorization.

Equitas’ mission is to improve the quality of justice in sexual violence, intimate partner violence, stalking, and human trafficking cases by developing, evaluating and refining prosecution practices that increase victim safety and offender accountability.

VAWA has unquestionably improved the nation’s justice systems’ ability to keep victims and their children safe and hold perpetrators accountable.

Thank you for your leadership and steadfast commitment to supporting victims of domestic violence, dating violence, sexual assault, and stalking. We look forward to hearing of VAWA’s swift reauthorization. If you have any questions, please feel free to contact me at 202.961.2462 or StevenJansen@APAlnc.org.

Sincerely,

STEVEN JANSEN,
Vice President/COO.

Mrs. McMorris Rodgers, Madam Speaker, I am happy to yield the balance of my time to the attorney, the wife, the mom, the gentle lady from Alabama (Mrs. Roby).

Mrs. ROBY. In closing, I just want to make sure that we’re clear: Republicans are committed to standing for all victims.

This bill, or amendment, strengthens penalties for sexual assault, improves the Federal stalking statute, provides for enhanced investigation and prosecution of sexual assault, and provides services for victims. Most importantly, our amendment is constitutional, and it will stand up to constitutional muster from the court.
The Senate passed a weakened bill that has a real chance of being overturned by the courts.
I urge support for the House amendment.
The SPEAKER pro tempore. All time for debate on the bill has expired.
AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MRS. MCMORRIS RODGERS
Mrs. MCMORRIS RODGERS. Madam Speaker, I have an amendment at the desk.
The SPEAKER pro tempore. The Clerk will designate the amendment in the nature of a substitute.
The text of the amendment is as follows:
Strike all after the enacting clause and insert the following:

SEC. 1. SHORT TITLE.
This Act may be cited as the "Violence Against Women Reauthorization Act of 2013."

SEC. 2. TABLE OF CONTENTS.
The table of contents for this Act is as follows:
Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. VAWA definitions and grant conditions.
Sec. 4. Accountability provisions.
Sec. 5. Effective date.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN
Sec. 101. STOP grants.
Sec. 102. Grants to encourage arrest policies and to address child abuse enforcement as-proscribed by Federal, tribal, or State law, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—
(A) a first and last name; 
(B) a home or other physical address; 
(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number); 
(D) a social security number, driver license number, passport number, or student identification number; and 
(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual."

(3) in paragraph (6) by inserting "or intimate partner" after "former spouse" and after "as a spouse";

(4) by amending paragraph (16) to read as follows:
"(16) LEGAL ASSISTANCE.—The term "legal assistance"—
(1) family, tribal, territorial, immigration, employment, administrative agency, and other similar matters; and 
(2) criminal justice investigations, prosecutions and post-trial matters (including sentencing, parole, and probation) that impact the victim's safety and privacy; and 
(3) may include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102); except that intake or referral, without other action, does not constitute legal assistance.
"

(5) by amending paragraph (18) to read as follows:
"(18) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term "personally identifying information' or "personal information" means individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—
(A) a first and last name; 
(B) a home or other physical address; 
(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number); 
(D) a social security number, driver license number, passport number, or student identification number; and 
(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual."

(19), by striking "services" and inserting "assistance"; 
(7) in paragraph (21)—
(A) in subparagraph (A), by striking "or" after the semicolon; 
(B) in subparagraph (B)(ii), by striking the period and inserting "; or"; and 
(C) by adding at the end the following: 
"(C) any federally recognized Indian tribe;
"

(22)—
(A) by striking "52" and inserting "57" after the semicolon; 
(B) in subparagraph (B)(ii), by striking the period and inserting "; or"; and 
(C) by adding at the end the following: 
"(C) any federally recognized Indian tribe;
"

(26); 
(8) in paragraph (22)—
(A) by striking "52" and inserting "57"; and 
(B) by striking "150,000" and inserting "250,000"; 

(9) by amending paragraph (23) to read as follows:
"(23) SEXUAL ASSAULT.—The term "sexual assault" means any nonconsensual sexual act prescribed by Federal, tribal, or State law, including when the victim lacks capacity to consent;
"

(10) by amending paragraph (33) to read as follows:
"(33) UNERIVED POPULATIONS.—The term "underserved populations" means populations who face barriers to accessing and using victim services and includes those populations underserved because of geographic location or religion, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to

Title II—Improving Services for Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking
Sec. 201. Sexual assault services program.
Sec. 203. Training and services to end violence against women with disabilities.
Sec. 204. Grant for training and services to end violence against women in later life.

Title III—Services, Protection, and Justice for Young Victims of Violence
Sec. 301. Rape prevention and education grant.
Sec. 302. Creating hope through outreach, options, services, and education for children and youth.
Sec. 303. Grants to combat violent crimes on campuses.
Sec. 304. Campus safety.

Title IV—Violence Reduction Practices
Sec. 401. Study conducted by the centers for disease control and prevention.

Sec. 402. Saving money and reducing tragedies through prevention grants.

Title V—Strengthening the Health Care System's Response to Domestic Violence, Dating Violence, Sexual Assault, and Stalking
Sec. 501. Consolidation of grants to strengthen the health care system's response to domestic violence, dating violence, sexual assault, and stalking.

Title VI—Safe Homes for Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking
Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

Title VII—Economic Security for Victims of Violence
Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.

Title VIII—Immigration Provisions
Sec. 801. Clarification of the requirements applicable to U visas.
Sec. 802. Protections for a fiancée or fiancé of a victim of domestic or sexual violence.
Sec. 803. Regulation of international marriage brokers.
Sec. 804. GAO report.
Sec. 805. Annual report on immigration applications made by victims of abuse.
Sec. 806. Protection for children of VAWA self-petitioners.
Sec. 807. Public charge.
Sec. 808. Age-Out Protection for U Visa Applicants.
Sec. 809. Hardship waivers.
Sec. 811. Consideration of other evidence.

Title IX—Safety for Indian Women
Sec. 901. Grants to Indian tribal governments.
Sec. 902. Grants to Indian tribal coalitions.
Sec. 903. Tribal jurisdiction over crimes of domestic violence.
Sec. 904. Consultation.
Sec. 905. Analysis and research on violence abatement.
Sec. 906. Assistance to Indian Attorneys Domestic Violence Tribal Liaisons.
Sec. 907. Specialty attorneys.
Sec. 908. GAO Study.

Title X—Criminal Provisions
Sec. 1001. Sexual abuse in custodial settings.
Sec. 1002. Criminal provision relating to stalking, including cyberstalking.
Sec. 1003. Amendments to the Federal assault statute.

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Title X—Criminal Provisions
Sec. 1001. Sexual abuse in custodial settings.
Sec. 1002. Criminal provision relating to stalking, including cyberstalking.
Sec. 1003. Amendments to the Federal assault statute.
be underserved by the Attorney General or the Secretary of Health and Human Services, as appropriate.";

(11) by amending paragraph (37) to read as follows:

’’(37) YOUTH.—The term ‘youth’ means a person who is 11 to 24 years of age.’’;

(12) by adding at the end the following new paragraph:

’’(38) ALASKA NATIVE VILLAGE.—The term ‘Alaska Native village’ has the same meaning given such term in the Alaska Native Claims Settlement Act (42 U.S.C. 1801 et seq.).’’.

(39) CHILD.—The term ‘child’ means a person who is under 11 years of age.

(40) CULTURALLY SPECIFIC.—The term ‘culturally specific’ (except when used as part of the term ‘culturally specific services’) means primarily composed of racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u–6(g))).

(41) CULTURALLY SPECIFIC SERVICES.—The term ‘culturally specific services’ means community-based services and resources that are culturally relevant and linguistically specific to culturally specific communities.

(42) HOMELESS, HOMELESS INDIVIDUAL, HOMELESS PERSON.—The terms ‘homeless’, ‘homeless individual’, and ‘homeless person’—

(A) mean an individual who lacks a fixed, regular, and adequate nighttime residence; and

(B) includes—

(1) an individual who—

(i) is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;

(ii) is living in a motel, hotel, trailer park, campground, or similar site, or in a car, bus, or RV;

(iii) is living in an emergency or transitional shelter;

(iv) is abandoned in a hospital; or

(v) is awaiting foster care placement;

(ii) an individual who has a primary nighttime residence that is public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or

(iii) migratory children (as defined in section 300h–21(d) of the Elementary and Secondary Education Act of 1965; 20 U.S.C. 6399) who qualify as homeless under this section because they are living in circumstances described in this paragraph.

(43) POPULATION SPECIFIC ORGANIZATION.—The term ‘population specific organization’ means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

(44) POPULATION SPECIFIC SERVICES.—The term ‘population specific services’ means victim services that—

(A) address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking; and

(B) are designed primarily for, and are targeted to, a specific underserved population.

(45) RAPE CRISIS CENTER.—The term ‘rape crisis center’ means—

(A) a nonprofit, nongovernmental, or tribal organization that provides intervention and related assistance, as specified in section 4101(b)(2)(C), to victims of sexual assault without regard to the age of the victims; or

(B) a crisis center (as defined in section 10201(b)(1)); and

(i) is located in a State other than a Territory;

(ii) provides intervention and related assistance, as specified in section 4101(b)(2)(C), to victims of sexual assault without regard to the age of the victims;

(iii) is operated by an enforcement agency or other entity that is part of the criminal justice system; and

(iv) offers a level of confidentiality to victims that is comparable to a nonprofit entity that provides similar victim services.

(46) SEX TRAFFICKING.—The term ‘sex trafficking’ means any conduct proscribed by section 1591 of United States Code, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

(47) TRIBAL COALITION.—The term ‘tribal coalition’ means an established nonprofit, nongovernmental organization, Alaska Native organization, or a Native Hawaiian organization that—

(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

(B) is comprised of board and general members that are representative of—

(i) the member service providers described in paragraph (A); and

(ii) the tribal communities in which the services are being provided.

(48) UNIT OF LOCAL GOVERNMENT.—The term ‘unit of local government’ means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.

(49) VICTIM SERVICES.—The term ‘victim services’—

(A) means services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group counseling, information and referrals, culturally specific services, population specific services, and other related supportive services; and

(B) may include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of nonviolent forms of trafficking in persons as defined by section 168 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

(50) VICTIM SERVICES PROVIDER.—The term ‘victim service provider’ means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State sexual assault coalition or tribal coalition, that—

(A) assists victims, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations; and

(B) has a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking; and

(51) GRANTEES.—The term ‘grantees’—

(1) includes—

(A) a grantee, a subgrantee, and each other entity to which a grantee or subgrantee has provided subgrants or other financial or technical assistance to further the activities under this title, and a grantee or subgrantee that has subcontracted with a subgrantee to carry out an activity under this title; and

(B) a grantee or subgrantee that has subcontracted with a subgrantee to carry out an activity under this title;

(2) means a grantee or subgrantee that—

(i) is a nonprofit, a state agency, a unit of local government, a tribal entity, or a tribal organization that—

(A) is a member of the victim services providers association that is a nonprofit, nongovernmental organization, or a tribal coalition; and

(B) addresses the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking; and

(ii) offers a level of confidentiality to victims that is comparable to a nonprofit entity that provides similar victim services.

(3) APPLIES.—In carrying out the activities under this title, grantees and
subgrantees may collaborate with and provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies, and ensure the prompt, accurate, and open legal, regulatory, and legal issues relating to or the promotion and protection of the rights of individuals with disabilities. 15.4 (a) Nondiscrimination.—No person in any State shall be treated as a member of a protected class because of race, color, religion, national origin, sex, or disability. The granting agency shall provide legal assistance and training to subgrantees and shall require subgrantees to provide legal assistance to individuals, regardless of the availability of other funds. 16.2 (a) Accounting and Auditing.—The granting agency shall ensure that all grants awarded under this section are subject to the provisions of section 4002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 3785g-6(d)). 17.3 (a) General.—For implementation purposes, the granting agency shall comply with the requirements of this section. 18.4 (a) General.—For implementation purposes, the granting agency shall comply with the requirements of this section.
utilized by any grantee or subgrantee to lobby any representative of the Federal Government (including the Department of Justice) or a State, local, or tribal government regarding grant funding.

"(B) PENALTY.—If the Attorney General or the Secretary of Health and Human Services, as applicable, determines that any grantee or subgrantee is using funds under this title has violated subparagraph (A), the Attorney General or the Secretary of Health and Human Services, as applicable, shall—

(i) submit the grantee or subgrantee to repay such funds in full; and

(ii) prohibit the grantee or subgrantee from receiving any funds under this title for not less than 5 years.

"(9) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment, the Secretary of Health and Human Services, as applicable, shall—

(A) submit to the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a certification for such year that—

(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the Assistant Attorney General for the Office of Justice Programs; and

(B) all mandatory exclusions required under paragraph (2) have been issued;

(C) all reimbursements required under paragraph (3) have been made; and

(D) includes a list of any grantees and subgrantees excluded during the previous year and the year described by subparagraph (A); and

(2) GRANT PROVISIONS and inserting ‘‘GRANT PROVISIONS’’;

GRANT PROVISIONS, and TRAINING and RESOURCES FOR VAWA GRANTEES.—Section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) is amended—

(1) in the heading, by striking ‘‘AND GRANT PROVISIONS’’ and inserting ‘‘, GRANT PROVISIONS, and TRAINING and RESOURCES FOR VAWA GRANTEES’’; and

(2) by adding after subsection (c), as added by subsection (d) of this section, the following:

‘‘(d) TRAINING and RESOURCES FOR VAWA GRANTEES.—

‘‘(1) In general.—The Attorney General and Secretary of Health and Human Services, as applicable, shall—

(A) develop standards, protocols, and sample tools and forms to provide guidance to grantees and subgrantees under any program or activity described in paragraph (2) regarding financial record-keeping and accounting practices required of such grantees and subgrantees as recipients of funds from the disbursing agency;

(B) provide training to such grantees and subgrantees regarding such standards, protocols, and forms; and

(C) publish on the public Internet website of the Office of Violence Against Women information to assist such grantees and subgrantees with compliance with such standards, protocols, and sample tools and forms.

‘‘(2) VAWA PROGRAMS and ACTIVITIES.—For purposes of paragraph (1), a program or activity described in this paragraph is any program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

SEC. 5. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 3, 602, 901, and 902 of this Act shall not take effect until the first day of the fiscal year following the date of enactment of this Act.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT EFFORTS TO Combat VIOLENCE AGAINST WOMEN


(1) in section 201(a) (42 U.S.C. 379gg(a)), by striking ‘‘violent crimes against women’’ each place it appears and inserting ‘‘violent crimes that predominantly affect women including domestic violence, dating violence, sexual assault, and stalking’’;

(2) in section 201(b) (42 U.S.C. 379gg(b))—

(A) in the matter preceding paragraph (1)—

(i) by striking ‘‘equipment’’ and inserting ‘‘resources’’; and

(ii) by inserting ‘‘for the protection and safety of victims’’, before ‘‘and specifically’’;

(B) in paragraph (1), by striking ‘‘sexual assault and all other forms through violence’’ and inserting ‘‘domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women)’’;

(C) in paragraph (2), by striking ‘‘sexual assault and domestic violence’’ and inserting ‘‘domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women)’’;

(D) in paragraph (3), by striking ‘‘sexual assault and domestic violence’’ and inserting ‘‘domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women)’’;

(E) in paragraph (4)—

(i) by inserting ‘‘, classifying,’’ after ‘‘identifying’’;

(ii) by striking ‘‘sexual assault and domestic violence’’ and inserting ‘‘domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women)’’;

(F) by striking paragraph (6) and redesignating paragraph (7) through (14) as paragraphs (6) through (13), respectively;

(G) by inserting after paragraph (6), as so redesignated by subparagraph (G), the following:
("C) representatives of the law enforcement entities within the State; 
("D) representatives of prosecution offices; 
("E) representatives of State and local courts; 
("F) tribal governments or tribal coalitions in those States with State or federally recognized Indian tribes; 
("G) representatives of underserved populations, including culturally specific communities; 
("H) representatives of victim service providers; 
("I) representatives of population specific organizations; and 
("J) representatives of other entities that the State or the Attorney General identifies as necessary for the planning process; 
(ii) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5) respectively; 
(iii) by inserting after paragraph (2) the following: 
(1) grantees shall coordinate the "
State implementation plan described in paragraph (2) with the State plans described in section 397 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the plans described in the Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.) and section 393A of the Public Health Service Act (42 U.S.C. 280b–1); and 
(iv) by redesignating paragraph (4), as so redesignated by clause (ii): 
(1) in subparagraph (A), by striking "and not less than 25 percent shall be allocated for prosecution; 
(II) by redesignating subparagraphs (B) and (C) as subparagraphs (D) and (E); and 
(iii) by inserting after subparagraph (A), the following: 
"(B) not less than 25 percent shall be allocated for prosecutors; 
(C) for each fiscal year beginning on or after the date that is 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, not less than 20 percent shall be allocated for 2 or more purposes described in section 2001(b) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship; 
(D) by amending subsection (d) to read as follows: 
"(d) APPLICATION REQUIREMENTS.—An application for a grant under this part shall include— 
(1) the certifications of qualification required under subsection (c); 
(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010; 
(3) proof of compliance with the requirements for fees and costs relating to domestic violence and protection order cases described in section 2011; 
(4) proof of compliance with the requirement for submitting polygraph examinations of victims of sexual assault described in section 2013; 
(5) an implementation plan required under subsection (i); and 
(6) any other documentation that the Attorney General may require.”; 
(E) in subsection (e)— (i) in paragraph (2)— 
(1) in subparagraph (A), by striking “domestic violence and sexual assault” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and 
(2) in subparagraph (D), by striking “linguistically” and “;” and 
(2) by adding at the end the following: 
(3) disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards disbursed after the date of enactment of the Violence Against Women Reauthorization Act of 2013 to ensure that the States meet statutory, regulatory, and other program requirements; 
(3) in subsection (f), by striking the period at the end and inserting “, except that, for purposes of this subsection, the costs of the forensic medical exams or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects;”, and 
(G) by adding at the end the following: 
"(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall— 
(1) develop an implementation plan in consultation with representatives of the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part, including how the State will use the funds that are required to be allocated under subsection (c)(4)(C); and 
(2) submit to the Attorney General as part of the application submitted in accordance with subsection (d)— 
(A) the implementation plan developed under paragraph (1); 
(B) documentation from each member of the planning committee with respect to the member’s participation in the planning process; 
(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing— 
(i) the need for the grant funds; 
(ii) the intended use of the grant funds; and 
(iii) the expected result of the grant funds; and 
(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims; 
(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population-specific services required under subsection (c)(4)(C); 
(F) a description of the way in which the State plans to meet the requirements pursuant to regulations issued under subsection (2); 
(G) goals and objectives for reducing domestic and dating violence-related homicide within the State; and 
(H) any other information requested by the Attorney General. 
(4) REALLOCATION OF FUNDS.—A State may use any remaining funds for any authorized purposes. 
(A) by inserting “reallocation, enforcement, dismissal,” after “registration,” place it appears; and 
(B) by striking “domestic violence, stalking, or sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking”. 
(b) AUTHORIZATION OF APPROPRIATIONS.— Section 1001(a)(18) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796(a)(18)), is amended by striking “$225,000,000 for each of fiscal years 2007 through 2011” and inserting “$322,000,000 for each of fiscal years 2007 through 2013.” 
SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS. 
(a) IN GENERAL.—Part I of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h et seq.) is amended— 
(1) in section 2010 (42 U.S.C. 3796h–1) by striking “States,” and all that follows through “units of local government” and inserting “grantees”; 
(2) in paragraph (1), by inserting “and enforcement of protection orders across State and tribal lines” before “the grantee”; 
(3) in paragraph (2), by striking “training in police departments to improve tracking of cases” and inserting “data collection systems, and training in police departments to improve tracking of cases and classification of complaints”; 
(iv) in paragraph (4), by inserting “and provide the appropriate training and education for police departments, domestic violence, sexual assault, and stalking after “computer tracking systems”; 
(v) in paragraph (5), by inserting “and other victim services” after “legal advocacy service programs”; 
(vi) in paragraph (6), by striking “judges” inserting “Federal, State, tribal, territorial, and local judges, and court-based and court-related personnel”;
(vii) in paragraph (8), by striking “and sexual assault” inserting “and domestic violence, sexual assault, and stalking”;
(viii) in paragraph (10), by striking “non-profit, non-governmental victim services organizations,” and inserting “victim service providers, population specific organizations,”; and 
(ix) by adding at the end the following: 
“(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victims services, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking;

“(15) To develop or strengthen policies, protocols, and training for law enforcement officers, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking; including the appropriate treatment of victims;

“(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners;

“(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

“(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims of sexual assault;

“(20) To provide the following human immunodeficiency virus services for victims of sexual assault:

“(A) Testing.

“(B) Counseling.

“(C) Prophylaxis.

“(21) To develop and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and comprehensive services including legal, housing, health care, and economic assistance;.”;

“(B) in section (c)—

“(1) in paragraph (1), by striking “court,”

“(ii) in paragraph (2), by inserting “except for a court,”

“(iii) in paragraph (3), by inserting “court,”

“(iv) by striking the period at the end and inserting “; and”;

“(B) as clauses (i) and (ii), respectively, and

“(A), by inserting “except for a court,” before

“(C) providing ongoing victim advocacy

“(D) Counseling.

“(E) Prophylaxis.

“(20) To provide the following human immunodeficiency virus services for victims of sexual assault:

“(A) Testing.

“(B) Counseling.

“(C) Prophylaxis.

“(21) To develop and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

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“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and comprehensive services including legal, housing, health care, and economic assistance.”;

“(B) in section (c)—

“(1) in paragraph (1), by striking “court,”

“(ii) in paragraph (2), by inserting “except for a court,”

“(iii) in paragraph (3), by inserting “court,”

“(iv) by striking the period at the end and inserting “; and”;

“(B) as clauses (i) and (ii), respectively, and

“(A), by inserting “except for a court,” before

“(C) providing ongoing victim advocacy

“(D) Counseling.

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“(20) To provide the following human immunodeficiency virus services for victims of sexual assault:

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“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and comprehensive services including legal, housing, health care, and economic assistance.”;

“(B) in section (c)—

“(1) in paragraph (1), by striking “court,”

“(ii) in paragraph (2), by inserting “except for a court,”

“(iii) in paragraph (3), by inserting “court,”

“(iv) by striking the period at the end and inserting “; and”;

“(B) as clauses (i) and (ii), respectively, and

“(A), by inserting “except for a court,” before

“(C) providing ongoing victim advocacy

“(D) Counseling.

“(E) Prophylaxis.

“(20) To provide the following human immunodeficiency virus services for victims of sexual assault:

“(A) Testing.

“(B) Counseling.

“(C) Prophylaxis.

“(21) To develop and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and comprehensive services including legal, housing, health care, and economic assistance.”;

“(B) in section (c)—

“(1) in paragraph (1), by striking “court,”

“(ii) in paragraph (2), by inserting “except for a court,”

“(iii) in paragraph (3), by inserting “court,”

“(iv) by striking the period at the end and inserting “; and”;

“(B) as clauses (i) and (ii), respectively, and

“(A), by inserting “except for a court,” before

“(C) providing ongoing victim advocacy

“(D) Counseling.

“(E) Prophylaxis.

“(20) To provide the following human immunodeficiency virus services for victims of sexual assault:

“(A) Testing.

“(B) Counseling.

“(C) Prophylaxis.

“(21) To develop and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and comprehensive services including legal, housing, health care, and economic assistance.”;

“(B) in section (c)—

“(1) in paragraph (1), by striking “court,”

“(ii) in paragraph (2), by inserting “except for a court,”

“(iii) in paragraph (3), by inserting “court,”

“(iv) by striking the period at the end and inserting “; and”;

“(B) as clauses (i) and (ii), respectively, and

“(A), by inserting “except for a court,” before

“(C) providing ongoing victim advocacy

“(D) Counseling.

“(E) Prophylaxis.

“(20) To provide the following human immunodeficiency virus services for victims of sexual assault:

“(A) Testing.

“(B) Counseling.

“(C) Prophylaxis.

“(21) To develop and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and comprehensive services including legal, housing, health care, and economic assistance.”;

“(B) in section (c)—

“(1) in paragraph (1), by striking “court,”

“(ii) in paragraph (2), by inserting “except for a court,”

“(iii) in paragraph (3), by inserting “court,”

“(iv) by striking the period at the end and inserting “; and”;

“(B) as clauses (i) and (ii), respectively, and

“(A), by inserting “except for a court,” before

“(C) providing ongoing victim advocacy

“(D) Counseling.

“(E) Prophylaxis.

“(20) To provide the following human immunodeficiency virus services for victims of sexual assault:

“(A) Testing.

“(B) Counseling.

“(C) Prophylaxis.

“(21) To develop and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and comprehensive services including legal, housing, health care, and economic assistance.”;

“(B) in section (c)—

“(1) in paragraph (1), by striking “court,”

“(ii) in paragraph (2), by inserting “except for a court,”

“(iii) in paragraph (3), by inserting “court,”

“(iv) by striking the period at the end and inserting “; and”;

“(B) as clauses (i) and (ii), respectively, and

“(A), by inserting “except for a court,” before

“(C) providing ongoing victim advocacy

“(D) Counseling.

“(E) Prophylaxis.

“(20) To provide the following human immunodeficiency virus services for victims of sexual assault:

“(A) Testing.

“(B) Counseling.

“(C) Prophylaxis.

“(21) To develop and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and comprehensive services including legal, housing, health care, and economic assistance.”;

“(B) in section (c)—

“(1) in paragraph (1), by striking “court,”

“(ii) in paragraph (2), by inserting “except for a court,”

“(iii) in paragraph (3), by inserting “court,”

“(iv) by striking the period at the end and inserting “; and”;

“(B) as clauses (i) and (ii), respectively, and

“(A), by inserting “except for a court,” before

“(C) providing ongoing victim advocacy

“(D) Counseling.

“(E) Prophylaxis.

“(20) To provide the following human immunodeficiency virus services for victims of sexual assault:

“(A) Testing.

“(B) Counseling.

“(C) Prophylaxis.
and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims of domestic violence, sexual assault, sexual abuse, dating violence, sexual assault, stalking, including child sexual abuse, and stalking and ensure necessary services dealing with the physical and mental health of victims are available;

(4) provide adequate resources in juvenile court and full participation in state, tribal, and local court systems, including coordination with specialized courts, consolidated courts, dockets, in-take centers, or interpreter services;

(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary programs);

(C) offender management, monitoring, and treatment;

(D) safe and confidential information-storage and information-sharing databases within and between court systems;

(E) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

(F) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

(G) improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system regarding domestic violence, dating violence, sexual assault, sexual abuse, stalking, or child abuse.

(c) CONSIDERATIONS.—

(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (6) of subsection (b), the Attorney General shall consider—

(A) the number of families to be served by the proposed programs and services;

(B) the extent to which the proposed programs and services serve underserved populations;

(C) the extent to which the applicant demonstrates coordination and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, sexual assault, sexual abuse, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims;

(D) the extent to which the applicant demonstrates coordination and collaboration with all judicial and law enforcement systems, including mechanisms for communication and referral.

(2) OTHER GRANTS.—In making grants under this section (b), the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system’s handling of family violence, child custody, and neglect; foster care, supervision, visitation, divorce, and parentage.

(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

(2) ensures that any fees charged to individuals for supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

(3) if the grantee proposes to operate supervised visitation programs and services or safe visitation exchange, demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section);

(4) certifies that the organizational policies of the applicant do not require mediation or counseling of the victim or the perpetrator of domestic violence or sexual assault, or any other victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

(5) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

(6) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training on domestic violence and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition, on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based tools to make recommendations on custody and visitation.

(e) AUTHORIZATION OF APPROPRIATIONS.—

There is certified to be appropriated to carry out this section, $22,000,000 for each of the fiscal years 2014 through 2018. Amounts appropriated pursuant to this subsection are authorized to remain available until expended.

(f) ALLOTMENT FOR INDIAN TRIBES.—

(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under this section.

(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to any fiscal year.

(g) TECHNICAL AND CONFORMING AMENDMENTS.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 13013 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking “January 1, 2016” and inserting “January 1, 2015”;

(2) in section 217 (42 U.S.C. 13013),—

(A) in subsection (c)(2)(A), by striking “Code of Ethics” and inserting “Standards for Programs”; and

(B) by adding at the end the following new subsection:

“(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.”;

and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

SEC. 160. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

(a) GRANTS AUTHORIZED.—

(1) IN GENERAL.—Of the amounts appropriated under this grant program identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations.

(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

(C) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or coalition to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations.

(c) PLANNING GRANTS.—The Attorney General may make a grant under this section to a State or local agency, or an organization representing an underserved community, for planning purposes.

(d) IN GENERAL.—In making grants under this section, the Attorney General shall—

(1) identify, building, and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

(2) conduct a needs assessment of the community and the targeted underserved population; and

(3) identify the needs of adult and youth victims in one or more underserved populations.

(e) OTHER GRANTS.—In making grants under this section, the Attorney General shall—

(1) identify, building, and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations; and

(2) conduct a needs assessment of the community and the targeted underserved population.
population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population.

"(3) identifying promising prevention, outreach, and intervention strategies for victims from a targeted underserved population or population specific services;"

"(4) developing a plan, with the input of the targeted underserved population or populations, for—"

"(A) implementing prevention, outreach, and intervention strategies to address the barriers to accessing services;

"(B) promoting community engagement in the provision of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations; and

"(C) evaluating the program.

"(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and victim services to adult and youth victims in one or more underserved populations, including—"

"(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific victim services;

"(2) strengthening the capacity of underserved populations to provide population specific services;

"(3) strengthening the capacity of traditional victim service providers to provide population specific services;

"(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations;

"(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations; and

"(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

"(f) REPORTS.—Each eligible entity receiving a grant under this section shall annually submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds during the preceding fiscal year.

"(g) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) shall apply.

"(h) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2014 through 2018."

SEC. 106. CULTURALLY SPECIFIC SERVICES GRANTS.

Section 121 of the Violence Against Women Act and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

"(1) in the section heading, by striking "and culturally"

"(B) by striking "and linguistically" each place it appears;

"(C) in paragraph (3), by striking "and linguistic" each place it appears;

"(D) by amending paragraph (2) of subsection (a) to read as follows:

"(2) PROGRAMS COVERED.—The programs identified in this paragraph are the programs carried out under the following provisions:


"(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 1401a) (Enhanced training and services to end violence against women in prison).

"(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) (Education, training, and enhanced services to end violence against and abuse of women with disabilities)."

"(f) TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14045b) is amended—

"(1) in paragraph (1), by striking "other programs" and all that follows through the period and inserting "to carry out this section and all that follows through the period at the end and inserting "to carry out this section $50,000,000 for each of fiscal years 2014 through 2018."

"(b) REDUCTION IN RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135c)(3), is amended by striking "$2,300,000" and all that follows through the period at the end and inserting "to carry out this section $50,000,000 for each of fiscal years 2014 through 2018."

"(c) TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14045b) is amended—

"(1) in paragraph (1), by striking "other programs" and all that follows through the period and inserting "to carry out this section and all that follows through the period at the end and inserting "to carry out this section $50,000,000 for each of fiscal years 2014 through 2018."

"(f) TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14045b) is amended—

"(1) in paragraph (1), by striking "other programs" and all that follows through the period and inserting "to carry out this section and all that follows through the period at the end and inserting "to carry out this section $50,000,000 for each of fiscal years 2014 through 2018."

"(f) TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14045b) is amended—

"(1) in paragraph (1), by striking "other programs" and all that follows through the period and inserting "to carry out this section and all that follows through the period at the end and inserting "to carry out this section $50,000,000 for each of fiscal years 2014 through 2018."

"(f) TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14045b) is amended—

"(1) in paragraph (1), by striking "other programs" and all that follows through the period and inserting "to carry out this section and all that follows through the period at the end and inserting "to carry out this section $50,000,000 for each of fiscal years 2014 through 2018."

"(f) TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14045b) is amended—

"(1) in paragraph (1), by striking "other programs" and all that follows through the period and inserting "to carry out this section and all that follows through the period at the end and inserting "to carry out this section $50,000,000 for each of fiscal years 2014 through 2018."

"(f) TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14045b) is amended—

"(1) in paragraph (1), by striking "other programs" and all that follows through the period and inserting "to carry out this section and all that follows through the period at the end and inserting "to carry out this section $50,000,000 for each of fiscal years 2014 through 2018."

"(f) TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14045b) is amended—

"(1) in paragraph (1), by striking "other programs" and all that follows through the period and inserting "to carry out this section and all that follows through the period at the end and inserting "to carry out this section $50,000,000 for each of fiscal years 2014 through 2018."

"(f) TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.
(3) in subsection (e), by striking "$10,000,000 for each of the fiscal years 2007 through 2011" and inserting "$9,000,000 for each of fiscal years 2014 through 2018".

SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.

Section 40801 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) is amended—

(a) Definitions.—In this section:

(1) The term ‘elder abuse’ means domestic violence, dating violence, sexual assault, or stalking committed against individuals in later life.

(2) The term ‘individual in later life’ means an individual who is 60 years of age or older.

(b) Grant Program.—

(1) Grants Authorized.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2). In awarding such grants, the Attorney General shall—

(A) prioritize the allocation of funds to entities that—

(i) are—

(I) a State,

(II) a unit of local government;

(III) a tribal government or tribal organization;

(ii) have a demonstrated history of effective work addressing the needs of youth, including health care providers and security personnel, on the needs of those who are victims of domestic violence, dating violence, sexual assault, or stalking, as well as homeless youth, and to properly address the requirements of court protective orders issued to or against students;

(iii) provide services for student victims of domestic violence, dating violence, sexual assault, or stalking, as a resource person who is either on-site or on-call;

(iv) develop strategies to increase identification, support, referrals, and prevention programs for youth who are at high risk of domestic violence, dating violence, sexual assault, or stalking;

(v) establish or support multidisciplinary collaborative community responses to victims of elder abuse; and

(vi) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, or local government, in recognizing and addressing instances of elder abuse;

(ii) provide outreach activities and awareness campaigns to ensure that victims of elder abuse receive appropriate assistance.

(3) Underserved Populations.—In making grants under paragraph (1), the Attorney General shall give priority to proposals providing culturally specific or population specific services.

(4) Authorization of Appropriations.—

There is authorized to be appropriated to carry out this section $9,000,000 for each of fiscal years 2014 through 2018.

TITLE II: SERVICES, PROTECTION, AND JUSTICE FOR VICTIMS OF VIOLENCE

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

Subtitle L of the Violence Against Women Act of 1994 (42 U.S.C. 14041c et seq.) is amended—

(a) Grants Authorized.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and address the emotional, cognitive, and physical effects of trauma on youth. Funds provided under this section may be used for the following purposes:

(1) Services to Advocate for and Respect Youth.—To develop, expand, and strengthen protective services for youth that target young people who are victims of domestic violence, dating violence, sexual assault, or stalking. Services may include victim outreach, case management, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, and welfare proceedings; campus and administrative proceedings; and civil protection order proceedings, services to address sex trafficking, population specific services, youth who are victims of domestic violence, dating violence, sexual assault, or stalking, as well as homeless youth, and to properly address the needs of youth, including runaway or homeless youth, who are victims of domestic violence, dating violence, sexual assault, or stalking;

(2) Program Purposes.—Funds provided under this section may be used for the following program purposes:

(i) Services to Advocate for and Respect Youth.—To develop, expand, and strengthen protective services for youth that target young people who are victims of domestic violence, dating violence, sexual assault, or stalking, as well as homeless youth, who are victims of domestic violence, dating violence, sexual assault, or stalking; and

(ii) conduct outreach activities and awareness campaigns to ensure that victims of elder abuse receive appropriate assistance.

(c) Eligible Applicants.—

(1) in general.—To be eligible to receive a grant under this section, an entity shall be—

(A) a victim service provider, tribal non-profit organization, population specific organization, or community-based organization that target youth who are victims of domestic violence, dating violence, sexual assault, or stalking;

(B) a school that is operated or sponsored by a grant for the purposes described in subsection (a); and

(C) a grantee under paragraph (1) shall be partnered with an elementary school or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965) that has a demonstrated history of effective work addressing the needs of youth.
supported by the Bureau of Indian Educa-
tion, or a legally operating private school, a
school administered by the Department of
Defense under section 216f of title 10, United
States Code, or section 1402 of the Defense
Dependents’ Education Act of 1978, a group
of such schools, a local educational agency
(as defined in section 9111(b) of the Ele-
mentary and Secondary Education Act of
1965), or an institution of higher education
(as defined in section 101(a) of the Higher
Education Act of 1965).

(B) OTHER PARTNERSHIPS.—All applicants
under this section are encouraged to work in
partnership with organizations and agencies
that provide services to relevant youth popu-
lation. Such entities may include—

(i) a State, tribe, unit of local govern-
ment, or territory;

(ii) a population specific or community-
based organization;

(iii) batterer intervention programs or
sex offender treatment programs with
specialized knowledge and experience working
with youth offenders; or

(iv) any other agencies or nonprofit, non-
governmental organizations with the capaci-
ty to report, assist, and serve the adult, youth,
and child victims served by the partnership.

(ii) GRANTEE REQUIREMENTS.—Applicants
for grants under this section shall establish
and implement policies, practices, and proce-
dures that—

(1) ensure and include appropriate refer-
ral systems for child and youth victims;

(2) protect the confidentiality and privacy
of child and youth victim information, par-
ticularly in the context of parental or third-
party involvement and consent, mandatory
reporting duties, and working with other
service providers with priority on victim
safety and privacy;

(3) ensure that all individuals providing
intervention or prevention programs to chil-
dren or youth through a program funded
under this section have completed, or will
complete, sufficient training in connection
with domestic violence, dating violence, sexual
assault, and stalking; and

(4) ensure that parents are informed of
the programs funded under this program
that are being offered at their child’s school.

(2) FUNDING OF EDUCATION PROGRAMS.—Any educational programming,
training, or public awareness communications
regarding domestic violence, dating violence,
stalking, or sex offender treatment programs
funded under this section shall be evidence-
based.

(PRIORITY.—The Attorney General shall
prioritize grant applications under this sec-
tion that coordinate with prevention pro-
grams in the community.

DEFINITIONS AND GRANT CONDITIONS.—
In this section, the definitions and grant
conditions provided for in section 4002 shall
apply.

(A) AUTHORIZATION OF APPROPRIATIONS.—
There is authorized to be appropriated to
carry out this section, $15,000,000 for each of
the fiscal years 2014 through 2018.

(B) ALLOTMENT.—

(1) IN GENERAL.—Not less than 50 percent
of the total amount appropriated under this
section for each fiscal year shall be used for
the purposes described in subsection (b)(1).

(2) INDIAN TRIBES.—Not less than 10 per-
cent of the total amount appropriated under
this section for each fiscal year shall be made
available for grants under the program
authorized by section 2015 of the Omnibus
Crime Control and Safe Streets Act of 1968
(42 U.S.C. 3796gg–10)."

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 303 of the Omnibus Crime Against Women and
Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “and” after “stalking on

campuses,”

(ii) by striking “against women on” and

inserting “against women on”;

(iii) by inserting “, and to develop and

strengthen prevention education and aware-
ness programs” before the period; and

(B) in paragraph (2), by striking “$500,000”

and inserting "$300,000”;

(2) in subsection (b)—

(A) in paragraph (4)—

(i) by inserting “, strengthen,” after “To
develop”; and

(ii) by striking “and stalking,” and

inserting “and assault,” and stalking, includ-
ing the use of technology to commit those
Crimes.”;

(B) in paragraph (5)—

(i) in subsection (e), by striking “$12,000,000”

and all that follows through the period and

inserting “$12,000,000 for each of the
fiscal years 2014 through 2018.”;

SEC. 304. CAMPUS SAFETY GUIDANCE AND TECH-
NICAL ASSISTANCE FOR INSTITUTIONS OF HIG-
HER EDUCATION.—Beginning in academic year
2013–2014, the Secretary of Education shall
provide to institutions of higher education
annual guidance and technical assistance re-
late to compliance with the requirements for
campus safety and violence prevention programs
under section 485(f) of the Higher Education
Act of 1965 (20 U.S.C. 1022(f)) for reporting
statistics and program planning for domestic
violence, dating violence, sexual assault, and
stalking.

(a) CAMPUS SAFETY GUIDANCE AND TECH-
NICAL ASSISTANCE FOR INSTITUTIONS OF HIG-
HER EDUCATION.—In this section, the Secretary of Edu-
cation shall establish a program to assist in-
stitutions of higher education in developing,
operating, and improving their campus safety
and violence prevention programs. The pro-
gram shall consist of—

(1) STUDY.—The Comptroller General of
the United States shall conduct a study to exam-

ine—

(A) the incidents of domestic violence, dat-
ing violence, sexual assault, and stalking
that were reported to campus security or
local police by students and employees of
institutions of higher education during aca-
demic years 2010–2011, 2011–2012, and
2012–2013;

(B) the response by campus security or
local police to the incidents described in sub-
paragraph (A);

(C) the extent to which such incidents occur
more or less frequently on campuses of
institutions of higher education than in the
communities surrounding such campuses;

(d) the procedures institutions of higher
education have in place to respond to reports
of incidents of domestic violence, dating vio-
lence, sexual assault, and stalking, includ-
ing procedures to follow up with the students in-
volved and disciplinary and privacy policies
for students and employees;

(e) the policies institutions of higher edu-
cation have in place to prevent domestic vio-
lence, dating violence, sexual assault, and
stalking, including programs, classes, and
employee training;

(f) the challenges faced by institutions of
higher education with respect to reports of
and collection of data on incidents of domes-
tic violence, dating violence, sexual assault,
and stalking on campuses;

(G) the possible disciplinary actions insti-
tutions of higher education face under Fed-
eral law for the occurrence of, or for failure
by institutions of higher education to respond to, incidents of domestic violence, dating violence, sexual assault, and stalking; and

(H) the coordination of programs and pol-
cies by institutions of higher education with
respect to the campus safety requirements of
the Department of Education, the Depart-
ment of Justice, the Department of Health
and Human Services.

(2) REPORT.—Not later than one year after
the date of enactment of this section, the Comptroller General of the United States
shall report the results of the study required
under paragraph (1), including any rec-
ommendations for changes to Federal laws and policies related to campus safety, to
Congress, the Secretary of Education, the
Attorney General, and the Secretary of
Health and Human Services.

(3) AGENCY RESPONSE AND REPORT.—Not
later than 180 days after receipt of the report
required under paragraph (2)—

(A) the Secretary of Education, the Attor-
ney General, and the Secretary of Health
and Human Services shall, to the extent author-
ized, revise policies and regulations related to
campus safety in accordance with the rec-
ommendations reported under paragraph (2); and

(B) the Secretary of Education, in con-
sultation with the Attorney General and the
Secretary of Health and Human Services, shall report to Congress, any recommendations for changes to Federal law related to campus safety, including changes to section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1021(i)) and other appropriate laws.

(c) Definitions.—For the purposes of this section:

(1) Academic Year.—The term "academic year" has the meaning given such term in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1002(a)(1)), except that such term does not include institutions described in section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1021(i)) except that such term does not include institutions described in subparagraph (C) of such section.

(2) Domestic Violence, Dating Violence, Sexual Assault, and Stalking.—The terms "domestic violence", "dating violence", "sexual assault", and "stalking" have the meanings given such terms in section 4915(a) of the Violence Against Women Act of 1994 (42 U.S.C. 14092(a)).

TITLE IV—Violence Reduction Practices

SEC. 401. Study Conducted by the Centers for Disease Control and Prevention.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 20692) is amended by striking "$2,000,000 for each of the fiscal years 2007 through 2011" and inserting "$1,000,000 for each of the fiscal years 2014 through 2018".

SEC. 402. Saving Money and Reducing Tragedies through Prevention Initiatives.

(a) SMART Prevention.—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-4) is amended to read as follows:

"(a) Grants Authorized.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the development of programs to prevent domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

(1) Engaging Men as Leaders and Role Models.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, or stalking, and to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

(2) Education, Training, and Coordination for Educational, After-School, and Childcare Programs.—To enhance programs that change attitudes and behaviors contributing to domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

(3) Inclusive Prevention.—To develop, maintain, or enhance strategies that help young individuals and young adults to develop skills to prevent domestic violence, dating violence, sexual assault, or stalking by taking a comprehensive approach that focuses on youth, children exposed to domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

(4) Promotion and Dissemination.—To provide technical assistance and other services for community organizations with the capacity to promote and disseminate violence prevention programs.

(5) Allocating Funds.—There is authorized to be appropriated to carry out this section, $1,000,000 for each of fiscal years 2014 through 2018.

(6) Assistance.—The Assistant Attorney General shall give preference to applicants that—

(A) have a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking; and

(B) demonstrate the capacity of the applicant and partnering organizations to undertake the project.

(c) Definitions and Grant Conditions.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

(1) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section, $1,000,000 for each of fiscal years 2014 through 2018.

(2) Indians:—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations.

(b) Repeals.—The following provisions are repealed:


(2) Section 4103 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—Strengthening the Health Care System’s Response to Domestic Violence, Dating Violence, Sexual Assault, and Stalking


(a) Grants Authorized.—Section 403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–2) is amended to read as follows:

"(a) Grants Authorized.—The Attorney General shall give preference to applicants that—

(1) General.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

(2) Policies and Procedures.—Applicants under this section shall establish and implement policies, practices, and procedures that are consistent with the best practices developed under section 402 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 20692–4) and—

(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third-party involvement and consent, mandatory reporting duties, and working with other service providers;

(C) ensure that all individuals providing prevention programming through a program funded under this section are trained or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

(D) document how prevention programs are coordinated with service programs in the community.

(3) Preference.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

(A) include outcome-based evaluation; and

(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

(4) Definitions and Grant Conditions.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

(1) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section, $1,000,000 for each of fiscal years 2014 through 2018.

(2) Indians:—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations.

(b) Repeals.—The following provisions are repealed:


(2) Section 4103 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).
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SEC. 399P. GRANTS TO STRENGTHEN THE HEALTH CARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) IN GENERAL.—The Secretary shall award grants—

(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals; and

(2) the development or enhancement and implementation of education programs for medical, nursing, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

(b) USE OF FUNDS.—

(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including dental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking;

(ii) plan and develop training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the privacy of victim safety and confidentiality; and

(B) design and implement comprehensive strategies to the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including dental and mental health), under subsection (a)(3) through—

(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health care is maintained in a manner that protects the patient’s privacy and safety, and safely uses health information technology to improve documentation, identification, intervention, assessment, treatment, and follow-up care; and

(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking by contracting or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of the population for which the grant is awarded.

(2) PERMISSIBLE USES.—

(A) CHILD AND ELDER ABUSE.—To the extent consistent with this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under a grant, issues relating to child or elder abuse.

(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities (which may include the use of distance learning networks and other available technologies needed to reach rural areas); (ii) an accredited or osteopathic medicine, psychology, nursing, or dental program students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse; and (iii) the integration of knowledge of domestic, dating, and sexual violence, sexual assault, stalking, and elder abuse, as well as childhood exposure to domestic and sexual violence.

(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall not use more than 10 percent of the amounts received under a grant under this section for administrative expenses.

(3) FRESH START IN SELECTING GRANTEES.—In selecting grant recipients under this subsection, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome-based evaluations.

(4) APPLICATION.—

(A) SUBSECTION (a)(1) AND (2) GRANTEES.—An entity desiring a grant under paragraph (1) or (2) of subsection (a) may submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, including—

(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of the following: (I) an accredited or osteopathic medicine, psychology, nursing, or dental program; (II) a health care facility or system; (III) a governmental or nonprofit entity with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking, and measurement of outcomes; (ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking; and (iii) Subsection (a)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, including—

(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into consultation, intervention, and treatment activities; and

(ii) strategies for the development and implementation of protocols and data and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings.

(4) ADMINISTRATION.—A grant under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with the Family Violence Prevention and Services Act, and all applicable regulations issued under the Act, with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, or stalking on the development and adequacy of confidentiality and security procedures, and provide documentation of such consultation.

(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any confidential information that may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

(C) HEARING.—In selecting grant recipients under this subsection, the Secretary shall provide to the entities a hearing to receive information from the entities in the selection of grant recipients.

(5) EXCHANGE OF INFORMATION.—Information collected under this section shall be made available to appropriate public health authorities, law enforcement task forces (where appropriate), and population-specific organizations with demonstrated expertise in addressing domestic violence, dating violence, sexual assault, or stalking.
(d) ELIGIBLE ENTITIES.—

(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

(C) a provider membership or professional organization, or a health care system; or

(D) a State, tribal, territorial, or local entity.

(2) SUBSECTION (a)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care;

(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care;

(e) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity, or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used for technical assistance for family violence prevention programs.

(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

(3) REPORTING.—The Secretary shall publish a biennial report on—

(A) the distribution of funds under this section; and

(B) the programs and activities supported by such funds.

(f) RESEARCH AND EVALUATION.—

(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

(A) grants awarded under this section; and

(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

(2) EFFECTS OF DOMESTIC VIOLENCE.—Research authorized in paragraph (1) may include—

(A) research on the effects of domestic violence, dating violence, sexual assault, and child abuse on exposure to domestic violence, dating violence, sexual assault on health behaviors, health conditions, and health sta-
clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under a covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence does not establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the agency, to find new housing or to establish eligibility for housing under another covered housing program.

"(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (a) shall be construed—

"(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program to the applicant or tenant;

"(ii) to the distribution or possession of property among members of a household in a case;

"(iii) to limit the authority to terminate assistance to a tenant if violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, sexual assault, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

"(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking;

"(C) DOCUMENTATION.—

"(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

"(2) DOCUMENTATION.—

"(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 15 business days after making such request, then the public housing agency or owner or manager shall provide evidence as described in paragraph (3).

"(B) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

"(C) OTHERWISE REQUIRED BY APPLICABLE LAW.—

"(6) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

"(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program is provided with third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

"(8) PREEMPTION.—Nothing in this subsection shall be construed to require the public housing agency or owner or manager to require an applicant or tenant to submit third-party documentation.

"(4) NOTIFICATION.—

"(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof, and include such notice in documents required by law to be provided to tenants assisted under a covered housing program.

"(2) PROVISION.—The applicable public housing agency or owner or manager of housing assisted under a covered housing program shall provide to tenants assisted under a covered housing program—

"(A) at the time the tenant is denied residency in a dwelling unit assisted under the covered housing program;

"(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program; and

"(C) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order No. 13166 (42 U.S.C. 2000d–1 note; relating to access to services for persons with limited English proficiency).

"(e) EMERGENCY RELocation AND TransFerS.—Each appropriate agency shall develop a model emergency relocation and transfer plan for voluntary use by public housing agencies and owners of housing assisted under a covered housing program that—

"(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to relocate or transfer to another available and another dwelling unit assisted under a covered housing program and retain their status as tenants under the covered housing program if—

"(A) the tenant expressly requests to move;

"(B) the tenant reasonably believes that the tenant is threatened with imminent harm from a further violent incident that remains within the same dwelling unit assisted under a covered housing program or

"(ii) the sexual assault, domestic violence, dating violence, or stalking occurred on the premises during the 90-day period preceding the request to move; and

"(C) the tenant has provided documentation described in paragraph (3), (B), (C) or (D) of subsection (c)(3) if requested by a public housing agency or owner or manager.

"(2) Incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit assisted under a covered housing program to persons not entitled to protection under subsection (b), including the individual as a victim of domestic violence, dating violence, sexual assault, or stalking against the tenant;
"(3) describes how the appropriate agency will coordinate relocations or transfers between dwelling units assisted under a covered housing program; "(4) takes into consideration the existing rules and regulations of the covered housing program; "(5) is tailored to the specific type of the covered housing program based on the volume and availability of dwelling units under the control or management of the public housing agency, owner, or manager; and "(6) provides guidance for use in situations in which it is not feasible for an individual public housing agency, owner, or manager to effectuate a transfer. "(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers for assistance under section 8(o)(1)(B) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(1)), assistance under such section. "(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program." (b) CONFORMING AMENDMENTS.— (1) Section 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended— (A) in subsection (c)— (i) by striking paragraph (3); and (ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively; (B) in subsection (i)— (i) in paragraph (5), by striking "and that an incident and all that follows through "victim of such violence"; and (ii) in paragraph (6), by striking "; except that" and all that follows through "stalking"; (C) by striking subsection (u). (2) Section 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended— (A) in subsection (c), by striking paragraph (9); (B) in subsection (d)— (i) in subparagraph (A), by striking "and that an applicant" and all that follows through "admission or assistance"; and (ii) in subparagraph (B)— (I) in clause (i), by striking "and that an incident" and all that follows through "victim of such violence"; and (II) in clause (ii), by striking "; except that" and all that follows through "stalking"; (C) in subsection (f)— (i) in paragraph (6), by adding "and at the end;" (ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and (iii) by striking paragraphs (8), (9), (10), and (11); (D) in subsection (o)— (i) in paragraph (6)(B), by striking the last sentence; (ii) in paragraph (7)— (I) in subparagraph (C), by striking "and that an incident" and all that follows through "victim of such violence"; and (II) by striking "and that an incident and all that follows through "victim of such violence"; except that" and all that follows through "stalking"; and (iii) by striking paragraph (20); and (E) by striking subsection (e); (3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed— (A) to grant any rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act; (B) to limit any right, remedy, or procedure otherwise available under any provision of part 3, 9, 901, 982, 983, 984, 993, 991, 961, 966, 962, or 983 of title 24, Code of Federal Regulations, that— (i) was issued under the Violence Against Women Act of 1994 (42 U.S.C. 13962(g)); (ii) was issued under the亩anization Act of 2005 (Public Law 109–162; 119 Stat. 2960) or an amendment made by that Act; and (iii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act or the amendments made by this Act; or (C) to displace, manage, or other individual from participating in or receiving the benefits of the low-income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act or the amendments made by this Act. SEC. 602. TRANSITIONAL HOUSING ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING. Chapter 11 of subtitle D of title 2 of the Violence Against Women Act of 1994 (42 U.S.C. 13962(n)) is amended— (1) in the chapter heading, by striking ";" and inserting ";"; and (2) in section 11299 (42 U.S.C. 13966(n)), (A) in the heading, by striking "CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT" and inserting "VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING"; and (B) in subsection (a)(5)— (i) by adding a period at the end of ";"; and (ii) by striking paragraph (5). SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, STALKING, ECONOMIC VIOLATION, SEXUAL ASSAULT, AND STALKING. Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 1404d et seq.) is amended— (1) in section 1404d(1) (42 U.S.C. 1404d–3(c)(1)), by striking "$10,000,000 for each of fiscal years 2007 through 2011" and inserting "$4,000,000 for each of fiscal years 2014 through 2018"; and (2) in section 1404d(2) (42 U.S.C. 1404d–3(c)(2)), by striking "$100,000,000 for each of fiscal years 2007 through 2011" and inserting "$4,000,000 for each of fiscal years 2014 through 2018". SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE. Section 4150(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14033(a)(2)) is amended by striking "2007 through 2011" and inserting "fiscal years 2014 through 2018". SEC. 801. CLARIFICATION OF THE REQUIREMENTS APPLICABLE TO U VISAS. (a) CLARIFICATION OF REQUIREMENTS FOR NONIMMIGRANT STATUS.—Section 101(a)(15)(U)(i)(II) (of the and Nationality Act (8 U.S.C. 1101(a)(15)(U)(i)(II)) is amended by striking ";" and inserting ";"; and (b) CLARIFICATION OF CONTENT OF CERTIFICATION.—Section 214(p)(1) of the Immigration and Nationality Act (8 U.S.C. 1134a(p)(1)) is amended by striking ";" and inserting ";". SEC. 802. PROTECTIONS FOR A FIANCÉE OR FIANCÉE OF A CITIZEN. (a) IN GENERAL.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1101(b)(3)(B)) is amended— (1) in subsection (d)— (A) in paragraph (1), by striking "crime." and inserting "crime described in paragraph (3)(B)"; (B) in paragraph (3), by striking "abuse," and inserting "abuse, stalking, or an attempt to commit any such crime."; and (2) in subsection (e)— (A) in paragraph (1), by striking "crime." and inserting "crime described in paragraph (3)(B) and information on any permanent restraining order issued against the person related to any specified crime described in paragraph (3)(B)(i));"; and (B) in paragraph (3)(B)(i), by striking "abuse, and stalking," and inserting "abuse, stalking, or an attempt to commit any such crime."; and (b) PROVISION OF INFORMATION TO K NONIMMIGRANTS.—Section 343 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1437a) is amended in subsection (b)(3)(A), by striking "after "orders" and inserting "and". SEC. 803. REGULATION OF INTERNATIONAL MARRIAGE BROKERS. (a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to the Committees on the Judiciary of the House of Representatives and the Senate a report that includes the number of prosecutions for violations of section 343 of the International Marriage Broker Act of 2005 (8 U.S.C. 1437a) that have occurred since the date of enactment of that Act. (b) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 349 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1437a(d)) is amended as follows:
(1) By amending paragraph (1) to read as follows:

"(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

(i) obtain a valid copy of each foreign national client’s birth certificate or other proof of age document issued by an appropriate authority;

(ii) indicate on such certificate or document the date it was received by the international marriage broker;

(iii) retain the original of such certificate or document for 5 years after such date of receipt; and

(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.

(2) In paragraph (2)(B)(ii), by striking "or stalking, or an attempt to commit any such crime.

1004. REPORT.—

(a) REQUIREMENT FOR REPORT.—Not later than the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

(b) CONTENTS.—The report required by subsection (a) shall—

(1) assess the efficiency and reliability of the process for reviewing such petitions and applications, including whether the process includes adequate safeguards against fraud and abuse; and

(2) identify possible improvements to the adjudications of petitions and applications in order to reduce fraud and abuse.

SEC. 805. ANNUAL REPORT ON IMMIGRATION APPLICANTS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2014, and annually thereafter, the Secretary of Homeland Security, the Secretary of the Treasury, and the Secretaries of the Departments of Justice and Labor shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for nonimmigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) and the self-petitioning process for VAWA self-petitioners (as that term is defined in section 101(a)(51) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(51)));

(B) were granted such nonimmigrant status during such fiscal year;

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.

(4) The number of aliens granted continued presence in the United States under section 101(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

(6) The actions being taken to combat fraud and to ensure program integrity.

(7) Each type of criminal activity by reason of which the alien is treated as an alien described in section 101(a)(15)(U) during the preceding fiscal year and the number of occurrences of that criminal activity that resulted in such aliens receiving such status.

SEC. 806. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(2)) is amended—

(1) in subparagraph (E), by striking "or" at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by adding at the end the following:

"(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(51) as a VAWA self-petitioner;"

SEC. 807. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

"(F) the alien is a VAWA self-petitioner;"

SEC. 808. AGE-OUT PROTECTION FOR U visa APPLICANTS.

Section 244(p) of the Immigration and Nationality Act (8 U.S.C. 1154(c)) is amended by adding at the end the following:

"(7) AGE DETERMINATIONS.—

(A) CHILDREN.—An unmarried alien who seeks to accompany an alien to join, or to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent’s petition was filed but while it was pending; and

(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii) of such section if the alien attains 21 years of age after the alien’s application for status under such clause (i) is filed but while it is pending;"

SEC. 809. HARDSHIP WAIVERS.

Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186c(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking "(i), and"

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and "or"; and

(4) by inserting after subparagraph (C) the following:

"(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien’s intended spouse and was not at fault in failing to meet the requirements of such section;"

SEC. 810. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) INFORMATION SHARING.—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended—

(1) in paragraph (1), by inserting "Secretary of Homeland Security or the" before "Attorney General may"; and

(2) by inserting "Secretary’s or the" before "Attorney General’s discretion.";

(b) BURDEN OF PROOF.—In paragraph (2), by striking "Attorney General’s" and inserting "Secretary of Homeland Security or the Secretary General are";

(c) by inserting at the end the following:

"(8) The Secretary of Homeland Security, the Secretary of the Treasury, or the Attorney General may, in a manner that protects the confidentiality of such information after “law enforcement purpose”;

(3) in paragraph (5), by striking "Attorney General’s" and inserting "Secretary of Homeland Security or the Secretary General are";

(4) by striking "(1); or" and inserting "(1); or".

(5) by striking "(2), (3), (4), (5), or (6)

(6) by striking "(2), or (3), or (4), or (5), or (6), or(7)

SEC. 811. CONSIDERATION OF OTHER EVIDENCE.

Section 237(a)(2)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)(E)(ii)) is amended by adding at the end the following:

"(4) IF the conviction record does not conclusively establish whether a crime of domestic violence constitutes a crime of violence (as defined in section 15 of title 18, United States Code), the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3785(e)(10a)-1) is amended by adding at the end the following:

"(1) in paragraph (2), by inserting "sex trafficking," after "sexual assault;"
(2) in paragraph (4), by inserting “sex trafficking,” after “sexual assault,”; and
(3) in paragraph (5), by striking “and stalking” and all that follows and inserting “sexual assault, sex trafficking, and stalking”;
(4) in paragraph (7)—
(a) by inserting “sex trafficking,” after “sexual assault,” each place it appears; and
(b) by striking the period at the end; and
(5) in paragraph (8)—
(a) by inserting “sex trafficking,” after “stalking”; and
(b) by striking the period at the end and inserting a semicolon; and
(6) by adding at the end the following:
“(9) provides services to address the needs of young women who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the child; and
(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.”

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796g(d)) is amended—
(1) in paragraph (1)—
(A) in subparagraph (B), by striking “and” at the end;
(B) in subparagraph (C), by striking the period at the end and inserting “; and”;
(C) by adding at the end the following:
“(D) Notice to United States Attorney for the District and Division lø
(i) a violation of any provision of this section by the participating tribe; or
(ii) a violation of a right described in subsection (b)(3) of the definition of “State court” in section 1447 of title 28, United States Code.
(2) APPROVAL.—Not later than 120 days after receiving a request under paragraph (1), the Attorney General shall make a determination as to whether the tribe, in exercising special domestic violence jurisdiction, is able to afford all the rights described in paragraph (3). If the Attorney General determines that the tribe is unable to afford all the rights described in paragraph (3), the Attorney General shall certify the tribe as a participating tribe. If the Attorney General determines that the tribe is not able or has not provided such assurances, the Attorney General shall notify the tribe of the reasons for the certification and the tribe may appeal the certification to the Attorney General under section 1455 of title 28, United States Code.
(3) RIGHTS DESCRIBED.—The rights described in this paragraph are—
(A) all rights described in section 226(b) of title 28, United States Code.
(B) all rights secured by the Constitution of the United States, as such rights are interpreted by the courts of the United States; and
(C) all rights otherwise provided for under this section.

(C) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—
(1) to affect the jurisdiction of a participating tribe, other than the special domestic violence jurisdiction of that tribe, that such tribe possessed prior to the date of enactment of this section; or
(2) to affect any criminal jurisdiction over Indian country of the United States, of a State, or of both.

(D) CONCURRING JURISDICTION.—The exercise of special domestic violence jurisdiction shall be concurrent with any jurisdiction of the United States, of a State, or of both.

(E) ISSUANCE OF PROTECTION ORDER.—A tribal court of a participating tribe may issue a protection order for the benefit of an Indian who is described in subparagraph (A) or (B) of paragraph (3) of this subsection against a person who is not an Indian if that person—
(1) resides in the Indian country of the participating tribe;
(2) is employed in the Indian country of the participating tribe; or
(3) is a spouse, intimate partner, or dating partner of—
(A) a member of the participating tribe; or
(B) an Indian who resides in the Indian country of the participating tribe.

(2) REMOVAL.—
(1) IN GENERAL.—Subject to paragraph (2), any criminal prosecution that is before a tribal court by reason of the exercise by that court of special domestic violence jurisdiction may be removed by the defendant to the district court of the United States for the district and division embracing the place wherein it is pending.

(2) MANNER OF REMOVAL.—In the case of a defendant desiring to remove a criminal prosecution that is before a tribal court by reason of the exercise of special domestic violence jurisdiction, that defendant shall do so in the same form and manner as a defendant seeks removal of a criminal prosecution from a State court under section 1455 of title 28, United States Code. Sections 1447 through 1450 of such title shall apply in the case of such a removal. In applying sections 1447 through 1450 of such title pursuant to this paragraph, the term ‘State court’ shall be read to include such tribal court.

(D) NOTICE REQUIRED.—Not later than the time at which the defendant makes an initial appearance before a tribal court exercising special domestic violence jurisdiction or 48 hours after the time of arrest, whichever is earlier, the defendant shall be notified of the right of removal under this subsection.

(2) BY UNITED STATES ATTORNEY.—
(1) IN GENERAL.—A participating tribe may provide notice to the United States attorney for the district and division embracing the place wherein it is pending of a criminal prosecution from a State court under section 1455 of title 28, United States Code. Sections 1447 through 1450 of such title shall apply in the case of such a removal. In applying sections 1447 through 1450 of such title pursuant to this paragraph, the term ‘State court’ shall be read to include such tribal court.

(E) ISSUANCE OF STANDING ORDER.—Not later than 48 hours after the time of arrest, the defendant desiring to remove a criminal prosecution from a State court shall do so in the same form and manner as the defendant desires to remove a criminal prosecution from a tribal court.

(C) APPLICABLE PROVISIONS.—Sections 1447 through 1450 of title 28, United States Code, shall apply in the case of a removal under this paragraph. In applying sections 1447 through 1450 of such title pursuant to this paragraph, the term ‘State court’ shall be read to include a tribal court exercising special domestic violence jurisdiction.

(D) REQUIREMENTS.—If the United States attorney seeks to remove a criminal prosecution pursuant to this paragraph, the United States attorney shall, not later than the commencement of trial in the prosecution, provide notice of removal to the tribal court. On receipt of such notice, the tribal court shall terminate the proceeding pertaining to that prosecution. A notice of removal filed under this subparagraph shall
identify the covered case and the grounds for removal.

"(g) INTERLOCUTORY APPEAL.—In a crimi-
nal prosecution in which a tribal court exer-
cises special domestic violence jurisdiction, the
defendant may appeal an order of a tribal court to
the United States district court for the district
and division embracing the tribal court not later
than 14 days after that order is entered if a district judge’s order could similarly be appealed. The
defendant shall notify the clerk specifying the
order being appealed and shall serve a copy on
the adverse party.

"(h) NOTICE TO DEFENDANT.—When the
tribal court enters a final judgment against a
defendant in a criminal proceeding in which a
participating tribe exercises special domestic violence ju-
risdiction, the defendant may petition the
United States district court for the district
and division embracing the tribal court for
review of the final judgment against the
defendant.

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United States district court for the district
and division embracing the tribal court for
review of the final judgment against the
defendant.
“(D) the reasons for deciding against referring the investigation for prosecution.

“(D) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.”.

SEC. 905. ANALYSIS AND RESEARCH ON VIOLENT CRIMES AGAINST INDIANS.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 534 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the National”;

and

(b) by inserting “and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (41 U.S.C. 1600))” before the period at the end;

(2) in paragraph (2)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “;”;

and

(C) by addition at the end the following:—

“(vi) sex trafficking;.”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2013”;

and

(4) in paragraph (5), by striking “this section $1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection $1,000,000 for each of fiscal years 2014 and 2015”.

(b) AUTHORIZATION OF APPROPRIATIONS.—

Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

SEC. 906. ASSISTANT UNITED STATES ATTORNEY DOMESTIC VIOLENCE TRIBAL LIAISONS.

Section 15(b) of the Indian Law Enforcement Reform Act (25 U.S.C. 2316(b)) is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following:

“(9) Serving as domestic violence tribal liaison by doing the following:

(A) Assisting and assisting in arrests and Federal prosecution for crimes, including misdemeanor crimes, of domestic violence, dating violence, sexual assault, and stalking that occur in Indian country.

(B) Conducting training sessions for tribal law enforcement officers and other individuals and entities responsible for responding to crimes in Indian country to ensure that such officers, individuals, and entities understand their arrest authority over non-Indian offenders.

(C) Developing multidisciplinary teams to combat domestic and sexual violence offenses against Indians by non-Indians.

(D) Developing working relationships and maintaining coordination with tribal leaders, tribal community and victims’ advocates, and tribal justice officials to gather information from, and share appropriate information with, tribal justice officials.”.

SEC. 907. SPECIAL ATTORNEYS.

Section 543(a) of title 28, United States Code, is amended by striking “, including” and all that follows through the period at the end and inserting the following:—

“The Attorney General shall appoint qualified tribal prosecutors and other qualified attorneys to represent and counsel Federal offenses committed in the Indian country of no fewer than 10 federally recognized tribes, with a preference given to attorneys who do not practice special domestic violence jurisdiction as defined in section 209(a) of title II of Public Law 90-296 (25 U.S.C. 1301 et seq.) (commonly known as the ‘Indian Civil Rights Act of 1968’).”.

SEC. 908. GAO STUDY.

The Comptroller General of the United States shall submit to the Congress a report on—

(1) the prevalence of domestic violence and sexual assault in Indian Country;

(2) the efforts of Federal law enforcement agencies, including the Federal Bureau of Investigation and Bureau of Indian Affairs, to investigate these crimes; and

(3) Federal initiatives, such as grants, training, and technical assistance, to help address and prevent such violence.

TITLE X—CRIMINAL PROVISIONS

SEC. 1001. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1983 note) is amended by inserting before the period at the end the following:—

“(e) in paragraph (1), by striking ‘the commission of a sexual act’ and inserting ‘the commission of a sexual act as defined in section 2261 of title 18, United States Code’.”

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following:—

“(B) the reasons for deciding against referral under paragraph (1) of the standards provided by the Commission under section 7(e).”.

SEC. 1002. CRIMINAL PROVISION RELATING TO STALKING INCLUDING CYBERSTALKING.

(a) IN GENERAL.—Section 2261A of title 18, United States Code, is amended to read as follows:

“2261A. Stalking.

“(a) Whoever uses the mail, any interstate, or foreign commerce, computer, or in the case of an Indian, any Tribal government, to engage in a course of conduct or travels in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, or intimidate another person, or place another person under surveillance with the intent to kill, injure, harass, or intimidate such person and in the course of, or as a result of, such travel or course of conduct—

“(1) places that person in reasonable fear of the death of the person, or serious bodily injury to such person, a member of their immediate family (as defined in section 115), or their or one of their intimate partners; or

“(2) causes or attempts to cause serious bodily injury or serious emotional distress to such person, a member of their immediate family (as defined in section 115), or their or one of their intimate partners; shall be punished as provided in subsection (b).

“(b) The punishment for an offense under this section is the same as that for an offense under section 2261, except that if—

“(1) the offense involves conduct in violation of a protection order; or

“(2) the victim of the offense is under the age of 18 years or over the age of 65 years, the offender has reached the age of 18 years at the time the offense was committed, and the offender knew or should have known that the victim was under the age of 18 years or over the age of 65 years; or

“(3) the maximum term of imprisonment that may be imposed is increased by 5 years over the term of imprisonment otherwise provided for that offense in section 2261.”.

(b) CLERICAL AMENDMENT.—The item relating to section 2261A in the table of sections in the second column of chapter 118A of title 18, United States Code, is amended to read as follows:

“2261A. Stalking.”. 
Over the last few months, the debate over VAWA has been muddled with partisan attacks. In fact, just last week, comments were made that claim the House bill will not provide critical protections for domestic violence victims, human trafficking victims, students on campus, or stalking victims, or that the House Republican leadership just doesn’t get it.

None of these assertions are further from the truth. This political bickering and these baseless accusations that keep Congress from doing the job to protect those who need the most protection, because this bill is about people, not politics. It’s about Rebecca Schiering, from my home near Spokane Valley, who broke up with her fiance after a domestic dispute. Two months later, he shot and killed her and her 9-year-old son. It’s about Michelle Canino of north Spokane, who was stabbed to death by her husband, Jeffrey, while her 11-year-old son watched the entire thing. This bill is about Rebecca and Michelle and the millions of women like them all across this country who need protection, and that’s what this bill will do. It ensures that all vulnerable populations are protected. No one is excluded from it or can be discriminated against.

The bill ensures that resources are available for critical services. It ensures that victims and their families have access to housing. It ensures that investigations and prosecutions are more effective in putting offenders away for a longer period of time. It ensures that Native American women have access to justice on Indian land and in such a way that prohibits offenders from getting off the hook.

I am disappointed that even some of our country’s most influential leaders—the ones who have the ability to move this legislation through Congress and get it to the President’s desk—have dismissed this House bill. It is a responsible step forward, and I urge its support.

I reserve the balance of my time.

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

Mr. CONYERS. I thank the gentlelady.

Members of the House, I was here in 1994 when the Violence Against Women Act was introduced to provide critical lifesaving assistance for women, children, and men. This was the centerpiece of our government’s commitment to combating domestic violence, dating violence, stalking, and sexual assault. The results have been striking:

In the nearly two decades since the landmark legislation was passed, the rate of intimate partner violence against women has dropped by nearly two-thirds. On two occasions since its enactment, Members of both bodies have worked on a bipartisan basis to extend the Violence Against Women Act’s protections and to make necessary improvements.
Unfortunately, in the last Congress, we weren't able to agree on a bill, and the authorization was allowed to lapse. This month, the Senate took the unique opportunity to pass strong bipartisan legislation by a vote of 78-22—with all of the women in the Senate. It incorporates years of analysis of the problem and the solutions proposed by law enforcement and victim service providers. In my judgment, it is much stronger.

I urge my colleagues to join with me, the Title IX authors, the President, and the more than 1,300 organizations in supporting S. 47, the Violence Against Women Act.

I reserve the balance of my time.

NATIONAL TASK FORCE TO END SEXUAL AND DOMESTIC VIOLENCE AGAINST WOMEN,


Dear House Leaders: We, the undersigned local, state, tribal, and national organizations, represent and support millions of victims of domestic violence, dating violence, sexual assault and stalking throughout the United States, African American Tribal lands and U.S. Territories. On behalf of the victims we represent, and the professionals who serve them and the communities that sustain them, we urge you to support the Violence Against Women Act’s (VAWA) reauthorization by bringing the recently-passed bipartisan Senate VAWA (S.47) to the House floor for a vote as expeditiously as possible. As you know, VAWA passed the Senate on Tuesday, February 12 with a resounding bipartisan vote of 78-22 in favor of an all-embracing bill that addresses violence for all victims in communities, homes, campuses and workplaces all around the country. VAWA’s programs support national, state, tribal, territorial, and local efforts to address the pervasive and insidious crimes of domestic violence, dating violence, sexual assault and stalking. These programs have made great progress towards reducing the violence, helping victims to be healthy and feel safe and holding perpetrators accountable. This critical legislation must be reauthorized to ensure a continued response to these crimes.

Since its original passage in 1994, VAWA has dramatically enhanced our nation’s response to violence against girls and women, boys and men. More victims report domestic violence to the police and the rate of nonfatal intimate partner violence against women has decreased by 6%. The sexual assault services program in VAWA helps rape crisis centers keep their doors open to provide the front-line response to victims of rape. VAWA provides for a coordinated community approach, improving collaboration between law enforcement and victim service providers to better meet the needs of victims. These comprehensive and cost-effective programs not only save lives, they also save money. In fact, VAWA saved nearly $12.6 billion in unearned social costs in just its first six years.

VAWA has unquestionably improved the national response to these terrible crimes. Nonetheless, much work remains to be done to address unmet needs and enhance access to protections and services for all victims, including housing, campus security, and addressing issues of racial and ethnic communities, tribal, immigrant and LGBT victims. We urge you work with your colleagues in both parties as we all work to build upon VAWA’s successes, continue to enhance our nation’s ability to promote an end to this violence, to hold perpetrators accountable and to keep victims and their families safe from future harm. Thank you.

Sincerely,

NATIONAL ORGANIZATIONS

1. D.VAs, LLC
2. Sted
3. Abortion Care Network
4. APGE Women’s Fair Practices Departments
5. AFL-CIO
6. African Action on Aids
7. AFSCME
8. After The Trauma
9. Alliance—National Latino Alliance for the Elimination of Domestic Violence
10. Alliant International University
11. American Association of University Women (AAUW)
12. American Baptist Women’s Ministries, ABCUSA
13. American College Health Association
14. American Congress of Obstetricians and Gynecologists
15. American Dance Therapy Association
16. American Federation of Government Employees, APJ-CIO
17. American Federation of Labor-Congress of Industrial Organizations
18. American Federation of State, County, and Municipal Employees
19. American Federation of Teachers, AFL-CIO
20. American Humanist Association
21. American Postal Workers Union
22. American Psychiatric Association
23. American Psychological Association
24. American Civil Liberties/ Anti-Discrimination Committee (ADC)
25. Americans for Immigrant Justice, Americans Overseas Domestic Violence Crisis Center
26. Amnesty International USA
27. Anti-Defamation League
28. Asian & Pacific Islander American Health Forum
29. Asian & Pacific Islander Island on Domestic Violence
30. Asian American Justice Center, member of Asian American Center for Advocating Justice
31. Asian Pacific American Labor Alliance, AFL-CIO
32. Asian Pacific Islander Domestic Violence Resource Project
33. ASISTA Immigration Assistance
34. Association for Jewish Family & Children’s Agencies
35. Association of Physicians of Pakistani Descent in N. America (APPNA)
36. Bahais of the United States
37. Battered Mothers Custody Conference
38. Black Women’s Health Imperative
39. Black Women’s Roundtable
40. Break the Cycle
41. Business and Professional Women’s Foundation
42. Casa de Esperanza: National Latin@ Network for Healthy Families and Communities
43. Casa Esperanza
44. Center for Family Policy and Practice
45. Center for Partnership Studies
46. Center of Reproductive Rights
47. Center for Women Policy Studies
48. Central Conference of American Rabbis
49. Choice USA
50. Children of Lesbian United
51. Circle of 6 App
52. Clan Star
53. Clery Center for Security On Campus
54. Coalition of Labor Union Women
55. Coalition on Human Needs
56. Communications Workers of America
57. Communications Workers of America (CWA)
58. Community Action Partnership
59. cultureID
60. CWA National Women’s Committee
61. Daughters of Penelope
62. Delta Sigma Theta Sorority
63. Dialogue on Diversity
64. Disciples Justice Action Network
65. Domestic Abuse Intervention Programs
66. Domestic Violence Legal Empowerment and Appeals Project (DV LEAP)
67. Elder Justice Coalition
68. Episcopal Church
69. Episcopal Women’s Caucus
70. Expert Panel on violence, American Academy of Nursing
71. FaithTrust Institute
72. Falling Walls
73. Family Equality Council
74. Federally Employed Women (FEW)
75. Feminist Agenda Network
76. Feminist Majority
77. Feminist Peace Network
78. Freedom from Hunger
79. Friends Committee on National Legislation
80. Friends of Nabeela
81. Futures Without Violence
82. Gay & Lesbian Medical Association
83. General Board of Church & Society, United Methodist Church
84. General Federation of Women’s Clubs
85. George Washington University Law School
86. Girls Inc
87. GLMA: Health Professionals Advancing LGTB Equality
88. GLSEN (Gay, Lesbian & Straight Education Network)
89. Hadasah, The Women’s Zionist Organization of America, Inc.
90. HIAS (Hebrew Immigrant Aid Society)
91. Hindu American Seva Communities
92. Human Rights Campaign
93. Indian Law Resource Center
94. Inspire Action for Social Change
95. Institute for Interfaith Activism
96. Institute for Science and Human Values
97. Institute on Domestic Violence in the African American Community
98. IFOA
99. Jewish Council for Public Affairs
100. Jewish Labor Committee
101. Jewish Women International
102. Joe Torre Safe at Home Foundation
103. Labor Council for Latin American Advancement
104. League of United Latin American Citizens
105. Legal Momentum
106. LiveYourDream.org
107. Log Cabin Republicans
108. Media Equity Collaborative
109. Men Can Stop Rape
111. Men’s Resources International
112. Methodist/Catholic
113. Mexican American Legal Defense and Educational Fund
114. Migrant Clinicians Network
115. MomsRising
116. Ms. Foundation for Women
117. Muslim American Society
118. Muslim Bar Association
119. Muslim Public Affairs Council
120. Muslims for Progressive Values
121. NAACP
122. NAPAFAS
123. National Advocacy Center of the Sisters of the Good Shepherd
124. National Alliance to End Sexual Violence
125. National Asian Pacific American Bar Association (NAPABA)
126. National Association of Commissions for Women (NACVV)
127. National Association of Hispanic Organizations
128. National Association of School Psychologists
10. Florida Consumer Action Network
11. Florida Council Against Sexual Violence
12. Florida Equal Justice Center
13. Florida National Organization for Women
14. Hispanic AIDS Awareness Program
15. Jacksonville Area Legal Aid, Inc.
16. Manatee Glens Rape Crisis Services
17. National Coalition for 100 Black Women, Polk County Chapter
18. National Organization For Women, Bay County Chapter
19. National Organization for Women, Broward Chapter
20. Palm Beach County Victim Services and Rape Crisis Center
21. Pinellas County Domestic Violence Task Force
22. Polk Co Women’s Shelter
23. REACH / FCC
24. Safe Harbor Counseling, Inc.
25. Georgia Rural Urban Summit
26. The Haven of RCS
27. University of Miami School of Law Human Rights Clinic
28. UNO Immigration Ministry
29. West Pinellas National Organization for Women
30. Women’s Center of Jacksonville
31. Women’s Production Network, Inc.
32. YWCA Palm Beach County

GEORGIA
1. 9to5 Atlanta
2. 9to5 Atlanta Working Women
3. Angeles Recovery & Spiritualilty
4. Atlanta Women’s Center
6. Caminar Latino, Inc.
7. Center for Pan Asian Community Services, Inc
8. Cherokee Family Violence Center
9. Defying the Odds, Inc
10. Faith House, Inc.
11. Georgia Coalition Against Domestic Violence
12. Georgia Mountain Women’s Center, Inc.
13. Georgia Coalition Against Domestic Violence
15. International Women’s House
16. Jewish Family & Career Services, Atlanta, Georgia
17. Northwest Georgia Family Crisis Center
18. PADV Partnership Against Domestic Violence
19. Raksha, Inc
20. Ruth’s Cottage
21. Safe Shelter
22. Sankofa Counseling Center
23. Sexual Assault Center of NWGA
24. Shalom Batyr Program of Jewish Family & Career Services
25. SpeakOut Georgia LGBT Anti-Violence
27. Victim Services South Georgia Judicial Circuit

GUAM
1. Guam Coalition Against Sexual Assault & Family Violence
2. AARP Chapter 60 Walkiki
3. AAUW, Honolulu women’s coalition, others
4. American Congress of Obstetricians and Gynecologists, Hawaii Section
5. Breasfeeding Hawaii
6. Catholic Charities Hawaii
7. Catholic Charities Hawaii
8. Child & Family Service—Hawaii
9. Community Alliance on Prisons
10. Domestic Violence Action Center Honolulu
11. Hawai’i Women’s Coalition
12. Hawaii Commission on the Status of Women
13. Hawaii Rehabilitation Counseling Association
14. Hawaii State Coalition Against Domestic Violence
15. Hawaii State Democratic Women’s Caucus
16. Moloka‘i’s Community Service Council
17. Parents And Children Together, A Family Service Agency
18. The Sex Abuse Treatment Center
19. Women Helping Women Lanai
20. YWCA Kauai
21. YWCA O‘ahu

IDAHO
1. Idaho Coalition Against Sexual & Domestic Violence
2. Idaho State Independent Living Council
3. Native Women’s Coalition, Boise
4. United Action for Idaho
5. YWCA Lewiston-Clarkston

IOWA
1. Aging Resources
2. Center for Creative Justice
3. Centers Against Abuse & Sexual Assault
4. Crisis Center of Iowa
5. Crisis Intervention & Advocacy Center
6. Des Moines NOW
7. DIAA-CSD
8. Domestic Violence Alternatives/Sexual Assault Center, Inc.
9. Domestic Violence Intervention Program, Iowa
10. Family Resources
11. Iowa Citizen Action Network
12. Iowa Coalition Against Domestic Violence
13. Latinas Unidas por un Nuevo Amanecer (LUNA, Iowa)
14. Mid-Iowa SART
15. Monson United Asian Women of Iowa
16. Nisaa African Women’s Project
17. Riverview Center
18. Rural Iowa Crisis Center
19. Seeds of Hope

ILLINOIS
1. A Safe Place Domestic Violence Shelter
2. ADV & SAS
3. Apna Ghar, Inc. (“Our Home”)
4. Arab American Family Services
5. Between Friends—Chicago
6. Center on Halsted
7. Christ United Methodist Church, Rockford, IL
8. Citizen Action/Illinois
9. Crisis Center for South Suburba
10. DuPage County NOW
11. Family Rescue, Inc.
12. Family Shelter Service
13. GLOBES
14. Guardian Angel Community Services
15. Hammond Center for Health and Human Services
16. HEART Women & Girls
17. Hearts of Hope
18. HOPE of East Central Illinois
19. Hospira
20. Illinois Coalition Against Domestic Violence
21. Illinois Coalition Against Sexual Assault
22. Illinois National Organization for Women
23. Jewish Child and Family Services
24. Jewish Federation of Metropolitan Chicago
25. Kankakee County Center Against Sexual Assault (KC-CASA)
26. Mercer County Crisis Center
27. Metropolitan Family Services
28. Mujeres Latinas en Accion
29. Mutual Ground, Inc.
30. National Coalition of Jewish Women Illinois State Policy Advocacy Committee
31. Prairie Center Against Sexual Assault
32. Rainbow House Domestic Abuse Services, Inc.
33. Rape Victim Advocates
34. Riverview Center
35. Rockford Sexual Assault Counseling
36. Safe Harbor Family Crisis Center
37. Sarah’s Inn
38. Sexual Health Peers of the University of Illinois
39. Sojourner Shelter & Services, Inc
40. South Suburban Family Shelter
41. Streamwood Police Department
42. The Center for Prevention of Abuse
43. Vermillion County Rape Crisis Center
44. Violence Prevention Center of Southern IL
45. Violence Prevention Center of Southwestern IL
46. VOICE Sexual Assault Services
47. VOICES DV Stephenson County
48. WINGS Program, Inc.
49. WRC–CAA Victim Services
50. YWCA Elgin
51. YWCA Evanston North Shore
52. YWCA Kankakee
53. YWCA McLean County
54. YWCA Metropolitan Chicago
55. YWCA Rockford
56. YWCA Sauk Valley
57. Zacharias Sexual Abuse Center

INDIANA
1. Alcohol and Addictions Resource Center
2. Franciscan Physician Alliance
3. Indiana Coalition Against Domestic Violence
4. Indiana Legal Services Organization
5. Iowa Coalition Against Domestic Violence
6. National Coalition of 100 Black Women, Indianapolis Chapter

KANSAS
1. Family Life Center of Butler County
2. Harvey County DV/SA Task Force, Inc
3. Kansas Coalition Against Sexual and Domestic Violence
4. SAFEHOME, Kansas
5. SKILL Resource Center Inc.

KENTUCKY
1. Barren River Area Safe Space, Inc.
2. Bethany House Abuse Shelter, Inc.
3. Bluegrass Domestic Violence Program
4. Center for Women and Families
5. Doves of Gateway
6. Hope’s Place
7. Kentucky Association of Sexual Assault Programs
8. Kentucky NOW
9. Kentucky Coalition for Immigrant and Refugee Rights
10. Kentucky Domestic Violence Association
11. MensWork: eliminating violence against women, inc
12. Safe Harbor of NE KY
13. The Center for Women and Families
14. The Mary Byron Project
15. UAW 862
16. University of Louisville PEACC Program
17. Women’s Crisis Center

LOUISIANA
1. Council on Alcoholism and Drug Abuse of NW LA
2. Jeff Davis Communities Against Domestic Abuse CADA
3. LGBT Community Center of New Orleans
4. Louisiana Coalition Against Domestic Violence
5. Louisiana Foundation Against Sexual Assault
6. Louisiana NOW
7. National Council of Jewish Women, Louisiana State Policy Advocacy Chair
8. New Orleans Family Justice Center
### Against Domestic Violence

<table>
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<tr>
<th>State</th>
<th>Organizations</th>
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| NEBRASKA   | 1. Family Violence Council<br>2. National Organization for Women—Nebraska<br>3. Nebraska Domestic Violence Sexual Assault Coalition<br>4. Winnebago Domestic Violence Program<br>5. Winnebago Tribe of Nebraska Domestic Violence Intervention Family Preservation Program<br>6. Women’s Network Against Domestic Violence<br>7. YWCA Lincoln<br>8. YWCA Lincoln<br>9. YWCA Lincoln<br>10. YWCA Lincoln<br>11. YWCA Lincoln<br>12. YWCA Lincoln<br>13. YWCA Lincoln<br>14. YWCA Lincoln<br>15. YWCA Lincoln<br>16. YWCA Lincoln<br>17. YWCA Lincoln<br>18. YWCA Lincoln<br>19. YWCA Lincoln<br>20. YWCA Lincoln<br>21. YWCA Lincoln<br>22. YWCA Lincoln<br>23. YWCA Lincoln<br>24. YWCA Lincoln<br>25. YWCA Lincoln<br>26. YWCA Lincoln<br>27. YWCA Lincoln<br>28. YWCA Lincoln<br>29. YWCA Lincoln<br>30. YWCA Lincoln<br>31. YWCA Lincoln<br>32. YWCA Lincoln<br>33. YWCA Lincoln<br>34. YWCA Lincoln<br>35. YWCA Lincoln<br>36. YWCA Lincoln<br>37. YWCA Lincoln<br>38. YWCA Lincoln<br>39. YWCA Lincoln<br>40. YWCA Lincoln<br>41. YWCA Lincoln<br>42. YWCA Lincoln<br>43. YWCA Lincoln<br>44. YWCA Lincoln<br>45. YWCA Lincoln<br>46. YWCA Lincoln<br>47. YWCA Lincoln<br>48. YWCA Lincoln<br>49. YWCA Lincoln<br>50. YWCA Lincoln<br>51. YWCA Lincoln<br>52. YWCA Lincoln<br>53. YWCA Lincoln<br>54. YWCA Lincoln<br>55. YWCA Lincoln<br>56. YWCA Lincoln<br>57. YWCA Lincoln<br>58. YWCA Lincoln<br>59. YWCA Lincoln<br>60. YWCA Lincoln<br>61. YWCA Lincoln<br>62. YWCA Lincoln<br>63. YWCA Lincoln<br>64. YWCA Lincoln<br>65. YWCA Lincoln<br>66. YWCA Lincoln<br>67. YWCA Lincoln<br>68. YWCA Lincoln<br>69. YWCA Lincoln<br>70. YWCA Lincoln<br>71. YWCA Lincoln<br>72. YWCA Lincoln<br>73. YWCA Lincoln<br>74. YWCA Lincoln<br>75. YWCA Lincoln<br>76. YWCA Lincoln<br>77. YWCA Lincoln<br>78. YWCA Lincoln<br>79. YWCA Lincoln<br>80. YWCA Lincoln<br>81. YWCA Lincoln<br>82. YWCA Lincoln<br>83. YWCA Lincoln<br>84. YWCA Lincoln<br>85. YWCA Lincoln<br>86. YWCA Lincoln<br>87. YWCA Lincoln<br>88. YWCA Lincoln<br>89. YWCA Lincoln<br>90. YWCA Lincoln<br>91. YWCA Lincoln<br>92. YWCA Lincoln<br>93. YWCA Lincoln<br>94. YWCA Lincoln<br>95. YWCA Lincoln<br>96. YWCA Lincoln<br>97. YWCA Lincoln<br>98. YWCA Lincoln<br>99. YWCA Lincoln<br>100. YWCA Lincoln<br>101. YWCA Lincoln<br>102. YWCA Lincoln<br>103. YWCA Lincoln<br>104. YWCA Lincoln<br>105. YWCA Lincoln<br>106. YWCA Lincoln<br>107. YWCA Lincoln<br>108. YWCA Lincoln<br>109. YWCA Lincoln<br>110. YWCA Lincoln<br>111. YWCA Lincoln<br>112. YWCA Lincoln<br>113. YWCA Lincoln<br>114. YWCA Lincoln<br>115. YWCA Lincoln<br>116. YWCA Lincoln<br>117. YWCA Lincoln<br>118. YWCA Lincoln<br>119. YWCA Lincoln<br>120. YWCA Lincoln<br>121. YWCA Lincoln<br>122. YWCA Lincoln<br>123. YWCA Lincoln<br>124. YWCA Lincoln<br>125. YWCA Lincoln<br>126. YWCA Lincoln<br>127. YWCA Lincoln<br>128. YWCA Lincoln<br>129. YWCA Lincoln<br>130. YWCA Lincoln<br>131. YWCA Lincoln<br>132. YWCA Lincoln<br>133. YWCA Lincoln<br>134. YWCA Lincoln<br>135. YWCA Lincoln<br>136. YWCA Lincoln<br>137. YWCA Lincoln<br>138. YWCA Lincoln<br>139. YWCA Lincoln<br>140. YWCA Lincoln

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**H777**
22. Valencia Counseling Service Inc.
21. Tewa Women United, Santa Cruz
20. South Dakota NOW—Sioux Falls
19. Southwest Counseling Center
18. Southern New Mexico Human Development Services
17. South Carolina NOW—Charleston Chapter
16. South Carolina NOW—Charleston County
15. South Carolina NOW—Northwestern Counties
14. South Carolina NOW—Orangeburg
13. South Carolina NOW—Niagara County
12. South Carolina NOW—Mount Pleasant
11. South Carolina NOW—Marion County
10. South Carolina NOW—Lowndes County
9. South Carolina NOW—Lexington County
8. South Carolina NOW—Lake County
7. South Carolina NOW—Norton County
6. South Carolina NOW—Newberry County
5. South Carolina NOW—North C.P.
4. South Carolina NOW—Marion County
3. South Carolina NOW—Lake County
2. South Carolina NOW—Lexington County
1. South Carolina NOW—Kershaw County

NEW YORK

1. Arise Sexual Assault Services
2. Center for Nonviolent Communication
3. Center of Protective Environment, Inc. (COPE)
4. Coalition to Stop Violence Against Native Women, Albuquerque
5. Community Against Violence, Inc.
6. Enlace Comunitario
7. Gila Regional Medical Center SANE
8. New Mexico Asian Family Center
9. New Mexico Coalition Against Domestic Violence
10. New Mexico Coalition of Sexual Assault Programs, Inc.
11. New Mexico NOW
12. New Mexico Voices for Children
13. New Mexico Women’s Agenda
14. SANE of Otero & Lincoln County
15. Sexual Assault Services of NW New Mexico
16. Silver Regional Sexual Assault Support Services
17. Solace Crisis Treatment Center
18. Southern New Mexico Human Development, INC
19. Southwest Counseling Center
20. TACE SANTE at Holy Cross Hospital
21. Tewa United, Santa Cruz
22. Valencia Counseling Service Inc.

NEW YORK

1. African Services Committee
2. Albany Law School
3. Arab American Association of New York
4. BIBLE FELLOWSHIP PENTECOSTAL ASSEMBLY OF NY INC.
5. Catholic Charities of Chenango County
6. Citizen Action of New York
7. Committee on the Status of Women
8. CSO (COUNCIL OF PEOPLE ORGANIZATION)
9. Crime Victim and Sexual Violence Center
10. Crime Victim Center of Erie County
11. CW 1022
12. Domestic Harmony
13. Fordham Prep School
14. Hispanic United of Buffalo
15. In Our Own Voices
16. Legal Aid Society of Rochester, Inc.
17. Liberty House of Albany, Inc.
18. Local 301
19. Los Ninos Services INC
20. National Coalition of 100 Black Women, Long Island Chapter
22. Nassau County Coalition Against Domestic Violence
23. National Council of Jewish Women NY
25. National Organization for Women—New York City
27. National Organization for Women, Greater Rochester Chapter
29. New York Board of Rabbis
30. New York City Anti-Violence Project
31. New York State Coalition Against Domestic Violence
32. New York State Coalition Against Sexual Assault
33. Safe Homes of Orange County
34. SAFER—Survivors Advocating For Effective Reform
35. Sanctuary for Families
36. SEPA Mujer
37. Sojourner House
38. The Family Center
39. Turning Point for Women and Families
40. Unity House of Troy
41. Vera House, Inc.
42. VIBS Family Violence and Rape Crisis Center
43. Victim Resource Center of the Finger Lakes, Inc.
44. Victims Information Bureau of Suffolk
45. Violence Intervention Program
46. Women In Need
47. Wyckoff Heights Medical Center—Violence Intervention Network Treatment Program
48. YWCA Adirondack Pothills
49. YWCA Binghamton & Broome County
50. YWCA Brooklyn
51. YWCA City of New York
52. YWCA Cortland
53. YWCA Elmir & The Twin Tiers
54. YWCA Genesee County
55. YWCA Jamestown
56. YWCA Mohawk Valley
57. YWCA New York City
58. YWCA Niagra
59. YWCA Orange County
60. YWCA Queens
61. YWCA Rochester & Monroe County
62. YWCA Schenectady
63. YWCA Syracuse & Onondaga County
64. YWCA Tonawandas
65. YWCA Troy-Cohoes
66. YWCA Utica County
67. YWCA Westchester
68. YWCA White Plains
69. YWCA Yonkers

NORTH CAROLINA

1. Charlotte NOW
2. Chrysalis Network
3. Crisis Council, Inc.
4. Families Living Violence Free
5. Family Crisis Council
6. Family Service of the Piedmont
7. Mitchell County SafePlace Inc.
8. Muslim American Society of Charlotte
11. National Organization for Women, Raleigh Chapter
12. NC Coalition Against Sexual Assault
13. North Carolina Coalition Against Domestic Violence
14. OASIS, Inc.
15. YWCA Central Carolinas

NORTH DAKOTA

1. First Nations Women’s Alliance
2. ND Council on Abused Women’s Services
3. Spirit Lake Victim Assistance

OHIO

1. Abuse & Rape Crisis Center, Warren County
2. Abuse Prevention Council
3. Artemis Center
4. Asha-Bay of Hope
5. Belmont Community Hospital
6. Cleveland Rape Crisis Center
7. COMPASS Rape Crisis
8. Every Woman’s House
9. Forbes House
10. Islamic Center of Greater Cincinnati
11. Islamic Education Council
12. Mount Carmel Crime & Trauma Assistance Program
13. Muslim Mothers Against Violence
14. National Coalition of 100 Black Women Central Ohio Chapter
15. Nirvana Now!
16. Ohio NOW
17. Ohio Alliance to End Sexual Violence
18. Ohio Domestic Violence Network
19. OhioHealth
20. Open Arms Domestic Violence and Rape Crisis Services
21. Otterbein University
22. ProgressOhio
23. Rape Crisis Center of Medina and Summit Counties
24. Salaam Cleveland
25. Sexual Abuse Prevention Awareness Treatment Healing Coalition of NWO
26. Sexual Assault Response Network of Central Ohio
27. Sinclair Community College—Domestic Violence Task Force
28. Someplace Safe
29. The Domestic Violence Shelter, Inc.
30. The SAFE Center (rape crisis center)
31. The Sexual Assault Response Network of Central Ohio
32. Trumbull County Democratic Women’s Caucus
33. Upper Ohio Valley Sexual Assault Help Center
34. Violence Free Coalition
35. West Ohio Annual Conference Team on Domestic Violence & Human Trafficking
36. WomenSafe
37. YWCA Dayton
38. YWCA Greater Cincinnati
39. YWCA Hamilton
40. YWCA Youngstown

OKLAHOMA

1. Community Crisis Center of Northeast Oklahoma
2. Family Crisis & Counseling Center, Inc.
3. Family Shelter of Southern Oklahoma
4. Native Alliance Against Violence, Oklahoma City
5. OK Coalition Against Domestic Violence and Sexual Assault
6. Oklahoma Coalition Against Domestic Violence and Sexual Assault
7. Tulsa Immigrant Resource Network, University of Tulsa College of Law
8. Univ. of Tulsa College of Law
9. YWCA Oklahoma City
10. YWCA Tulsa

OREGON

1. Clackamas Women’s Services
2. Jackson County SART
3. Mary’s Place Supervised Visitation & Safe Exchange Center
4. OCADV
5. Oregon Action
6. Portland Store Fixtures
7. Saving Grace
8. VOA Oregon—Home Free

PENNSYLVANIA

1. Alice Paul House
2. Alle-Kiski Area HOPE Center, Inc.
3. Alliance Against Domestic Abuse
4. Berks Women In Crisis
5. Bloomsburg University
6. Bucks County NOW
7. Bucks County Women’s Advocacy Coalition
8. Business & Professional Women’s Federation of Pennsylvania
9. CAPSEA, Inc.
10. Centre Co. Women’s Resource Center
11. Clinton County Women’s Center
12. Crime Victims Center of Fayette County
13. Crime Victims Council of the Lehigh Valley
14. Domestic Violence Center of Chester County
15. Franklin/Fulton Women In Need
16. HIAS Pennsylvania
17. International Association of Counselors & Therapists

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<table>
<thead>
<tr>
<th>State</th>
<th>Organizations</th>
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| TEXAS         | 1. American Gateways  
                2. Artemis Justice Center  
                3. Casa de Esperanza  
                4. Casa de Proyecto Libertad  
                5. Catholic Charities of Dallas  
                6. Citizens Against Violence, Inc.  
                7. Concho Valley Rape Crisis Center  
                8. Daya Inc.  
                9. Fort Bend County Women's Center  
                10. Harris County Domestic Violence Coordinating Council  
                11. Hospitality House, INC.  
                13. Islamic Association of the Mid-Cities  
                14. Montrose Counseling Center  
                16. New Beginning Center  
                17. North Dallas Chapter of the National Organization for Women  
                18. Our Lady. Of the Lake University  
                19. Promise House, Inc.  
                20. Refugio del Rio Grande  
                21. SafePlace  
                22. Sam Houston State University  
                23. Sexual Assault Resource Center of the Brazos Valley  
                24. Sun City Democratic Club  
                25. Sun City-West Valley NOW  
                26. Texas Council on Family Violence  
                27. Texas Muslim Women’s Foundation  
                28. The Family Place, Dallas TX  
                29. Travis County Attorney’s Office  
                30. TX Association Against Sexual Assault  
                31. Women’s Shelter of South Texas  
                32. YWCA Fort Worth & Tarrant County  
| U.S. VIRGIN ISLANDS | 1. Women’s Coalition of St. Croix  
                2. Holy Cross Ministries  
                3. Icarus Group  
                4. Latin American Chamber of Commerce of Salt Lake City  
                5. National Council of Jewish Women Utah State Policy Advocacy Chair  
| UTAH           | 1. Enriching Utah Coalition  
                2. Holy Cross Ministries  
                3. Icarus Group  
| RHODE ISLAND  | 1. Appleseed Legal Justice Center  
                2. Safe Harbor  
                3. Sexual Assault Counseling and Information Service  
                4. South Carolina Coalition Against Domestic Violence and Sexual Assault  
| SOUTH CAROLINA | 1. Applesseed Legal Justice Center  
                2. Safe Harbor  
                3. Sexual Assault Counseling and Information Service  
                4. South Carolina Coalition Against Domestic Violence and Sexual Assault  
| SOUTH DAKOTA  | 1. Dakota Coalition Ending Domestic & Sexual Violence  
                2. Native American Community Board, Lake Andes  
                3. Native Women’s Society of the Great Plains, Timber Lake  
                4. White Buffalo Calf Woman Society, Mission  
                5. Wiconi Wawokya, Inc., Fort Thompson  
                6. Sisseton-Wahpeton Oyate  
                7. Oglala Sioux Tribe Victim Services  
| TENNESSEE     | 1. Abuse Alternatives, Inc.  
                2. Local 365  
                3. Muslin Community of Knoxville  
                4. National Coalition of 100 Black Women, Chattanooga Chapter  
                5. Tennessee Citizen Action  
                6. Tennessee Coalition to End Domestic and Sexual Violence  
                7. United South and Eastern Tribes, Inc.  
| WISCONSIN     | 1. Sto6 Milwaukee  
                2. American Indians Against Abuse  
                3. Asha Family Services, Inc.  
                4. Beloit Domestic Violence Center  
                5. Bolton Refuge House, Inc.  
                6. Bridge to Hope  
                7. Center Against Sexual & Domestic Abuse, Inc.  
| WASHINGTON   | 1. African Communities Network  
                2. ALLYSHIP  
                3. API Chaya  
                4. Cambodian Women Networking Association  
                5. Compass Housing Alliance  
                6. CIELO Project  
                7. King County Coalition Against Domestic Violence  
                8. LGO Consulting  
                9. Local 242  
                10. Lummi Nation Victims of Crime Program  
                11. National Council of Jewish Women, Seattle Section  
| WEST VIRGINIA | 1. Branches Domestic Violence Shelter, Inc.  
                2. CHANGE Inc. The Lighthouse  
                3. CONTACT Huntington  
                4. Direct Action Welfare Group (DAWG)  
                5. Family Crisis Intervention Center  
                6. Family Refuge Center  
                7. Kanawha County Victim Services Center  
                8. Northern West Virginia Center for Independent Living  
                9. Rape & Domestic Violence Information Center, Inc.  
                10. Rape and Domestic Violence Information Center  
                11. Shandolash Women’s Center, Inc.  
                12. West Virginia Citizen Action Group  
                13. West Virginia Coalition Against Domestic Violence  
                14. West Virginia Foundation for Rape Information and Services  
                15. Women’s Aid in Crisis  
                16. WV Coalition Against Domestic Violence  
| WYOMING       | 17. WV NOW  
                18. YWCA Charleston WV  
                19. YWCA Wheeling  

8. Citizen Action of Wisconsin
9. Community Immigration Law Center
10. Daystar, Inc.
11. DCY Dubuque Domestic Violence Program
12. Golden House
13. Green Haven Family Advocates
14. Harbor House Domestic Abuse Programs
15. HELP of Door County, Inc.
16. Hmong American Women’s Association
17. Hope House of South Central Wisconsin
18. Independence First
19. Jewish Community Relations Council, Milwaukee Jewish Federation
20. Manitowoc County Domestic Violence Center
21. New Horizons Shelter and Outreach Centers, Inc.
22. People Against Domestic and Sexual Abuse (PADA)
23. People Against Violent Environment
24. Personal Development Center, Inc.
25. Red Cliff Band of Lake Superior Chippewa Indians
26. Red Cliff Family Violence Prevention Program
27. Safe Harbor of Sheboygan County, Inc.
28. Sajo family Peace Center
29. St. Agnes Hospital Domestic Violence Program
30. The Bridge to Hope
31. The Women’s Center, Inc.
32. Tri-County Council on Domestic Violence and Sexual Assault, Inc.
33. Tri-County Mental Health and Counseling
34. Tri-Valley Haven
35. UNIDOS Against Domestic Violence
36. United Migrant Opportunity Services
37. Uniting Three Fires Against Domestic Violence, Sault Ste. Marie
38. Wisconsin Coalition Against Domestic Violence
39. Wisconsin Coalition Against Sexual Assault
40. Wisconsin Coalition of Independent Living Centers
41. Wisconsin Community Fund
42. Wisconsin NOW
43. Women and Children’s Horizons
44. YWCA Greater Milwaukee
45. YWCA Green Bay
46. YWCA Madison
47. YWCA Rock County
48. YWCA Southeast Wisconsin

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Mrs. McMORRIS RODGERS. Madam Speaker, this is a very, very important issue, and I urge my colleagues to follow along and, again, to vote “yes” on this amendment.

Mr. CONyers. I am pleased to yield 2 minutes to the former chair of the Subcommittee on the Constitution on the House Judiciary Committee, the gentleman from New York, JERRY NADLER.

Mr. NADLER. I thank the gentleman for yielding.

Madam Speaker, this bill is about women. It is about our sisters and daughters. It is about combating violence that no human being should ever face—rape, assault, sexual assault, homicide.

By offering an amendment that will further delay and even endanger the passage of the bill, Republicans are not just standing up for the men who abuse immigrants or for the men who rape Native American women, or for the men who commit dating violence and stalking.

The bipartisan Senate bill would add sexual orientation and gender identity to the eligibility for grant programs under VAWA, and it would include sexual orientation and gender identity as classes. The Republican amendment, by deleting these provisions, appears to target LGBT persons, and it would make it harder to obtain U visas. The new restrictions would deter undocumented immigrants from reporting assaults and from cooperating with police, leaving victims vulnerable.

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VOTE NO ON HOUSE SUBSTITUTE FOR S. 47; IT FAILS TO PROTECT ALL VICTIMS OF DOMESTIC VIOLENCE

DEAR REPRESENTATIVE: On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of national organizations to promote and protect the civil and human rights of all persons in the United States, we urge you to oppose the substitute for S. 47, called the Violence Against Women Reauthorization Act (VAWA), because it fails to protect all victims of domestic violence.

The Leadership Conference strongly believes that protecting all who suffer domestic violence, dating violence, sexual assault, or stalking is a fundamental civil and human right, and therefore we intend to score this vote in our Congressional Voting Record for the 113th Congress. The Violence Against Women Act (VAWA), which was adopted in the Senate with strong bipartisan support (78-22), addresses gaps in current service programs that left lesbian, gay, and transgender people, Native American women, and other underserved and vulnerable groups without vital services or protections. The need to address these gaps has been recognized by law enforcement officers, victim service providers, health care professionals. While government reports document that the annual incidence of domestic violence has decreased by 63 percent, it is still unacceptable that in the United States 24 people become victims of rape, physical violence or stalking by an intimate partner in the United States every minute.

Yet the House substitute for S. 47 eliminates important provisions in the bipartisan Senate bill, thereby denying services to many victims of domestic violence. Despite the well-documented, unabatedly high rates of domestic violence on tribal lands, the House substitute does not include adequate provisions to make it easier for Native American women to obtain orders of protection from abusers. In addition, the House substitute drops the anti-discrimination provisions that would ensure access to services for LGBT survivors of domestic violence, sexual assault, stalking, and dating violence. Finally, the House bill eliminates specific protections for victims of violence on college campuses, where we know the incidence of dating violence, sexual assault, and stalking occur.

The Leadership Conference believes that every battered person deserves protection, regardless of the victim's race, sex, sexual orientation, or gender identity. Therefore, we urge you to vote against the House substitute for S. 47 and to ask House leaders to bring the bipartisan Senate-passed VAWA Reauthorization to the floor. If you have any questions, please feel free to contact Sarah Cook at 202-236-2894 or cook@civilrights.org.

Sincerely,

WADE HENDERSON, President & CEO
NANCY ZIRKIN, Executive Vice President.

(From The Leadership Conference on Civil and Human Rights, Feb. 25, 2013)

THE HOUSE OF REPRESENTATIVE'S INTRODUCTION OF THE VIOLENCE AGAINST WOMEN ACT

(By Sharon Stapel, Executive Director)

Today the House introduced a version of the Violence Against Women Act (VAWA) which stripped the language that would protect LGBT survivors of intimate partner and sexual violence and that was included in S. 47, the inclusive, bipartisan Senate bill that was overwhelmingly passed on February 12th. Leaving LGBT survivors of violence behind is an unacceptable response to the real violence that LGBT people face every day.

The CDC and the National Coalition on Anti-Violence Programs have found that LGBT people experience intimate partner and sexual violence at the same or higher rates as other communities and service providers, including law enforcement, throughout the United States report that they do not have LGBT specific services available. These studies demonstrate the real need of LGBT survivors and the lack of resources available to meet that need.

The House bill does not protect LGBT people from discrimination by a service provider nor does it specifically include services to LGBT people as an underserved population. While the House bill does make VAWA gender neutral, this does not address the needs of LGBT survivors of violence who experience violence specific to their sexual orientation and gender identity and not just their gender. For example, a woman was asked to leave a domestic violence support group not because she was a woman but because, as the program told her, she “did not fit in” as a lesbian.

The Senate bill provisions are urgently needed to provide actual resources to LGBT survivors. VAWA is essential protection to domestic and sexual violence and must include all survivors. We cannot pick and choose which victims deserve help through VAWA. Congress must pass a bill that includes all survivors of violence, including LGBT survivors, and they must do so now.

(From the National Congress of American Indians, Feb. 25, 2013)

TELL THE HOUSE OF REPRESENTATIVES THE HOUSE LEADERSHIP VAWA BILL DOES NOT MEET THE NEEDS OF INDIAN COUNTRY

On Friday, House leadership filed legislation which it intends to vote on this Wednesday.

Unfortunately, this legislation would change the strong bipartisan Senate-passed version of the bill, S. 47—the Violence Against Women Act of 2013—in key areas, which roll back current law and take a defendant-based protection
approach to address a serious epidemic of un- 

fettered domestic abuse on Indian reserv- 

ations. NCAI released a statement in opposi- 

tion to the proposed House language this past 

Friday.

The solution is simple. We need tribal lead- 

ers and advocates to make their voices heard 

that ‘ Sovereignty is the solution; not the problem’ and that 

tribes simply need jurisdiction to protect 

women. Also, tell them—if a House com- 

promise is the sensible solution is H.R. 780, which was recently introduced by 

Congressman Darrell Issa (R-CA49) and ap- 

propriately balances defendants’ rights with 

the need to protect Native women from unfettered violence (See Sensible Solu- 

tions for House Leadership section below for 

more on H.R. 780).

THE HOUSE LEADERSHIP BILL ROLLS BACK 

CURRENT LAW

The recently proposed language from the 

House would roll back current law regarding 

tribal courts’ protection order jurisdiction. 

Currently, this is the only local and effective 

recourse Native women victims of violence 

arguably have against non-Indian perpetra- 

tors.

The 2000 VAWA Reauthorization included 

language which made it clear that every In- 

dian tribe has the authority to issue and 

effect protection orders against all individ- 

uals.

The proposed language in the House would 

restrict such protection jurisdiction signifi- 

cantly. Tribes would need to seek certification 

through the Attorney General to exercise 

civil authority, and then the tribe would 

only retain the authority to issue protection 

orders over non-Indians if: they live or work 

on the reservation; or if they are, or have 

been, in an intimate relationship with a trib- 
al member. This last requirement adds an 

unjust and unnecessary burden of proof to 

victims seeking immediate assistance from 

their local courts.

Also, the law—as drafted—would subject 

Indian tribes to federal statutes meant to 

apply to States, including numerous proc- 

esses and procedures, which would apply on 

top of the tribal courts own practices and 

procedures (for specific examples, see dis- 

cussion below). This additional layer of proc- 

esses and procedures will inevitably serve 

to frustrate justice in tribal courts, which are 

already subject to a strong and proven fed- 

eral framework: the Indian Civil Rights Act of 

1968.

THE PROPOSED HOUSE SPECIAL DOMESTIC VIO- 

LENCE JURISDICTION IS UNWORKABLE AND 

WOULD FRUSTRATE JUSTICE IN TRIBAL 

COURTS

Further, while the Senate bill recognizes 

an Indian tribe’s self-governance authority 

to protect Native women victims of violence, it 

adds additional protections for non-Indian 

defendants. Unfortunately, while the House 

bill offers unworkable federal oversight of 

tribal courts.

The recently proposed House legislation 

would add:

a certification process by the Attorney 

General’s Office for tribes to exercise this 
’special domestic violence jurisdiction’ over 

non-Indians, even though the Department of 

Justice subsidy does not offer a Senate version of the bill; 

A 1-year sentencing limitation on tribal 

courts for crimes covered under the Act, 

even for crimes—if prosecuted in 

federal court—would require harsher sen- 

tencing;

a federal removal provision that may be 

exercised by either the defendant or a United 

States Attorney, and subjects tribes to the 
same procedures and processes as states; 

A default Malheus Corpus guidelines, outside of the Indian Civil Rights Act, to 

abide by as States;

An interlocutory appeal process, as well as a direct review of the final judgment;

A right for tribes to be sued, which will 

provide even more opportunities for per- 

petrators to abuse tribal court systems; and

A duty for the Attorney General to appoint 

not less than 10 qualified tribal prosecutors as special prosecutors, with a preference 

given to Indians not exercising this special domestic violence jurisdiction.

Time and time again, Indian tribes have 

proven that they are most efficient when 

ey operate their own governance. The cur- 

rent Administration has continued a strong 
policy towards self-determination and self- 
governance, and Congress should not away 

from this policy.

THE SENSIBLE SOLUTION FOR HOUSE 

LEADERSHIP

Two weeks ago, Congressman Darrell Issa 

(R-CA49) introduced H.R. 780, which is a sens- 

ible solution to the concerns expressed by 

House Leadership. Currently, this bill con- 

tinues to receive support from House mem- 

bership. This bill would take the bipartisan- 

passed Senate bill, which provides a full pan- 

oply of protections for defendants, and add 
one additional measure—the right for the 

defendant to remove his case to federal court, 

upon a showing that a tribal court violated one of these protections.

In this manner, the Indian tribe retains ju- 

risdiction, pledges to carry out justice in a 
manner of its choosing, and avoid undue judicial delay in administering justice for Native women victims of violence.

This Issa-Cole bill is the sensible solution 
because it begins with the question: if it does Congress protect Native women?” and answers it in a sensible manner: rather than an approach to tribal courts that 

protect alleged domestic abusers that evade prosecution because they abuse Indians on the reservation?

Please call your representatives in Con- 

gress and tell them you oppose the proposed 

House substitute for S. 47 and urge them to 
support H.R. 780 as the House compromise to 

the Senate bill. It is the sensible approach 

that recognizes tribal self-governance and protects Native women, while appropriately balancing defendants’ rights.

Mrs. McMORRIS RODGERS. Madam Speaker, I reserve my time.

Mr. COLE. Madam Speaker, I’m pleased to yield 2 minutes to the gentle- 
woman from Texas (Ms. JACKSON LEE), a senior Member of the House Judi- 
iciary Committee.

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

Ms. JACKSON LEE. Madam Speaker, I thank the gentleman very much, and 
I thank the gentlelady, Congress- 
woman MOORE, for her leadership, and 

thank her for her availability to this 
today. For the last 18 years, we have had 

the cover of the Violence Against 

Women Act, and I was glad to be here 
in the reauthorization timeframe. But 

I am also very glad to claim that the 

amendment that was offered by Con- 

gresswoman MOORE and CONYERS and 

SLAUGHTER and myself in the Rules 

Committee prevailed, for we, in fact, 

introduced the Senate bill. But the leadership of the House, as it relates to 

the Democratic Members, was strong 

because we introduced a bill just like it. 

But let me tell you what is happing 

with the legislation from the 

House side. The substitute is fuzzy leg- 

islation. It is almost as if you name your 

son and daughter Jane and John, 

but you starting calling them girl and 

boy. You take away the definitiveness 

of who they are. 

Two couples of months before, one of 

the coeds, a young college student, a 

young woman college student at the 

University of Virginia was murdered by 

her boyfriend. And so in the bill that 

we want to see passed, the Senate bill, 

we have protections for college stu- 

dents. We have not protection for 

Native American women, many of 

whom are married to non-Native Amer- 

icans, and many times those cases are 

not prosecuted. 

And so you cannot expect the U.S. 

Attorney to follow fuzzy legislation. 

You have to define that they have the 

jurisdiction to prosecute these cases.

With respect to immigrant women, 

isn’t it ridiculous that you must con- 

tact the abuser and get the corroborati- 

on. The abuse? This is what we say to 

that immigrant woman who needs to 
tell what is happening to her, how she is 

being held hostage because of her im-

migrant or non-immigrant status.

I say to you that every 9 seconds a 

woman in the United States is as- 

saulted or beaten by stalkers or her 

partner. Every year in the United 

States, 1,000 to 1,600 women die at the 

hands of their male partners even though 

we’ve made great strides in im-

proving it under the Violence Against 

Women Act. One in five women have 

been raped in their lifetime. Four 

women have been the victim of severe 

physical violence.

We need the Senate compromise. We 

need the Senate bipartisan bill. Don’t 

vote for fuzzy legislation.

Madam Speaker, I rise in opposition to the 

Republican Substitute for S. 47, the so-called 

Violence Against Women’s Reauthorization 

put forth by my House colleagues on the 

other side.

This is essentially a closed-rule on a bill 

that for nearly two decades has been bipartisan 

and non-controversial. Today, the majority 

stands ready to ram a stripped-down version 

of VAWA down the throats of the American 

people. Unfortunately, the bipartisan version 

passed by the Senate with a vote of 78–22, 

including all of the women in the Senate, will 

not even see a vote in this body.

It would have been logical, expedient, and 
sensible if the Majority had simply taken up 

the House Substitute for S. 47. Congresswoman 

Lee’s VAWA amendment, which is a comprehensive 

update to the successful law which offers pro- 

tections for all victims of violence. Out amend- 

ment is the Senate-passed version which 

on behalf of Congressman CONYERS and 

many of my colleagues on the Judiciary Committee, I put forth the case to take up this Senate 

version.

Over the last 18 years, VAWA has provided 

life-saving assistance to hundreds of thou-

sands of women, men, and children. Originally 

passed by Congress in 1994, as part of the 

Violence Against Women’s Right to a Safe 

Home, Act of 1994, this landmark bipartisan legisla- 

tion was enacted in response to the preva-

lence of domestic and sexual violence and the
significant impact that such violence has on the lives of women.

Today, as I stand on the Floor of the House, I realize that the majority has made some changes to the Senate-passed bill—that point to a disturbing pattern since the tenor, tone, and overall thrust of this bill looks like a repeat of H.R. 4970, which we passed last year.

This Act offered a comprehensive approach to reducing this violence and marked a national commitment to reverse the legacy of laws and social norms that served to excuse, and even encourage, violence against women. Original sponsorship by then-Senator JOSEPH BIDEN and Judiciary Committee Representative JOHN CONYERS, Jr., the original VAWA was supported by a broad coalition of experts and advocates including law enforcement officers, prosecutors, judges, victim service providers, faith leaders, health care professionals, and survivors. The law has since been reauthorized two times—in 2000 and 2005—with strong bipartisan approval in Congress and with overwhelming support from states and local communities.

If I were an implementator looking in, I’d be pressed to ask what Frankenstein Monster has overtaken the 112th Congress to the point that we cannot even pass this previously bipartisan bill without resorting to partisan posturing. I ask you who would be against giving protections to our most vulnerable.

Just last month a co-ed at the venerable University of Virginia, my alma mater was convicted of murdering his girlfriend. This hits close to home. As well as Yvette Cade, who had acid poured over her face by an irate ex-husband. We must be careful not to glibly roll back years of progress to protect the safety of immigrant victims.

Among other significant changes, the reauthorization of VAWA in 2000 improved the law with respect to the needs of battered immigrants, older victims, and victims with disabilities.

The continuation and improvement of these programs is critical to maintaining the significant progress made in increased reporting and decreased deaths during the time VAWA has been in effect. Unfortunately, this version of S. 47 weakens vital improvements contained in the recently passed bill, including the time limits, designed to increase the safety of Native American women and LGBT victims. Further, S. 47 actually includes damaging provisions that roll back years of progress to protect the safety of immigrant victims.

Specifically, H.R. 4970 will create obstacles for immigrant victims seeking to report crimes and increase danger for immigrant victims by eliminating important confidentiality protections.

When millions of women and men need the protections and services it includes. Since it first became law in 1994, millions have been benefited from VAWA.

VAWA is working, while rates of domestic violence have dropped by over 50 percent in the past 18 years. There remains a lot of work to be done, still have a lot of work ahead of us.

In December, the Centers for Disease Control and Prevention (CDC) released the first National Intimate Partner and Sexual Violence Survey. Between 2011 and 2012, 1 in 5 women have been raped in their lifetime and 1 in 4 women have been the victim of severe physical violence by a partner; Over 80% of women who were victimized experienced significant short-term and long-term effects of violence and were more likely to experience Post-Traumatic Stress Disorder and long-term chronic diseases such as asthma and diabetes.

Every nine seconds a woman in the United States is assaulted or beaten by stalkers or her partner.

Every year in the United States, 1,000 to 1,600 women die at the hands of their male partners, often after a long, escalating pattern of battering.

In 2009, 111 women were killed by their former or current husband, intimate partner or boyfriend in St. Louis County, Missouri.

Domestic violence is the leading cause of injury for women in America.

According to a study, there are more victims of domestic violence than victims of rape, mugging and automobile accidents combined. VAWA was designed to address these gruesome statistics.

VAWA established the National Domestic Violence Hotline, which receives over 22,000 calls each month. VAWA funds train over 500,000 law enforcement officers, prosecutors, judges, and other personnel each year.

This landmark legislation sent the message that violence against women is a crime and will not be tolerated.

States are taking violence against women more seriously and all states now have standing laws, criminal sanctions for violation of civil protection orders, and reforms that make date or spousal rape as serious of a crime as stranger rape.

Considering the fact that in the time it will take for this hearing to conclude this hearing, 60 individuals in the United States will be sexually assaulted.

The Violence Against Women reauthorization contains many of the provisions that make important changes to the current law, such as consolidating duplicative programs and targeting others; providing greater flexibility for how communities utilize resources; and including new training requirements for people providing legal assistance to victims.

While the amendment wasn’t included in the final Senate version of the VAWA reauthorization bill, or the House version which passed out of the Judiciary Committee last week, it was endorsed by the National Task Force to End Sexual and Domestic Violence which represents over 1,000 organizations across the nation.

Over the past three years, a series of embarrassing investigations into major police departments in Texas and other cities around the country revealed an appallingly large backlog of untested rape kits. Backlogs of thousands of untested kits have made headlines in Houston, San Antonio, Fort Worth and Dallas, prompting efforts in those cities to finally test the evidence.

Last year, the Texas Legislature passed a law—Senate Bill 1636, authored by Democratic Sen. Wendy Davis of Fort Worth—requiring, even the smallest law enforcement agencies to report how many rape kits they’ve left untested, then submit them to a crime lab.

These being lean times in Texas, the Legislature passed the bill without allocating new funding to the cause. It’s up to crime labs and police departments to raise money to test the old evidence. “One of the solutions offered by 1636 is that we’d get a complete picture,” says Torie Camp, deputy director of the Texas Association Against Sexual Assault. Law enforcement agencies who report their rape kit backlogs to the Department of Public Safety (DPS) by mid-October of last year. That hasn’t happened.
I urge my colleagues to reject this flawed bill and call upon this body to work with the Senate to pass bipartisan legislation that helps women—and does not go back on decades of work.

VAWA was created because Congress recognized that immigration status being used as a weapon by abusers. S. 47 would return that weapon to abusers. H.R. 4970 would roll back years of progress and bi-partisan commitment on the part of Congress to protect vulnerable immigrant victims of domestic violence, stalking, sex crimes, other serious crimes, and trafficking.

H.R. 4970 would place victims of domestic violence in danger, deter victims of crime from cooperating with law enforcement, and hold victims of abuse to a higher standard than other applicants for immigration benefits. In short, H.R. 4970 denies victims protection and even helps perpetrate the very abuse from which they are seeking to escape.

S. 47 would place immigrant victims of domestic violence who seek lawful status in the U.S. at risk. VAWA “self-petitioning” was created in 1994 to assist immigrant victims of domestic violence, and even helps perpetrate the very abuse from which they are seeking to escape.

S. 47 creates extra hurdles for victims to jump through, making lawful status even more difficult for victims to attain. Section 801 of H.R. 4970 would make it more difficult for victims of abuse to obtain lawful status by requiring VAWA applicants to establish their eligibility for lawful status by “clear and convincing” evidence—a higher standard than most other applicants applying for relief before USCIS.

Many domestic violence victims have been waiting for lawful status for years because their abusers refused to file spousal visa petitions for them, using control over the victims’ immigration status as a tool of abuse. The VAWA self-petition process was created to provide victims with a means of obtaining the status for which they were eligible under the law and which they would have obtained but for the abuse. Section 801 establishes an unnecessarily high standard that will deprive many victims of protection.

S. 47 would punish victims more harshly than other applicants for providing incorrect information, regardless of intent or knowledge. (Section 801) The INA already makes someone ineligible for relief if they commit fraud or willfully misrepresent a material fact when seeking an immigrant benefit. However, under the guise of fraud prevention, H.R. 4970 would go much further by requiring the removal, on an expedited basis, of a victim where there is any evidence of any material misrepresentation at any point during the process, regardless of whether the victim had any intent to defraud the government. H.R. 4970 would also work to place victims in an even greater jeopardy.

Finally, H.R. 4970 would require that these applicants be referred to the FBI for criminal prosecution. Thus, an innocent mistake by a victim when completing the application could result in victims and their children being subject to expedited removal and permanently barred from the U.S.

S. 47 would unduly restrict U-visas and undermine the safety of our communities. (Section 802) Currently, to obtain a U-visa (for victims of serious crime), a federal, state, or local law enforcement officer must certify that the applicant has, is, or is likely to be helpful in investigating or prosecuting the crime perpetrated against them. H.R. 4970 would restrict law enforcement officer certification only to those officers who report within 60 days. Many victims of crimes—especially victims of sexual abuse, child abuse, and rape—are too traumatized or too afraid to come forward immediately. A 60-day time limit for reporting crimes would silence many immigrant victims. H.R. 4970 would deprive victims of protection, discourage them from reporting crimes, and make all of us less safe.

S. 47 would deny victims the opportunity to apply for a green card. In 2000, the “U” Visa was created as part of VAWA to encourage vulnerable victims of particularly serious crimes to come forward and report those crimes by removing the fear that they, rather than the perpetrator, would wind up in immigration detention or deportation. When victims of crimes are afraid to go to the police, we are all less safe. H.R. 4970 would undermine the U-visa process by making the U-visa only temporary, with no eligibility to apply for future lawful permanent residence status.

The S. 47 Republican substitute retains a few of the helpful provisions included in S. 1925. These include:

Permitting children of VAWA self-petitioners to obtain derivative status if the petitioner passes away during the application process;

Eliminating the public charge ground of inadmissibility for VAWA self-petitioners and U-visa holders.

Age-out protections for children of U-visa holders who were under 21 at the time that the parent applied for U-visa status and age-out protections for U-visa holders who were minors at the time of application for U-visa status so that their relatives can still join them.

I call on the Members of the House to vote down this nefarious, ill-conceived piece of legislation.

Re: Opposition to House Substitute to VAWA Reauthorization

February 25, 2013

Hon. BOB GOODLATTE,
Chairman, House Committee on the Judiciary
House of Representatives, Washington, DC.

Hon. JOHN CONYERS,
Ranking Member, House Committee on the Judiciary
House of Representatives, Washington, DC.

Re: Opposition to House Substitute to VAWA Reauthorization

DEAR CHAIRMAN GOODLATTE AND RANKING MEMBER CONYERS,

This letter is written on behalf of the House Democratic Caucus.

We urge you to vote against the House Substitute to the Violence Against Women Act (VAWA) of 2013. The House Substitute would remove the ONLY tool available to tribes to stop non-Native
The current justice system in place on Indian lands handicaps the local tribal justice system. The House Substitute reduces, some non-Native men, target Indian reservations for their crimes, and hide behind these loopholes in federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

The problem of violence against Native women is longstanding and broad, extending beyond domestic violence to gang violence and infiltration of drug trafficking organizations. As a result, some non-Native men, target Indian reservations for their crimes, and hide behind these loopholes in federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

The House Substitute irresponsibly cuts back on this existing authority. Instead of focusing on the protection of Native women, the House Substitute focuses on protections for suspects of abuse. The House Substitute establishes seven (7) avenues of appeal for suspects of abuse to challenge their prosecution; limits punishment of non-Indian offenders convicted of domestic violence to misdemeanor level punishment, regardless of how savage the beating or their status as a repeat offender; and authorizes suspects of abuse to bring lawsuits against non-Native men who abuse Indian women. The House Substitute irresponsibly cuts back on this existing authority.

The current system in place on Indian lands handicaps the local tribal justice system. As a result, some non-Native men, target Indian reservations for their crimes, and hide behind these loopholes in federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

The result: nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped, assaulted, or severely physically injured in their lifetime, and more than 1 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 would crack down on reservation domestic violence at the early stages before violence escalates.

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The House Substitute would cut back on existing protections and aggravate the epidemic of violence against Native women.

The bipartisan Senate-passed VAWA bill, S. 47, the Violence Against Women Reauthorization Act (VAWA). The House Substitute would only serve to aggravate the onslaught of violence that Native women suffer on a daily basis. The House Substitute would remove the ONLY tool available to tribes to stop non-Native abuse, further complicate the maze of laws on Indian lands, and exacerbate the epidemic of violence against Native women.

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me at 202–216–1515 or Allison.Hewitt@hrc.org. David Stacey, Deputy Legislative Director, at 202–372–9859 or David.Stacey@hrc.org, or Ty Cobb, Senior Legislative Counsel, at 202–216–1537 or Ty.Cobb@hrc.org.

Best,

ALLISON HERWITT
Legislative Director,
Human Rights Campaign.

AMERICAN PROBATION AND PAROLE ASSOCIATION
Lexington, KY, February 1, 2013.

DEAR SENATORS LEAHY AND CRAPO: The American Probation and Parole Association (APPA) represents over 35,000 pretrial, probation, parole and community corrections professionals working in the criminal and juvenile justice systems nationally and outside of federal, state, local and tribal jurisdictions. On behalf of our membership and constituents we wholeheartedly support your efforts to have the Violence Against Women Act (VAWA) reauthorized.

The VAWA initiatives have supported state, local and tribal efforts to effectively address the crimes of domestic violence, dating violence, sexual assault and stalking. These efforts have shown great progress and promise towards keeping victims safe and holding perpetrators accountable. The reauthorization of VAWA is critical to maintaining the progress of current initiatives and ensuring comprehensive and effective responses to these crimes in the future for the protection of all victims without consideration of race, ethnicity or sexual orientation.

Domestic violence perpetrators represent a significant proportion of the total population on community supervision. In 2008 there were nearly 86,000 adults on probation for a domestic violence offense in United States, and data from the California Department of Justice indicates that in 2012 approximately 90% of adults convicted of felony domestic violence offenses in that state were sentenced to a period of probation, either alone or concurrently with incarceration. Domestic violence offenders are among the most dangerous offenders on community supervision caseloads, and in order to supervise domestic violence offenders effectively, community corrections professionals must receive adequate training.

Since its original passage in 1994, VAWA has been instrumental in increasing our constituents’ attention to and understanding of these crimes as well as provided significant assistance in humanizing their responsive-ness to victims and improving their practices related to accountability and intervention with perpetrators of these crimes. VAWA has without question been instrumental in developing community supervision practices that keep victims safe, and their families safe from future harm and improved compliance and behavioral change for perpetuators.

We stand ready to assist you throughout the reauthorization process. If you have any questions or require further information or assistance, please feel free to contact me at cwicklund@appa.org or 859–244–8216.

Sincerely,

CARL WICKLUND,
Executive Director,

LUTHERAN IMMIGRATION AND REFUGEE SERVICE
Baltimore, MD, February 1, 2013.

Hon. PATRICK J. LEAHY,
U.S. Senator, Dirksen Senate Office Building, Washington, DC.

Hon. MIKE CRAPO,
U.S. Senator, Dirksen Senate Building, Washington, DC.

DEAR SENATOR LEAHY AND SENATOR CRAPO: On behalf of Lutheran Immigration and Refugee Service (LIRS), the national organization that establishes refugee churches in the United States to welcome immigrants and refugees, thank you for reintroducing the bipartisan Violence Against Women Reauthorization Act (VAWA) (S. 47).

As you are aware, there are many cases in which immigration status is used as a tool for abuse, leaving victims to remain in abusive relationships and contributing to the underreporting of serious crimes to local enforcement officials. The creation of the U visa in 2000 by Congress to encourage migrant victims to report criminal offenses to officials has been extremely helpful in addressing these crimes. To authorize the renewal of U visas is significant. In 2012, U.S. Citizenship and Immigration Services ran out of available U visas over a month prior to the end of the fiscal year. Therefore, the lack of a vital increase in the number of available U visas in S. 47 is extremely disappointing. However, I am encouraged by your commitment to increase the cap on U visas as part of immigration reform legislation.

While I applaud efforts to swiftly move VAWA through both chambers of Congress, I caution against any use of VAWA as a means to expand immigration enforcement provisions of the Immigration and Nationality Act. The changes would be detrimental to the central purpose of VAWA—to address the critical issues of domestic violence, sexual assault, dating violence, and human trafficking—and should remain outside of the VAWA debate.

LIRS commends your leadership in advancing this bill and we are excited to continue to work with you to ensure the inclusion of provisions to protect vulnerable migrant victims in upcoming legislation. Please contact Brittany Strom, Director for Advocacy and Outreach, at 202–636–7943 or via email at bnystrom@lirs.org with any questions.

Yours in faith,

LINDA J. HARTKE,
President and CEO, Lutheran Immigration and Refugee Service.

AMERICAN BAR ASSOCIATION
Chicago, IL, January 30, 2013.

Hon. PATRICK J. LEAHY,
Russell Senate Office Building, U.S. Senate, Washington, DC.

Hon. MICHAEL D. CRAPO,
Dirksen Senate Office Building, U.S. Senate, Washington, DC.

DEAR SENATORS LEAHY AND CRAPO: On behalf of the American Bar Association (ABA), with nearly 400,000 members across the country, I write to commend your continued bipartisan leadership in the cause of justice and equal rights with the introduction of the Violence Against Women Reauthorization Act of 2013. The ABA strongly supports your effort to renew proven and effective programs that support victims of domestic, sexual, dating and violence and their families.

The ABA has long supported efforts to address domestic, sexual and stalking violence, and we recognize that the legal profession fulfills an important role in addressing these crimes. Since 1994, the ABA’s Commission on Domestic & Sexual Violence has also worked to increase access to justice for victims of domestic violence, sexual assault and stalking by mobilizing the legal profession.

In recent years, the ABA has adopted policies that specifically address VAWA reauthorization, including some of the more challenging issues that ultimately proved to be hurdles to reauthorization during the last Congress:

February 2010: urging reauthorization and highlighting the need for legislation that promotes justice for underserved and vulnerable victims of violence, including children and youth who are victims or are witnesses to family violence, victims who are disabled, elderly, immigrant, trafficked, LGBT and/or Indian. August 2012: urging Congress “to strengthen tribal jurisdiction to address crimes of violence based on gender and personal status that are committed by non-Indian perpetrators.”

VAWA reauthorization was a legislative priority for the association during the 112th Congress and a focus of our annual grassroots lobbying event, ABA Day 2012, when ABA, state, local, and specialty bar leaders from all 50 states met with members of Congress of both parties on this issue.

VAWA reauthorization remains a priority for the American Bar Association during the 113th Congress. We appreciate your leadership and look forward to working with you to ensure passage of this legislation.

Sincerely,

LAUREL G. BELLOWS.

Mrs. MCORRIS RODGERS, Madam Speaker, I reserve my time.

Mr. CONGREYS, Madam Speaker, I include for the RECORD a number of letters from advocacy and nonprofit groups in opposition to the House substitute and in support of the Senate-passed bill.

THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 HAS BROAD NATIONAL SUPPORT

More than 1,000 local, state, tribal, and national organizations have expressed their strong support for passage of the Violence Against Women Reauthorization Act of 2011 (S. 47), including national service providers and victim advocates, law enforcement organizations, and faith-based organizations.

VICTIM SERVICE PROVIDERS AND ADVOCATES 9–15, National Association of Working Women
Alianza-National Latino Alliance to End Domestic Violence
Alternatives to Family Violence
American Bar Association
American Bar Association Commission on Domestic Violence
American Medical Association
Americans Overseas Domestic Crisis Center
Asian & Pacific Islander Institute on Domestic Violence
Association of Jewish Family and Children’s Agencies
Break the Cycle
Center for Domestic Violence Prevention
Gay Men’s Domestic Violence Project Institute
Institute on Domestic Violence in the African-American Community
Jewish Women International
Legal Momentum
Men Can Stop Rape
Men’s Resources International
National Association of VOCA Assistance Administrators
National Alliance to End Sexual Violence
National Center for Victims of Crime

February 28, 2013

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Arise Sexual Assault Services
Arizona Bridge to Independent Living
Arizona Coalition Against Domestic Violence
Arizona NOW
Arizona State University
Arkansas Coalition Against Domestic Violence
Arkansas Coalition Against Sexual Assault
Arkansas NOW
Artemis Center
Arts for Justice Center
Asha Family Services, Inc.
Asha-Ray of Hope
Asia Pacific Cultural Center
Asian Law Caucus
Asian Pacific American Legal Center
Asian Law Caucus
Asian Pacific Islander Domestic Violence Resource Project
Association of Physicians of Pakistani Descent in N. America (APFNA)
Atlanta Women’s Center
AVENUES, Inc
Ayuda
Baltimore Jewish Council
Barren River Area Safe Space, Inc.
Battered Women’s Legal Advocacy Project
Bay Area Turning Point, Inc.
Bay Area Women’s Center
Belmont Community Hospital
Beloit Domestic Violence Center
Bethany House Abuse Shelter, Inc.
Betz Gala & Company
Between Friends—Chicago
Bible Fellowship Pentecostal Assembly of NY, Inc.
Bluegrass Domestic Violence Program
Bolton Refuge House
Bolton Refuge House, Inc.
Boston Area Rape Crisis Center
Boston University Civil Litigation Program
Branches Domestic Violence Shelter, Inc.
Breastfeeding Hawaii
Bridge to Hope
Bridgeport Public Education Fund
Bridges to Safety
Bridges: Domestic & Sexual Violence Support
Broward Women’s Emergency Fund
Buchanan County Prosecutor’s Office
Bucks County NOW
Bucks County Women’s Advocacy Coalition
C.O.T.T.A.G.E. Life Coaching, LLC
Cadillac Area OASIS/Family Resource Center
California Coalition Against Sexual Assault
California National Organization for Women
California Partnership to End Domestic Violence
California Protective Parents Association
Cambodian Women Networking Association
Caminar Latino
Caminar Latino, Inc.
Cape Organization for Rights of the Disabled
CAPSEA, Inc.
CARECEN Los Angeles
Casa de Esperanza
Casa de Proyecto Libertad
Catalyst Domestic Violence Services
Catholic Charities Diocese of Pueblo
Catholic Charities Hawaii
Catholic Charities of Champaign County
Center Against Sexual & Domestic Abuse, Inc.
Center for A Non Violent Community
Center For Behavioral Change, P.C.
Center for Creative Justice
Center for Pan Asian Community Services, Inc.
Center for Policy Planning and Performance
Center for the Pacific Asian Family
Center for Women and Families—Bridgeport, CT
Center for Women and Families of Eastern Fairfield County Connecticut
Center for Women and Families of Eastern Fairfield County
Center on Domestic Violence
Center on Halsted
Centers Against Abuse & Sexual Assault
Central MN Sexual Assault Center
Centre Co., Women’s Resource Center
CHANGE Inc./The Lighthouse
Charlotte NOW
Cherokee Family Violence Center
Cherry Hill Women’s Center
Child & Family Service—Hawaii
Children’s Advocacy Center for Volusia and Flagler Counties
Children’s Institute, Inc.
Choices Domestic Violence Solutions
Choose Victory Over Violence
Christ United Methodist Church, Rockford, IL
Circle—VT
Circle of Hope
Citizen Action of New York
Citizen Action of Wisconsin
Citizen Action/Illinois
Citizen Against Physical, Sexual, and Emotional Abuse
Citizens Against Violence, Inc.
City of Chicago
City of Denver
City of San Antonio
Clackamas Women’s Services
Clarina Howard Nichols Center
Clark County District Attorney Victim Witness Assistance Center
Clearinghouse on Women’s Issues
Clergy and Laity United for Economic Justice, Los Angeles
Cleveland Rape Crisis Center
Clintondale Men’s Center
Collaborative Project of Maryland
Colorado Anti-Violence Program
Colorado Coalition Against Domestic Violence
Colorado Coalition Against Sexual Assault (CCASA)
Colorado Sexual Assault & Domestic Violence Center
Committee on the Status of Women Community Action Partnership
Community Action Stops Abuse
Community Against Violence Taos, NM
Community Against Violence, Inc.
Community Alliance Against Family Abuse
Community Alliance on Prisons
Community Crisis Center of Northeast Oklahoma
Community Immigrant Law Center
Community Overcoming Relationship Abuse
Compass Housing Alliance
COMPASS Rape Crisis
Connecticut Coalition Against Domestic Violence
Connecticut Sexual Assault Crisis Services
CONTACT Huntington
CONTACT Rape Crisis Center
ContactOneLife, Inc.
COPO (COUNCIL OF PEOPLE ORGANIZATION)
Cornerstone Advocacy Service
Council on American Islamic Relations (CAIR), Michigan
County Victim-Witness Program
Crime Victim and Sexual Violence Center
Crime Victims Center of Erie County
Crime Victims Center of the Lehigh Valley, Inc.
Crisis Center & Women’s Shelter
Crisis Center for South Suburbs
Crisis Center Foundation
Crisis Center of Central New Hampshire
Crisis Center, Inc.
Crisis Intervention & Advocacy Center
CT NOW
C-VISA, Coachella Valley
Service and Assistance
DAP
Day One of Cornerstone
Daya Inc.
Daystar, Inc.
DC Coalition Against Domestic Violence
DCY Dubuque Domestic Violence Program
DE Coalition Against Domestic Violence
Deaf Overcoming Violence through Empowerment
Defying the Odds, Inc.
Delaware NOW
Delaware Opportunities, Safe Against Violence
Democratic Women’s Club of Northeast Broward
Des Moines NOW
Detroit Minds and Hearts
Dine’ Council of Elders for Peace
Direct Action Welfare Group (DAWG)
District Alliance for Safe Housing (DASH)
District Attorney Victim Witness Assistance Center
Domestic Abuse & Sexual Assault Intervention Services
Domestic Abuse Center
Domestic Abuse Project
Domestic Abuse Resistance Team (DART)
Domestic And Sexual Abuse Services, MI
Domestic and Sexual Violence Services (DSVS) of Carbon County Montana
Domestic and Sexual Violence Services, MT
Domestic Harmony
Domestic Safety Resource Center
Domestic Violence Action Center
Domestic Violence Action Center
Domestic Violence Action Center Honolulu
Domestic Violence Alternatives/Sexual Assault Center, Inc.
Domestic Violence Center of Chester County
Domestic Violence HEALING Coalition
Domestic Violence HEALING Coalition, West Coast
Domestic Violence Intervention Program, Iowa
Domestic Violence Project, Inc.
Domestic Violence Solutions for Santa Barbara County
Douglas County Task Force on Family Violence, Inc.
Dove Advocacy Services for Abused Women and Children
Dove Advocacy Services for Abused Women and Children
Dove Story Beads
DOVES in Natchitoches, LA
DOVES of Big Bear Lake, Inc.
DOVES of Big Bear Valley, Inc.
Doves of Gateway
DOVES, Lake County
Downtown Bethesdas, Condo Assn.
Dream Project Inc.
DSVS Red Lodge, MT
DSVS-Carbon County, MT
DuvPage County NOW
DVRSC
Empowerment Christian Community Corp.
End DV Counseling and Consulting
Enfamilia, Inc.
Enlace Comunitario
Enriching Utah Coalition
Episcopal Women’s Caucus
EVE (End Violent Encounters)
Evertwomman’s Center
Faith House, Inc.
Falling Walls
Family Crisis & Counseling Center, Inc.
Family Crisis Center
Family Crisis Center, Inc.
Family Crisis Intervention Center.
Family Crisis Services.
Family LAW CASA.
Family Life Center of Butler County.
Family Place.
Family Refuge Center.
Family Rescue.
Family Rescue, Inc.
Family Resources.
Family Service of the Piedmont.
Family Services of Tulare County.
Family Shelter of Southern Oklahoma.
Family Shelter Service.
Family Violence Council.
Finding Our Voices.
First Step.
Florida Consumer Action Network.
Florida Council Against Sexual Violence.
Florida Equal Justice Center.
Florida National Organization for Women.
Florida NOW.
Forbes House.
Fordham Prep School.
Fort Bend County Women’s Center.
Forward Together.
Franciscan Physician Alliance.
Franklin/Fulton Women In Need.
Freddericksburg NOW.
Freedom House.
Friends for Democracy.
Gateway Battered Women’s Services.
Gateway Family Services, Inc.
Georgia Coalition Against Domestic Violence.
Georgia Mountain Women’s Center, Inc.
Georgia Rural Urban Summit.
Gila Regional Medical Center SANE.
Gillette Abuse Refuge Foundation.
Global Connections.
Golden House.
Good Shepherd Shelter.
Greater Boston Legal Services, Inc.
Green’s Hoosier Family Advocates.
Guam Coalition Against Sexual Assault & Family Violence.
Guardian Angel Community Services.
Gunnnison County Law Enforcement Crime Victim Services.
Gunnnison County Sheriffs Office.
Hamdard Center for Health and Human services.
Hands of Hope Resource Center.
Harbor House.
Harbor House Domestic Abuse Programs.
Harvey County.
Harris County Domestic Violence Coordinating Council.
Hartford GYN Center.
Harvey County DV/SA Task Force, Inc.
Haven Hill, Inc.
Haven Women’s Center.
Haven Women’s Center of Stanislaus.
HAVEN, MT.
HAVEN, Oakland.
Hawaii Women’s Coalition.
Health Commission on the Status of Women.
Hawaii Rehabilitation Counseling Assoc.
Hawaii State Coalition Against Domestic Violence.
Hawaii State Democratic Women’s Caucus.
Healthy Mothers Healthy Babies.
HEART Women & Girls.
Hearts of Hope.
HELP of Door County, Inc.
HelpLine of Delaware and Morrow County.
HIAS Pennsylvania.
Hispanic AIDS Awareness Program.
Hispanic Federation.
Hispanic United of Buffalo.
Hmong American Women’s Association.
Holocaust Center of the National Organization for Women.
Holy Cross Ministries.
Hope House of South Central Wisconsin.
HOPE of West Central Illinois.
HOPE, Inc.
Hospira.
Hospitality House for Women, Inc.
Hospitality House, Inc.
House of Ruth, Inc.
Human Rights Campaign.
Human Rights Initiative of North Texas Inc.
Human Rights Initiative of North Texas, Inc.
Idaho Coalition Against Sexual & Domestic Violence.
Idaho State Independent Living Council.
IES.
Illinois Coalition Against Domestic Violence.
Illinois Coalition Against Sexual Assault.
Illinois National Organization for Women.
Immigrant Law Center of Minnesota.
Immigrant Legal Center of Boulder County.
Immigration Services of Mountain View.
IMPACT Safe.
In Our Own Voices.
IndependenceFirst.
Independent Living Center of the North Shore & Cape Ann, Inc.
Indiana Coalition Against Domestic Violence.
Institute for Multicultural Counseling and Education Services (IMCES).
Instituto Para La Mujer.
International Association of Counselors & Therapists.
International Women’s House.
Iowa Citizen Action Network.
Islamic Association of Greater Detroit.
Islamic Center of Greater Cincinnati.
Jackson County SART.
Jackson Engineering Women’s League (JEWL).
Jackson NOW.
Jacksonville Area Legal Aid, Inc.
Jafri Law Firm.
Jane Doe Inc., The Massachusetts Coalition Against Sexual Assault and Domestic Violence.
Jeanne Geiger Crisis Center.
Jeff Davis Communities Against Domestic Abuse.
Jewish Alliance for Law and Social Action (JALSA).
Jewish Child and Family Services.
Jewish Community Action.
Jewish Community Relations Council.
Jewish Community Relations Council (Tucson).
Jewish Community Relations Council, Milwaukee.
Jewish Federation.
Jewish Family & Career Services, Atlanta, Georgia.
Jewish Family Service of Los Angeles.
Jewish Federation of Metropolitan Chicago.
Jewish Federation of Metropolitan Chicago.
Jewish Federation of the Sacramento Region.
Johns Hopkins Technology Transfer.
Just Harvest.
Justice & Mercy Legal Aid Clinic.
Justice and Mercy Legal Aid Clinic.
Kaanawa County Victim Services Center.
Kankakee County Coalition Against Sexual Assault (KCCASA).
Kansas City Anti-Violence Project.
Kansas Coalition Against Sexual and Domestic Violence.
Kansas Coalition Against Sexual and Domestic Violence.
Kentucky Association of Sexual Assault Programs.
Kentucky Coalition for Immigrant and Refugee Rights.
Kentucky Coalition for Immigrant and Refugee Rights.
Kentucky Domestic Violence Association.
Keystone Progress.
King County Coalition Against Domestic Violence.
L.A. Gay & Lesbian Center.
La Casa de las Madres.
La Voz Latina.
Latin American Chamber of Commerce of Salt Lake City.
Latina Safe House.
Latinas Unidas por un Nuevo Amanecer (LUNA, Iowa).
Law Students for Reproductive Justice.
Legal Aid—District 11.
Legal Aid Society of Rochester, Inc.
LGBT Community Center of New Orleans.
LOQ Consulting.
Liberty House of Albany, Inc.
Local 22.
Local 38.
Local 530.
Los Ninos Services.
Los Ninos Services, INC.
Louisiana Coalition Against Domestic Violence.
Louisiana Foundation Against Sexual Assault.
Louisiana NOW.
Lutheran Social Services.
M.U.R.E. Inc.
Maine Coalition to End Domestic Violence.
Maine People’s Alliance.
Manatee Glens Rape Crisis Services.
Manatee Glens Rape Crisis Services.
Manavi.
Manitowoc County Domestic Violence Center.
Maijree Mason Center.
Maryland Commission for Women.
Maryland National Organization for Women.
Maryland NOW.
Maryland Network Against Domestic Violence.
Mary’s Place Supervised Visitation & Safe Exchange Center.
MataHari: Eye of the Day.
MCADSV.
MD NOW.
Men on The Move.
Men’s Resources International.
MensWork: eliminating violence against women, inc.
Mercer County Family Crisis Center.
Metropolitan Family Services.
Metropolitan Organization to Counter Sexual Assault (MOCSA).
Mexican American Legal Defense and Educational Fund.
Michigan Citizen Action.
Michigan Coalition to End Domestic and Sexual Violence.
Michigan Muslim Community Council, United Way for Southeastern Michigan.
Mid-Iowa SART.
Minara Fellowship.
MINDS—Medical Network Devoted to Service.
Minnesota Coalition for Battered Women.
Minnesota Indian Women’s Resource Center.
Miracle Mile LA NOW.
Mississippi Coalition Against Domestic Violence.
Mississippi NOW.
Mississippi Women Are Representing (WAR).
Missoula County Crime Victim Advocate Program.
Missoula County Department of Grants and Community Programs.
Missoula Crime Victim Advocate Program.
Missouri Coalition Against Domestic and Sexual Violence.
Missouri NOW.
Missouri Progressive Vote Coalition.
Missouri Women’s Network.
Mitchell County SafePlace Inc.
Molokai Community Service Council.
MONSOON United Asian Women of Iowa.
Montana Coalition Against Domestic and Sexual Violence.
Montana National Organization for Women.
Montana NOW.
Montana State Coalition Against Domestic and Sexual Violence.
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Career Services
Ohio

& Hubbard Counties

Connecticut, Inc.

ment Healing Coalition of NWO

(Alamosa)

Against Domestic Violence

Safe Alternatives to Violent Environments

(SAVEN)

Safe Harbor

Safe Harbor Family Crisis Center

SAFE Harbor Inc.

Safe Harbor of NE KY

Safe Harbor of Sheboygan County, Inc.

Safe Haven

Safe Haven Ministries

Safe Haven of Greater Waterbury

Safe Havens Interfaith Partnership

Against Domestic Violence

Safe Homes of Orange County

Safe House

Safe in Hunterdon

Safe Journey

Safe Nest

Safe Passage

Safe Shelter

Safe Space Inc.

SafeCenter

SAFEHOME, Kansas

Safehouse Crisis Center, Inc.

SafePlace

SAFEPE—Survivors Advocating For Effective Reform

SAGE Metro DC

Salaam Cleveland

Salt Lake Family Health Center

Sam Houston State University

San Luis Valley Immigrant Resource Center

San Luis Valley Victim Response Unit

(Alamos)

Sanctuary for Families

SANE of Otero & Lincoln County

Sankofa Counseling Center

Santa Barbara County Board of Supervisors

Santa Fe Natl. Organization for Women

SARA-Goodhue SMART

Sarah’s Inn

SASHA Center

Saving Grace

SCSU Women’s Center

Seattle Human Rights Commission

Seattle NOW

Seeds of Hope

SEPA Mujer

Servicios de La Raza

Sewing Renewal Network

Sex Abuse Prevention Awareness Training

Healing Coalition of NWO

Sexual Assault Center of NWGA

Sexual Assault Counseling and Information Services

Sexual Assault Crisis Center of Eastern Connecticut, Inc.

Sexual Assault Network of Delaware

Sexual Assault Program of Beltrami, Cass & Hubbard Counties

Sexual Assault Resource Center of the Brazos Valley

Sexual Assault Resource Advocates, Inc

Sexual Assault Response Network of Central Ohio

Sexual Assault Response Network of Central Oregon

Sexual Assault Services of NW New Mexico

Sexual Assault Support Services

Sexual Assault Victim Advocate Center

Sexual Assault/Domestic Violence Center

Shalom Bayit Program of Jewish Family & Career Services

Shasta Women’s Refuge

Shelter from the Storm

Shenandoah Women’s Center, Inc.

Silver Regional Sexual Assault Support Services

Sinclair Comm College

Sinclair Community College—Domestic Violence Task Force

SKIL Resource Center Inc.

SLV Regional Medical Center

Sojourn Services For Battered Women And Their Children

Sojourn Shelter & Services, Inc

Sojourner Family Peace Center

Sojourn House

Sojourners House

Solace Crisis Treatment Center

Solutions Center

Someplace Safe

South Association Network (SAN)

South Carolina Coalition Against Domestic Violence and Sexual Assault

South Dakota Coalition Ending Domestic & Sexual Violence

South Jersey NOW—Alice Paul Chapter

South Peninsula Haven House

South Suburban Family Shelter

Southwestern Family Development

Southern Arizona Center Against Sexual Assault

Southern New Mexico Human Development, INC

Southwest Counseling Center

SpeakOut Georgia LBGT Anti-Violence

Squirrel Hill NOW

St. Vincent’s Hospital

St. Agnes Hospital Domestic Violence Program

STRAND! for Families Free of Violence

Starting Point: Services for Victims of Domestic & Sexual Violence

Stonewall Democratic Club

Streamwood Police Department

Strong Hearted Native Women’s Coalition, Inc

Sun City Democratic Club

Sun City-West Valley NOW

Support Center at Burch House

Support in Abusive Family Emergencies, Inc (S.A.F.E.)

Susie B. Anthony Project, Inc.

Susquehanna County Victim Services

Tacoma Women of Vision NGO

Tahirih Justice Center

Tavos SAFE at Holy Cross Hospital

Tennessee Citizen Action

Tennessee Coalition to End Domestic and Sexual Violence

TENSA at Colorado Springs

Tewa Women United

Texas Council on Family Violence

Texas Muslim Women’s Foundation

The Break Away Group

The Bridge to Hope

The Center for Prevention of Abuse

The Center for Sexual Assault Crisis Counseling and Education

The Center for Sexual Pleasure and Health

The Center for Women and Families of the Saratoga Women and Families of Eastern Fairfield County

The Center for Women in Transition

The Domestic Violence Shelter, Inc. Richland County, Ohio

The Family Center

The Family Place

The Family Place, Dallas TX

The Good Shepherd Shelter

The Haven of RCS

The Hispanic Interest Coalition of Alabama (HICA)

The Latinas Safehouse

The Mary Byron Project

The Network/La Red

The People’s Press Project

The SAAPE Center

The Second Step

The Sex Abuse Treatment Center

The Sexual Assault Prevention Program

The Sexual Assault Response Network of Central Ohio

The Underground Railroad, Inc.

The Women’s Center, Inc.

Three Rivers Defense

Transitions

Travis County Attorney’s Office

Tri-County Council on Domestic Violence and Sexual Assault, Inc.

Tri-County Mental Health and Counseling

Trinity Episcopal Church

Tri-Valley Haven

Tu Casa, Inc.

Tulsa Immigrant Resource Network, University of Tulsa College of Law

Turning Point

Turning Point for Women and Families

Turning Point, Inc.

UnAssociation Against Sexual Assault

Unchained At Last

Underground Railroad (URR)

UNIDOS Against Domestic Violence

United Action for Idaho

United Migrant Opportunity Services

United Services, Inc.

Uniting Three Fires Against Violence

Univ. of Tulsa College of Law

University of Louisville PEACC Program

University of Miami School of Law Human Rights Clinic

UNO Immigration Ministry

UofM-Dearborn Student Philanthropy Council

Upper Ohio Valley Sexual Assault Help Center

Utah Assistive Technology Foundation

Utah Domestic Violence Council

Utah Women’s Lobby

Valencia Counseling Service Inc.

Valley Crisis Center

Vera House, Inc.

Vermillion County Rape Crisis Center

Vermont Center for Independent Living

Vermont Council on Domestic Violence

Vermont Legal Aid, Inc.

Vermont Network Against Domestic and Sexual Violence

Victim Resource Center of the Finger Lakes, Inc.

Victim Services Inc.

Victim Services South Georgia Judicial Circuit

Victims Information Bureau of Suffolk County

Victims Resource Center

Victim-Witness Assistance Services

Violence Free Coalition

Violence Intervention Program

Violence Intervention Project, Inc.

Violence Prevention Center of Southeastern IL

Virginia Anti-Violence Project

Virginia NOW

Virginia Sexual and Domestic Violence Action Alliance

VOA Home Free

VOA Oregon—Home Free

VOICE Sexual Assault Services

Voices Against Violence

Voices Against Violence/Laurie’s House

VOICE Sexual Assault Services

VOICES DV Stephens County

Voices of Hope

Volunteer at first step Detroit

Volunteer Attorneys for Rural Nevadans

Volunteer Lawyers Network

VSF & P, LLC

WA State National Organization for Women

Washington Coalition of Sexual Assault Programs

Washington Community Action Network

Washington State Coalition Against Domestic Violence

Wayne County Chapter, National Organization for Women

Wayne State University
February 28, 2013

CONGRESSIONAL RECORD—HOUSE

West Ohio Annual Conference Team on Domestic Violence & Human Trafficking
West Valley City Victim Services
West Virginia Citizen Action Group
West Virginia Coalition Against Domestic Violence
West Virginia Foundation for Rape Information and Services
Wild Iris Women's Service in Bishop, Inc.
William Kelibrew Foundation
WIN
WINDOW Victim Services
WINGS Program, Inc.
WIRC-CAA Victim Services
WIRC-CAA Victim Services
Wisconsin Coalition Against Domestic Violence
Wisconsin Coalition Against Sexual Assault
Wisconsin Coalition of Independent Living Centers
Wisconsin Community Fund
Wisconsin NOW
WOMAN, Inc
WOMAN'S PLACE
Womanspace, Inc.
Women Against Abuse
Women and Children's Horizons
Women and Families Center
Women Helping Women Lanai
Women In Need
WOMEN IN SAFE HOME, INC
Women In Transition
Women of Color and Allies Essex County NOW Chapter
Women's Services Inc.
Women's Aid in Crisis
Women's Aid Service, Inc.
Women's and Children's Crisis Shelter, Inc.
Women's Business Development Center
Women's Center of Greater Danbury, Inc.
Women's Center of Jacksonville
Women's Center of Desert, Inc.
Women's Coalition of St. Croix
Women's Crisis Center
Women's Crisis Support-Defensa de Mujeres
Women's Information Network
Women's Law Project
Women's Medical Center of Rhode Island
Women's Resource Center
Women's Resource Center for the Grand Traverse Area
Women's Resources of Monroe County, Inc.
Women's Services
Women's Services Inc
Women's Shelter of South Texas
WOMEN'S WAY
WomenSafe
WordsMatter.Episcopal Expansive Language Project
WV Coalition Against Domestic Violence
WV NOW
Wyckoff Heights Medical Center—Violence Intervention and Treatment Program
Wyoming Coalition Against Domestic Violence and Sexual Assault
Yavapai Family Advocacy Center
Your Community Connection Family Crisis Center
Youth Development Clinic
YWCA Adirondack Foothills
YWCA Alaska
YWCA Bellbomham
YWCA Bergen County
YWCA Binghamton & Broome County
YWCA Bradford
YWCA Brooklyn
YWCA Central Carolinas
YWCA Central New Jersey
YWCA Central Virginia
YWCA Charleston WV
YWCA City of New York
YWCA Clark County
YWCA Cortland
YWCA Darien-Norwalk
YWCA Dayton
YWCA Dutchess County
YWCA DVPC
YWCA Eastern Union County
YWCA Elgin
YWCA Elmira & The Twin Tiers
YWCA Everett North Shore
YWCA Fort Worth & Tarrant County
YWCA Genesee County
YWCA GLA
YWCA Goshen, CA
YWCA Greater Baltimore
YWCA Greater Cincinnati
YWCA Greater Flint
YWCA Greater Harrisburg
YWCA Greater Milwaukee
YWCA Green Bay
YWCA Greenhough
YWCA Hamilton
YWCA Hartford Region
YWCA Jamestown
YWCA Kalama
YWCA Kankakee
YWCA Kaui
YWCA Kitsap County
YWCA Lancaster
YWCA Madison
YWCA McLean County
YWCA MDI
YWCA Metropolitan Chicago
YWCA Missoula
YWCA Mohawk Valley
YWCA Nashville & Middle Tennessee
YWCA National Capital Area
YWCA New Britain
YWCA New York City
YWCA Niagara
YWCA Northcentral PA/Wise Options
YWCA O’ahu
YWCA Oklahoma City
YWCA Orange County
YWCA Palm Beach County
YWCA Pierce County
YWCA Princeton
YWCA Queens
YWCA Rochester & Monroe County
YWCA Rock County
YWCA Rockford
YWCA Salt Lake City
YWCA San Diego County
YWCA Sauk Valley
YWCA Schenectady
YWCA Seattle/King/Snohomish
YWCA Southeast Wisconsin
YWCA Spokane
YWCA St. Joseph (MO)
YWCA Syracuse & Onondaga County
YWCA Tornadoes
YWCA Trenton
YWCA Troy-Cohoes
YWCA Tufts
YWCA Ulster County
YWCA Victims' Resource Center
YWCA Walla Walla
YWCA West Central Michigan
YWCA Western MA
YWCA Western New York
YWCA Wheeling
YWCA White Plains/Westchester
YWCA Yakima
YWCA York
YWCA Youngstown
YWCA SARF
Zacharias Sexual Abuse Center
TRIBAL ORGANIZATIONS
Samish Indian Nation
Alaska Federation of Natives
Sealaska Heritage Institute
Advocacy Resource Center
American Indian Task Force on DV/SA & Vulnerable Populations, Inc.
Fort Belknap Indian Community
Great Plains Tribal Chairman's Association
Hoopa Valley Tribe
Kone Me-Wa, American Indian DV/SA Program
Muscowee (Creek) Nation
Pechanga Indian Reservation
Pueblo of Tesuque
Samish Indian Nation
Sault Sainte Marie Tribe of Chippewa Indians
Sault tribe Advocacy Resource Center
Susanville Indian Rancheria
Save Wyiyahi Project
Uniting Three Fires Against Violence

Mrs. McMORRIS RODGERS. I reserve the balance of my time.

Mr. CONYERS. I yield ¹/₂ minutes to the gentleman from Georgia (Mr. JON-son), a distinguished member of the Judiciary Committee.

Mr. JOHNSON of Georgia. Today, Madam Speaker, I rise in opposition to this hyperpartisan and inhumane House substitute version of the Violence Against Women Reauthorization Act of 2013. This version is inhumane and cynical because it removes certain classes of individuals from the protections of the act as guaranteed by the Senate version.

This inhumane House version removes all references to gender identity and sexual orientation, ignoring evidence that domestic and sexual violence also affects LGBT victims at equal or greater levels than the rest of the population.

It also limits protections for Native American women and omits some protections for immigrant women. Why would we want to exclude these populations from coverage? Vote “no” on the House substitute.

Mrs. McMORRIS RODGERS. I continue to reserve.

Mr. CONYERS. Madam Speaker, I am pleased to yield the balance of my time to the gentlewoman from California (Ms. CHU), a distinguished member of the Judiciary Committee, to close the debate on our side.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1½ minutes.

Ms. CHU. I rise to oppose the House amendment. For nearly 20 years, Congress worked on a bipartisan basis to expand and improve the Violence Against Women Act. On three separate occasions, we found common purpose in protecting survivors of domestic violence. Today, we will try again.

The Senate bill protects immigrant, LGBT, and Native American victims. The amendment takes this all away.

Right now, an immigrant woman who fears deportation could be terrorized by a violent stalker. She would have no legal means by which to save her life. The Senate bill fixes this by giving this immigrant woman a day in court. The Senate bill protects immigrant, LGBT, and Native American victims.

The amendment would deny that protection.

The point of this law is to protect the vulnerable, not to cherry-pick who matters. It’s time to return to bipartisanship and protect victims. It’s time for the House to pass the Senate VAWA bill as is. We must oppose this amendment.

Mrs. McMORRIS RODGERS. Madam Speaker, I yield the balance of my time to the gentleman from South Carolina.
(Mr. GOWDY) to close, a distinguished American, period, but it will not tory. good bills just to deny one side a vic-
tures reasons to oppose otherwise broken political system which manu-
high schools and on the computer and campuses and walking the halls of the monsters, and I did. But as our little
trial. We can do all of that; but, I have to wait and wonder and worry sexual assault cases so women don't accelerate the prosecution of abusive relationships. We can provide help. We can provide women a safe har-
such a horrific way wants to help. A mother who lost a daughter in a cemetery in Fort Wayne, In-
and compassionate. And she always asks: What can I do to help? Imagine that, a mother who lost a daughter in such a horrific way wants to help.
and that got me wondering, well, maybe we should be asking what we can do to help because we really can help. We can provide women a safe har-
we can provide the means to leave abusive relationships. We can provide women the counseling that they need. We can accelerate the prosecution of sexual assault cases so women don’t have to wait and wonder and worry about whether or not they’re going to be abused again before the case gets to trial. We can do all of that; but, I think, Madam Speaker, we can do more.
When my daughter was little, she would ask me to look under her bed for monsters, and I did. But as our little girls grow into women, we realize the monsters are not under the bed. The monsters are in the bed and in the den and in the kitchen and on the college campuses and in the halls of low schools and on the computer and on the phone. And for some women, especially today, the monster is this broken political system that we have, a broken political system which manufactures reasons to oppose otherwise good bills just to deny one side a victory.
The House version protects every single American, period, but it will not get a single Democrat vote because it is our version. Welcome to our broken political system. I never ask a victim if she is a Republican or a Democrat. I never ask a police officer if he or she is a Republican or a Democrat. I never ask a counselor if she is a Republican or a Democrat. I have twice been represented in the House by one who has of a victim if they are a Republican or a Democrat because there are some things that ought to be bigger than politics, and protecting people who cannot protect themselves ought to be one of them.
And I had hoped that the House bill would allow us, Madam Speaker, to join arms and walk on a common jour-
try of protecting people who are inno-
cent and cannot protect themselves. And I had hoped, Madam Speaker, that this fractured body could possibly be healed by something that ought to be nonpartisan, like protecting women against violence. And I had hoped, Madam Speaker, that just for 1 day, just for 1 woman, we would take political points against each other and try to score political points for other people. And I had hoped, Madam Speaker, that just for 1 day this body could speak with one clear, strong voice for all the women who are too tired and too scared and too hurt and too dead to speak for themselves. I had hoped that today would be the day.
Maybe next time, Madam Speaker, maybe next time.
Mr. VAN HOLLEN of Maryland. Madam Speaker, I rise in strong support of this comprehensive Vio-
ence Act of this House with an overwhelming 78–22 bipartisan majority. Today is a victory for America's women—and for the possibility of bipartisanship on important matters before the U.S. Congress.
This reauthorization strengthens the Violence Against Women Act by protecting all vic-
tims of domestic violence, sexual assault, stalking, and human trafficking. It authorizes vital funding for law enforcement to investigate and prosecute these abuses, and it includes provisions to make college campuses safer and to reduce the current rape kit backlog.
Madam Speaker, the Senate version of the Violence Against Women Act is endorsed by over 1,900 organizations nationwide and was supported by every Democrat, every woman senator, and a majority of Senate Republicans. We should enact it without any further delay.
I urge a "yes" vote.
Mr. LOWENSTEN of New York. Madam Speaker, I stand here today to urge my colleagues to bring the Senate-version of the Violence Against Women Act—a bill that would provide critical services to all victims of domestic abuse—to the House floor.
We are faced with two versions of this bill—a GOP House bill that waters down protections and a Senate bill that provides equal protections.
As for the altered House version, which clearly rejects the equal protections outlined in the Senate version . . . it is unfair, unjust, and unacceptable.
The House substitute removes all references to “gender identity” and “sexual ori-
entation,” despite clear evidence revealing that domestic and sexual violence affects LGBT victims at equal or greater levels than the rest of the population. Rather than give tribes the authority they need to protect Indian women, the House sub-
pose limits tribes to charging an abuser with misdemeanor punishable by no more than 1 year in prison and to allow immigration judges to use unreliable evidence to deport persons who have been convicted of domestic violence charges.
I urge the rejection of the GOP House bill and the reauthorization of the Senate version of VAWA. The Senate version will make sure our LGBT brothers and sisters receive appropriate care when they are victimized; it will as-
sure that immigrants, striving proudly toward citizenship, will not have to hide behind their abusers in fear of deportation; and, we can make sure that the three out of five American Indian women who will experience domestic violence in their lifetime can have the peace of mind to know that their abusers will not be given a way out of prosecution.
Equal protection should never be open to political gamesmanship. Equal protection is simply the right thing to do.
Mr. HASTINGS of Washington. Madam Speaker, during my service in Congress representing Central Washington, I have always voted to renew the Violence Against Women Act. As a husband, a father, and a grand-
father, I strongly believe that providing protec-
tion for all women against domestic violence is a duty and a priority. Yet I am deeply dis-
mayed by the manner in which the current re-
authorization of this legislation (S. 47), which has long been a simple grant program, has been hijacked in order to pursue unrelated po-
itical agendas in very harsh politicized terms. To be blunt, the bill is simply unconstitu-
tional.
The Indian tribal provisions of S. 47 are the first time in the history of our country that Con-
gress will give tribes criminal jurisdiction over non-Indians. The provisions, found in sections 904 and 905, declare that a tribe's power of self-government includes the "inherent" power of that tribe to exercise jurisdiction over all persons, including non-Indians.
As I've said, these provisions are unconstitutional and contradict two centuries of law.
There are three fundamental principles un-
derlying how Congress may deal with Indian tribes. First, the Indian Commerce Clause, sup-
ported by the treaty-making powers in the Constitution, give Congress what the Su-
preme Court has said is "plenary" power over Indian affairs. Second, tribes are defined by the Indian status of their members. Third, when tribes were brought under the jurisdic-
tion of the United States through act, treaties, and Executive Orders, they have been recog-
nized for the purpose of self-government over their internal affairs and members. Congress may recognize, or terminate, tribes.
With these principles in mind, it is clear that the Indian tribal provisions of the Senate bill constitute a threat to the Indian American citizen—on American soil—under the criminal jurisdiction of a political enti-
ty to which the individual, because of his
race, may not consent. It violates the founding principle of this Republic, which is a government only at the consent of the governed.

The bill overturns all precedents set by Congress and the Supreme Court through its extension of a unique, self-governing power over internal affairs of a race of people, into a territorial order everywhere. The Supreme Court has long held that because tribes are not parties to the Constitution, the Constitution, including the Bill of Rights, do not apply to tribes.

In tribal court, an individual only has something called the Indian Civil Rights Act. This provides a set of similar—but not identical—rights as the Bill of Rights. They may be amended or repealed by mere Act of Congress. Even if the rights were meaningful, however, the Supreme Court in 1978 said these statutory rights are unenforceable in federal court.

Does S. 47 provide a defendant with the right to appeal a tribal judgment and conviction in federal court? No, it does not.

Section 904 of S. 47 openly allows discrimination against an individual based on race, sex, age, or if he’s an Indian, who he’s related to. Where the person’s an American citizen, can be expelled from their home and may not have any right to appeal a claim in an impartial federal court.

As a result, enactment of Section 904 will be the first time that Congress has purposefully removed a U.S. citizen’s constitutional rights while on American soil so that a political entity defined according to ethnic ancestry may arrest, try, and punish the citizen.

If these arguments do not sound familiar to all, it will be to those who have studied the pertinent case law and Supreme Court precedent from the 18th century to present.

Beginning in modern times with Oliphant v. Suquamish Indian Tribe, the Supreme Court held that tribes lack inherent jurisdiction over non-Indians. Congress cannot recognize and affirm an inherent—that is to say a pre-existing and continuing—power in a tribe when the Supreme Court ruled the tribe never had it.

There’s Duro v. Reina, in which the High Court held that Indian tribes lack jurisdiction over non-member Indians.

In the 19th century, the Supreme Court in United States v. Kagama declared there are only two sovereigns in the geographical limits of the United States, and tribes are not one of them.

Case law, statutes, treaties, and historic dealings with Indian tribes support the sole purpose of federal Indian law and policy: to govern themselves and not be subject to Federal constitutional limitations and general Federal supervision. It is quite another thing for Congress to permit Indian tribes to function as general governmental entities not subject to Federal constitutional supervision. "We do not regard the clause as conferring any Federal supervisions." (Separate Dissenting Views of Congressman Lloyd Meeds, D—Washington, Vice Chairman of the American Indian Policy Review Commission, Final Report, p. 579.)

"[T]he American people have not surrendered to Indians the power of general government; Indians are given only a power of self-government. They have the power to regulate only their members and the property of their members. They have some governmental powers because and to the extent that such powers are appropriate to the Federal policy of allowing Indian peoples to control their own affairs. But there is no Federal policy of allowing Indian peoples to control the liberty and property of non-members. Tribal powers of self-government are limited by their purpose." (Ibid, p. 585.)

"Our Nation has appropriately recognized Indian tribes’ right of self-government. Tribal self-government over Indians and their internal affairs is important and should be respected. Yet self-government does not and should not permit Indian tribal actions to trump the Constitution or violate individual rights of non-Indians."

With the precedent being set under S. 47, tribes will return to Congress for more, extended power over non-Indians. There would be no reason to deny granting such power, especially if the Constitution continues to be viewed as an obstacle to addressing crime.

It is important to be clear about the scope of a tribe’s criminal jurisdiction granted under S. 47. It affects non-Indians who live, work, or travel on 56 million acres of U.S. soil that happen to be called Indian Country. In other words, the bill makes 56 million acres of land in our nation “Constitution-Free Zones” where Due Process and Equal Protection rights—as interpreted and enforced in U.S. courts—do not exist.

What are these areas? There is a misconception that Indian Country is just tribal trust land. In fact, the term Indian Country has a precise meaning under Title 18 of the U.S. Code.

Indian Country includes not just land under tribal jurisdiction, but all private lands and rights-of-way within the limits of every Indian reservation under non-Indian jurisdiction. Homes, farms, schools, businesses. Interstate highways, some inter-state highways, along state roads. All private, non-Indian lands in Indian Country under the Senate bill are Constitution-Free Zones.

There are incorporated non-Indian cities and towns in many reservations and Indian Country, like Wapato and Toppenish on the Yakama Reservation in my district. Take the Puyallup Indian Reservation in Washington state encompassing parts of Tacoma and Fife. With one of the busiest highways in the nation, Interstate 5, crossing the reservation, the ancient reservation is inhabited primarily by non-Indians working and going to school on mostly non-Indian land under the civil and criminal jurisdiction of the State. Under the Senate bill, this region is Indian Country on which the tribe may exercise criminal jurisdiction with no Due Process and Equal Protection rights guaranteed to the people living there.

Under a land claim settlement, taxpayers paid $162 million to the tribe in exchange for the tribe ceding most authority over its reservation, the “notwithstanding any other provision of law” language in the Senate bill trumps and overrides the land claim agreement.

Take the Coachella Valley in the State of California, with a number of checker-boarded Indian reservations containing non-Indian populations. Tribes in this Valley will get criminal jurisdiction over residents in towns and cities such as Palm Springs for offenses described in Section 904 of the Senate bill. In tribal court, the residents of the Coachella Valley will not have their Due Process and Equal Protection rights.

Take the Oneida Reservation in New York that encompasses about 300,000 acres, 99 percent of which is non-Indian land with non-Indian towns and farms. Under the Senate bill, the tribe will have full powers to arrest, prosecute, and jail residents of Madison and Oneida counties for the offenses described in this bill, with no Due Process or Equal Protection rights guaranteed by the Constitution.

The validity of sections 904 and 905 of S. 47 will eventually come before the Supreme Court. When this happens, it won’t be a question of whether these provisions are struck down, but how many other tribal powers will be rolled back, and how many domestic violence offenders will be set free because of the misapplied legislation before us.

Some will say that critics of the Senate bill are interested only in the rights of criminal defendants. Then answer these questions: If Congress can justly stripping a citizen of their constitutional rights when accused of a crime, why can’t it be justified for other classes of crime, like theft, felony assault, and murder? Why limit the suspension of the Constitution to Indian Country as defined under this bill? Why not create new Indian reservations so there are more Constitution-Free Zones where the Bill of Rights is not an impediment to law and order?

While the House Substitute would delegate criminal jurisdiction to an Indian tribe over non-Indians, it at least guarantees that enforceable constitutional protections are built in so that it might pass muster in Court.

The timing of the consideration of S. 47 is interesting. While proponents say that people have nothing to fear in tribal court, there is at least one tribe in the State of Oklahoma embroiled in litigation over its denial of tribal citizenship to the descendants of the African slaves the tribe’s 19th-century members owned. There are also entire families of Indians in California dis-enrolled by their tribe in a dispute over large cash per capita dividends from the tribe’s casino, who cannot get a federal court to review their Equal Protection claims.

These cases are merely the latest example of several tribes wields sovereign immunity to escape any liability for alleged harm caused by possibly depriving individuals—including their own members and ex-members—their constitutional rights. On the one hand, Indian tribes want criminal jurisdiction over individuals like the Freedmen of the Five Civilized Tribes or the dis-enrolled...
Pechangas. On the other hand, they want to forbid these individuals from participating in the tribes' government. S. 47 makes more U.S. citizens like the disenfranchised Indians in California and the Freedmen of the Five Civilized Tribes. It gives tribes power to prosecute non-Indians? Because it denied them a voice in the making of the laws that govern them.

The tribal jurisdictional provisions must be rejected.

Because of the historic policy change the House is poised to make today, it is necessary to elaborate on why the tribal provisions of S. 47 are unconstitutional and contrary to all precedent, if not common sense, in the United States' administration of federal Indian relations.

**INHERENT SOVEREIGNTY**

For moral and public policy reasons, Congress rightfully recognizes Indian tribes as possessing powers of self-government over their internal affairs and members. Not being parties to the Constitution, Congress has tolerated—perhaps far too long—the power of a tribe to deprive its members’ civil rights guaranteed in our country’s supreme law. Because of this, Congress has enacted hundreds of laws since 1789 to protect Indians’ unique status as tribes. At the time, Congress has never—until today—allowed a tribe to claim power over a non-Indian.

The scope and nature of a tribe’s jurisdiction was delineated in Kagaama: “Indians are within the geographical limits of the United States. The soil and the people within these limits are under the political control of the Government of the United States or of the States of the Union. There exist within the broad domain of sovereignty but these two,” (United States v. Kagaama, 118 U.S. 375, 379 (1886)).

Tribal self-government is therefore not a general government power equivalent to that of a state, but a federal policy governed by Congress for the promotion of Indian self-determination and to preserve and advance their way of life.

**TRIBAL JURISDICTION OVER INDIVIDUALS**

The reason why the tribal provisions of S. 47 should, I believe, be struck down is best described by the Supreme Court.

"The effort by Indian tribal courts to exercise criminal jurisdiction over non-Indians, however, is a relatively new phenomenon. And where the effort has been made in the past, it has been held that the jurisdiction did not exist." Oliphant v. Suquamish Indian Tribe, 435 U.S. 191 (1978).

"A tribe’s additional authority comes from the consent of its members, and so, in the criminal sphere, membership marks the bounds of tribal authority." (Duro v. Reina, 495 U.S. 676 (1990)).

"Restraint on tribal jurisdiction [of tribes] over members is accepted by our precedents and justified by the voluntary character of tribal membership and the concomitant right of participation in a tribal government, the authority of which rests on consent . . . With respect to non-members, the tribes are left with broad freedom not enjoyed by any other governmental authority in this country . . . This is all the more reason to reject an extension of tribal authority over those who have not given the consent of the government that provides a fundamental basis for power within our constitutional system." (Ibid).

Proponents of Section 904 of S. 47 argue that tribal jurisdiction over non-Indians who cannot participate in tribal government is reasonable because it covers only a narrow class of domestic violence crimes, and it includes measures designed to protect a defendant’s rights. These do nothing, however, to address the fact this scheme violates the Constitution. As pointed out in dissenting views filed in the Senate last year under tribal provisions (S. 1925 in the 112th Congress), “While the present bill’s jurisdiction is limited to domestic-violence offenses, once such an extension of jurisdiction were established, there would be no principled reason not to extend it to other offenses as well.”

In seeking to repeal Oliphant, advocates of the Senate language repeatedly rejected offers to increase law enforcement resources in Indian Country, including law enforcement personnel, funding, training, certification, cross-deputizing, and other tools for tribes, U.S. Attorneys, and State law enforcement agencies to arrest and prosecute men who harm Indian women in Indian Country. When the Supreme Court strikes down this bill, how will Indian women be protected given the rejection of law enforcement resources?

This begs a question: since there has been a pressing need to address terrible domestic violence across Indian Country for many years, why did no Member of Congress or U.S. President propose to reverse Oliphant for 33 years? That opportunity came in 2011, right after the House Democrats lost their majority in a landslide to Republicans, and a year before a presidential election where a political message often called the “War on Women” was developed?

Is the proposed reversal of Oliphant a serious attempt to help Indian women who have been victimized? If it were, then Congress would not have let 35 years go by without proposing a jurisdictional change, including spans of time when advocates were in control of the White House and the Congress.

It is abundantly clear the unconstitutional Oliphant reversal is not aimed at helping vulnerable Indian women. It is a political means to an ideological end, one that will ultimately backfire when it is struck down by the High Court, leaving the advocates disappointed because the advocates had rejected offers of increased federal and tribal law enforcement resources in Indian Country.

In conclusion, S. 47 denies basic rights, is unconstitutional and will be tied up in court challenges for years.

Mr. MAIRKEY. Madam Speaker, I rise today in strong support of S. 47, the Senate’s bipartisan, comprehensive reauthorization of the Violence Against Women Act that passed 78–22.

I look forward to the House passing this crucial bill later today and sending it to the President.

The House Republicans delay in bringing this bill forward is inexcusable. It should have been the law of the land last year.

Why did they delay it? In no small part because of their concern over recognizing tribal authority to protect Native American victims of domestic violence, even though Native women are victimized at a rate that is more than twice the national average.

I stand with the National Congress of American Indians, the oldest and largest tribal organization in the country, in opposing the Republican substitute amendment and supporting the Senate version. It is well past time that Congress recognizes the inherent power of tribal nations to protect their own and hold criminal offenders, regardless of race, accountable.

Indeed, I stand with all women of this country to say “no more.” No more delay in reauthorizing this bill. No more escape for those who attack women. No more violence against women.
Mr. BENTIVOLIO. Madam Speaker, legislation that is passed here needs to be more than just a title that sounds good in the press. I understand that when most in this country hear the “Violence Against Women Act,” they think, “of course I don’t support violence against women.” This is not a great law. When I taught high school teachers used to tell my English students that you can’t judge a book by its cover. Well, maybe we should learn here in Congress that you can’t judge a bill by its title.

The gruesome and oftentimes cruel experience of domestic violence should not happen to anyone. It shouldn’t matter what race or ethnicity you are. It shouldn’t matter your religion, your sexual orientation, age, immigration status or economic standing. And it shouldn’t matter your gender. No one should feel unsafe at home.

Unfortunately, this bill doesn’t do that. This bill segregates people into groups, making gendered designations that assume a feminization of victimhood. We live in a fallen world in which all kinds of people are capable of horrific, violent behavior, every victim of domestic violence should receive protection and support regardless of their circumstances. I wish this bill simply dealt with domestic violence instead of gender stereotypes.

Furthermore, the Tenth Amendment exists and works, and each State already deals with criminal statues targeting domestic violence. If more laws are needed, there is no reason why each state can’t pass stronger laws. I understand that there are cases where Washington can help, that’s why I support the SAFE Act, which will end the needless backlog of rape kits, leaving too many sexual predators still at large. I wish we were voting on that today and I hope we can do so as soon as possible.

Laws should be passed that don’t place people into groups. My constituents sent me to Washington to vote for sound policy, not titles that just sound good in the media. For these reasons, I cannot support this bill.

Mr. FALEOMAVAEGA. Madam Speaker, I rise today in support of S. 47, the Violence Against Women Reauthorization Act of 2013. I urge my colleagues to pass this bill which aims to protect all Americans from domestic and sexual abuse.

I thank Speaker BOEHLER for bringing S. 47 to the House floor for a vote. This bill passed in the Senate earlier this month by a vote of 78-22. Altogether, 23 Republican senators voted for this bill, including every Republican woman senator. Madam Speaker, this bill, introduced by Senator PATRICK LEAHY, a Democrat, and Senator MIKE CRAPO, a Republican, is not only bipartisan, but it is also a comprehensive and inclusive solution to the domestic and sexual violence plaguing American society.

While I fully support reauthorization of this law which, since 1994, has been an essential tool to protect victims of domestic and sexual violence, I do, however, have major concerns with the GOP amendments to this bill. Unlike S. 47, the substitute offers a lesser form of protection for Indian women abused on tribal land.

The House version requires that Native American tribes consult with the U.S. Department of Justice before they are able to prosecute non-Native offenders on tribal land. Madam Speaker, this doesn’t make any sense. A sovereign tribe should not have to willingly hand over part of their sovereignty to prosecute these offenders. Ultimately, the House version falls short of protecting Native American women.

However, today the House has an opportunity to pass S. 47 which is supported by those who are working among the Native American community. S. 47 offers comprehensive protection for all of our people, not just some.

Madam Speaker, unfortunately, domestic and sexual crimes have been on the rise in the U.S. including my district of American Samoa. And like it is in the States, almost always, the perpetrator is a family member or close neighbor. Furthermore, these crimes often go unreported due to fear of authorities or shame. It is the fear to come forward that allows abusers to continue their abuse. But when laws are in place to offer full support and protection for victims, we can ensure that more and more of these victims will come forth and their abusers are brought to justice.

Through this inclusive legislation, S. 47, we take one step forward to reinforce support even for the most marginalized communities. Today the House has the opportunity to pass this bill to protect all people, whether they are from the inner city or a tribal reservation, whether they are immigrants who would otherwise be afraid to come forward, or whether they are part of the LGBT community.

Madam Speaker, I urge my colleagues to vote no on the House amendment and to pass S. 47, a bill to protect all people, because that, Madam Speaker, is what America is all about. And Mr. Speaker, I am pleased to support this very good bill. I only wish it had been allowed on the House floor a year ago for a vote.

For the first time in years, the Congress is poised to pass a VAWA reauthorization that is worthy of the name. Finally, we will be providing real protections for a number of vulnerable populations among America’s women.

Of course, this bill almost didn’t make it to the House floor. The House majority was going to simply sit on S. 47 and offer their own version. After they massaged the public, shaming the majority backed down. They are still offering their own so-called substitute—which is a sham—but we will also have the chance to vote on the Senate bill, which is the true VAWA reauthorization.

This bill provides tangible, enforceable protections for LGBT, Native American and immigrant victims of sexual assault and domestic violence. The bill will help ensure the availability of services to all victims of domestic and dating violence, no matter their sexual orientation. The legislation provides authority to Native American tribes to prosecute non-Native Indian perpetrators for a narrow set of crimes related to domestic, dating violence, and violations of protecting orders. The Senate bill also adds stalking to the list of crimes for which victims can receive protection through the V-ISA program. S. 47 also includes authorizations for programs preventing human trafficking, sexual assault on college campuses, as well as additional resources to address rape kit backlogs.

Madam Speaker, this day has been entirely too long and I am pleased that it is finally here and I urge my colleagues to join me in supporting this bill and sending it to President Obama for his signature.

Mr. GRJULVA. Madam Speaker, I rise today to express my support for the Senate-approved Violence Against Women Act reauthorization bill known as S. 47 and to explain my concerns about its counterpart in the House.

Although it was first authorized in 1994, VAWA has supported countless victims of domestic violence, stalking, dating violence and sexual assault. VAWA-funded programs have provided housing and legal services to survivors across the country. The law has provided police and nonprofit organizations the resources they need to investigate cases and prosecute those responsible. Over time, VAWA has progressively protected more Americans, including seniors and Americans with disabilities.

VAWA has meant tangible successes in the fight against domestic and other forms of violence. Reporting of these incidents has increased by 51 percent since 1994, when we first passed the law.

S. 47 builds on these successes by adding protections for immigrants, Native Americans, LGBT Americans, and seniors. After passage, Native Americans will be able to effectively address sexual violence in their own communities. U-Visa holders will receive new legal protections against stalking. LGBT Americans will be added to the measure’s non-discriminatory protections. More funding will be given to college campus programs that combat human trafficking and sexual assault.

I applaud my colleagues in the Senate for passing this strong measure 78 to 22 with bipartisan support.

Unfortunately, my colleagues introduced a weaker and unacceptable House version of S. 47 last week. It removes the necessary protections for Native Americans, immigrants, and LGBT Americans and weakens the Trafficking Victims Protection Act and the SAFER Act.

As lawmakers, we must cement protections for every American harmed by sexual violence—regardless of race, sexual orientation, or country of origin.

As discussions of VAWA conclude this week, I urge my colleagues to support the Senate bill, and to accept no substitute for a strong, inclusive final product.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, the Violence Against Women Act (VAWA) has historically provided a vast network of support for victims of domestic violence, dating violence, sexual assault, and stalking since its initial passage in 1994. As the House considers the reauthorization of these critical protections, Members of Congress will have to choose between two vastly disparate futures for the women of our Nation. In this future, the House will pass this important protections for all Americans by approving the Senate-passed reauthorization of VAWA, S. 47. This bipartisan bill not only extends the protections afforded to women under previous reauthorizations, but also expands those protections to LGBT individuals, Native Americans, and immigrants. In this future, abusive partners and perpetrators of violence are swiftly brought to justice as Congress builds upon the successes of VAWA, and incorporates new and innovative approaches to combating violence against women.

However, in a harshly dissimilar future that could be realized through the passage of the House substitute bill, only select groups of battered and abused women are protected...
from violence or sexual assault. In this dismal scenario, college students, Native Americans, LGBT individuals, and others are left to fend for themselves against their attackers. In this future, perpetrators may remain confident that the strain on limited law enforcement resources will prevent them from being prosecuted for clear acts of egregious violations of law. This is not the future that I would want to envision for these victims of violence.

Madam Speaker, the Senate-passed version of the VAWA reauthorization is the result of extensive deliberation and consultation with real victims of violence, law enforcement personnel, and outside organizations that specialize in combating domestic violence and abuse. This Congress must vote to pass S. 47 immediately if we are to stand behind the women of this Nation, and send a strong message that these acts will not be tolerated.

Every victim of domestic violence in America deserves equal protection under the law, and the House substitute to VAWA does not acknowledge the pervasive nature and severity of the violence that women must face each and every day.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I rise in support of the Senate version of the Violence Against Women Act. According to the US Department of Justice, in 2007 intimate partners committed 14 percent of all the homicides in the United States.

In 2007, of all the deaths caused by Intimate Partner Violence, 70 percent were females and 30% were males.

In 2008, females age 12 or older experienced about 552,000 nonfatal violent victimizations.

And yet—our Republican colleagues have weakened the bill and ripped off the VAWA a provision which I sponsored, that would help states and local governments audit those rape kits with no new spending.

The SAFER Act (H.R. 354) would have also provided a measure of open government and public accountability, by requiring audit grantees to issue regular public reports that detail the progress they have made in clearing the rape kit backlog.

Additionally, it would have allowed the National Institute of Justice to publish a set of non-binding protocols and practices to provide guidance in cases that include DNA evidence.

And yet the Republicans chose to weaken the bill and take it out.

We also know that recent studies have shown that 1 in 5 women will be sexually assaulted during her college years.

That grim statistic is made even worse by the fact that a study of sexual assaults on campuses, showed that even though victims may be profoundly traumatized, the students deemed ‘responsible’ for the sexual assaults typically faced little in the way of real consequences.

How then, could Republicans in the House also strike from the Senate version of the Violence Against Women Act, The Campus Save Act (H.R. 812), another provision I offered that would increase the obligations of colleges to keep students safe and informed about policies on sexual assault?

To keep your daughters safer, the bill would also have required colleges to collect and disclose information about sexual assault; and to update and expand existing domestic violence, dating violence, and stalking services on their campuses. And yet Republicans chose again—to weaken the bill—and to take that out.

To turn a blind eye to such a fundamental obligation of government—to simply keep its citizens safe from sexual assault—is to throw up your hands and surrender to a level of savagery that is unworthy of a great nation.

LIT’S RENEW VAWA TODAY (By Carolyn Maloney)

Today, Congress has an historic opportunity to reauthorize the Violence Against Women Act (VAWA). It has been more than 300 days since VAWA expired and women have gone without critical protections.

Despite the fact that last year the Senate voted on a large bipartisan basis to renew VAWA, the House Republican leadership blocked a vote on that bill and instead pursued a highly partisan plan that actually narrowed VAWA’s protections.

Last week, the Senate passed a bipartisan bill (S. 47) to reauthorize VAWA and today my colleagues and I in the House may finally get the vote we have been waiting for.

This bill restores VAWA’s protections and also includes several new provisions I have been pushing for years to help victims, prevent violence on college campuses and assist human trafficking victims.

The facts are indisputable and they are grim. Women are far more likely than men to be the victims of domestic violence.

We know beyond question—there are women who are the ones being beaten. Women are the ones being raped. Women are the ones being sexually assaulted.

Society blocked a vote on that bill and instead renewed VAWA, the House Republican leader-

And yet—our Republican colleagues have gone without critically important protections.

That is what the Violence Against Women Act is about—keep people safe—people who are a legitimate risk.

And in America—we have long stood by the principle that the protections of the law are not meant just for some—not just for those who may be in greater favor or hold greater sway.

But the law should be there to keep all people safe.

And yet—our Republican colleagues have finally got a vote. It is a vote that will allow the law to work.

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Ms. CLARKE. Madam Speaker, today, I rise in support of the Senate passed bill, S. 47, the Violence Against Women Reauthorization Act of 2013 also known as “VAWA.”

This bipartisan bill expands the authority of the Federal Government, the States, law enforcement, and service providers to prevent domestic violence, dating violence, sexual assaults and stalking.

In 2012, the New York City Police Department responded to two hundred sixty three thousand two hundred seven (263,207) domestic violence incidents; this averages to over 720 incidents per day.

Yet, there are countless more people that are victims of domestic violence that did not call the police. Estimates range from one to three million victims per year, who have experienced violence by a current or former spouse, boyfriend, or girlfriend.

These stats are more than numbers—they represent our sons and daughters; our mothers and fathers; our friends and neighbors.

Victims of all races, genders, sexual orientation and nationality are equally vulnerable to violence by an intimate partner.

The Senate bill includes provisions that will allow every victim of domestic violence to receive protection. The bill specifically includes language that makes it clear that members of the LGBT community should be afforded protection under VAWA.

It also extends the protection of domestic violence laws to undocumented immigrants. Undocumented immigrants are often one of the most vulnerable populations due to their fear of deportation and due to the fact that they were denied access to many of the programs funded by VAWA.

Often undocumented immigrants and members of the LGBT community suffered—and died—in silence as a result of domestic violence. So, I applaud the Senate for recognizing that the status quo simply just won’t do! And I ask my colleagues to vote in support of this long overdue reauthorization.

Mr. CONNOLLY. Madam Speaker, I am pleased to see the Republican Leadership in the House has decided to re-extend the protection of domestic violence by an intimate partner. The Senate bill passed that chamber on a stronger, more bipartisan vote than it did in the 112th Congress. I am proud to support the House companion, which now has 200 cosponsors.

For too many of us have been touched by domestic violence in one way or another. Maybe it was a mother or a father, a sister, a brother, or a co-worker, who was forced to suffer in silence following an attack. Domestic violence is a real and troubling problem in our communities, and the need for these protections continues to grow.

In my district, Turning Points, the only domestic violence prevention program in Prince William County served 6,000 clients last year. In neighboring Fairfax County, there were more than 8,000 cases of domestic violence reported, and we have seen a 40% increase in homelessness due to domestic violence.

This vital legislation will renew our successful partnerships with local non-profits and law enforcement agencies. These improvements for underserved communities, particularly immigrants and victims of human trafficking. It will expand housing assistance for victims and provide support regardless of sexual orientation.

These victim protections were first adopted in a bipartisan fashion 19 years ago, reporting of domestic violence has increased as much as 51% as more victims are coming forward. Today’s legislation will ensure more women, children and families receive this lifesaving assistance so they can finally move from a situation of crisis to one of stability.

Again, I commend my Republican colleagues for compromising on this important legislation. This is yet another example of the tremendous work we can achieve for our constituents when we work together, and I hope we continue in that spirit as we turn to address the devastating cuts of sequestration and the budget for the rest of this fiscal year, which will affect these new victim protections among our many other priorities.

The SPEAKER pro tempore. All time has expired.

The question is on the amendment in the nature of a substitute offered by the gentlewoman from Washington (Mrs. MCMORRIS RODGERS).

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

Mrs. MCMORRIS RODGERS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 166, nays 257, not voting 8, as follows:

Collins (NY)  Aderholt
Collins (GA)  Alexander
Hensarling  Amash
Herrera Beutler  Amodei
Holding  Bachmann
Huizenga (MI)  Bachus
Buchanan  Barrasso
Hultgren  Barr
Hunter  Barton
Huntt  Berns
Johnston (OH)  Bentivolio
Jordan  Bilirakis
Joyce  Bishop (UT)
Kelly  Bost
LaMalfa  Brooks (AL)
Long  Brooks (NY)
Lucas  Boyle
Lipinski  Brooks (TX)
Longworth
Browne  Burgess
Luetkemeyer  Calabrese
LaMalfa  Cantor
Lentzkermyer  Chabot
Marino  Chaffetz
Massie  Collins (GA)

[Roll No. 54]
ERRATUM—The question is on the third reading of the bill. The bill was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill. The question was taken; and the SPEAKER pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CONYERS. Madam Speaker, I demand a recorded vote.

The vote was taken by electronic device, and there were—aye...
from Maryland, the Democratic whip, of the schedule for the week to come.

Mr. CANTOR, for the purposes of inquiring of my friend the majority leader, Mr. HOYER. Mr. Speaker, I thank the gentleman for calling the order.

The SPEAKER pro tempore. The House is requested a bill of the House of the following title:

HOUSE RES. 88
A message from the Senate by Ms. BERS AS COSPONSORS OF H.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H. RES. 88
Mr. POE of Texas. Mr. Speaker, I ask unanimous consent to remove all cosponsors from H. Res. 88.

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

There was no objection.

MESSAGE FROM THE SENATE
A message from the Senate by Ms. BERS AS COSPONSORS OF H.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

NOT VOTING—7

PERSONAL EXPLANATION
Mr. HINOJOSA. Madam Speaker, I regret that I was unavoidably detained in my district. Had I been present, I would have voted "ayes" on rollcall vote 54 and "aye" on rollcall vote 55.

MESSAGE FROM THE SENATE
A message from the Senate by Ms. BERS AS COSPONSORS OF H.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H. RES. 88
Mr. POE of Texas. Mr. Speaker, I ask unanimous consent to remove all cosponsors from H. Res. 88.

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

There was no objection.

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

Mr. HOYER. Mr. Speaker, I yield to my friend the majority leader, Mr. CANTOR, for the purposes of inquiring of the schedule for the week to come.

Mr. CANTOR. I thank the gentleman from Michigan, the Democratic whip, for yielding.

Mr. Speaker, on Monday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Tuesday and Wednesday, the House will meet at 10 a.m. for morning hour and noon for legislative business. On Thursday, the House will meet at 9 a.m. for legislative business. The last vote of the day is expected no later than 3 p.m. On Friday, the House is not in session.

Mr. Speaker, the House will consider a number of suspensions on Monday and Tuesday, a complete list of which will be announced by the Clerk before the House adjourns. I want to highlight several weeks of work that continue our focus on deficit reduction. The House will consider a resolution to fund the Departments of Defense and Veterans Affairs, thus providing more flexibility to our military and allowing the Pentagon to engage in new starts, something it would not be allowed to do under the CR.

Mr. Speaker, I would like to highlight two additional items. On Tuesday, the House passed legislation to establish a nationwide academic competition in the STEM fields. This competition will encourage entrepreneurship and provide a unique opportunity for America’s high school and college students in each congressional district to showcase their creative capabilities.

I thank Chairman CANDICE MILLER and Ranking Member BRADY for their hard work in making this bipartisan program possible, and I look forward to the success of the competition for years to come and of the benefit it will provide our institution.

Lastly, Mr. Speaker, I would like to highlight the Congressional Civil Rights Pilgrimage occurring this Friday through Sunday in Alabama, led by Congressman JOHN LEWIS—a true American hero and champion of civil rights and freedom. An delegation of Members will participate in the 3-day journey through Alabama, concluding with the commemoration of the 1965 civil rights march across the Edmund Pettus Bridge in Selma.

Alongside the Democratic whip, I am honored to participate in this pilgrimage and to reflect on the sacrifice that shaped the greater democracy we live in today.

Mr. HOYER. I thank the gentleman for the clarification. I also thank him for his reference to the march over the Edmund Pettus Bridge from Selma to Montgomery, which we will commemorate. That march occurred on March 7, 1965.

Yesterday, we had the honor of dedicating and accepting a statue in memory of Rosa Louise Parks. Rosa Parks, of course, is known in many respects as the mother of the civil rights movement that led to America’s perfecting its Union—so its allowing and making sure that every American, irrespective of race or color or nationality or religion, could be treated equally. It’s appropriate that we participate in this march across the Edmund Pettus Bridge to recall this country’s commitment in 1965 to the Voting Rights Act, which ensured that every American would have what is intrinsic in the definition of democracy—the right to vote and the right to have one’s vote counted.

I look forward to being the honorary cochair—with the majority leader—of this march with a true American hero, who is the chair, the leader, the person who has shown such extraordinary commitment of his life to the cause of civil rights for blacks. It’s so much a part of our history and a part of our future. Mr. Speaker, as the gentleman for yielding; and I would say to the gentleman that if bipartisan agreement somehow is reached in other bills, I would say to the gentleman we certainly would like to be able to take a look at that. But I believe, Mr. Speaker, it is prudent for us to try to do the things that we can do right now. I believe we don’t have to bear the burden of the wrongheaded way of controlling spending, which is that sequestration.
Mr. HOYER. I thank the gentleman for his comments. Let me only observe that the bills which the gentleman has now discussed for 3 weeks running, on which we’ve had colloquies, are no longer available in either the Senate or the House. The President, as you said in 2010, work its way in the last Congress, and they died in the last Congress. There has been no legislation in the 59 days that we’ve been here, put on this floor, and only the majority leader can put legislation on the floor, no legislation which would have an alternative to the sequester.

And, in fact, notwithstanding some of the representations that have been made, Mr. Speaker, there was a bill on this floor on July 19, 2011, which was called cut, cap, and balance; 229 Republicans voted for that bill. That bill had as its fallback, if the objectives of the bill were not reached, sequester. That was substantially before—many days before—the President, and through the person who talked about it, was suggesting that a part of a piece of legislation that we needed so that we did not default on the national debt. And for the first time, not only since I’ve been serving in the Congress, some 32 years, but for the first time in history, one in history, a result of that action of coming so close to defaulting on the national debt, this country was downgraded by a single point. That the gentleman talked about the STEM bill that was passed. He voted for it. I voted for it. An overwhelming majority of Democrats and Republicans voted for it to help our economy. That event substantially hurt our economy. Mr. Speaker, the inability to get to agreement on the sequester is hurting the economy. And I will tell my friend that we’ve offered three times to have a bill considered as an alternative to sequester which cuts spending, raises some additional revenue—and I know the gentleman is going to give me a lecture about raising taxes. I understand that.

But I would urge the gentleman, let a vote happen on this floor. Let the House, as you said in 2010, work its will. That’s what the Speaker said he wanted to do. Let us vote on an alternative, not just blindly go down this road of sequester, not blindly go down this road that the gentleman has just agreed with me, and we agree together, I think wisely, the sequester is irrational. It should not happen. In fact, it was put in the bill on the theory that surely we wouldn’t let it happen. But in 59 days, we’ve had no bill on this floor. All the gentleman talks about is a bill that is dead and gone and buried that we can’t consider; that won’t make a difference, that will not in any way ameliorate the sequester. And I regret that, Mr. Leader, because I think we can.

Frankly, next week we can put alternatives on the floor. If you have an alternative, put it on the floor. I may vote against it, but that’s what the American people expect. They expect us to try to solve problems, and they sent us here to vote on policy.

Mr. VAN HOLLEN, the ranking Democrat on the Budget Committee, has asked three times, Mr. Leader, to bring an amendment to this floor to provide an alternative. It seems strange that when both of us agree that sequester is wrong, irrational, will have adverse effects, and Ben Bernanke says it will substantially hurt the economy, that we don’t provide an alternative. I will tell the gentleman that is something that we yesterday—actually, 3 or 4 months ago—that is dead and gone. We need to do something now, and we need to come together on a bipartisan basis.

I might say to the leader, we’ve had four major bills signed into law in this Congress by the President. Every one of those bills was passed in a bipartisan basis with an average of 168 Democrats voting for it, and an average of 124 Republicans voting for it. We saw a perfect example, Mr. Leader, on the floor today of making very good policy. How did we do it? We did it in a bipartisan vote. I suggest to my friend, the majority leader, that we could do that as it relates to the sequester if we would bring to the House a bill that we have a vote on it; and in my view in a bipartisan fashion, we could in fact set aside this irrational, negative sequester, and move on to a rational fiscal policy.

I would be glad to yield to my friend if he wants a commitment on it, Mr. CANTOR. Mr. Speaker, I thank the gentleman.

First of all, there would not be a bipartisan vote on the Democratic suggestion on how to deal with the sequester. As the gentleman rightfully suggests, that measure will include tax increases. You know, we’ve heard a lot of talk about balance, that we need to approach the situation in a balanced way. Well, the President has enacted $149.7 billion worth of spending reductions.

Well, the President has enacted $149.7 billion worth of spending reductions for this fiscal year. Sequestration results in $85.3 billion worth of spending reductions. As you can see, Mr. Speaker, the balance is clearly in favor of tax increases, taking people’s money and then allowing Washington to decide how to spend it when most people realize the government is never the best place to spend and allocate someone else’s dollars, which is why we insist on having a limited government, providing the necessary support and roles that it should, and not continuing to take other people’s money and deciding how we spend it.

Now, I’d say to the gentleman, he knows as well as I do that the Senate refuses to take up whatever we send them. They have refused again and again. So we’ve got a real problem that somehow one House does its work. Twice this House went and passed bills with alternative measures to address sequestration, and a significant portion of both of those bills, one of which I sponsored, were provisions taken out of the President’s own budget, not the tax increases, but actually spending reductions that the President says are okay, but yet still the Senate failed to take them up.

So there’s a meeting tomorrow at the White House, Mr. Speaker, and I know the gentleman shares the desire to perhaps have that meeting prod the Senate into acting. That’s what we need to happen. The House now does its work. The House can produce a plan, and has, twice, to replace this sequester.

Now, I’d say to the gentleman, he’s concerned about the economy, and so am I, very concerned about the economy. We’re concerned about the rating agencies’ outlook on our fiscal situation as well, as the gentleman suggests. But, let’s go back to the gentleman, Mr. Speaker, that the warnings from these rating agencies are not warnings that are wholly addressed by just coming to some deal. Those warnings from the rating agencies are directed at doing something about the underlying fiscal problem. This Federal Government, the mountains of debt caused by the growth and the unfunded liabilities in our entitlement programs. And, as the gentleman knows, we failed to come to agreement in 2011 as to how to deal with those unfunded liabilities, which is why the sequestration is in place.

We’ve got to have that deal on the unfunded liabilities because that’s what those warnings are about. That’s what we should be concerned about, not raising more taxes. Those warnings are not about raising more taxes. It’s about getting rid of the out-of-control liabilities that are racked up because of the spending, which is out of control.

Mr. HOYER. I thank the gentleman for his comments. It doesn’t get—we’ve been here 59 days, in this Congress. Not a single bill has been brought to this floor which will deal with the sequester, not one. As a matter of fact, we’ve only met 17 of the 59 days this year. So my friend laments the fact the sequester is going into effect and he talks about bills that, as he didn’t deny, they’re dead and gone. The Senate can’t take them up.

So many folks want us to read the Constitution of the United States. I’m for doing that. It’s Article I that gives the House, as the leader, I’m sure, knows, the responsibility to raise revenues and to pass appropriation bills. It’s the House that needs to initiate legislation, and we guard that pretty jealously. We guarded it—we just passed VAWA. That’s a lot of discussion about VAWA having—in the last Congress, that passed overwhelmingly, was delayed because, very frankly, they had some money effect in that bill. We said that was subject, therefore, to objections on our side. And when we met, the real bills we pass are passed in a bipartisan fashion, as happened today.
And when we talk about balance—and I get very frustrated. Take somebody else’s money. Did you want to take it out of your pocket? Was the Constitution of the United States, which formed a more perfect Union, designed to use Chinese money or European money and fund our education, our health care research, our highways, our national security? Of course not.

It is our money. Each one of us individuals works hard, and we apportion a part of our earnings to the common good, to the common defense, to the common investment in our future, in education, in innovation, in infrastructure. Yes, we do that.

And I will tell my friend, and he well knows this, I get somewhat frustrated when I hear this. When I served in this Congress from 2001 to 2008, when the economic policy that was in effect was all your party’s economic policy, and you cut substantially and you increased spending substantially and we went from surplus to deep deficit, we need to solve that. I agree with the gentleman. We need to solve it, but we need to do it on a bipartisan basis.

That’s why I point out the only bills of substance that have been signed by the President, that weren’t suspension bills on which we all agree, were bipartisan bills that had an average 124 Republicans voting for them and an average 168 Democrats voting for them. Both parties joined together to solve problems. That’s what needs to happen.

And I will tell the gentleman, he can talk about the increased spending, talk about why the rating agencies downgraded us. There were a number of reasons. But the greatest reason was—and they articulated it. Standard & Poor’s articulated it—they weren’t confident that we could solve problems, and we’re not doing that.

The gentleman continues to not want a balanced program. Every group, every group that I’ve seen or read about or talked to people about has said, look from where we are in the deep debt that was created in the last decade to where we need to be, a balanced fiscal and sustainable plan for America for the years to come, without addressing both the spending side and the revenue side.

The example I use is, we are selling a product. Mr. Leader, that many of us have voted for it, and you want to accommodate on the defense side, which costs nowhere near all it wants. No business in America or in the world could survive with that imbalance. We need to bring that in balance. And you’re not going to get to the 15 percent of revenues that we’re collecting, or nearly 17 percent, simply by savaging either defense or non-defense spending or entitlements.

And so I would certainly hope, Mr. Leader, that we would come together. You and I have talked about this a lot. Every Member goes home and says how bipartisan we’re going to be.

On our side, I will tell you, we are prepared. We understand there are going to be things that we have to do that we won’t like. On your side there will be things to do that you won’t like. That will be a compromise. That’s the definition of a compromise. Our country needs it. Americans want it.

I would hope that we could, in the coming days, not only address the sequester, but address the need, over the next 10 years, to get this country back to balance where we were in 2000, where we had a balanced budget, the debt was coming down, and, in fact, some people were concerned that it was coming down too fast.

Mr. CANTOR. Will the gentleman yield?

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

Mr. CANTOR. I appreciate the gentleman’s yielding, Mr. Speaker.

The gentleman loves to go back and talk about that period from 2001 to 2008 and the fact that there were too many tax cuts in place and without the control in spending.

Mr. HOYER. Can I just reclaim my time? Because my point, I’ll tell the leader, is that we didn’t pay for what we bought. We kept buying but we didn’t pay.

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I was saying that there were too many tax cuts in place. And I agree with the gentleman, Mr. Speaker, not on the fact that there were tax reductions in place, but the fact there wasn’t a control on spending. And that is a problem here, Mr. Speaker.

But, ironically, the gentleman has consistently been in support of and just voted to extend 96 percent of those tax cuts. And so what we’re saying right now is we’ve got to do something about the spending.

You just got $650 billion in tax increases, Mr. Speaker, over the course of the next 10 years through the fiscal cliff deal. And I just prior, spoke about the imbalance this year, FY 2013, of the amount of new revenues versus the actual spending that is being projected to be reduced in this sequester.

I agree, let’s get back to balance. Let’s go back after and increase the spending reductions. Washington does have that spending problem. The gentleman agrees.

So, again, I think it’s unfair to say that there’s just no agreement on the approach that we ought to go and reduce tax rates and taxes, because the gentleman supports doing that. So let’s talk about balance.

And we’ve got the highest level of revenues. It’s been reported that we have the highest level of revenues coming into the Federal Government this year, ever. And the gentleman does know, as well, the spending is out of proportion in terms of history, in terms of the percentage of GDP. So why can’t we focus on that? We’ve got to get that right.

And the gentleman is correct in saying the government needs to be adequately funded, but we’ve got to take a look at what we’re funding. That’s what we’re talking about in replacing the sequester is prioritizing. What are the functions of government? And the sequester, it does cut spending, but we’d rather cut it in smarter ways.

Again, I hear the gentleman talked about he would like to be here on the floor passing bills. We would, too. Get the Senate to act. We have a bicameral process here, and the Senate has not acted.

The White House, the President hasn’t even sent up his budget, Mr. Speaker. The President has that obligation at law and has not presented his budget to the House. The Senate refuses to do anything.

And what is the White House doing right now? The President has been going around the country campaigning for the past 2 months scaring people, creating havoc. That’s supposed to be leadership? The President says to the Americans that their food is going to be uninspected and that our borders will be less patrolled and unsafe. His Cabinet Secretaries are holding press conferences and conducting TV interviews, making false claims about teacher layoffs.

I just feel that people ought to take a look and say, hey, these sequester spending levels—not the sequester, but the spending levels, and say, in 2009 was food not inspected? Because that’s what the claim is, Mr. Speaker, that somehow if we were ever to reduce spending at all, we couldn’t have food inspectors. Did we have any border patrol agents in 2009? Of course we did; of course we did. They will be funded at the same levels under the sequester. And that’s our point: replacing the sequester with smart cuts.

But the other side, Mr. Speaker, the gentleman and his Caucus, won’t join in doing that, because all we hear again and again is: Raise taxes. And I have said, as the gentleman knows, we can’t, in this town, be raising taxes every 3 months. That’s just not the way we can get this economy back on track.

Did the FAA shut down in 2009? That’s the claim. That’s the claim that the President is saying: Shut down the FAA, stop air travel as we know it, or give us higher taxes. That’s the false claim that this President says administration are out there hawking. We can’t have that. That’s not leadership. Let’s come together.

I agree with the gentleman. Let’s stop the false choice, stop the games, and let’s get it done.

Mr. HOYER. Mr. Speaker, the gentleman said a lot, and I could have a lot of comments on that, but I will say this. As long as the gentleman believes it’s only us saying that we need a balanced program, he will oppose it because all we hear again and again is: Raise taxes. And I have said, as the gentleman knows, we can’t, in this town, be raising taxes every 3 months. That’s just not the way we can get this economy back on track.

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and Democrats, conservatives and liberals, they will say you need a balanced approach. We need to cut spending. We need to restrain spending and we need to balance the cost of what we provide with the income that we have. Everyone knows, small, medium, and large, understands that concept. We have not followed it, and we did not follow it in the last decade.

I regret the fact that the gentleman doesn’t like the President going around the country and telling the truth saying what the consequences may well be. Now, are they going to be on March 1? No. But will they inevitably occur if the sequester stays in place? The answer to that I think is an emphatic, “Yes.” I think the President is going around the country saying these are the alternatives.

And saying that the Senate won’t act or the President won’t act—people did not elect me, I will tell you, to make the President act or to make the Senate act. They didn’t think I could do that. What they did think I could do was make STENY HOYER act. And if I were the majority leader, they expected me to have the House act, even if people didn’t agree with legislation I put on the floor. They expect us to do our job, not to cop out, with all due respect, to the fact that the President is not doing something or the Senate is not doing something.

We have a responsibility here in this Chamber, the people’s House, as representatives of 435 districts, to do our job. And if the other folks don’t do their job, we can lament that, we can criticize it, but we cannot infuse the American public of that, but we cannot say that’s why we are not acting.

So I would hope that next week we would, in fact, act and bring legislation to the floor. And I would be, as the gentleman knows, my friend knows, I’m for a big deal. I’m for getting us to that palate knows, my friend knows, I’m American public of that, but we cannot

March 2.

I would like to commend the Pennsylvania Special Olympics for their years of hard work, from expanding an ever-growing volunteer base to provide that’s why, today, athletes to develop physical fitness, courage, and the lifelong relationships that are gained as a result of these games.

I look forward to sharing these experiences with our local community and wish all of our participants the very best in this week’s competitions.

SEQUESTRATION

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

Mr. PETERS of California. Mr. Speaker, the sequester is scheduled to go into effect in less than 24 hours, and I stand today to call out a particularly objectionable concept that this is not taking effect today, that this is going to somehow not affect people particularly, it’s going to roll out over time; and that’s just not the case. Because if you’re a family who is facing layoffs or furloughs, or small or medium or general who is trying to figure out how to defend the country and you’ve got to be spending your time worrying about what jobs you’re going to stop and who you’re going to lay off; or if you’re that scientist, that budding scientist, who is thinking about where are you going to do your science, whether it’s here in a country that invests in science or abroad, someplace where it looks like you will get better opportunity, those impacts are happening today.

And that’s why we should not adjourn. We should be staying here, working on the sequester, avoiding these cuts. Let’s stay at work and get this problem solved.

SEQUESTRATION

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

Ms. FOXX. Mr. Speaker, the President seems to think that the only way for us to replace the arbitrary spending cuts, known as the sequester—the sequester which the President’s own more than 20,000 individuals who represent the Pennsylvania Special Olympics.

The Special Olympics is about people helping people. It’s a global movement that has flourished due to the commitment and passion of its local volunteers and the determination of its participants and athletes.

In March of each year, the Pennsylvania Special Olympics hosts more than 300 athletes and 100 coaches for the State Floor Hockey Tournament. This year’s competition in team’s and individual skills floor hockey will be held at my alma mater, the Bald Eagle Area High School in Centre County, Pennsylvania, where I will have the opportunity to attend and lend a helping hand on Saturday, March 2.

I would like to commend the Pennsylvania Special Olympics for their years of hard work, from expanding an ever-growing volunteer base to provide

SEQUESTRATION

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

Ms. FOXX. Mr. Speaker, the President seems to think that the only way for us to replace the arbitrary spending cuts, known as the sequester—the sequester which the President’s own...
each year. The potential closure of the tower is unacceptable.

As we know, President Obama initially proposed the sequester in 2011. I voted against its creation, and I voted twice to replace its arbitrary cuts. Americans deserve real solutions and genuine accountability. Improper payments by the Federal Government exceeded $115 billion in 2011. Surely, the President would be willing to address those improper payments before allowing the sequestration cuts to take place.

IMPACTS OF SEQUESTRATION
(Mrs. NEGRETE McLEOD asked and was given permission to address the House for 1 minute.)

Mrs. NEGRETE McLEOD, Mr. Speaker, I rise to bring awareness to the automatic trigger cuts—known as sequestration—and the impact they will have on domestic programs in California.

I thank my colleagues who voted today for a commonsense piece of legislation known as the Violence Against Women Act. This landmark legislation comes on the eve of looming budget cuts that will have devastating impacts on domestic violence preventive programs throughout California, which already operate on tight budgets.

The Obama administration estimates almost $1 million of funds that provide services to victims of domestic violence in California will be cut, resulting in 3,000 fewer victims being served. Although we have made significant strides towards safeguarding all women by passing this important bill, we must ensure that we continue to strengthen these programs by avoiding this sequester.

IT'S TIME TO GET SERIOUS
(Mr. STUTZMAN asked and was given permission to address the House for 1 minute.)

Mr. STUTZMAN. Mr. Speaker, President Obama's sequester will take effect tomorrow. Because of the President's responsibility of cutting just pennies of waste for every dollar Washington spends, the men and women of the 122nd Air National Guard in my district face furloughs. Across the globe, our national security will pay the price for this.

How did this happen? It seems that during his Chicago-style campaigning, President Obama forgot that his primary responsibility is to serve as Commander in Chief. Today, instead of working to replace these security cuts with cuts to waste, President Obama and HARRY REID are trying to pass a tax hike in the Senate, a tax hike that the nonpartisan CBO says will increase our deficit for the next 2 years. It seems that instead of solving the problem, President Obama and his allies are only making it worse.

Mr. Speaker, it's time to get serious about the $3 billion we borrow every day and cut spending in a responsible way that saves the American Dream and keeps our national security strong.

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

Mr. LOWENTHAL. Mr. Speaker, unless we do something, Friday will be a day that none of us want to see, but that very few of us seem to have the courage or conviction to prevent.

Today, we stand here with two options: devastating, meat-cleaver cuts or political courage.

Last week in my district I met with the leadership of the Los Alamos Joint Forces Training Base. California military cuts of almost $70 million would put this base at risk.

Who are we talking about? These are our first responders, our firefighters, our citizen soldiers. These are the people that will be affected by sequestration.

If we must choose between cuts or political courage, I choose political courage. We must come together to do what is right.

I ask for a balanced approach to deficit reduction that eliminates sequestration. I support Congressman VAN HOLLEN's bill, H.R. 699, and I ask unanimous consent to bring this bill to the floor.

The SPEAKER pro tempore. Under the rules, the gentleman from California is entitled to 1 minute and to revise and extend his remarks.

Mr. LOWENTHAL. Mr. Speaker, the guidelines consistently issued by the Office of Management and Budget, as recorded on page 752 of the House Rules Manual, the Chair is constrained not to entertain the gentleman's request unless it has been cleared by the bipartisan floor and committee leaders.

TRIBAL PROVISIONS IN VAWA
(Mr. SCHWEIKERT asked and was given permission to address the House for 1 minute.)

Mr. SCHWEIKERT. Mr. Speaker, this is one of those moments where you come up here for 1 minute, and I wanted to share a certain frustration, particularly the votes we just had here in the House.

I come from Arizona. We have 22 tribal communities, 21 actual designated reservations. I lived almost my entire life alongside the Salt River Pima-Maricopa Indian community. It's a sophisticated tribe with wonderful outreach into the community. They've come light years in the last 10. They've done amazing things.

We have been working with that community and Congressman COLE's office trying to work on language that would work with them in VAWA, and yet Congressman COLE and Congressman ISSA were not allowed in the process to offer their amendments. That's of great frustration to me because there were months of work and labor put into that.

But there was also another irony here. I heard some folks on the right and a lot on the left talking about the self-determination court process within those tribal communities. Okay, great. Are we now ready to have this body step up and help our tribes in Arizona that are sophisticated manage their own finances and their own health care? Because they're asking for that self-determination.

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

Mr. O'ROURKE. Mr. Speaker, I rise today to give voice to the concerns I am hearing from my constituents and my community when it comes to the sequester.

El Pasanos are worried about cuts to public education, canceled flights, delays in processing Social Security and veterans' benefits, and fewer resources for law enforcement.

They are also worried about their jobs. For example, I represent 20,000 workers and their families who are going to be facing furloughs. We are concerned that wait times at our ports of entry will increase to 4 or 5 hours if the sequester happens and furloughs result in 7,000 fewer Customs and Border Protection officers. This undermines those employees and their families and the trade that supports nearly 100,000 jobs in the El Paso region.

Mr. Speaker, let's fix this. Let's vote on legislation that will replace the sequester with responsible cuts and revenues.

I ask unanimous consent to bring up H.R. 699.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

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

Mr. VEASEY. Mr. Speaker, I rise today to speak about the impending cuts to the Federal programs that are harmful to our national security, education system, transportation infrastructure, and economy. If we allow the sequester to take effect, Americans will see more teachers laid off in their neighborhood schools, indiscriminate cuts to special education, a loss of 4 million meals for seniors, and debilitating cuts to health care for military families.

The severe and arbitrary cuts caused by sequestration will go into effect tomorrow. Unless we vote on a resolution today, these cuts will deeply hurt the constituents that I represent in the north Texas Congressional District 33 and also citizens across the Nation.

I was not in Congress when sequestration was passed 2 years ago as part...
of the Republican cut, cap and balance bill. There’s still time to prevent these harmful, across-the-board spending cuts.

I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester that includes both spending cuts and revenues.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained without appropriate clearance.

VIOLENCE AGAINST WOMEN ACT—
(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, I rise to really applaud the House for renewing today the Violence Against Women Act. This will protect our citizens. It’s important legislation. I had the privilege of helping to author the original one in 1994 with Patricia Schroeder, LOUISE SLAUGHTER, and Joe BIDEN; and we reauthorized it twice. I’m pleased that it passed today.

I was very pleased that the bill included two bills that I had authored, one the SAFER Act with Congressman Poe, in a bipartisan way, that would process the DNA rape kits that are sitting on shelves across this country gathering dust and hopefully put rapists behind bars and protect women from future assaults from these particular rapists; and also the Campus anti-rape bill, that would require campuses to keep statistics on violence on the campus and steps that they’re taking to protect their citizens; also the Anti-Trafficking in Persons Act to crack down on sex trafficking. It’s an important bill. I applaud my colleagues for passing it.

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

Mr. GARCIA. Mr. Speaker, I rise to share my deep concern with my colleagues of what these dangerous sequestration cuts mean to my community.

I have the honor to represent the suburbs of Miami-Dade County and the Florida Keys. We are a community of middle class families, and my constituents raise a very pointed question to the leadership of this Congress fails to act.

Here are a few examples: south Florida’s economy depends on the flow of tourists. It is an engine which fuels us. If sequestration goes into effect, TSA and customs agents will be furloughed, passengers throughout the country will miss their connecting flights, and we will have fewer tourists and hurt business. Up to 600 civilians who work in the Florida Keys Naval Base will be furloughed. This means less money for everyday needs in the economy of the Keys. Students on work-study programs at schools like Miami-Dade College and FIU will see their funding cut.

The leadership of this Congress owes the American people an explanation of why we have gotten to this point.

There is a better alternative that will create jobs, and that is H.R. 699. I respectfully ask unanimous consent to bring up this balanced budget bill that replaces the sequester with balanced cuts.

The SPEAKER pro tempore. As the Chair has previously advised, that request cannot be entertained absent appropriate clearance.

APPOINTMENT AS MEMBER OF CONGRESSIONAL ADVISORY PANEL ON THE GOVERNANCE OF THE NUCLEAR SECURITY ENTERPRISE

The SPEAKER pro tempore. The Chair announces the Speaker’s appointment, pursuant to section 3166(b) of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112–239), and the order of the House of January 3, 2013, of the following individual on the part of the House to the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise:

Ms. Heather Wilson, Albuquerque, New Mexico

APPOINTMENT OF MEMBERS TO BRITISH-AMERICAN PARLIAMENTARY GROUP

The SPEAKER pro tempore. The Chair announces the Speaker’s appointment, pursuant to 22 U.S.C. 2761, and the order of the House of January 3, 2013, of the following Members on the part of the House to the British-American Interparliamentary Group:

Mr. Frank Pallone, Jersey
Mr. Crenshaw, Florida
Mr. Latta, Ohio
Mr. Aderholt, Alabama
Mr. Whitfield, Kentucky

APPOINTMENT OF MEMBER TO CONGRESSIONAL-EXECUTIVE COMMISSION ON PEOPLE’S REPUBLIC OF CHINA

The SPEAKER pro tempore. The Chair announces the Speaker’s appointment, pursuant to 22 U.S.C. 6913, and the order of the House of January 3, 2013, of the following Member on the part of the House to the Congressional-Executive Commission on the People’s Republic of China:

Mr. Smith, New Jersey, Co-Chairman

SEQUESTRATION

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2013, the gentlewoman from Maryland (Ms. Edwards) is recognized for 60 minutes as the designee of the minority leader.

Ms. EDWARDS. Mr. Speaker, in this Chamber, we’ve heard over the last several days numerous speakers who have spoken quite eloquently about the impact of sequestration on their communities and their constituents across this country; and I daresay there are many Americans who have no idea what sequestration is. But they will come to know. Mr. Speaker, exactly what sequestration is when they figure out that of the range of programs and services that impact them and their communities, the Federal Government is taking a step backwards because of Republicans’ failure to bring forward a balanced approach to dealing with our budget. In fact, we’ve just been moving from one crisis to the next crisis.

Today, in this House Chamber, we did something very special. We passed the reauthorization of the Violence Against Women Act, which was first passed in 1994 and had enjoyed bipartisan support up until recently. We ended up passing the Senate version of the Violence Against Women Act, which, frankly, we could have done about a year and a half ago but for failure in this House Chamber.

In passing the Violence Against Women Act, we, on one hand, provided for authorizing funds to support shelters, services, and programs for victims of domestic violence, many of them women, all across this country. And on the other hand, March 1 sequestration looms and, in fact, is happening, and we take away with one hand what we’ve provided with the other under the Violence Against Women Act that was just reauthorized today by a bipartisan vote with overwhelming support from both sides. But tomorrow, $29 million will be cut from the very shelters and programs that we authorized today.

Six million women all across this country face domestic violence, and yet the programs and services that they depend on from the Federal Government will be ripped away in a sleighhammer approach—across-the-board cuts, arbitrary cuts to the budget beginning on March 1.

Workers and families across all this country have truly grown weary of watching this and past Congresses create and kick down the road fiscal disaster after fiscal disaster. Sequestration is going to rage on in factory still-recovering economy and take an axehammer to so many agencies and programs that are struggling to meet their work loads to deliver services for the American people.

Secquestration is estimated to lower the U.S. economic output by $287 billion.

In the Fourth Congressional District of Maryland that I have the privilege of representing in this Chamber, people are truly preparing for the drastic impact sequestration will have on them, their capacity to pay their bills and to make their obligations.

These cuts are devastating, and today we’re here to talk very specifically about the devastation to women
and children across this country, and specifically to women of the impact of sequestration. Whether that is the devastating cuts to the Women, Infants, and Children program that so many low-income women depend on; school nutrition programs in our Nation’s schools; cuts to serving children with disabilities; cuts to health care screenings like cancer, cervical cancer and breast cancer screenings that so many women rely on, and this at a time when we discovered that, in fact, younger women are suffering from greater rates of breast cancer than ever before in our history, here we go slashing and burning a budget.

I don’t like to use the term “war on women,” but, Mr. Speaker, as a woman, it sure feels like it. Sequestration definitely has that impact.

Joining me today, who I will yield to in just a few moments, is my good friend from New York, CAROLYN MALONEY. She is quite a leader on a range of women’s issues, and she knows clearly the devastating impact of sequestration on women.

Mrs. CAROLYN B. MALONEY of New York. I want to thank my colleague for leading this important Special Order and to note two women’s issues that will be introduced next week.

One is the women’s museum. It will cost no extra money and will create a commission to put a women’s museum on the Mall. We have it for postage stamps, flights. It should be there for half the population, and it is something, hopefully, we can move forward with in a bipartisan way.

Also, next week, I’m reintroducing the equal rights amendment. We are really lagging behind in the Western World in not having that important provision in our Constitution. But regrettably, this country has a habit of sweeping women’s issues under the rug and ignoring them. But when a clearer approach through sequestration will disproportionately hurt women.

Tomorrow, $85 billion will be cut from our budget, sequestration will go into effect, and economists predict that over 700,000 jobs will be lost.

Chairman Bernanke testified yesterday before the Financial Services Committee that the sequester could make it harder to reduce the deficit, not easier. The whole purpose of sequestration is to ensure it is effective. But as he pointed out in his testimony—and I will quote him directly—he said that it would have “adverse effects on jobs and incomes,” and “a slower recovery would lead to less actual deficit reduction.”

Here we are hearing from the head of the Federal Reserve and many economists that sequestration will literally hurt the deficit, hurt our economy, and hurt jobs.

Why can’t we agree on a measured, balanced approach that targets those areas? Why? In the world are we giving tax deductions to companies that move jobs overseas? We should be giving tax incentives to people who create jobs in America, not those who move their companies and their jobs overseas. And why are we giving up to 40 percent subsidies to very profitable oil companies that are making profits? Why are we doing that when we are going to be turning around and holding our heads down? Because of sequestration, we’ll be cutting teachers, which is the very investment that we need for the future.

Teaching is one of the professions that is disproportionately headed by women. Some of these cuts are not only going to hurt the future of our country, but women teachers and male teachers in our country.

I am particularly concerned in one area that my friend mentioned, and that’s research. This country has invested in research, and it is one of the areas that has moved us out of our recessions with innovative ideas. But they are across-the-board cuts in research. NIH may face as much as 40 percent cuts because of new directives through in breast cancer treatment. I venture to say there is not a person in this body or America who doesn’t have a sister, a mother, a grandmother, or a friend who has not suffered from breast cancer. NIH, of course, is the National Institutes of Health.

Right now, 1 in 7 women contracts breast cancer. Because of the research in our great country, lives are being saved. There are 2 percent more lives saved because of new treatments through in breast cancer treatment. I venture to say there is not a person in this body or America who doesn’t have a sister, a mother, a grandmother, or a friend who has not suffered from breast cancer. NIH, of course, is the National Institutes of Health.

Men also are contracting breast cancer. It is a disease that men are suffering from, and also prostate cancer, but the breakthrough in cures every year to save lives are going to be cut.

This past week, I had a meeting with some of the teaching hospitals in the District of Columbia, and I told them that I am privileged to represent them, and they had a survivor there. His life had literally been saved with a new breakthrough in treatment and technology that they had developed while at Cornell. He testified that the doctors there with their new research had literally saved his life.

It is this lifesaving, cutting-edge research that we will be cutting away, along with many other important areas. Why are we passing the Violence Against Women Act and then turning around and cutting it dramatically with sequestration?

So I join my good friend from the great State of Maryland in really protesting sequestration. The approach doesn’t work. Even Chairman Bernanke says it is wrong, wrong-headed, and will not help us reduce the deficit. And it particularly is disastrous to programs, research, and health care that impact women.

With that, I thank the gentlelady for organizing this Special Order.

Ms. EDWARDS. I want to thank the gentlewoman from New York. Thank you so much for your leadership.

You know both as a woman and a woman legislator what this impact is going to be to your communities in New York, and I know what they will be to mine in Maryland.

Sometimes, Mr. Speaker, we throw out these numbers, and most American workers and American workers mean in real terms. From March 1, until the end of this fiscal year, we’ll have to cut $85 billion with a wide range of impacts across this country. Women are going to be disproportionately hurt by these, and there is no other word. Mr. Speaker, for these absolutely senseless cuts.

It is as though as legislators we are brain dead when it comes to making decisions that impact people’s lives.

These deep cuts are going to slash vital investments in job training, in public health, in public safety and education and small business. We know that so many women are juggling multiple responsibilities. They are juggling the responsibilities of the homes and their families; the responsibilities of a job or running a business; the responsibilities of being active in their community and making sure that there’s a quality of life for themselves and their children.

And they’re also doing this and operating at the absolute margin. It’s really unfair and completely lacking in compassion to place this additional burden of sequestration on their already burdened households. Even worse, low-income women and men of color who are toiling in the lowest-wage jobs are going to be hit the hardest by sequestration.

I want to highlight these cuts and the resulting fiscal instability that is in addition to the fact that we are already falling farther behind other Western World nations in providing employment protections, pay equity, sick leave, promoting child care services. These are all the things that particularly women have use of as caregivers.

Is this really the way, Mr. Speaker, that we see ourselves as leaders of the free world? I don’t think so.

With that, I would like to yield to my good friend and colleague from Texas, SHEILA JACKSON LEE.

Ms. JACKSON LEE. Let me thank the gentlelady from Maryland and thank her for her leadership. This is a very important statement today because I was on the floor earlier this morning and said that we should not go home, that we should stay here. I’ll say it again: We should not go home. We should stay here.

With all of the chatter of disagreement and accusations and blame games, what should be the message to the American people is, in fact, that we are committed to finding some form of common ground. Now, common ground is enormously challenging when there is no give from our Republican friends. I do want to applaud the Congresswoman today in that the Violence
against Women Act was passed because of Democrats’ championing the right direction so that immigrant women, so that the LGBT community and so that Native Americans could be specifically covered, which, as a lawyer, is what the law is all about. Fuzzy legislation cannot achieve, but when you specifically designate in law the protection of these groups, then you have brought about a change. I say that only because I want to thank our Republican friends who voted for that ultimate Senate bill that was passed in a bipartisan way in the Senate and now in the House.

That should be an example of what we can do with regard to this dastardly act that is going to occur tomorrow—the sequester—which most Americans don’t even understand. So I am delighted to join and to be able to be part of this Special Order, led by the gentlelady from Maryland, on explaining how vulnerable women can be impacted.

We did a good act today. Vulnerable women, as I mentioned in the evening of the storm since this legislation was not re-authorized, and women’s centers and shelters all over America were feeling the ax of the non-funding of the STOP grant, but today we made a difference. I want to make a difference in stopping the onslaught against women and children that the sequester will bring about, and I am going to use as an example the impact on a State like mine—the State of Texas—that has a diverse congressional delegation, with more Republicans than Democrats. Frankly, the people of the State of Texas are not interested in what party we are; they simply want to find out why we can’t come to the floor and vote to block the sequester and find common ground.

So, to my State of Texas, let me tell you what you will be facing, and why I want to say, stay and work, stay and work, and find some kind of common ground in this very important, all of us are willing to be called back this weekend. We’re willing to be called back Friday night and Saturday morning. I want that to be on the record. We’re willing to get back in a short order of time to come here and solve this problem.

Specifically, I have worked extensively with our teachers and schools and school districts:

367.8 million for funding for primary and secondary education, putting 950 teacher jobs at risk, meaning that they may ultimately be terminated. Those jobs are at risk in the State of Texas. 172,000 fewer students can be served in approximately 280 schools. That’s not just in Houston; that’s throughout Republican and Democratic districts in the State of Texas. That is shameful. Texas will lose approximately $50 million in funds for about 620 students and aides to help children with disabilities;

Work study jobs will impact our college students, 4,720 fewer low-income students will be able to have those jobs, and, of course, it will eliminate the opportunity to finance the cost of college to around 1,450 students, who will not get work study jobs;

Head Start. Many of my Head Start leaders advocated and asked me, as I was in Austin this past week, to stop the elimination of their funding. I will be meeting next week, approximately 4,800 students in Texas, on the reducing of access to critical early education;

Law enforcement. Part of the Violence Against Women Act specifically speaks to the question of helping the crime victims. When I had a gun briefing in Texas, I made sure that the victims of gun violence were in the room. What we’ll be stopping is $1.1 million in what we call Justice Assistance Grants, which specifically deal with our crime victims;

This is an example of what will happen in America if you’re looking for jobs—and you do it every day—some $2.2 million if this goes through.

Child care. Up to 2,300 disadvantaged and vulnerable children may lose their access to child care. That impacts women who go out every day, one possibility to go out to work. I hate the thought that 9,000 children will have a lack of access to vaccines. That’s a mother’s responsibility, that’s a parent’s responsibility to ensure her children are getting vaccines, and the public health system will collapse because of the lack of resources;$1.1 million will be lost, in particular, for HIV tests, which is devastating HIV treatment services among the community, particularly women. We have encouraged them now to get tested. We’ve tried to remove the stigma. When they go up to the door of the public health entity to get tested, you’re going to tell me that there are a million less dollars and that the door will be closed? On the STOP Violence Against Women’s program, which we’d now reauthorize, I’m sad to say that Texas could lose $543,000 and that 2,100 more victims will not have this.

Let me come to a close and look at it generically across America as I cite what Congresswoman Edwards just cited about small businesses, and I would indicate that, on a nationwide impact, we know have come from small businesses. As I listened to the news this morning about a woman-owned business that does work with the Defense Department, she was being interviewed, and she said, about 5 days from now, she’ll literally be shutting her doors. So what we’re talking about is losing $900 million across the Nation in helping small businesses. That is a travesty.

When we travel internationally, one thing we sort of look at is the question of food safety, and what we pride ourselves on here in the United States is that which stops disease and that which stops contamination. Well, I heard a plant manufacturer, or a food manufacturer, who says that it literally cannot do anything without a food inspector saying “yes.”

Let me indicate something that is very close to my heart, and that is those who are needing mental health services. Do you realize, with the sequester, Congresswoman, that 373,000 mentally ill adults and seriously emotionally disturbed children will lose public services for their needs? That is a travesty, and asks the question: Why are we putting homelife here, stay here and find the compromise that we did for the Violence Against Women Act?

Let me close on our work in dealing with homeland security. I am the ranking member on the Homeland Security Subcommittee on Border and Maritime Security. We have responsibilities with ranking member Thompson and our chairperson, who has noted in our hearings as recently as this week that we would lose some 2,750 Customs and Border Protection officers—the individuals who allow goods to travel, to meet individuals at airports; and we would lose 5,000 Border Patrol officers at our borders, where we’re talking about the question of border security.

Are we talking out of two sides of our mouths? Here we’re making the argument that we want border security, and we’re willing to allow 5,000 Border Patrol agents—willy-nilly—to just go away. We’re allowing difficulties with the FAA and, as well, with TSA officers of whom some have criticized. I serve on the Transportation Security Subcommittee. These officers every day face the trials and tribulations of ensuring safety on our airlines and airplanes, and we are telling them that we don’t care about security? Right now, we’ve got a sequester and you’re out, and we don’t know how long the lines are. Frankly, the statement is being made by my Republican friends and leadership that they simply don’t care.

We have an opportunity to work together. We can work with the Senate. We can work with the White House. We can understand the underpinnings of this whole debate, and that is: revenue and spending. Why don’t we agree that what we care about is revenue because I want for the money not to run out when the victims of Hurricane Sandy are desperate. That’s why I want revenue.
balanced way to be funded. So I support the utilization of the Buffett rule that has been offered by the Senate, and aspects of many other proposals. They are out there, we can do it, and we can do it with the kind of grace and mercy and understanding of the needs of the American people, and protecting the middle class. And, as Congresswoman Edwards stated, we can do that with an eye on women, to make sure that women, many of whom are heads of households, do not face these devastating cuts that would literally shut them down, their small businesses, Head Start, teachers for their children's schools, to ensure that there is funding for the Violence Against Women Act.

I want to say thank you to Congresswoman Edwards for allowing us to have an opportunity to share our concerns today. I am pained by what we are saying today, but I am extending a hand of friendship to my friends on the other side of the aisle. Leadership can call us back. We are ready to be called back. We can huddle somewhere else. We can find a way to get consensus by email so that when we come back next week, we have an immediate vote because we are willing to do so.

I'll close by saying I'm supporting Mr. Conyers, who has offered an alternative that will be coming forward next week that ends the sequestration. I believe that is the way to go to allow us more time for debate and consideration. I hope others will join us in supporting this legislation we're introducing today. I thank him for his leadership on that. I think that speaks to the fact that all Members, Congresswoman Edwards, are following the leadership of this Special Order, which is to protect women from this devastating impact of sequestration. Thank you so very much for the opportunity to speak today.

Ms. Edwards. I want to thank the gentlelady, and especially to thank her for, Mr. Speaker, pointing out to us that in virtually everything that impacts our lives as Americans, and particularly impacts women, there is a devastating impact of sequestration on a whole range of things that you know, most of us get up every day and don’t even think about. But we will think about them beginning on March 1 because the services won’t be there. The services won’t be there. As she was speaking and as others have as well, the devastating impacts to education. Just a few weeks ago, many of the people in this body, Republicans and Democrats, stood on their feet and cheered the President of the United States when he talked about the need to invest in early education, in Head Start, in making sure that our young people get started early in school so that they are prepared through their educational years to face the challenges of the 21st century. And, as we are, just a couple of weeks after that great moment of a bipartisan show of support, ripping apart the very programs that the President talked about that are so important, Mr. Speaker, to the development of our children.

I would note that in my state of Maryland, and Maryland has now been named the state with the number one schools in the Nation for the fifth year in a row. Well, we’ve been able to achieve those great heights in Maryland because of the commitment of our state government, the commitment of our legislators, and because of the commitment of the Federal Government, especially to some of our most vulnerable schools.

To our students who depend on investing in Head Start, to our students who are in some of our most vulnerable communities served by our title 1 schools, to the idea that we're going to educate all of our young people, even those with disabilities, so that they can achieve their greatest ability, and, in Maryland we're going to see in fact very devastating cuts to the number one school system in the country—$5 million ripped out of Head Start; $14 million ripped out of our title 1 schools; $9 million, almost $10 million, taken out of funding our young people with disabilities, and that's a total of almost 300 jobs that will be lost as a result of these cuts. And that's in my small State of Maryland.

You know, we've heard from Members representing New York and Texas. Well, they're going to suffer even more devastating cuts. I would note, for example, in Texas, Texas will lose $51 million for education for children with disabilities. Texas will lose $67 million from their title 1 schools. And Head Start will lose to a tune of $30 million from Head Start. This is devastating for women and children, for their families.

But it doesn't end there, Mr. Speaker. Would that it would, but it doesn't end there. Sequestration, as I said, has a devastating impact and a disproportionate impact for children. And, Ms. Edwards.

I would note that about 600,000 children and pregnant women are going to lose access to food and health care and nutrition education, including supplemental nutrition programs that are the difference between having a meal or a healthy meal, or not. The difference for a mother who, even as she is working every day, has the ability to make sure that there is a good meal on the table for her children. Six hundred thousand children and pregnant women will lose those benefits.

Let's look at child care. There's not a one of us, Mr. Speaker, who hasn't had children and had the need for child care. Now if you are a wealthy woman who can afford to become if you become pregnant, your needs may be very different. But for most of us who get up and go to work every day, we really do need child care assistance. About 30,000 children across the country who are in low-income families will lose this essential Federal funding for child care services. That's about $121.5 million, Mr. Speaker.

Let's just look at the Centers for Disease Control. Twenty-five thousand low-income women—and this is according to thinkprogress.org so I'm not making it up. Americans across the country can go to thinkprogress.org, and what they can find is the same inferences for what they found for you today. At the Centers for Disease Control, 25,000 low-income women who rely on the Centers for Disease Control for their breast cancer and cervical cancer screenings are just going to be lost. So therefore we will have a ripple effect through the health care system as these women, potentially with cancers that are curable, will not have those diagnosed in time.

In Army military construction of family housing where we have so many more female recruits who are in need of housing, they're going to lose about $424 million. How on one hand can we say that we support and honor those who serve and who are in uniform, but on the other hand turn away the kinds of things that would be supportive for our military families.

In the area of global health care—I mean, after all, these cuts apply not just to those of us in the United States but to the support that we provide for vulnerable communities around the world. There are 1.6 million women around the globe who rely on family planning services, and guess what? They're going to be turned away, too, Mr. Speaker.

We could go on and on, as we have. But the reality is that beginning on March 1, beginning tomorrow, America's women and children will see cuts to things that they had no idea about, and those cuts will be, in fact, devastating. And what are we doing here in this Chamber? We're going home for the weekend. Where else in America do you stop working, Mr. Speaker, after 3 1/2 days, a couple of journal votes saying we approve of the business of the day, a day where millions of lives, a couple of million people are going to be turned away, don't vote to rename a space center, and then devastating cuts to health care, to Head Start, to education, to food inspection, to all of the things that impact so many of our families. If it weren't true, if it weren't reality, it would seem like it was just a bad B movie, Mr. Speaker.

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We can go through so many other impacts to our children, 70,000 children, Mr. Speaker, who are going to be cut from Head Start and Early Head Start programs. Sixty percent of these program recipients, 60 percent of those 70,000 children, are children of color.

And so I guess we're saying, Mr. Speaker, that we don't care about our Nation's children. We don't care that they go hungry. We don't care that they're not receiving adequate child care. We don't care that they're not getting the education they need. Mr. Speaker, these across-the-board, arbitrary, senseless cuts just say to the rest of America, we don't care.
And you know what? I would love it if the blame were equally shared across the board, but the reality is that Republicans control this Chamber, and this Chamber could be gavelled in tomorrow morning, straight up, and stop this sequestration. That’s what we could happen, and that is what would make a difference to America’s women and children.

You know, I would look to, Mr. Speaker, about devastating impacts to education. Can you believe that $7,400 special education teachers, their aides and other staffing our vulnerable kids with disabilities are going to be laid off, 7,400 educators who will be laid off because we haven’t provided the resources for them to serve our children with disabilities? It’s pretty shameful, Mr. Speaker.

I’m thinking about the landmark Affordable Care Act, ObamaCare. You know, we did something very special, actually, in this Chamber when we passed ObamaCare. But the reality is that, because of these looming cuts, these cuts that will take place just hours, hours from now, Mr. Speaker, they’re going to jeopardize critical health care and prevention initiatives, medical research to help women lead healthier lives. These sequestration cuts will affect millions of women.

Four million dollars is going to be cut from the Safe Motherhood Initiative. What does that mean? That the Congress doesn’t like motherhood? And so $4 million in cuts, Mr. Speaker, to the Safe Motherhood Initiative.

And what does that do? It helps prevent preventable deaths, that’s what good government should be doing. Great Nation, the leader of the free world, we still have pregnancy-related deaths, and the way that we’ve chosen to deal with that is through the Safe Motherhood Initiative. But, beginning on March 1, these devastating cuts will have an impact on that program.

In addition, 5 million fewer low-income families will be able to receive prenatal health care. And we know, those of us who’ve had children, know that in the best of settings, prenatal health care, know the importance of a successful pregnancy that goes to term. We know the importance of prenatal health care because it becomes a determinant of overall health care as that child is born. And yet, with these devastating cuts, these across-the-board cuts, these arbitrary cuts, these senseless cuts, 5 million fewer low-income families will receive prenatal health care. And this is particularly concerning, Mr. Speaker, and very serious, because two to three women die each year, each day, in fact, from complications as a result of pregnancy.

I don’t know if you’re aware of this, Mr. Speaker, but the fact is that the United States has an infant mortality rate that is twice as high as the rate of other wealthy nations. We’re not a leader when it comes to prenatal health care. It is why we need the Motherhood Initiative.

Eight million dollars in cuts are going to go, Mr. Speaker, to breast and cervical cancer screening. That means that there will be 31,000 fewer cancer screenings for low-income women. You know what? We wrote these low-income women off the books. But you know what happens, Mr. Speaker? When they’re diagnosed with cervical cancer or with breast cancer, they show up in the emergency room and they require even greater treatment, or worse, it becomes a mortality risk because they lose their lives, not because the cancer was not curable, but they lose their lives because the cancer was not diagnosed.

And yet here we are, Mr. Speaker, ready to exact $8 million in cuts that will prevent low-income women from receiving cervical cancer screenings and breast cancer screenings. That’s not what a leader nation does, Mr. Speaker.

Now, we can recall very recently the very fierce battles to protect Title X family planning and reproductive health services. I will just remind the Speaker that sequester would cut $24 million from those lifesaving programs. That’s right; $24 million that would be ripped out of Title X family planning and reproductive health services, lifesaving programs that provide care to low-income, uninsured and underinsured women, men, children, and families—$24 million. Our Nation really can’t afford this.

And let’s talk about research. The National Institutes of Health could lose as much as $1.5 billion in medical research funding. That means that there will be fewer research projects for treatments and cures for diseases like cancer, like diabetes, like Alzheimer’s, like all of these diseases where we’re right on the cusp of the kind of research that will make a tremendous difference, Mr. Speaker, in the lives of so many, and particularly a tremendous difference in the lives of women. But, oh, no, National Institutes of Health, on the chopping block March 1, losing up to $1.5 billion for medical research.

Women, Infants, and Children programs, something that’s particularly important to me and to people in my community, to women and children in my community, $353 million, remind you, to begin, Mr. Speaker, on March 1; $353 million cut from the Women, Infants, and Children program.

And I’ll tell you, Mr. Speaker, if you go to any State in this country, talk to your women, talk to your children, talk to any matter whether you talk to a Republican Governor or to a Democratic Governor. Those Governors will tell you that the investment and the payoff for making investments in Women, Infants, and Children programs is enormous, that it results in great benefit, not just for the quality of lives of the women, infants, and children who are served by the WIC programs, but, really, to communities, enabling them, people, women, to go out and get an education, to get on their feet, to take care of their children.

These are really lifeline programs, and they’re highly effective. And yet there’s no sense to these cuts, and so we will end up cutting ineffective programs in the same way that we cut the most effective ones. That’s what sequester means.

Let’s look at unemployment benefits. Here we are, Mr. Speaker, really recovering from the devastation of the economy of the last 5 years, unemployment going down, but still the need for so many in this country for unemployment benefits. Now, I don’t know, Mr. Speaker, about other people, but any of you who’ve ever received an unemployment check because of the misfortune of losing a job, it’s not a big check, Mr. Speaker. And yet, even that small check, which is a fraction of what your income might have been were you working, even that check will face devastating cuts, and particularly to the long-term unemployed, to people who are out of work and who’ve been searching for a new job for at least 6 months, not because they don’t want to work, Mr. Speaker, but because the economy is recovering and because work is hard to find.

And yet we rip apart 10 percent of their weekly jobless benefits if this sequester goes into effect. Maybe the 1 percent or the 2 percent out there can get away with not having 10 percent of their income. But the families that I know, the communities I come from, a 10 percent cut in any item is a difference between paying your electric bill and your water bill and your rent or your mortgage. A 10 percent cut. No one can afford that. And yet that’s exactly what happens beginning on March 1 with this senseless sequester.

Child care assistance is going to be cut by $121 million. Child care. What great nation doesn’t ensure child care for its nation’s children so that moms and dads can go out and work and not have to worry about leaving young children are receiving? Worse yet, not have to worry about leaving young ones unattended because the choice is between going to work and staying at home because there’s not quality child care available. Child care assistance cuts 30,000 children across this country who would lose essential Federal funding for child care.

And we’ve talked about the Violence Against Women Act. But I want to get specific because I spent a lot of years on this issue and I came into this Chamber on these issues of violence against women, on domestic violence, on sexual assault, on stalking, trying to make sure
that the Federal Government meets its responsibilities for women. I’ve worked on a hotline. I’ve been in a shelter. I know what it means to provide those services. I know that when a woman calls and she’s being abused and she’s seeking help, that that phone call needs to go through.

And yet, Mr. Speaker, we’ve passed the Violence Against Women Act and we’re running the risk that because of these cuts in this sequester—because of these cuts—that phone call from that woman in the middle of the night calling a shelter or a program or a hotline, that call won’t be answered.

Who’s going to take responsibility when that abuse results in the death of a woman or her children because we’ve not done the right thing in this Congress? That’s what’s at stake. And that is real and it is harm, Mr. Speaker, to this Nation’s women. And so we passed the Violence Against Women Act, but you can be sure that what we gave with one hand is going to be taken away with the other hand beginning on March 1 because of these devastating cuts to domestic violence shelters and programs and hotline services, to the law enforcement officials who need to be trained about issues of domestic violence so that they don’t endanger themselves and so that they provide the kind of law enforcement assistance that’s needed in every community across this country.

Mr. Speaker, you sit on that hotline and know that you can’t pick up a call because the other phone is going unanswered. Because the other phone is going unanswered because the Congress hasn’t done what we need to do to protect women and children and their families.

The Department of Justice estimates that the cuts to the Violence Against Women Act is going to mean that 33,927—and I want you to hear, Mr. Speaker, every single one of them—33,927 will be prevented from gaining access to shelter and to legal assistance and to services for themselves and for their children, every single one of them vulnerable because Republicans in this Congress, Mr. Speaker, have not done their job. These cuts are going to mean that domestic violence training is going to be eliminated for 34,000 police officers, prosecutors, judges, and victim advocates. This really is shameful, Mr. Speaker.

And who work and who own small businesses, the_sequester is going to be a handicap as well. And we know that women work. Some of our work not because we want to. We work because we have to because we’re partners in our families with our spouses, with our partners taking care of our families, taking care of our children, because we’re women living on our own, because we’re women as caregivers to other members of our family.

That’s why we work. We create businesses, we work hard, we have the support of the Federal Government for women-owned small businesses, a really fast-growing sector. But these contracts are in jeopardy, Mr. Speaker. In fact, contracts that have been won by women-owned businesses dropped 5.5 percent in fiscal year 2011; and the damage that they are facing now, the harm our vulnerable women-owned businesses are facing is even more devastating. The gender gap may reflect stiffer competition over a shrinking pool of contract revenue, but it may get worse for women as women face difficulty in winning a greater share of contracts in an era of these devastating cuts.

And that’s according to Bloomberg. It’s not made up by this Congress-woman from Maryland. It is what is happening in our economy, Mr. Speaker. Thousands of public sector jobs are going to be lost. That’s on top of jobs that have already been lost, Mr. Speaker. And since women are 50 percent more likely than men to be employed in the public sector, just like education, these jobs are going to be cut and lost as well.

Mr. Speaker, I would like to think that my colleagues in this Congress have the ability to exercise common sense and rationality; but these cuts don’t reflect common sense at all. In fact, we must consider that fact, in my view. When you say across the board, that would be like in your own family budget, when you know you have to tighten up the budget, rather than looking at where you’re doing the cutting, rather than doing what you might do to cut that wasteful spending—in my household, I would probably cut the coffee expenditures—but we’re not doing that. We say we cut coffee just like we cut the mortgage. We cut coffee just like we cut the groceries. We cut coffee just like we cut buying household school clothing.

But this is what is happening with the Federal budget. We’re taking an ax or hammer to the entire budget. We’re not making strategic and thoughtful and important choices about what needs to stay and what needs to go. That’s the danger here. And for women, the impact is really substantial.

Mr. Speaker, I’m going to close now, but I wish I were closing and saying I’ll see you tomorrow. But, unfortunately, we won’t be seeing each other tomorrow, Mr. Speaker, because when you gavel out this evening, Mr. Speaker, as we said, the sequester is going to go into effect. So what? Sequester is going to go into effect and we’ll just come back next week and name a couple more buildings. But we won’t deal with the real issues that are facing America’s families, that are facing America’s women.

And as I said before, I’m not particularly fond of the term, Mr. Speaker, “war on women.” But as a woman, when I know that there’s a threat of not getting a cervical exam or a breast exam when I know that as a woman there’s a threat of not receiving family planning services, when I know as a woman that my children won’t be able to go to a Head Start program or that if I have a child with a disability that that child won’t receive the kind of education that he needs to get his or her fullest potential, when I know as a caregiver that a senior woman won’t get Meals on Wheels, when I know that the important research that could lead to a cure for Alzheimer’s isn’t going to happen, Mr. Speaker, it may not be a war on women, but it feels like as women we are on the front line and we are bearing all of the heavy-duty fire coming in.

And so I would urge you, Mr. Speaker, and I would urge my Republican colleagues to do as my colleague from Texas said: get back to work. Come back to work and let’s do the business of the American people. Let’s take up a truly fair and balanced approach to our Nation’s fiscal problems. Let’s make certain that we preserve and protect a social safety net for so many of our vulnerable families.

Let’s make certain that we make the investments we need to make in education, in research and development, in small business so that we really can grow our economy, so that we, Mr. Speaker, together can create growth, but create growth by making great investments.

So, Mr. Speaker, I will close by just saying to you that I want to work with our colleagues on the other side of the aisle, but it does take two to tango. Unless we do that, women in this country are going to face the devastating impact of these budget cuts that go into effect on March 1.

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

VIOLENT MEDIA ROLE IN MASS SHOOTINGS

The SPEAKER pro tempore (Mr. STOCKMAN). Under the Speaker’s announced policy of March 1, the gentleman from Virginia (Mr. WOLF) is recognized for 60 minutes as the designee of the majority leader.

Mr. WOLF. Today, I rise as the father of five and the grandfather of 16—many of whom are of the age to play video games—to express my deep concerns about the lack of discussion on mental health issues and violent media and the role they play in mass shootings.

As we continue to seek ways to end mass violence, in addition to gun safety, we must address the impacts of mental illness and, of equal importance, violent video games, movies, and TV.

As chairman of the House Appropriations subcommittee that funds the Justice Department, I have increased funding for the national background check
I just bought "Modern Warfare 2," the game. It is probably the best military simulator out there, and it’s one of the hottest games this year.

He goes on to say:

I see "Modern Warfare 2" more as a part of my training simulation than anything else. You can more or less completely simulate actual operations.

And who can forget that day at Columbine High School when Eric Harris and Dylan Klebold murdered 13 classmates and wounded 23 others before turning the guns on themselves? The Simon Wiesenthal Center, which tracks Internet hate groups, found in its archives a copy of Harris’ Web site with a version of the first-person shooter video game "Doom" that he had customized. In Harris’ version, there are two shooters, each with extra weapons and unlimited ammunition, and the other people in the game cannot fight back.

For a class project, Harris and Klebold made a videotape that was similar to their customized version of "Doom." In the video, Harris and Klebold dress in trench coats, carry guns, and kill school athletes. They acted out the videotape performance in real life less than a year later. An investigator at the Wiesenthal Center said Harris and Klebold were "playing out their game in God mode."

In another videotape, Harris referred to a sandman character as "Arlene" in his favorite character in the "Doom" video game. Harris said, "It’s gonna be like (expletive) Doom."

And now we have a report this month from the Hartford Courant that says that Sandy Hook shooter Adam Lanza may have been imitating violent video games as well. The Courant reports:

During a search of the Lanza home after the deadly school shootings, police found thousands of dollars’ worth of graphically violent video games.

The paper goes on to say:

And detectives working the scene of the massacre are exploring whether Adam Lanza might have been emulating the shooting range or a video game scenario as he moved from room to room at Sandy Hook Elementary and saw it in a video game. Another principal with him said the problem with him was that when children misbehave in school and he asks them why, they will frequently say that they saw it in a video game. Another principal with him said the problem with video games is that, when young children are playing or even imitating violence of this kind, they shoot or kill other characters, there are no repercussions or punishment, and usually the characters will even come back to life. This gives children and adolescents whose brains are still developing no sense of reality. He also said that video games desensitize kids to violence.

How can we continue to ignore what common sense is telling us? Just take one look at the movie trailers and how violent they are. Some of the video games on the market today like "Call of Duty" and "Halo" all give points for killing another character. Players are rewarded for shooting people. The level of violence in "Grand Theft Auto" is astonishing.

Players drive around, shoot people, including police officers, pick up prostitutes, and then kill them. There is a racial element to it also.

Soon after the Newtown shooting, I asked the National Science Foundation to pull together experts from across the country to look at the impact of all three contributors to mass violence. These experts include Dr. Brad Bushman from Ohio State University, along with several other scholars from top-tier universities across the Nation, including Johns Hopkins; Columbia University; University of Pennsylvania; Penn State; Carnegie Mellon; and the University of California, Berkeley. And we will have the list at the end of this statement. Earlier this month, the NSF released a report compiled by these experts whose names, as I said, will appear at the end of the statement.

It draws on reliable evidence and a number of theories to explain youth violence that have emerged from decades of research, including research supported by the National Science Foundation, the National Institutes of Health, the National Research Council, and other Federal agencies.

According to the report, violent video games increase aggressive thoughts, angry feelings, psychological arousal and aggressive behavior, and decrease helping behavior and feelings of empathy for others. The report compiled by these experts shows that rating systems have not kept up with the increasingly violent content of popular media, and there is no standard rating system in the U.S. across varying media platforms.

Dr. Bushman, who holds the Margaret Hall and Robert Randal Rinehart chair at Ohio State University and is widely respected in his field, offers a solution to this issue. There could be a universal rating system on all media, with universal symbols that are easy for parents to understand. The Pan European Game Information system, for
example, has five age-based ratings: 3-plus, 7-plus, 12-plus, 16-plus, and 18-plus; and six well-recognized symbols for potentially objectionable material: violence, sex, drugs, discrimination, fear, and gambling.

The current rating system is confusing to parents. For example, there is R for movies, TV-MA for TV, and FV for fantasy violence in video games.

Another possible idea, which is something I have long advocated for, is to put warning labels on violent video games. The report also quotes:

More research is also needed on what types of individuals are most strongly affected by violent video games. Many of the spree shooters have been described as “social outcasts.” Are such individuals more likely to behave aggressively after playing a violent video game? Are such individuals more likely to play violent games alone?

A copy of the National Science Foundation report can be found on my Web site at www.wolf.house.gov. Let me say that again, because parents might want to look at it. And hopefully, the Members of the body on both sides will look at it, and hopefully members of the administration will look at it. A copy will appear at www.wolf.house.gov. And these are the views of the NRC.

I am not naive enough to think that video game violence is the only issue here. We need to have an honest discussion about media violence, TV, movies, and video games. We need to have an honest discussion about mental health.

It is easy for the President to go after the NRA. He doesn’t support the NRA, and the NRA doesn’t support him. But will the President of the United States ever, ever ask the entertainment industry to get involved or will he continue to be silent?

While media violence is not the only factor, it is one of the easiest factors to change and it needs to be addressed, in addition to looking at access to firearms and mental health.

Don’t we owe it to all the victims who have been killed to look at everything?

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

PARTICIPANTS OF THE SUBCOMMITTEE

Calvin Morrill, Ph.D., Professor of Law and Sociology and Director, Center for the Study of Law and Society, University of California, Berkeley
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Daniel W. Vessell, MPH, Professor and Director, Johns Hopkins Center for Gun Policy and Research
Nina G. Jablonski, Ph.D., Distinguished Professor of Anthropology, Pennsylvania State University

ADJOURNMENT

Mr. WOLF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o’clock and 7 minutes p.m.), under its previous order, the House adjourned until Monday, March 4, 2013, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

558. A letter from the Administrator, Department of Agriculture, transmitting the Department’s final rule — Tomatoes Grown in Florida; Department Assessment Docket (Doc. No.: AMS-FV-12-0051; PV12-546-1 IR) received February 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

559. A letter from the Under Secretary, Department of Defense, transmitting the annual report on operations of the National Defense Stockpile (NDSS); Department Assessment Docket (Doc. No.: 11(a) of the Strategic and Critical Materials Stockpiling Act as amended (50 U.S.C. 59 et seq.) for FY 2012; to the Committee on Armed Services.

560. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department’s final rule — Federal Housing Administration (FHA): Hospital Mortgage Insurance Program-Refinancing Hospital Loans (Docket No.: FV-558-0002) (RIN: 2060-0174) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

561. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Dubai Aerospace Enterprise (DAE) Limited (Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

562. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission’s final rule — Amendment of Section 73.202(b), Table of Service Area Identifiers (Greenup, Illinois) (MB Docket No.: 12-225) (RM-11688) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

563. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission’s final rule — Addition of South Sudan to the Restricted Destinations List [NRC-2012-0278] (RIN: 3150-A321) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

564. A letter from the Principle Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department’s final rule — Special Regulations; Areas of the National Park System, Sleeping Bear Dunes National Lakeshore [NPS-GLBA-12863] (PPMWLSBE60-PPMSPDIZ.YM0000) (RIN: 1024-AE11) received February 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

565. A letter from the Secretary, Department of Health and Human Services, transmitting the Annual Report to Congress on the Refugee Resettlement Program for the period October 1, 2008 through September 30, 2009 as required by section 433(a) of the Immigration and Nationality Act, pursuant to § U.S.C. 1522(a); to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WILSON of South Carolina (for himself, Mr. GRIFFITH of Virginia, Mr. JONES, and Mrs. LUMMIS):
H.R. 879. A bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government; to the Committee on the Budget, and in addition to the Committee on Rules, and Oversight and Government Reform, 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. DEFAZIO (for himself, Ms. SLAUGHTER, Ms. NORTON, Mr. SCOTT of Virginia, Mr. CARPANO, Ms. PUCKETT of Maine, Mr. MCGOVERN, Mr. CONYERS, Mr. HUFFMAN, Mr. GRIJALVA, Mr. WELCH, Ms. SCHAKOWSKY, Mrs. NAPOLITANO, Mr. SARBANES, Mr. MICHAUD, Ms. BROWN of Florida, Mr. ELLISON, Ms. CHU, Ms. DELAURIE, and Mr. BLUMENTHAL):
H.R. 680. A bill to amend the Internal Revenue Code of 1986 to impose a tax on certain trading transactions; to the Committee on Ways and Means.

By Mr. MCGOVERN (for himself, Mr. BOUTSTANY, and Mr. ISSA):
H.R. 881. A bill to limit the use of cluster munitions; to the Committee on Armed Services.

By Mr. CHAFFETZ (for himself and Ms. SPEIER):
H.R. 882. A bill to prohibit the awarding of a contract or grant in excess of the simplified acquisition threshold unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has no seriously delinquent tax debts, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CHAFFETZ (for himself, Mr. LATTA, and Mr. LABRADOR):
H.R. 883. A bill to amend title 38, United States Code, to permit the Secretary of Veterans Affairs, in accordance with regulations prescribed by the Secretary on the basis of the experience of a veteran, to discharge a veteran who was discharged or released from the Armed Forces by reason of service-connected disability to transfer benefits under the Post-9-11 Educational Assistance Act of 2008 and for other purposes; to the Committee on Veterans’ Affairs.
By Mr. CHAFFETZ:
H.R. 884. A bill to require Members of Congress to disclose delinquent tax liability and to require an ethics inquiry into, and the garnishment of the wages of, a Member with Federal tax liability; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, 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. DOGGETT (for himself, Mr. CASTRO of Texas, Mr. GALLEGO, Mr. CUELLAR, and Mr. SMITH of Texas):
H.R. 885. A bill to expand the boundary of San Antonio Missions National Historical Park, to conduct a study of potential land acquisitions, and for other purposes; to the Committee on Natural Resources.

By Mr. GERLACH (for himself and Mr. KIND):
H.R. 886. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. POMPEO (for himself, Mr. CROWLEY, Mr. COBB-HARRIS, Mr. WESTMORELAND, Mr. AMASH, Mr. SCALISE, Mr. KLINE, and Mr. BENTHAVILA):
H.R. 887. A bill to establish and administer the Economic Development Administration, and for other purposes; to the Committees on Transportation and Infrastructure, and in addition to the Committees on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMPEO (for himself, Mr. MATHESON, Mr. LONG, and Mr. LITTA):
H.R. 888. A bill to amend section 112(r) of the Clean Air Act (relating to prevention of hazardous air pollutants) and the Air Quality Act; to require the Department of Energy to develop and implement a clean power plan that would reduce carbon dioxide emissions from power plants; and for other purposes; to the Committee on Energy and Commerce.

By Ms. LOFGREN (for herself, Ms. ESHOO, Ms. MATSUI, and Mr. HONDA):
H.R. 889. A bill to combat trade barriers that threaten the maintenance of an open Internet, that mandate unique technology standards as a condition of market access and related measures, and to promote online free expression and the free flow of information; to the Committee on Energy and Commerce.

By Ms. LOFGREN (for herself, Ms. ESTADIN, Mr. HINOJOSA, Ms. MAMITE, and Mr. SOUTHERLAND):
H.R. 890. A bill to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMP (for himself, Mr. KLINE, Mr. SCALISE, and Mr. SOUTHERLAND):
H.R. 891. A bill to establish a grant program in the Bureau of Consumer Financial Protection to fund the establishment of centers of excellence to support research, development, implementation, and evaluation of effective programs in financial literacy education for young people and families ages 8 through 24 years old, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARSON of Indiana:
H.R. 892. A bill to establish a grant program in the Bureau of Consumer Financial Protection to fund the establishment of centers of excellence to support research, development, implementation, and evaluation of effective programs in financial literacy education for young people and families ages 8 through 24 years old, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FOXX (for herself, Mr. LAMAR, Mr. LOPEZ, Mr. LICHTENBERG of California, Mr. PETERSON, and Mr. MCVICTOR):
H.R. 893. A bill to provide for the imposition of sanctions with respect to foreign persons who transfer to or acquire from Iran, North Korea, Cuba, or Syria, certain goods, services, or technology that contribute to the proliferation activities of Iran, North Korea, or Syria, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Oversight and Government Reform, the Judiciary, Science, Space, and Technology, Financial Services, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Ohio (for himself, Mr. STIVERS, Ms. TITUS, and Mr. ROE of Tennessee):
H.R. 894. A bill to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. WATERS (for herself, Mr. CONYERS, Mr. SCOTT of Virginia, Mr. GIJALVA, Mr. SERRANO, Mr. NADLER, Ms. LEW, Mr. HARRIS, Mr. CHRISTENSEN, Ms. ROYBAL-ALLARD, Ms. NORTON, Mr. RANGEL, Ms. JACKSON LEE, Ms. WILSON of Florida, Mr. HARRISON, Ms. SANCHEZ, Ms. MCCLURKIN, Ms. HAHN, Ms. SEWELL of Alabama, Mr. RUSH, Ms. CLARKE, Mr. JOHNSON of Georgia, Ms. LINDA T. SANCHEZ of California, Mr. BLUMENAUER, Mr. COHEN, Mr. ELLISON, Mr. HONDA, Mr. LEWIS, Mr. CLAY, Mr. BEatty, and Mr. CUMMINGS):
H.R. 895. A bill to provide for an effective HIV/AIDS program in Federal prisons; to the Committee on the Judiciary.

By Mr. CARNEY:
H.R. 896. A bill to amend title XI of the Social Security Act to improve the quality, health outcomes, and value of maternity and child health programs; to the Committees on Energy and Commerce.

By Ms. HAHN (for herself and Mr. RUNYAN):
H.R. 897. A bill to amend title 38, United States Code, to expand the definition of homeless veteran for purposes of benefits under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. SMITH of New Jersey (for himself and Mr. DELAURO):
H.R. 898. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1965, and for other purposes; to the Committee on Ways and Means.

By Mr. BOUSTANY (for himself, Mr. PURCELL, Ms. SMITH of New York, and Ms. DELAURO):
H.R. 900. A bill to eliminate the sequestration under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, and for other purposes; to the Committee on Ways and Means.

By Mr. JENKINS:
H.R. 901. A bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for modified due dates by regulation, and to repeal the automatic extension to a period to longstanding regulatory rule; to the Committee on Ways and Means.

By Mr. BOUSTANY (for himself, Mr. TIERNEY, Mr. BARROW of Georgia, and Mrs. BLACKHURST):
H.R. 902. A bill to authorize certain Department of Veterans Affairs major medical facilities, medical research facilities, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOUSTANY (for himself, Mr. TIERNEY, Mr. BARROW of Georgia, and Mrs. BLACKHURST):
H.R. 903. A bill to amend the Internal Revenue Code of 1986 to repeal the employer health insurance mandate; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa (for himself and Ms. ROS-LEHTINEN):
H.R. 904. A bill to establish a common fund to pay claims to the Americans held hostage in Iran, and to members of their families, who are identified as class members in case number 1:08-CV-00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Oversight and Government Reform, and in addition to the Committees on the Budget, Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNEY:
H.R. 905. A bill to amend the Internal Revenue Code of 1986 to make the research credit permanent and to increase the alternative simplified research credit; to the Committee on Ways and Means.

By Mr. CARNEY (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. POE of Texas, Mr. BLUMENAUER, and Mr. SMITH of New Jersey):
H.R. 906. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for improvements under the Edward Byrne Memorial Justice Assistance Grant Program to reduce racial and ethnic disparities in the criminal justice system; to the Committees on Crime Control and Safe Streets Act of 1968 to provide for improvements under the Edward Byrne Memorial Justice Assistance Grant Program to reduce racial and ethnic disparities in the criminal justice system; to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for improvements under the Edward Byrne Memorial Justice Assistance Grant Program; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Ms. JACKSON LEE, Ms. WILSON of Florida, and Mr. GRAYSON):
H.R. 907. A bill to provide for additional safeguards with respect to imposing Federal mandates, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Budget, Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Mr. REICHERT (for himself and Mr. LIPINSKI):
H.R. 907. A bill to authorize project development for projects to extend Metrorail Silver Line in Northern Virginia, and for other purposes; to the Committee on Transportation and Infrastructure.
By Ms. DELBENK (for herself and Mr. LARSEN of Washington):
H.R. 908. A bill to preserve the Green Mountain Lookout in the Glacier Peak Wilderness in the Baker-Glacier Wilderness National Forest; to the Committee on Natural Resources.

By Mr. FINCHER:
H.R. 909. A bill to amend title IV of the Social Security Act to require States to implement a drug testing program for applicants for and recipients of assistance under the Temporary Assistance for Needy Families (TANF) program; to the Committee on Ways and Means.

By Mr. FLEMING:
H.R. 910. A bill to reauthorize the Sikes Act; to the Committee on Natural Resources, and in addition to the Committee on Armed Services, 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. GOSAR:
H.R. 911. A bill to restore the application of the Federal antitrust laws to the business of health insurance issuers and consumers; to the Committee on the Judiciary.

By Ms. HANABUSA (for herself, Ms. Bordallo, Mr. Faleomavaega, Mr. Saiblan, and Ms. Garibaldi):

By Mr. HASTINGS of Florida (for himself and Mr. DIAZ-BALART):
H.R. 913. A bill to amend the Water Resources Development Act of 2000 to provide for expedited project implementation relating to the comprehensive Everglades restoration plan; to the Committee on Transportation and Infrastructure.

By Mr. HUELSKAMP (for himself, Mr. Walsh, Mr. Harttler, Mr. LaMalfa, Mr. Jordan, and Mr. Gohmert):
H.R. 914. A bill to amend title 10, United States Code, to implement the repeal of the former Department of Defense policy concerning homosexual behavior in the Armed Forces not infringe upon the free exercise of religion by and the rights of conscience of members of the Armed Forces, including chaplains, and for other purposes; to the Committee on Armed Services.

By Mr. KENNEDY (for himself, Mr. FARR, Mr. Garamendi, Mr. Honda, and Mr. PETRI):
H.R. 915. A bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND (for himself and Mr. BISHOP of Utah):
H.R. 916. A bill to improve Federal land management, resource conservation, environmental protection, and use of Federal real property, by requiring the Secretary of the Interior to develop a multipurpose cadastral system of Federal real property and identifying inaccurate, duplicate, and out-of-date Federal land inventories, and for other purposes; to the Committee on Natural Resources.

By Mr. KOPP (for himself, Mr. CHAFFetz, Ms. Lofgren, and Mr. DeTUCTO):
H.R. 917. A bill to provide for media coverage of Federal court proceedings; to the Committee on the Judiciary.

By Ms. LEE of California (for herself, Ms. McCollium, Ms. Norton, Mr. Connolly, Ms. Moore, Mr. Hastings of Florida, Mr. Honda, Mr. Garamendi, and Mr. Farr):
H.R. 918. A bill to provide for the issuance of a semipostal to benefit the Peace Corps; to the Committee on Oversight and Government Reform, and in addition to the Committee on Transportation and Infrastructure, 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. LOEBSACK:
H.R. 919. A bill to promote industry growth and competitiveness and to improve worker training, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. McMorris Rogers (for herself, Mr. Garlinghouse of Florida, Mr. Guthrie, Mr. Welch, Mr. Cassidy, and Mr. Bradley of Iowa):
H.R. 920. A bill to amend the Public Health Service Act to expand the participation of optometrists in the National Health Service Corps scholarship and loan repayment programs, and for other purposes; to the Committee on Veterans Affairs.

By Mr. MICHAUD:
H.R. 921. A bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services; to the Committee on Veterans Affairs.

By Mr. MICHAUD (for himself, Ms. Pingree of Maine, Mr. Welch, Ms. Shea-Porter, and Mr. Owens):
H.R. 922. A bill to amend title 40, United States Code, to extend the authorization of the Northern Border Regional Commission, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:
H.R. 923. A bill to amend the Internal Revenue Code of 1986 to deny any deduction for direct-to-consumer advertisements of prescription drugs; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself, Mr. LoBiondo, and Mr. Carney):
H.R. 924. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Ways and Means.

By Mr. Perry (for himself, Mr. Meng, Mr. Castro of Texas, Mr. Collins of Georgia, Mr. Cook, Mr. Engel, Mr. McCaul, Mr. Merkens, Mr. Radel, Mr. Royce, Mr. Salmon, Mr. Vargas, and Mr. Yoho):
H.R. 925. A bill to amend the Diplomatic Security Act to revise the provisions relating to the Accountability Review Board under such Act; to the Committee on Foreign Affairs.

By Mr. PETRI (for himself, Mr. Duncan of Tennessee, Mr. Jones, and Mr. Grimm):
H.R. 926. A bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to disclose certain return information related to identity theft, and for other purposes; to the Committee on Ways and Means.

By Mr. POSEY (for himself, Ms. Waters, Mr. Westmoreland, and Mr. Jones):
H.R. 927. A bill to permit certain current loans that would otherwise be treated as non-accrual loans as accrual loans, and for other purposes; to the Committee on Financial Services.

By Ms. SCHAKOWSKY (for herself, Mr. Farr, Ms. Lee of California, Mr. Minge of California, and Mr. Pingree of Maine):
H.R. 928. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY:
H.R. 929. A bill to provide Federal contracts preference for a 30 percent reduction in the rate of income tax imposed on, Patriot corporations, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Government Reform, 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. SCHOCK (for himself, Mr. Clay, Mr. Meadows, Mr. Quigley, Mr. Kinzinger of Illinois, Mr. Rodney Davis of Illinois, Mr. Carson of Indiana, and Mr. Thompson of Mississippi):
H.R. 930. A bill to authorize the Secretary of the Interior to conduct a special resource study of the archeological site and surrounding land in the State of Illinois, and for other purposes; to the Committee on Natural Resources.

By Mr. SCHRADER:
H.R. 931. A bill to provide for the addition of certain real property to the reservation of the Confederated Tribes in the Rogue River region; to the Committee on Natural Resources.

By Mr. THOMPSON of California (for himself, Ms. Ros-Lehtinen of Florida, Ms. Lee of California, Mrs. Napolitano, Ms. Roybal-Allard, and Ms. Linda T. Sanchez of California):
H.R. 932. A bill to amend the Immigration and Nationality Act to protect the well-being of soldiers and their families, and for other purposes; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself, Mr. Clay, Mr. Coffman, Mr. Cohen, Mr. Cotton, Mr. District-Ballart, Mr. Faleomavaega, Mr. Higgins, Mr. McClintock, Mr. Rohrabacher, Ms. Ros-Lehtinen, Mr. David Scott of Georgia, Mr. Sherman, and Mr. Westmoreland):
H.R. 935. A resolution condemning the attack on Iranian dissidents living at Camp Huriai, and for other purposes; to the Committee on Foreign Affairs.

By Mr. McGOVERN (for himself, Ms. Fudge, Ms. Delauro, Mr. George Miller of California, and Mr. Ducth):
H.R. 939. A resolution expressing the sense of the House of Representatives that...
the Committee on Agriculture should not propose any reduction in the availability or amount of benefits provided under the supplemental nutrition assistance program (SNAP) in effect under the Food and Nutrition Act of 2008, and that the House of Representatives should reject any proposed legislation that includes any provisions that reduce the availability or amount of benefits provided under SNAP; to the Committee on Agriculture.

By Mr. CARSON of Indiana (for himself, Mr. Broun, Mr. Carter, Mr. Cassidy, Mrs. Christensen, Mr. Conyers, Mr. Crowley, Mr. Holt, Mr. Lange, Ms. Lee of California, Mr. Levin, Ms. Norton, Mr. Serrano, and Ms. Wasserman Schultz):

H. Res. 91. A resolution expressing support for designation of February 28, 2013, as Rare Disease Day; to the Committee on Energy and Commerce.

By Mr. ROYDIE DAVIS of Illinois (for himself and Mrs. Davis of California):

H. Res. 92. A resolution encouraging people in the United States to recognize March 1, 2013, as Read Across America Day; to the Committee on Education and the Workforce.

By Mr. LEWIS (for himself and Ms. Moore):

H. Res. 93. A resolution expressing support for designation of the month of February 2013 as National Teen Dating Violence Awareness and Prevention Month; to the Committee on the Judiciary.

By Ms. SCHAUKES:

H. Res. 94. A resolution expressing the sense of the House of Representatives regarding women’s health and economic security; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, and 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.

MEMORIALS

Under clause 3 of rule XII.

2. The SPEAKER presented a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 98 expressing strong opposition to the United States' role in ruling in Citizens United v. Federal Election Commission; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. WILSON of South Carolina:

H. Res. 879.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14 (to make Rules for the government and regulation of the land and naval Forces); and Article I, Section 8, Clause 18 (to make laws 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. CHAFFETZ:

H.R. 882.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I, 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; all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 2 of Section 8 of Article I, To borrow Money on the credit of the United States;

Clause 18 of Section 8 of Article I, 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. CHAFFETZ:

H.R. 883.

Congress has the power to enact this legislation pursuant to the following:

Clause 14 of Section 8 of Article I, To make Rules for the Government and Regulation of the land and naval Forces;

Clause 18 of Section 8 of Article I, 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. CHAFFETZ:

H.R. 884.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I, 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;

Clause 18 of Section 8 of Article I, 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. DOGGETT:

H.R. 885.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I, 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;

Clause 18 of Section 8 of Article I, 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. CONYERS:

H.R. 890.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under the following provisions of the United States Constitution:

Article I, Section 1;

Article I, Section 8, Clause 18 of the United States Constitution, and Amendment VIII to the U.S. Constitution.

By Mr. ENGEL:

H.R. 892.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under the following provisions of the United States Constitution:

Article I, Section 1;

Article I, Section 8, Clause 18 of the United States Constitution, and Amendment XVIII to the U.S. Constitution.

By Mr. SMITHE of New Jersey:

H.R. 893.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. CAMP:

H.R. 891.

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, Article I, Section 8, Clause 3 of the United States Constitution, and Article I, Section 8, Clause 18 of the United States Constitution.

By Ms. ROS-LEHTINEN:

H.R. 899.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Ms. FOXX:

H.R. 897.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. CONYERS:

H.R. 900.

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, Article I, Section 8, Clause 3 of the United States Constitution, and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. JENKINS:

H.R. 901.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. BOUSTANY:

H.R. 902.
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Congress has the power to enact this legislation pursuant to the following:
Section 8 of Article I of the United States Constitution.

By Mr. BOUSTANY:
H.R. 903.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. BRALEY of Iowa:
H.R. 904.

Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CARNEY:
H.R. 905.

Congress has the power to enact this legislation pursuant to the following:
Clause 1 of section 8 of article I of the Constitution.

By Mr. CARTER:
H.R. 906.

Congress has the power to enact this legislation pursuant to the following:
The bill has power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CONNOLLY:
H.R. 907.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18.

By Mr. DELBENE:
H.R. 908.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the U.S. Constitution.

The Congress shall have power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. FINCHER:
H.R. 909.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.

By Mr. FLEMING:
H.R. 910.

Congress has the power to enact this legislation pursuant to the following:
The constitutional authority of Congress to enact this legislation is provided by Article 4, Section 3, Clause 2 of the U.S. Constitution, which states "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. GOSAR:
H.R. 911.

Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3.

"The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Ms. HANABUSA:
H.R. 912.

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."

By Mr. HARTINGS of Florida:
H.R. 913.

Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the Constitution of the United States, including but not limited to Clause 3 of Section 8 of Article 1.

By Mr. HUELSKAMP:
H.R. 914.

Congress has the power to enact this legislation pursuant to the following:
This legislation is introduced under the authority of Article 1, Section 8, Clause 14, which grants Congress the power to "make Rules for the Government and Regulation of land and naval Forces,"; Article 1, Section 8, Clause 16, which grants Congress the power to "provide for the organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States"; and the "free exercise" clause of the First Amendment to the Constitution, which ensures the right to freely exercise one's religion.

By Mr. KENNEDY:
H.R. 915.

Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Article IV, Section 3.

By Mr. KIND:
H.R. 916.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. KING of Iowa:
H.R. 917.

Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to Congress' powers to constitute tribunals inferior to the Supreme Court, under Article I, Section 8, of the United States Constitution.

By Ms. LEE of California:
H.R. 918.

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. LOEBSSACK:
H.R. 919.

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.

By Mrs. McMORRIS RODGERS:
H.R. 920.

Congress has the power to enact this legislation pursuant to the following:
The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce as enumerated by Article I, Section 8, Clause 3 as applied to healthcare.

By Mr. MICHAUD:
H.R. 921.

Congress has the power to enact this legislation pursuant to the following:

H.R. 922.

Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. NADLER:
H.R. 923.

Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. NELSON:
H.R. 924.

Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. PASCRELL:
H.R. 925.

Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. PETRI:
H.R. 926.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 which, in part, states: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises. . . . and the Sixteenth Amendment which states: The Congress shall have power to lay and collect Taxes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. POSEY:
H.R. 927.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 which, in part, states: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises. . . . and the Sixteenth Amendment which states: The Congress shall have power to lay and collect Taxes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. SCHAKOWSKY:
H.R. 928.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.

By Ms. SCHAKOWSKY:
H.R. 929.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.

By Mr. SCHOCK:
H.R. 930.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3.

By Mr. SCHROEDER:
H.R. 931.

Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. THOMPSON of California:
H.R. 932.

Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. Tipton:
H.R. 933.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. MEHMAN, Mr. WENSTRUP, Mr. JORDAN, Mr. GRIMM, Ms. JENKINS, and Mr. TIPTON.
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H.R. 50: Mr. McNerney, Mr. Veasey, and Mr. PoCán.
H.R. 106: Mr. Young of Florida and Mr. TittoN.
H.R. 125: Mr. McGovern.
H.R. 129: Mr. Convers, Mr. Brady of Pennsylvania, and Mrs. Christensen.
H.R. 137: Mr. Sherman.
H.R. 141: Mr. Sherman.
H.R. 151: Mr. Wittman.
H.R. 163: Mr. Dingell.
H.R. 164: Mr. Luetkemeyer, Mr. Labrador, and Mr. Walzhen.
H.R. 176: Mr. Womack, Mr. Crawford, Mr. King of Iowa, Mr. Neugebauer, Mr. Austin Scott of Georgia, Mr. Fincher, Mr. Roe of Tennessee, Mr. Kingston, Mr. Westmoreland, Mr. Harris, Mr. Roskam, Mr. Boustany, Ms. Cotton, and Mr. Nuceng.
H.R. 185: Mr. Brady of Texas, Mr. Culberson, Mr. Smith of Texas, Mr. Cuellar, Mr. Doggett, Mr. Gohmert, Mr. Hensarling, Mr. Barton, Al Green of Texas, Mr. McCaul, Mr. Conaway, Mr. Thornberry, Mr. Weber of Texas, Mr. Flores, Mr. Neugebauer, Mr. Marchant, Mr. Williams, Mr. Farenthold, Mr. Gene Green of Texas, Ms. Eddie Bernice Johnson of Texas, Mr. Carter, and Mr. Stockman.
H.R. 232: Mr. Thompson of Mississippi.
H.R. 238: Mr. Long.
H.R. 238: Mr. Tonko, Mr. LoBiondo, Mr. Paulsen, Mr. Hall, Mr. Labrador, and Mr. Reed.
H.R. 278: Mr. Swalwell of California.
H.R. 301: Ms. Chu.
H.R. 330: Mr. Wittman and Mr. Griffin of Arkansas.
H.R. 331: Mr. Honda, Mr. Hunter, and Mr. Pete’s of California.
H.R. 335: Mr. Petri and Mr. Luetkemeyer.
H.R. 341: Mr. Norton.
H.R. 354: Mr. Andrews and Mr. Gingrey of Georgia.
H.R. 366: Mr. Yoho and Mr. Smith of Texas.
H.R. 416: Mr. Radel.
H.R. 432: Mr. Hick of Nevada.
H.R. 446: Mr. Andrews.
H.R. 454: Mr. Doyle.
H.R. 482: Mr. Cicilline.
H.R. 485: Mr. Faleomavaega.
H.R. 506: Ms. Shea-Porter.
H.R. 507: Mr. Schweikert.
H.R. 517: Mr. Lungren.
H.R. 519: Mr. Veasey, Mr. Al Green of Texas, Mr. Cardno, Mr. Bishop of New York, and Ms. Castor of Florida.
H.R. 533: Mr. Collins of Georgia and Mr. Smith of Texas.
H.R. 533: Mr. Collins of Georgia and Mr. Smith of Texas.
H.R. 539: Ms. Meng.
H.R. 531: Mr. Deutch.
H.R. 532: Mr. Quigley, Mr. McNerney, and Ms. Velázquez.
H.R. 544: Mr. Wilson of South Carolina, Mr. Poe of Texas, Mr. Stewart, and Mr. Stockman.
H.R. 558: Mr. Andrews, Mr. Petri, Mr. Cartwright, Mrs. Miller of Michigan, Mr. Johnson of Ohio, Mr. Collins of New York, and Mr. McIntyre.
H.R. 568: Mr. Meadows.
H.R. 569: Mr. Walz.
H.R. 570: Mr. Walz.
H.R. 578: Mr. Graves of Georgia.
H.R. 582: Mr. Stockman, Mr. Bilirakis, and Mr. Luetkemeyer.
H.R. 595: Mrs. Bratton, Mr. Thompson of Mississippi, Mr. Danny K. Davis of Illinois, Mr. Carson of Indiana, Mr. David Scott of Georgia, Mr. Clay, Mr. Richmond, Ms. Moore, Mr. Rangel, Ms. Sewell of Alabama, Mr. Fattah, Mr. Horsford, and Ms. Jackson Lee.
H.R. 597: Mr. Moran.
H.R. 609: Ms. Eshoo.
H.R. 612: Mr. Peterson.
H.R. 621: Mr. Ross and Mr. Mc Caul.
H.R. 627: Mr. McIntyre, Mr. Pearce, Mrs. Capito, Mr. Nolan, Mr. Blumenauer, Mr. Pettit, Mr. Shimkus, Mr. Kelly, Mr. Barletta, Mr. Marino, Mr. Gutierrez, Mr. Hall, Mr. Sensenbrenner, Mr. Kinzinger of Illinois, Mr. Thompson of Pennsylvania, and Mr. Bucshon.
H.R. 628: Ms. Bonamici, Mr. Levin, Ms. Meng, and Ms. Tsongas.
H.R. 630: Mr. Andrews, Mr. Markey, Mr. Higgins, Mr. Visclosky, Ms. Lofgren, Mr. Brownley of California, Mr. Maffei, Mr. Ellison, and Mr. McNerney.
H.R. 637: Mr. Jordan and Mr. Long.
H.R. 654: Mr. Smith of Nebraska.
H.R. 671: Mr. Jones.
H.R. 673: Mr. Olson.
H.R. 688: Mr. Bentivolio and Mrs. Miller of Michigan.
H.R. 693: Mr. Andrews.
H.R. 728: Mr. Swalwell of California.
H.R. 745: Mr. Castor of Florida, Mr. Ben Ray Lujan of New Mexico, and Mr. Lowenthal.
H.R. 748: Ms. Hanabusa, Mr. Sensenbrenner, Mr. Graves of Georgia, Mr. Sock, and Mr. Ross.
H.R. 755: Mr. Rahall, Mr. Gohmert, Mr. Matheson, Mr. Scott of Virginia, Mr. McGovern, Mr. Buchanan, Mr. Connolly, Mr. Bishop of Utah, Mr. Himes, Mr. Lamborn, Mrs. Noem, Mr. Michaud, Ms. Pingree of Maine, Mr. Mullin, and Mr. LoBiondo.
H.R. 760: Mr. Jones, Mr. Pearce, Mr. LaMalfa, Mr. DesJarlais, Mr. Stewart, Mr. Yoho, Mrs. Lummis, Mr. Garrett, and Mr. Stutzman.
H.R. 761: Mr. Coffman, Mr. Austin Scott of Georgia, Mr. McClintock, Mr. Fincher, Mr. Graves of Georgia, Mrs. Lummis, Mr. Southerland, Mr. Sock, and Mr. Flores.
H.R. 763: Mr. Coffman and Mr. Ross.
H.R. 766: Mr. Pascrell.
H.R. 769: Ms. Ross.
H.R. 807: Mr. Hall, Mr. Ribble, Mr. Chabot, Mr. Conaway, Mr. Flores, Mrs. Wagner, Mr. Wilson of South Carolina, Mr. Pompro, Mr. Walberg, Mr. Brooks of Alabama, and Mr. Fleischmann.
H.R. 811: Ms. Meng.
H.R. 812: Mrs. Capus, Ms. Castor of Florida, Mr. Hargreel, Mr. Yarmutte, and Mr. McNerney.
H.R. 816: Mr. Peterson and Mr. Conaway.
H.R. 824: Mr. Barton, Mr. Hulskamp, Mr. Price of Georgia, Mr. Franks of Arizona, Mr. King of Iowa, Mr. Chabot, Mr. Fleming, Mr. Yoder, Mr. LaMalfa, and Mr. Duncan of South Carolina.
H.R. 828: Mr. Chabot, Mr. King of Iowa, Mr. Meadows, Mr. Long, and Mr. Graves of Georgia.
H.R. 841: Mr. DeFazio, Mr. Blumenauer, and Ms. Bonamici.
H.R. 847: Mr. Eddie Bernice Johnson of Texas, Mr. Schiff, Mrs. Carolyn B. Maloney of New York, Mr. Smith of Washington, Mr. Plerlisi, Mr. Coffman, Ms. Schwartz, Ms. Pingree of Maine, Ms. Lee of California, Mr. Cooper, Mr. Cucilline, Mr. Hanna, Ms. McCollum, Ms. Norton, Mr. Blumenauer, Mr. Himes, Mr. Levin, Mr. Hastings of Florida, Mr. Bradley of Iowa, Mrs. Davis of California, Mr. Buchanan, Mr. Langevin, Mr. Connolly, Mr. Waxman, Mr. Grimm, Mr. Cummings, Mr. Mehan, Mr. Lewis, Ms. Lowetta Sanchez of California, Mr. Ellison, Ms. Tsongas, Mr. Conyers, Mr. Larson of Connecticut, Mr. Grimala, Mr. Deutch, Mr. Sarbanes, Mr. Campbell, Mr. Holt, Mr. Cohen, Mr. McGovern, and Mr. Runyan.
H.R. 849: Mr. Viscay.
H.R. 850: Mr. Bilirakis and Mr. King of New York.
H.R. 852: Mr. Ellikon.
H.R. 855: Mr. McNerney and Mr. Ryan of Ohio.
H. J. Res. 24: Mr. Gibson.
H. J. Res. 31: Mr. Lynch.
H. Res. 30: Mr. Nolan, Mrs. Bratton, and Mr. Horsford.
H. Res. 36: Mr. Hall, Mr. DesJarlais, Mr. Bishop of Utah, Mr. Fleming, Mr. LaMalfa, and Mr. Mullin.
H. Res. 51: Ms. Norton.
H. Res. 69: Mr. Buchan.
H. Res. 71: Mr. Napolitano, Mr. PoCán, Mr. Bilirakis, Mr. Biedenstine, Mr. Mullin, Mr. Lipinski, and Mr. Carney.
H. Res. 75: Mr. Huizenga of Michigan and Mr. LoBiondo.
H. Res. 80: Mr. Rush.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. Res. 88: Mr. McClintock, Mr. Westmoreland, Mr. Rohrabacher, Mr. Coffman, Mr. Clay, Mr. David Scott of Georgia, Mr. Cohen, Mr. Diaz-Balart, Mr. Sherman, Mr. Higgins, Mr. Ros-Lehtinen, Mr. Faleomavaega, and Mr. Cotton.

PETITIONS, ETC.

Under clause 3 of rule XII,

5. The SPEAKER presented a petition of the City of Miami Beach, Florida, relative to Resolution No. 2013–39124 urging the Congress to ban the sale and possession of semi-automatic assault weapons and high capacity ammunition devices and magazines, which was referred to the Committee on the Judiciary.
The Senate met at 10 a.m. and was called to order by the Honorable Brian Schatz, a Senator from the State of Hawaii.

PRAYER
The Chaplain, Dr. Barry C. Black, offered the following prayer:
Let us pray.
You, O God, are a shield for America. Because of Your mercy and power, we lift our heads with optimism. When we cry aloud to You during our moments of exasperation, You answer us from Your holy mountain.
As we anticipate an across-the-board set of budget cuts becoming law in our land, we still expect to see Your goodness prevail. We remain unafraid of what the future holds because You have promised to never leave or forsake us. Rise up, O God, and save us from ourselves. Pour Your wisdom upon our lawmakers so that they will do Your will.
We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE
The Honorable Brian Schatz 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 bill clerk read the following letter:

U.S. SENATE
PRESIDENT PRO TEMPORE

To the Senate:
Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Brian Schatz, a Senator from the State of Hawaii, to perform the duties of the Chair.

Patrick J. Leahy, President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER
The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE
Mr. REID. Mr. President, following any leader remarks, the Senate will be in morning business for 1 hour. The Republicans will control the first half, the majority the final half. Following morning business, the Senate will resume consideration of the American Family Economic Protection Act.
At a time to be determined today, there will be two cloture votes on the motions to proceed to S. 368 and S. 16, which are the Democratic and Republican sequestration bills. Senators will be notified when the votes are scheduled. I will work that out with Senator McConnell.

FAREWELL TO RICK DEBOBES
Mr. REID. Mr. President, today the Senate says goodbye to a valued and accomplished staff member, Rick DeBobs, who is retiring after 10 years as staff director for Senator Levin in the Armed Services Committee.
Rick came to the Senate more than two decades ago, after a distinguished 26-year career as a judge advocate in the U.S. Navy. He spent his entire Capitol Hill career with the same committee—that committee being the Armed Services Committee—a rare occurrence in the Senate. He worked first for Chairman Sam Nunn and then Chairman Carl Levin.
For the last decade, Rick has led the committee’s oversight of two of our longest running wars ever—Iraq and Afghanistan—working to reward the dedication of military personnel and their families.
Under Chairman Levin’s guiding hand, he has also filled the staff of the Armed Services Committee with the next generation of national security professionals.
Rick’s expertise, integrity, and commitment to public service will be missed by Democrats, Republicans, and the country. On behalf of the Senate community, I thank him for his service and wish him well in his retirement.

THE SEQUESTER
Mr. REID. Mr. President, Rick’s departure from the Senate Armed Services Committee comes during a trying time for our Nation’s military, as deep across-the-board spending cuts are set to strike hundreds of thousands of civilian employees at the Defense Department who will be furloughed in the coming weeks and months. Families and businesses across the country are also bracing for the pain of deep cuts in programs that keep our food safe, our water clean, and our borders secure.
But it is not too late to avert these damaging cuts, and cuts for which the overwhelming majority of Republicans in both the House and Senate voted—174 in the House, 28 here in the Senate. We believe we have a balanced plan to remove the threat of the sequester, fully paid for.
Our proposal would reduce the deficit by making smart spending cuts, and it would also close wasteful tax loopholes allowing companies that outsource jobs to China or India to claim tax deductions for doing so.
Our plan would stop wasteful subsidies to farmers, some of whom don’t even farm anymore. That is right, there are some farmers who grew rice decades ago, who still get payments from the Federal Government for rice they do not grow. Chairman Stabenow

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
THE SEQUESTER

Mr. CORNYN. Mr. President, here we are again, on the eve of this administration’s latest manufactured crisis. Tomorrow, as we all know—anybody who has been paying attention knows—that the sequester will go into effect. And if we believe the majority leader, the President, and his Cabinet, this will be devastating for our economy and for our country. But I wish to suggest that the reality is that it will be devastating for our economy and for our country. But I wish to suggest that the majority leader, the President, and his Cabinet put down the beltway Koolaid, because they are predicting a disaster that will not occur.

Let’s put the responsibility for this where it lies. The sequester was the President’s idea in the first place. As much as he and his press secretary and staff try to deny it, the fact is, as he wrote in his recent book, Bob Woodward has made the point that they told him it was their idea. The White House proposed it to Congress and the President signed it into law on August 2, 2011.

In the year and a half since the Budget Control Act became the law of the land, the President has done virtually nothing—nothing—about it. He has ignored it. He suggested during the Presidential campaign that the sequester would not happen, and it was as if he tried to simply wish it away. Certainly we know one thing, and that is neither the President nor his Cabinet nor the Defense Secretary nor any part of his administration has done anything to plan for it—no planning whatsoever—which, of course, makes the implementation more challenging, to be sure.

At times, the President has pretended the sequester didn’t even exist, even though he signed it into law, such as when the Department of Labor notified government contractors they didn’t have to abide by another Federal law called the WARN Act, which requires them to notify their employees of potential layoffs that could result from sequestration. The timing, it seems, was inconvenient. Those notices would have gone out roughly around November 1, just 5 days before the last election.

To be sure, there is bipartisan consensus the sequester is ham-fisted. These across-the-board cuts don’t amount to smart budgeting. But what would we expect after nearly 4 years of deficit spending? And what I mean by that, as this chart reflects, is that it has been 1,401 days since the Senate, under Democrat control, has passed a budget. This is a shameful record and one that needs to be rectified as soon as possible.

We are now told the President himself has missed his statutory deadline for sending his proposed budget for the year over to Congress. That deadline was February 4. And now they are saying it may not occur. And what I mean by that, as this chart reflects, is that it has been 1,401 days since the Senate, under Democrat control, has passed a budget. So they are predicting it will be roughly 7 weeks late.

Well, no one could argue with a straight face—contrary to the doom and gloom and the predictions—that 2.4-percent cuts from our anticipated $3.6 trillion annual spending amounts to devastation or the end of Western civilization or whatever sort of apocalyptic terms you want to use. So let’s look at what 2.4 percent in cuts would mean to the average American family.

If you use 100 gallons of gasoline to run your car every month and you had to cut that back by 2.4 percent, that means you would be able to use 97.6 gallons of gas. If you have a $250-a-month grocery budget, you would need to find $6 in savings. And on a monthly utility bill of, let’s say, $175, you would have to take it down by $4.20.

These are the kinds of cuts the American people have had to make for themselves during the recession of 2008 and due to slow growth and high unemployment since then. Yet President Obama is either unwilling or unable to propose similar cuts to replace the sequester.

If he doesn’t like it, well, let’s have his proposal for how he would fix it since he signed it into law. Instead, what we get is a proposal that we will vote down by $4.20.

The Republicans should give Congress true flexibility—the flexibility to cut wasteful subsidies, the flexibility to close unnecessary tax loopholes, and the flexibility to ask the richest of the rich to contribute a little bit more. Instead, they have become completely inflexible, insisting we risk hundreds of thousands of American jobs as well as progress for the family farmers and small businesses across the Nation.

I am sorry to say that should come as no surprise. As usual, the Republicans have put the demands of special interests and protection of the richest of the rich—people making up to $35 million a year and not being asked to contribute 30 percent of what they make—over the needs of the American people, especially the middle class.

Will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The Acting President pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The Acting President pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

The Republican whip.

Mr. CORNYN. Mr. President, here we are again, on the eve of this administration’s latest manufactured crisis. Tomorrow, as we all know—anybody who has been paying attention knows—that the sequester will go into effect. And if we believe the majority leader, the President, and his Cabinet, this will be devastating for our economy and for our country. But I wish to suggest that the majority leader, the President, and his Cabinet put down the beltway Koolaid, because they are predicting a disaster that will not occur.

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I am sorry to say that should come as no surprise. As usual, the Republicans have put the demands of special interests and protection of the richest of the rich—people making up to $35 million a year and not being asked to contribute 30 percent of what they make—over the needs of the American people, especially the middle class.
This is not a mystery. This is not something that Republicans know that Democrats don’t know; we all know it; and the President knows it because his own bipartisan fiscal commission told him in December 2010.

According to the Congressional Budget Office, the White House–backed bill offered by our Senate Democratic friends to replace the sequester would actually raise the deficit this year by tens of billions of dollars. Now, you may be wondering about that, thinking that that is the only way to begin—with one proposal takes effect, we will vote on a Senate Democrat plan that does more to perpetuate the culture of irresponsibility around here than it does to fix the culture of spending that Washington Democrats claim to be concerned about. That is the only way to begin—with one proposal is more taxes and more spending to that? When all he and his party proposed is more taxes and more spending to that? When all he and his party promised at the expense of those who actually need government help. The American people were promised more spending control, and Republicans are going to help them see that promise is fulfilled in the smartest way possible.
I yield the floor.

The ACTING PRESIDENT pro tempore, The Senator from Missouri.

Mr. BLUNT. Mr. President, I rise today to talk about a disappointing milestone that we passed yesterday.

Yesterday afternoon, 4 years ago this past 1,400th day, since the Senate passed a Federal budget—1,400 days. So I guess today is the first day moving toward 1,500 days, but yesterday was the 1,400th day.

It has been— and I know I have said it on this floor— that finding a plan is planning to fail. If you don’t have any idea where you are going, you are not likely to get where you would like to be.

When it comes to our budgetary future, the strategy of the majority has been just not to deal with it.

Last summer Vice President Joe Biden challenged and said: Show me your budget and I will tell you what you value. Why the Vice President would have said that I really don’t know. The President’s budget that has arrived late and has been dead on arrival, apparently, every time it has arrived in the last 4 years and a Senate majority of the Vice President’s party that has not passed a budget—why the Vice President would have said: Show me your budget, and I will tell you what you value, I don’t know.

I like the Vice President personally a lot. I often don’t know exactly why he said what he said. But this comment really raised a question about why we are not willing to talk about the things we want to achieve as a government.

Nearly 4 years have passed since we had any kind of blueprint. I am told when we talk about a budget in Washington that apparently there were no political consequences because the majority was rewarded with the majority again even though if there was one comment made over and over again in that period that it has been—since there has been a budget, and now we are saying it has been 4 years since there has been a budget, and we have seen the government lurch from crisis to crisis. Frankly, most of these crises have been created by the people who say they are trying to deal with them.

I could not imagine, in November and December, why we would want to start a new year with the issues before us that were before us then. This could have been handled that time as easily as it could be handled now. Part of it is the failure to plan.

Since the Senate, controlled for some time now by Democrats, passed a budget in April of 2009, lots of things have happened. Four years ago nobody in America had an iPad yet because iPads had not yet been invented. Nobody in America now doesn’t know somebody who has an iPad if they don’t have one themselves. Instagram, which our conference just added to one of these tools this floor didn’t even exist 4 years ago. The Federal debt 4 years ago was less than $12 trillion. Now it is $16.6 trillion. LeBron James was still a Cleveland Cavalier the last time the Senate passed a budget. ObamaCare—and the President, in the Presidential campaign, said he now liked that term. I think he may not like it as well as he does now when people find out more about it—was not even the law yet. It was not even the President’s show. It was still in the air. NASA had not announced yet that we were done with the space shuttle missions. Prince William and Kate Middleton were not engaged, and Brett Favre still played for the NFL, and he has had more than one move in the last 4 years, but one thing that has not happened is the Senate has not passed a budget.

Republicans in the House have drawn up and voted for budgets. We figured out ways occasionally to have a budget vote. But the President’s budget would get no vote. There was no Senate majority budget on which to vote. I look forward to seeing that budget on the floor.

I was glad to vote just a few weeks ago on the bill that said that if we do not have a budget, we do not get paid, because if we do not have a budget, we do not have the fundamental tool it takes to have the other debates on the appropriations bills. People deserve a Senate that has a budget, is willing to put it out there, and then that is willing to have the debates on appropriations bills we need to have. It has been 15 months since we had an appropriation. We have failed to do the work, and that leads us from one needless crisis to another.

Now the crisis, of course, is the sequestration deadline. If you listen to the administration, you would assume that this is the last day it is safe to go outside; that starting tomorrow terrible things are going to happen. I just heard our leader, the Republican leader, talk about our willingness to give the President of the other party more authority. I don’t believe that. I believe the Government Accountability Office has identified 51 areas where programs are inefficient, ineffective, and overlapping—51 areas. Why don’t we deal with that? That is the Executive’s responsibility, to say: Here is how we are going to solve these problems. Let the Government Accountability Office has identified 51 areas where programs are inefficient, ineffective, and overlapping. Otherwise, I guess we are committed to keep the programs that are inefficient, ineffective, and overlapping and spend billions of dollars of the taxpayers’ money.

That would include things such as 180 economic development programs operating in five different Cabinet agencies. I am for economic development. I am for opportunity and jobs. But do we need 180 different programs in 5 different agencies? Divide 180 by 5—does each of those agencies need an average of that many programs?

There are 173 programs across 13 agencies to promote science, technology, educational and math education. That is not a bad goal, but does it take 173 programs in 13 agencies to do it?

Twenty agencies oversee more than 50 financial literacy programs. More than 50 programs across 4 departments are there to support entrepreneurs. Private sector job creation should be the No. 1 domestic goal of the country.
today, but do you need 50 programs in four departments to encourage entrepreneurial skills? Probably not.

Why don’t we hear about that instead of the air traffic controllers and the highway engineers and the meat plant inspectors and the Head Start teachers? Why don’t we hear about those programs that we all know are ready to be made more efficient—or in some cases just simply the way to make them more effective is to eliminate those programs?

There are 47 job training programs in 9 agencies that cost $18 billion in fiscal year 2009. I do not have a number newer than that. We actually don’t have a budget that much the newer than that. But $18 billion for 47 programs in 9 agencies? I am sure we can do better.

The Government Accountability Office found at least 37 duplicative investments in information technology—that was in the country; 5 years and 14 programs to administer grants to reduce diesel emissions across 3 departments. This is not 14 programs to administer grants and loans, this is 14 programs to administer grants and loans to reduce diesel emissions. I am even for the Federal Government paying some attention to whether that is being done. But do we need 14 programs in 3 different agencies to do it?

Across-the-board cutting, which is what sequester really means—that means we couldn’t get to the number because, by the way, we didn’t have any budget, we didn’t pass any budget, so of course we couldn’t get to the number. We couldn’t get to the number the law requires us not to exceed in our spending, so the cure for that is to cut every line item in the discretionary spending part of the budget—the part that the White House builds highways, the part that administers most educational needs in which the Federal Government is involved? That is what sequester is. We can do better.

The Department of Defense has spent more than $67 billion in the last 10 years on nondefense spending. Probably somebody better than the Department of Defense could do the non-defense work. The Department of Energy weatherization program, which has received $5 billion in stimulus funds, exhibited a failure rate of 80 percent. The stimulus program really worked out well. Here is an 80-percent failure rate in energy weatherization.

The Federal Aviation Administration, the one about which my friend the Secretary of Transportation, with whom I served in the House, said we would have to eliminate air traffic controllers—they spent $500 million each year on consultants. It could be that it is more important that the air traffic controllers show up than that the consultants show up.

I have a list here I am going to submit because the list literally goes on and on.

The Internal Revenue Service stored 22,486 items of unused furniture in a warehouse, at an annual cost of $862,000.

We will have this discussion of “why cut that instead of this” if we want to. But my side is willing to give the President authority between now and the end of this haphazardly put together appropriating year to target cuts so that those of us in the Senate can appropriate the money for next year’s spending.

We ought to be moving right now. We should not be having this debate at all today. We should be having a debate on the budget to have it done by April 15 so the Appropriations Committee can begin to do its work and we can find out what needs to happen here.

This is a good time to ask the question, Is this a job for the government? If the answer is yes, the second question is, Is the Federal Government the best of all governments to solve this problem or is there some government closer to the people and closer to the problem that can solve it in a better way?

There are two things I wish to submit and ask unanimous consent to have printed in the RECORD as I close my remarks. One is a July 31, 2012, memo to agencies from the Office of Management and Budget that says, “Agencies should continue normal spending and operations since there are more than 5 months that remain for Congress to act.”

On September 28 the same management organization, the Office of Management and Budget, under the Executive Office of the President, sent another memo out that says, “Agencies should continue normal spending and operations, as instructed in the July 31 memo from the Office of Management and Budget to executive departments and agencies which addresses operational and other issues raised by the potential of January 2 sequestration.”

So the new spending year is about to begin in 2 days—2 days after this goes out—and the direction from the White House is business as usual, full-speed ahead, spend money just like you are. Don’t bother with that law which says that beginning on January 1, we have to spend less money.

Well, I am convinced we are going to spend less money. I am prepared to work with the President to see that we do that in the smartest possible way, but we have to get our spending under control, and I look forward to seeing the Senate do its job first with the budget and then with bills that debate our money and what we spend our money on.

There being no objection, the material was ordered to be printed in the RECORD, as follows:
from agencies on sequesterable amounts and, where applicable, unobligated balances, and calculate the percentage reductions necessary to implement the sequestration. In the meantime, agencies should continue normal spending and operations since more than 5 months remain for Congress to act.

The steps described above are necessary to prepare for the contingency of having to issue a sequestration order, but they do not change the fact that sequestration is bad policy, was never meant to be implemented, and has been a double whammy for the government of bipartisan, balanced deficit legislation. The Administration urges the Congress to take this course.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, DC, September 28, 2012.

OMB BULLETIN NO. 12–02—TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

Subject: Apportionment of the Continuing Resolution(s) for Fiscal Year 2013

1. Purpose and Background. H.J.R. 117 will provide continuing appropriations for the period October 1, 2012 through March 27, 2013. H.J.R. 117 requires that the joint resolution be implemented so that only the most limited funding actions shall be taken in order to provide for continuation of programs and activities authorized by law. H.J.R. 117 requires that programs restrict funding actions so as not to impinge on the final funding prerogatives of the Congress. I am automatically apportioning amounts provided by sections 101(a) and 101(b) of this continuing resolution (CR) as specified in section 3. The amounts provided by the 0.612 percent across-the-board (ATB) increase in section 101(c) will be subject to the procedures for apportioning that funding as outlined in section 4. This Bulletin supplements instructions for apportionment of CRs in OMB Circular No. A–11, sections 120 and 123.

The Administration continues to urge Congress to pass a balanced package of deficit reduction that would replace the potential sequestration on January 2, 2013, under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended (BBEDCA), because BBEDCA contains more detailed instructions on calculating the rate for operations for a program should be less than the amount automatically apportioned by section 101(b) by the lower of:

Section 101(c) increases the rate for operations provided by subsection (a) by 0.612 percent. Such increase does not apply to OCO/GWOT amounts or to amounts incorporated by reference into the Budget by reference to the Disaster Relief Appropriations Act, 2012 (Public Law 112–77).

3. Automatic Apportionments. Attachment A contains instructions on calculating the annualized amount provided by the CR. In order to calculate the amount automatically apportioned through the period ending March 27, 2013 (and any extensions thereof) multiply the annualized amount provided by the CR by the percentage of the year (pro-rata) covered by the CR (e.g., for H.J. Res. 117 use 48.77 percent), or the historical seasonal rate of obligations for the period of the year covered by the CR.

4. Amounts Provided. Section 101(a) of H.J.R. 117 provides such amounts as may be necessary, at a rate for operations as provided for in the applicable appropriations Act for fiscal year (FY) 2012, and under the authority and conditions provided in such stated Acts, for continuing projects or activities (including direct loan and loan guarantee) that are not otherwise specifically provided for in H.J.R. 117, that were conducted in FY 2012, and for Appropriations Act, 2012 (Public Law 112–55), except for appropriations in that Act designated by the Congress as being for disaster relief, the Counterterrorism (Public Law 112–74), and the Disaster Relief Appropriations Act, 2012 (Public Law 112–77), except for appropriations in that Act under the heading “Domestic Disaster Mitigation (GWOT)” pursuant to section 251b(2)(A) of BBEDCA in either the Department of Defense Appropriations Act, 2012 (division A of Public Law 112–265) or in the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2012 (division H of Public Law 112–74) that would be made available for a project or activity is different from the amount requested in the President’s FY 2013 Budget request, the project or activity shall be continued at a rate for operations that would be provided by, and such designation shall be applied to, the amount in the President’s FY 2013 Budget request. For purposes of calculating the rate for operations, as referenced to “amount” in section 101(b) is assumed to mean the budget account total.

Section 101(c) increases the rate for operations provided by subsection (a) by 0.612 percent.

If there is an enacted credit limitation (i.e., a limitation on loan principal or commitment level) in FY 2012, then the automatic apportionment is the pro-rata share of the credit limitation or the budget authority (i.e., for subsidy cost), whichever is less. To calculate amounts available, see exhibit 123B of OMB Circular No. A–11.

6. Programs under Section 111. Funds for appropriated entitlements and other mandatory payments, and activities under the Food and Nutrition Act of 2008, are automatically apportioned to carry out programs at a rate to maintain program levels under current law, i.e., at the FY 2013 level. However, this automatic apportionment does not address with more complex funding structures. Agencies should contact their RMO representatives to determine if their account is automatically apportioned or if a written apportionment is required.

With regard to the associated administrative expenses for those programs, section 111 provides that the administrative expenses are automatically apportioned at the pro-rata level based on FY 2012 annualized levels in section 101(a).

As noted in section 1, this automatic apportionment will be amended, if necessary, to reapportion sequesterable resources to account for the sequestration order that the President may be required to issue on January 2, 2013, under section 251A of BBEDCA. Until such time as the Bulletin is amended, agencies should continue normal spending and operations, as instructed in the July 31 memo from OMB to executive departments and agencies which addressed operational and other issues raised by the potential January 2 sequestration.

7. Credit Limitations. If there is an enacted credit limitation (i.e., a limitation on loan principal or commitment level) in FY 2012, then the automatic apportionment is the pro-rata share of the credit limitation or the budget authority (i.e., for subsidy cost), whichever is less. To calculate amounts available, see exhibit 123B of OMB Circular No. A–11.

8. Written Apportionments for Amounts Provided by Sections 101(a) and 101(b). If an agency needs an amount that is more than the amount automatically apportioned under sections 101(a) and 101(b), a written apportionment must be requested from OMB. OMB expects to grant only a very limited number of these written apportionment requests. Each of these requests must be accompanied by a written justification that includes the legal basis for the exception apportionment. Similarly, an RMO or an agency may determine that an amount for a program should be reduced below the amount automatically apportioned by sections 101(a) and 101(b) in order that an agency does not impinge on the final funding prerogatives of the Congress. In those cases, a written apportionment will also be required.

Agencies do not need to request a new written apportionment for each extension of the CR (unless otherwise required by your RMO). Instead, in the case of accounts that receive a written apportionment at any time during the CR period, the automatic apportionment will apply to such accounts under any subsequent extensions of the CR, provided that the total amount apportioned during the CR period does not exceed the total annualized level of the CR. However, any footnotes on the written apportionment continue to apply to the accounts, when subsequently operating under the automatic apportionment.

The written apportionments described in this section are not intended to address the written apportionments for amounts provided by section 101(c) or accounts with zero funding. Those requirements are described in sections 4 and 5 above, respectively.

JEFFREY D. ZIPERTS,
Deputy Director for Management.

Attachment: S964 CONGRESSIONAL RECORD — SENATE February 28, 2013
## Cancellations of Obligated Balances:

### Agriculture and Rural Development:
- USDA, The Office of Advocacy and Outreach
- USDA, Buildings and Facilities (National Institute of Food and Agriculture)
- USDA, Public Law 480 Title II Food for Peace Grants
- USDA, Public Law 480 Title II Direct Credit and Food for Progress Program
- USDA, Salaries and Expenses (Foreign Agricultural Service)

### Commerce, Justice, Science:
- DOJ, Emergency Steel, Oil, and Gas Loan Program Account
- DOJ, Central Zone Management Fund
- DOJ, Public Telecommunications Facilities, Planning and Construction
- DOJ, Information Infrastructure Grants
- DOJ, Working Capital Fund
- DOJ, Salaries and Expenses, United States Marshals Service
- DOJ, Salaries and Expenses (Drug Enforcement Administration)
- DOJ, Buildings and Facilities
- DOJ, Assistance
- DOJ, State and Local Law Enforcement Assistance
- DOJ, Juvenile Justice Programs
- DOJ, Community Oriented Policing Services
- DOJ, Violence against Women Prevention and Prosecution Programs
- NASA, Mission Support
- NASA, Space Operations
- NASA, Science
- NASA, Exploration
- NASA, Aeronautics
- NASA, Education
- NASA, Construction, Environmental Compliance, and Remediation

### Defense:
- DOD, Procurement, Defense-wide
- DOD, Aircraft Procurement, Navy
- DOD, Weapons Procurement, Navy
- DOD, Procurement of Ammunition, Navy and Marine Corps
- DOD, Shipbuilding and Conversion, Navy
- DOD, Other Procurement, Navy
- DOD, Aircraft Procurement, Army
- DOD, Missile Procurement, Army
- DOD, Procurement of Weapons and Tracked Combat Vehicles, Army
- DOD, Procurement of Armaments, Army
- DOD, Other Procurement, Army
- DOD, Aircraft Procurement, Air Force
- DOD, Missile Procurement, Air Force
- DOD, Other Procurement, Air Force
- DOD, Research, Development, Test, and Evaluation, Defense-wide
- DOD, Research, Development, Test, and Evaluation, Navy
- DOD, Research, Development, Test, and Evaluation, Army
- DOD, Research, Development, Test, and Evaluation, Air Force
- DOD, National Defense Health Fund

### Energy and Water Development:
- DOI, NNSA, Defense Nuclear Nonproliferation
- DOI, Energy Research and Development
- DOI, Energy Efficiency and Renewable Energy

### Financial Services and General Government:
- GSA, Operating Expenses
- EPA, Partnership Fund for Program Priority Innovation
- EPA, Drug Control Programs, Counterterrorism Technology Assessment Center
- EPA, Drug Control Programs, Other Federal Drug Control Programs
- NASA, Space Operations and Mission Support
- NASA, Aeronautics

### Homeland Security:
- DHS, Office of the Chief Information Officer
- DHS, Working Capital Fund
- DHS, Citizenship and Immigration Services
- DHS, Salaries and Expenses (United States Secret Service)
- DHS, Aviation Security
- DHS, Immigration and Customs Enforcement
- DHS, Automation Modernization (Immigration and Customs Enforcement)
- DHS, Customs and Border Protection
- DHS, Automation Modernization, Customs and Border Protection
- DHS, Border Security, Enforcing, Infrastructure, and Technology
- DHS, Operating Expenses (United States Coast Guard)
- DHS, Acquisition, Construction, and Improvements (U.S. Court Guard)
- DHS, United States Visitor and Immigrant Status Indicator Technology
- DHS, State and Local Programs
- DHS, National Pre-disaster Mitigation Fund
- DHS, Management and Administration

### Interior and Environment:
- DOI, NPS, Construction (and Major Maintenance)
- DOI, Wildland Fire Management
- EPA, State and Tribal Assistance Grants
- EPA, Hazardous Substance Superfund

### Military Construction and Veterans Affairs:
- DOD, Military Construction, Defense-wide
- DOD, Base Closure Account 2005
- DOD, Military Construction, Navy and Marine Corps
- DOD, Military Construction, Army
- DOD, Military Construction, Air Force

### State and Foreign Operations:
- State, Diplomatic and Consular Programs
- State, Economic Support Fund
- Export-Import Bank Loans Program Account

### Total, Agriculture and Rural Development:
- Total, Commerce, Justice, Science
- Total, Defense
- Total, Energy and Water Development
- Total, Financial Services and General Government
- Total, Homeland Security
- Total, Interior and Environment
- Total, Military Construction and Veterans Affairs
- Total, State and Foreign Operations

### Appropriations Subcommittee

<table>
<thead>
<tr>
<th>Appropriations Subcommittee</th>
<th>2012 Enacted</th>
<th>2013 CR</th>
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## ATTACHMENT B: NON-CHIMP CANCELLATIONS RECURRING IN A 2013 CONTINUING RESOLUTION—Continued

(Budget authority in millions of dollars)

<table>
<thead>
<tr>
<th>Appropriations Subcommittee</th>
<th>2012 Enacted</th>
<th>2013 CR</th>
</tr>
</thead>
<tbody>
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<td>Total, State and Foreign Operations</td>
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<td>Transportation, Capital Investment Grants</td>
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<td>Transportation, Operations and Training</td>
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<td>Transportation, Maritime Guaranteed Loan (Title XI) Program Account</td>
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<td>HUD, Housing Certificate Fund</td>
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<td>HUD, Other Assisted Housing Programs</td>
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<td>Total, Transportation and Housing and Urban Development</td>
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<td>Subtotal, Cancellations of Unobligated Balances</td>
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<td>Cancellations of Advance Appropriations</td>
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<td>Military Construction and Veterans Affairs:</td>
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<tr>
<td>VA, Medical Support and Compliance (appropriation)</td>
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<td>VA, Medical Services (appropriation)</td>
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<td>VA, Medical Facilities (appropriation)</td>
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<td>Total, Military Construction, Veterans Affairs</td>
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<td>Subtotal, Cancellations of Advance Appropriations</td>
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<td>TOTAL, Cancellations of Balances &amp; Advance Appropriations</td>
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<td>Cancellations of Overseas Contingency Operations Funding:</td>
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<td>Defense:</td>
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<td>O&amp;M, Overseas Contingency Operations Transfer Fund</td>
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<td>O&amp;M, Procurement of Ammunition, Army</td>
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<td>O&amp;M, Other Procurement, Air Force</td>
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<td>Total, Military Construction, Veterans Affairs</td>
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<td>Cancellations of Congressionally-Designated Emergency Funding:</td>
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<td>Homeland Security:</td>
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<td>DHS, Immigration and Customs Enforcement</td>
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<td>DHS, Aviation Security</td>
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<td>DHS, Border Security Fencing, Infrastructure, and Technology</td>
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<td>DHS, Acquisition, Construction, and Improvements (U.S. Coast Guard)</td>
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<tr>
<td>Total, Homeland Security</td>
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<tr>
<td>Subtotal, Cancellations of Congressionally-Designated Emergency Funding</td>
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<tr>
<td>Grand Total, All Cancellations</td>
<td>-8,053</td>
<td>-2,822</td>
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</tbody>
</table>

1 Excludes offsets that are the result of cancelling or blocking spending from mandatory programs. See Attachment C on CHIMPs for this information.
2 These funds were technically rescinded in the appropriations bills but they were immediately reappropriated. This rescission-reappropriation mechanism is to simply extend the availability for two years.
3 These enacted rescissions of funding were designated as Overseas Contingency Operations pursuant to Section 251(b)(2)(A) of BBEDCA, as amended.
4 Funding is not designated “Emergency” pursuant to Section 251(b)(2)(A) of BBEDCA, as amended. These amounts are counted outside of the discretionary caps.

## ATTACHMENT C: CHANGES IN MANDATORY PROGRAMS RECURRING IN A 2013 CONTINUING RESOLUTION

(Budget authority in millions of dollars)

<table>
<thead>
<tr>
<th>Appropriations Subcommittee</th>
<th>2012 Enacted</th>
<th>2013 CR</th>
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<tbody>
<tr>
<td>Agriculture and Rural Development</td>
<td>-150</td>
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<td>USDA, Funds for Strengthening Markets, Income, and Supply (Section 32)</td>
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<tr>
<td>USDA, Federal Crop Insurance Corporation Fund</td>
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<tr>
<td>USDA, Commodity Credit Corporation Export Loans Program Account</td>
<td>-104</td>
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<td>USDA, Commodity Credit Corporation (Biobased Crop Assistance Program)</td>
<td>-17</td>
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<td>USDA, Conservation Reserve Program (Voluntary Public Access)</td>
<td>-165</td>
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<td>USDA, Rural Energy for America Program</td>
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<td>USDA, Rural Microenterprise Investment Program Account</td>
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<td>USDA, Energy Assistance Payments</td>
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<td>USDA, Farm Service and Rural Investment Programs</td>
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<tr>
<td>Conservation Stewardship Program</td>
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<td>Environmental Quality Incentives Program</td>
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<td>Farmland Protection Program</td>
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<td>Grassland Reserve Program</td>
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<td>Wetlands Reserve Program</td>
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<tr>
<td>Wildlife Habitat Incentives Program</td>
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<td>Agriculture Management Assistance Program</td>
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<td>USDA, Rural Economic Development Grants (Custodial Credit)</td>
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<td>USDA, Trade Adjustment Assistance for Farmers</td>
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<td>USDA, Supplemental Nutrition Assistance Program</td>
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<td>USDA, Child Nutrition Programs (Obligation Delay)</td>
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<td>Commerce, Justice, Science:</td>
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<td>DOC, NOAA, Promote and Develop Fishery Products Transfer</td>
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<td>DOC, NOAA Fisheries Enforcement and Sanctions Enforcement Asset Forfeiture Funds:</td>
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<td>ORF, Reduction and Drought and Other Funds</td>
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<td>Transfer out of Unobligated Spending Authority from ORF</td>
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<td>Collection of Deposits on Receipts in Asset Forfeiture Funds</td>
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<td>Transfer of Unobligated Spending Authority from the Asset Forfeiture Fund</td>
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<td>DOC, Digital Television Transition and Public Safety Fund</td>
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<td>DOC, Assets Forfeiture Fund</td>
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<td>DOC, Crime Victims Fund (Obligation Delay)</td>
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<td>DHS, Citizenship and Immigration Services Transfer</td>
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<td>Energy and Water Development:</td>
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<td>DOE, SPRI Petroleum Account</td>
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<td>DOE, Northeast Home Heating Oil Reserve</td>
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<td>Financial Services and General Government:</td>
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<td>FHFA, Collateral Insurance Fund Transfer to the OIG</td>
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<td>Postal Service, Transfers to the OIG &amp; Postal Regulatory Commission (PRC)</td>
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Mr. BLUNT. I yield back whatever time I might have.

The ACTING PRESIDENT pro tempore. Time is yielded back.

The majority whip.

Mr. BLUNT. We will have a vote on the floor of the Senate. It is an important vote because tomorrow is the day of sequestration. The American people are learning new terminology. The fiscal cliff meant nothing to most Americans 6 months ago, but by New Year’s Eve many understood that something serious was about to occur. Laws had been passed which meant that taxes would go up on virtually every taxpayer and the American on January 1 if Congress failed to act. That was the fiscal cliff.

We reached a last-minute agreement on ways that from happening and to make sure any tax increases on the income tax side were going to be excluded to those in the highest income categories. Well, the Americans breathed a sigh of relief and said thank goodness that emergency is over.

We are good in Washington at manufacturing crises, and now we are in a new crisis of our own creation. This is not some act of God, some natural event, some occurrence we have no control over. We created this. We created something called sequestration, and here is what it was all about.

The President sat down with the leaders in Congress—this goes back and here is what it was all about. 

We are going to have to tighten things up and make some hard choices. Someone else at the family table says: Wait a minute. We don’t have to do it that way. What we should do since $500 is maybe 5 percent of what we take home in pay, let’s cut everything we spend by 5 percent. If we do that, we will be able to reach that $500 mark.

When they stop and think about it for a minute, they realize that doesn’t make any sense at all. We are going to cut our mortgage payment by 5 percent? We cannot do that; we will default on our mortgage, and we will lose our home. We will cut our utility payment by 5 percent? They will cut off the lights. We cannot cut the prescription drugs by 5 percent. We need that medicine to keep our children healthy. No, we have to look at a more thoughtful way. Let’s look at parts where we spend money that we can afford to cut.

That is how families budget, that is how the government should budget, but sequestration doesn’t cut budgets that way. It cuts it by one line item—the mortgage, the utility bill, the prescription drugs are all cut the same. That is what we face starting tomorrow. Well, there are ways to avoid that. The most important opportunity will come tomorrow afternoon. President Obama is bringing the congressional leaders—the House and Senate, Democrats and Republicans, all four—together for a meeting in the White House. Let’s hope cooler heads prevail. Once again, we are at the deadline. Once again, the American people are looking to us and wondering what is going to happen.

What is at stake here? There are several things at stake. One of the things that is at stake is that the cuts for many agencies are going to be unreasonable. It will be unreasonable because they have to be done in a matter of 5 or 6 months. I am now chair of the Defense Appropriations Subcommittee, and it means that most of the civilian employees who work for the Department of Defense are going to lose 1 day’s pay...
each week. It will result in a 20-percent cut in pay between now and the end of the year and will be a hardship on some families.

Don’t believe these are fat-cat Federal employees. Many of them are struggling families doing jobs in our Department of Defense which are critical for our Nation’s security. They range across the board from some of the most sophisticated decisionmaking to keep our Nation to the basics of keeping the lights on in the buildings where these decisions are made. They are going to see this kind of furlough, reduction in pay and, unfortunately, reduction in productivity because it is not good.

Other things are going to happen because of it. When workers are laid off at a depot where they repair a ship, it means the ship that was in for repairs has to lay idle there. It cannot go out and protect America.

Last week I was in a place called Bahrain. Bahrain, an island in the Persian Gulf, is a critical front in America’s national defense. The 5th Fleet is there. It is the most significant group of individuals. ADM John Miller took me around on the ships and introduced me to the men and women in uniform. I could not have been prouder as an American to say hello to these people who are literally giving and risking their lives for our country. How are they protected while they are out there? Well, we have a great aircraft carrier out there. It is there if needed. It is a proposal where we take a look at one of the most wasteful areas of spending and eliminate it. It applies to my State of Illinois, and here is what it is: direct payments to farmers. If you look at what we did this, but in the last farm bill we said we will give direct support payments to farmers whether they make money or lose money. Sometimes we will give them the direct payments whether they grow a crop or don’t grow it. Does that make sense? I don’t think it does.

We said for a long time, 70-years plus, the U.S. Government will be there when the farmers need it—when they need a helping hand. I understand that. Farming is a risky business, but direct support payments don’t work out on that principle. They make a payment regardless.

When Senator Stabenow of Michigan wrote the new farm bill, she said: I am eliminating direct payments. It saves $25 billion over 5 years. We had 64 Senators, which is about a dozen Republicans, to join us in passing the farm bill. They agreed and the farm groups agreed that they could no longer defend direct support payments. They could not defend it a time when we have so many deficits.

The farm bill could not pass in the House. They were unable to pass a farm bill. I don’t know why, but they couldn’t. So what we will do this afternoon is take that savings from the direct support payments and use that to defer some of the cuts that would otherwise occur in sequestration. I think it is pretty sensible.

We will find out that not a single Republican will vote for it. They can come to the floor and list where they will save money, and they will have a chance on the floor this afternoon to actually save $25 billion on something the farmers agree with and farm organization support—and many of them voted for—but not one will vote for it. Not one. It is a sad situation.

Let me tell one other thing they ought to think about: for-profit schools. Does anyone know what they are? Well, if you have a child—a son or daughter in high school—you will know them soon because they are inundating your son or daughter with invitations to come to their university. Let me give you one of the biggest names of the for-profit school industry: University of Phoenix. Ever heard of it? The combined enrollment of the University of Phoenix is more than the combined enrollment of the Big Ten. The second largest one, I believe, is DeVry, which is out of Chicago, and then Kaplan, which is a career education corporation. These are private companies that purportedly educate students. Some do, most don’t.

If someone wants to know about the for-profit colleges in America, they should remember three numbers. The first number is 12; 12 percent of all the high school graduates in America go to for-profit schools, such as the ones I mentioned and others. The second number is 25; 25 percent of all the Federal aid to education goes to these schools. So they have 12 percent of the students and 25 percent of the Federal aid to education. Well, how much is that? About $32 billion a year goes to these for-profit schools, and it is Federal taxpayer dollars.

If we took the $32 billion that is going to for-profit schools and translated it into a Federal agency, it would be the ninth largest Federal agency in Washington—$32 billion to these schools. Hang on for the third number. The third number is 47—12, 25, 47. Forty-seven percent of all the student loan defaults occur among students who are going to these for-profit schools.

What does that tell you? They are getting too deeply in debt, they cannot finish school, and they cannot find a job. What a waste. They end up with debt and nothing to show for it. The schools end up with the money; the students and their families end up with the debt.

Let me recite one of these stories. I have invited students to tell me their stories at my Web site, and many of them have. Tabitha Hewitt, who is a first-generation college student, was aggressively recruited by for-profit colleges. They promised her a great future with a paying job. What she ended up with was a student debt of $162,000. She attended the International Academy of Design and Technology, which is a for-profit college owned by Career Education Corporation.

Tabitha is a veteran of the Air Force. She thought her education would give her the skills she needed to be successful in the civilian workplace. It turns out she does the same job as her colleagues who didn’t attend any of these
for-profit schools. She didn’t pick up any advantage; she just picked up a debt. The GI bill didn’t cover the tuition because it was too high, so she took out student loans.

Paying her loans is a daily struggle. For Tabitha, it consumes her life. She sometimes has to walk away from other bills just to pay her student loans. She is constantly in battle with the lenders, trying to negotiate a reasonable payment plan, and they refuse. She can’t save for anything. She can’t pay for her own health insurance. She probably can’t get married and have children. She just can’t afford it. She wants to go back to a real school for a real education, but guess what. This deeply in debt, she can’t borrow any money to go to school—to a real college instead of a for-profit school.

For-profit colleges prey on veterans such as Tabitha. They use deceptive marketing and aggressive tactics. They tell the prospective veteran everything is going to be great and everything is going to be paid for. It is simply not true.

The 90–10 rule permits for-profit colleges to receive up to 90 percent of their total revenue from the Federal Government. For-profit schools are only 10 percent away from being Federal agencies. But here is the thing: The 90 percent only includes Federal student aid programs such as Pell grants or student loans. GI and Department of Defense payments in agriculture and save $25 billion. Secondarily, reform this for-profit school scam that costs us $32 billion a year. They are easy places to start, perhaps on a bipartisan basis. I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant clerk proceeded to call the roll.

Mr. COONS. 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.

Mr. COONS. Mr. President, what has become painfully clear to me this week is that folks in the Congress, folks in the Senate aren’t listening to each other anymore. As we lurch toward our next deficit discussion, how we count. More than 70 percent of the savings we have already enacted have come from cuts, overwhelmingly cuts to domestic spending that are critical to the future of our economy. I wish to continue a conversation I have been having with my neighbors at the train station, in the Acme, outside of Dover Air Force Base who are facing furlough, to the educators throughout the State who may be laid off and the students who may well be crammed into more crowded classrooms, to the parents whose children will not receive the vaccines they need, and to all my neighbors who will be abruptly impacted by what Washington has failed to do this week to deal with the sequester, on behalf of the Senate, I am frustrated. I am at my wit’s end. I am embarrassed by our dysfunction. I am sorry. This is simply not how your government is supposed to work.

Our country, as we all know, has a real long-term problem—a national debt now approaching $17 trillion, annual deficits for years of $1 trillion, literally adding to the problem each day we don’t act together. While the solution to this problem is not easy, it is relatively obvious.

I wish to say this at the outset: Including interest savings, we have already paid a little less than $1 trillion since 2010. But it is easy to miss since we have done it piecemeal, through reductions in continuing resolutions, through the Budget Control Act, through the recent fiscal cliff negotiations, and through savings in a way that we are not counting. So when my friends come to the floor and talk about all the ways to save money in Federal spending, I will give them credit for whatever they can vote for this afternoon: end the direct payments in agriculture and save $25 billion. Secondarily, reform this for-profit school scam that costs us $32 billion a year. They are easy places to start, perhaps on a bipartisan basis. I yield the floor and suggest the absence of a quorum.

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try to force each other to do it on the backs of one piece of our large Federal budget.

So to my conservative neighbors or those in the other party, I am sorry, we just cannot do this through cuts to discretionary, nondefense programs alone or through entitlement reforms alone. We cannot responsibly deal with this deficit and debt just within those two areas.

In the last 2 years we already made more than $1 trillion in discretionary spending cuts. On the trajectory we are on now, in the next decade the percentage of these programs make of our total Federal Government will drop to levels not seen since Dwight Eisenhower was President, even as our revenues today are at their lowest as a percentage of our economy in 50 years.

Federal spending, done right, in the right sectors, fuels our long-term competitiveness. I am talking about investments in education, in infrastructure, in R&D—medical research, and curing diseases, and in speeding commerce. They are key to our future.

One of our core areas of focus here ought to be on how do we create jobs in a progrowth agenda for our country? By some on hacking off the smallest facet of the Federal budget, it is like an airplane that is trying to get lift but one of its engines is being cut off. We need to sustain investment in some of these critical domestic, discretionary piece of our Federal budget, it is like an airplane. And we, and not only Congress, but equally, I will say to my liberal neighbors, to folks in my party, we cannot solve this budget problem just by raising taxes on the wealthy and on corporations. The math just does not work. There is not enough we can raise there to deal with the whole challenge.

Remember, the fiscal cliff deal we just passed in the last few weeks will bring in another $600 billion in revenue over the next 10 years. So we are making progress there. But we also cannot do it if we simply ignore the poor fiscal health of our long-term entitlement programs either. Last year Medicare and Medicaid Programs—plus interest on the debt—made up almost 30 cents of every $1 the Federal Government spent. In two decades, on our current trajectory, it may be 50 cents of every $1.

Demographics, steadily rising costs of health care will keep driving this, and we must deal with it. Unless we change course, putting all these things together, productive expenditures that grow our economy—medical research, R&D—will be crowded out. Progressive priorities such as Head Start, low-income housing assistance, breast and cervical cancer treatment—these kinds of things that help care for the least among us or that help make us healthier will be gone.

So in my view, why not take this moment to work with me a Democrat in the White House and Democrats in this Chamber to make tough choices while we have historically low interest rates and fight to preserve the legacy of the earned benefits—Medicare, Medicaid, and the vital entitlement programs we treasure. In my view, we cannot simply hope that the cost of our entitlement programs comes down and we cannot simply tax our way to economic health. Anyone who has looked at any of these tables, this is not enough is wrong. Spending has to be cut. Entitlements have to be reformed. Revenue needs to be raised. They are all part of the problem, and they should all be part of the solution.

Somehow, we actually do manage briefly to have a substantive debate on these questions, we tend to spend all of our time focusing on the smallest facet of the Federal budget—discretionary spending—but almost no time discussing these others, the rest of the equation, the big drivers.

This place has become somewhat of an alternative reality where, if we dig in real hard and people get really angry and we call it a ‘sequester’ or a ‘fiscal cliff,’ we can ignore the facts. There is no question that we do have to reduce spending, but the sequester is the worst way to do it. When conceived, the sequester was a really bad idea. By someone who was supposed to be motivated to move Heaven and Earth to prevent it from taking effect. That is how terrible it is as policy. Yet here we are.

I am dumbfounded. It is not as though the budget has had plenty of time to make this better—18 months, by my count. Why are people talking now in the press here on Capitol Hill about whether BOEHNER will lose his speaker’s job? Why are people talking now about whether DemOCRATS will lose their majority in the House? How much more time do we have to fight and not to act, to attack and not compromise, to spin rather than solve? Based on the e-mails, the calls, the contacts I have gotten from my constituents, from my neighbors, the time to step up and address this larger problem is now. The sequester, while savage, is not the underlying problem. It is our unwillingness to come together across parties and Chambers to deal with the underlying challenges of our budget. It is my hope, my prayer, that we will take this moment and act.

Thank you, Mr. President. I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

AMERICAN FAMILY ECONOMIC PROTECTION ACT OF 2013—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 388, which the clerk will report.

The legislative clerk read as follows: Motion to proceed to Calendar No. 18, (S. 388) a bill to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I ask unanimous consent that in addition to the two cloture votes on bills dealing with the sequester today, there be set a time, to be determined by the majority leader in consultation with the Republican leader, that without intervening action or debate the Senate proceed to a rollover vote on the motion to proceed to my alternative bill dealing with the sequester which is now at the desk.

The ACTING PRESIDENT pro tempore. Is there objection?
The majority leader.

Mr. REID. Mr. President, I reserve the right to object and will say just a few things.

Unless we act by midnight tomorrow, Friday, across-the-board cuts will kick in. The Republican leader has called for the cuts with a balanced plan. Our plan will protect air safety, our food supply and, most importantly, our national security. And frankly, Mr. President, air safety, which I mentioned, food supply—that is also part of our national security in addition to our military.

The alternative that has been put forward by my friend the Republican leader would not replace the cuts. As I said earlier this morning here on the floor, one of my colleagues in the Democratic caucus said at our caucus on Tuesday that he understood what the Republicans were going to put forward, and he said it would be like sending the President an order: We have already decided you are going to have to cut out of defense, and we are giving you the alternative to decide which one you cut first.

The Republican alternative would not replace the cuts but would call for making the cuts in some different way. Republicans call their proposal “flexibility.” In fact, it is anything but that. Their proposal is entirely inflexible on one key point: not a single dollar of revenue, not a single tax loophole would be closed.

Now, remember, Mr. President, the one proposal we have forward says that if you make $5 million a year, you will have to pay 30 percent tax minimum. That is it. That does not sound too outrageous. That is why the American people, Democrats, Independents, and 60 percent of Republicans.

Now the Republican side seeks a third vote on the Ayotte amendment, which would replace the cuts with a parade of even more unfair cuts and penalties on immigrants, people receiving health care under ObamaCare, the Consumer Financial Protection Bureau, those kinds of things.

I also have trouble understanding, as I do—I frankly do understand why, as I read the argument, McConnell, McCaskill, McCauley, Graham do not like the Republican proposal—haven’t we ceded enough power to the President?

So it is not our fault over here that the Republican leader chose to offer not the Ayotte alternative but instead chose the Republican alternative that we are going to talk about and vote on later today.

I return to my main question again briefly. Are Republicans really filibustering the vote on repealing this kind of matter? My question is: Would the Republican leader modify his consent to allow for simple up-or-down votes on each of the two alternatives? Would it make a difference if we allowed votes on three bills, including the Ayotte alternative? I would be happy to have three votes if the Republican leader would simply allow the votes to be held at majority thresholds.

So that my friend the Republican leader says: Yes, why don’t you put that in proper form—and I would be happy to do that—then we would have votes on all three, with a simple majority on each one of them. Not hearing someone say: Great idea, then I object to the request of my friend from New Hampshire.

Mr. MCCONNELL. Mr. President, I would say to my friend the majority leader that I would object. He can either propound such a consent or not, whatever he chooses, but I would object.

The ACTING PRESIDENT pro tempore. Is there objection to the original request?

Mr. REID. Yes, I did that.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, obviously we regret that we have not been able to reach an agreement. I am especially disappointed that we are unable to consider the Ayotte amendment, which is an alternative to the sequestration. A flexibility of sequestration would still sooner or later have the same Draconian effects on our national security.

I also would point out to my colleagues that what we are about to go through is in some respects a charade because we know the proposal on that side will not succeed with 60 votes, and the proposal on this side will not succeed with 60 votes. Meanwhile, the clock moves on until sometime tomorrow night.

Some of us warned for a long time about the effects of sequestration, and if we want to have a blame game, then I will take blame, everybody takes blame. But isn’t it time that we prevented what our military leaders in uniform, who have made their careers and their lives serving and sacrificing for this country, say would harm and inflict terrible damage on our ability to defend this Nation, our inability to train and equip the men who are serving our military leaders after the cuts?

I always appreciate very much what our military leaders in uniform, who have made their careers and their lives serving and sacrificing for this country, say would harm and inflict terrible damage on our ability to defend this Nation.

When Members on both sides of the aisle praise the men and women who are serving in the military, I am always pleased to see that. But shouldn’t we be thinking about them now? Shouldn’t we be thinking about those men and women who are serving who literally do not know what they are going to be doing tomorrow—like the crew of the aircraft carrier that they decided not to deploy to the Middle East at a time when tensions are incredibly high?

I would also point out to my colleagues that this is not a fair sequestration. Most Americans believe this is half out of defense, half out of non-defense. It is not.

Under the formulation of the sequestration, about half of the spending we engage in is exempt, such as compensations, and the rest of the spending we continue to make the cuts and the reductions in defense were even larger, and, obviously, those who designed this legislation decided that the Federal Home Loan Mortgage Corporation and relocation funding was more important than national defense because we didn’t exempt national defense.

That is disgraceful.

Nineteen percent of discretionary spending is out of defense. We are asking for a 50-percent cut out of defense, on top of $87 billion that has already been enacted under Secretary Gates, on top of $437 billion in defense which is already on track to be cut. The percentage of gross national product for defense continues to decline.

What are we doing?

A few days ago there was a wonderful ceremony in the White House where a brave young American received the Congressional Medal of Honor. I happened to go to an evening function at a pizza place with him and his comrades who fought. A book was written by Jake Tapper, an excellent book—I recommend it to all of my colleagues—about eight of their comrades who were killed. Here we are unable to make sure these young men and women serving in harm’s way have the equipment, the training, and everything they need to defend this Nation.

I also would point out to my colleagues that when Members on both sides of the aisle praise the men and women who are serving this Nation a great disservice, and the President did them a disservice when he said in the campaign: Not to worry, sequestration won’t happen. The President of the United States doesn’t do that. I didn’t say it. The three of us traveled this country warning about the effects of sequestration. Of course, we now know the idea came from the White House. That is the blame game, and I will be glad to engage in this game.

Can’t we at least come to some agreement to prevent this? Are we going to lurch from one fiscal cliff to another? If we want to do that, that is one thing.

General Odierno is one of the great leaders I have had the opportunity of knowing for many years. General Odierno, the Chief of Staff of the Army, a man who has decorations from here and here and here, a man who has been in Afghanistan under this sequestration because he doesn’t have the ability to train their replacements. Isn’t that an alarm for us?

We are going to go through a charade here. In a little while we are going to have a vote on the Democratic proposal, and it will not get sufficient
votes; and the same thing here on this side, and the clock will tick.

Tomorrow, on the last day, the President is going to call people over to the White House to see if we can address it. Where was he in the last year?

Again, Senator MCCAIN from New Hampshire who authored pore. The Senator from South Carolina.

To my Democratic colleagues, we are not going to raise any more taxes to spend money on the government. The next time I raise taxes, we are going to try to get out of debt. We are $17 trillion in debt, and every time there is a crisis in this Nation you want to raise taxes to pay for the government we already have. We have enough money to run this government. We need to spend it better.

To my Republican colleagues, there is not enough flexibility in the world to change the top line number. You either believe Secretary Panetta or you don’t. You either believe every military commander—I don’t trust everything a general tells me, but the question for me is do I trust all generals who tell me the same thing. Can all of them be wrong? It is one thing to have a dispute with a general or an admiral, but when every general and admiral tells you the same thing—and if we don’t believe them, we need to fire them—we act accordingly.

As to the President, you have one obligation that nobody in this body has. You are the Commander in Chief of the United States. They trust you, they need you, and your primary goal is to take care of those in uniform and their families.

Mr. President, you have let them down. My party let them down, but you are different from any other politician. You are the Commander in Chief. How you could have considered this as an
acceptable outcome just makes me sick to my stomach. I don’t know how any Commander in Chief could have been comfortable with the idea that if the supercommittee fails, we are going to cut the military. You haven’t lifted a finger in the last year to do anything about this. You have sat and gone to a coffee shop down in Virginia, after the election, a few days before this kicks in.

To me, this is pathetic leadership by the Commander in Chief. This is an abandonment of the Republican Party’s belief in the military. This is a low point in my time in the U.S. Congress.

We are not going to raise taxes to fund the government. We are going to raise taxes in my construct to pay down debt and fix entitlements. I cannot tell you now ashamed I am of what we have done to those who have been busting their butts for the last 11 years, to those who have been deployed time and time again, and to their families.

The thank-you you receive from your President and your Congress is we are going to put your way of life on the chopping block. God, if we can’t do better than that then all of us should be fired.

Mr. McCAIN. I would ask the Senator to yield to respond to one question.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, if I may, yield to him.

Mr. McCAIN. I have the right to ask a question from the person who has the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina has yielded for a question.

Mr. McCAIN. My question is, does the Senator think the American people appreciate and understand what this does to the lives of the American men and women serving? For example, those who are serving on that aircraft carrier they said was going to deploy for many months and was cancelled at the last minute, the training plans which are now going to be cancelled, the deployments which will be changed—not to mention the massive layoffs in the defense industry, which sometimes are not easily replaceable. That is my question.

Mr. GRAHAM. Well, I don’t know if they do. We have done everything we can—the three of us—to tell them what is coming our way. All I can say is that every general and admiral who has told us the same thing, I respect what they are telling us. Leon Panetta is a Democrat, but he is dead right. He has been a great Secretary of Defense. I trust their judgment.

I know enough about the military budget to know if we take $500 billion out of their budget, on top of the $487 billion, plus the $89 billion, we are going to make them less able to defend our Nation, putting our men and women at risk, and that is what this debate is about.

I wish to thank Senator AYOTTE, who came up with an alternative to avoid this without raising taxes.

My time is up. I don’t know who is next, but I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I wish to interject just for a moment to sort out the order on the floor.

I apologize to the Senator from Arizona for the last exchange. I thought I had the floor at that point. I understand this is the right time.

I think Senator AYOTTE seems to be in order, but the chairman of the Appropriations Committee is here, so perhaps she could be recognized at the conclusion of Senator AYOTTE’s remarks. I see Senator INHOFE, so if he could follow Senator MIKULSKI and then I will follow Senator INHOFE, I offer that as a proposal.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. INHOFE. Reserving the right to object, I don’t need to be in this lineup. I will be talking later on. I only wanted to ask one question of Senator AYOTTE when she has the floor.

Mr. WHITEHOUSE. The Senator has that right, and she will yield to him.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The Senator from New Hampshire.

Ms. AYOTTE. I thank the Chair, and I thank the President. I have about $40 billion to cut from the Department of Defense, which our allies—throughout the world. We are working with our partners across the globe. We are working with our service members and our leaders.

I am in support of the Senator’s bill. I am a cosponsor of the bill and have been since way back when the Senator first started with Jon Kyl a long time ago.

Ms. AYOTTE. I thank the Senator for that.

Mr. INHOFE. I agree with what was said by both the Senator from Arizona and the Senator South Carolina. In fact, I do not forget that Senator AYOTTE’s measure be the Republican alternative. So I just wanted to make sure everyone knew that. I think it is a good idea.

Ms. AYOTTE. I thank the Senator for his statement and for his support and I certainly join in the comments and concerns that were just raised by my colleagues Senators McCAIN and GRAHAM. Here is where we are. We are in this position where frankly as Senator McCAIN said, this is a charade. Both parties are acting out this play where we are going to have one vote on the Democratic alternative that is going to fail, and then we are going to have another vote on one Republican alternative that is going to fail. So I put pen to paper and came up with some other ways to cut spending, which comes to about $250 billion in savings over the next 10 years, in order to address this issue.

I firmly believe, when we look at what has happened, this bill was ill-conceived from the beginning. I didn’t support it. I didn’t vote for it. One of the fundamental problems with it was it was a kick-the-can-down-the-road exercise where we gave our responsibility to find the $1.2 trillion in savings—the sequester—to a supercommittee, rather than the Senate and the Budget Committee doing our job of budgeting and prioritizing.

Standing back, this is what has led us here. But I am also disappointed in my Republican colleagues, and that is why I offer an alternative of spending cuts, because it seems to me, the way this is structured we have already done that in defense, we have already done that in our defense. I serve on the Senate Armed Services Committee. For 1 year on that committee, I have been listening to our military leaders at every single level who asked them about the sequester. From the highest leaders, the Chairman of the Joint Chiefs of Staff to the Secretary of Defense, we have heard things such as we are going to shoot ourselves in the head, we are going to hollow out our force, and America will no longer be a global power, which is what the General Dempsey once told us, as a result of sequestration.

This morning, we had leaders of our military before the Armed Services Committee and I asked Assistant Secretary Estevez: If we go with the flexibility approach, does this address the impact on our national security? In other words, will this address making sure we can still meet the needs of our national security? Over 50 percent of spending, as this was conceived from the beginning. I didn’t support it. I didn’t vote for it. One of the fundamental problems with it was it was a kick-the-can-down-the-road exercise where we gave our responsibility to find the $1.2 trillion in savings—the sequester—to a supercommittee, rather than the Senate and the Budget Committee doing our job of budgeting and prioritizing.

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will help us deal with it, but it will not solve the problem in terms of our national security.

So that is why I decided to come up with some alternative savings. My proposal will not get a vote today. I think it is a shame, frankly, we are not bringing more ideas to the floor, not less ideas, and debating this vigorously in the Senate, instead of where we are right now, which is a charade. We are going to have one vote and another vote and then we are all going to go to our respective sides and say: OK, American people, we know there are real risks, particularly to the safety of this country, that we should be addressing. From my perspective, I believe we can address them through alternative spending cuts.

Through all this, we have the President, who has called leaders of both parties tomorrow to the White House. I have had the opportunity to talk to the people there at those facilities about the impact of sequester. I think the President should have been on this much sooner, but now it is time for his leadership as the Commander in Chief—leadership we could have used this past summer when we were all talking about it. We could have been in a position to try to resolve it then rather than continuing to be in these crisis moments in which we find ourselves in the Senate.

Where I am left on all this is that we owe it to our men and women in uniform to find alternative ways to save the money, still protecting our national security. Also, so people understand the full story, the cuts are taken in 2013—during a shorter period, not a full period—OMB has estimated on the defense end it is about 13 percent, on top of the $487 billion in reductions, and in nondefense spending it is about 9 percent over the additional $487 billion.

So I would just simply ask for a time to stop this charade, and it is my hope we could actually get down to resolving this in a responsible way for our country. That is why I put pen to paper. People can be critical of my proposal, but I think that now is the time when we should have a vote on every proposal and we should have every idea come to the table because it is a time to stop the charade and it is a time to solve this problem. Let's make sure we protect our country at a very dangerous time.

I will continue to work to do that for our country. I think we can do it, still addressing our deficit, still with savings, but we certainly need to do it, and having the charade vote we are going to have today will not solve it. The American people deserve better and we should be giving them better and solving this.

I thank the Chair for allowing me the time, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise to speak on behalf of the Democratic alternative that would cancel the sequester for this year.

Before I move on, I want to commend from New Hampshire, I would like to take a minute to compliment her on her energy, her passion, and the fact that she actually wants to present ideas to be considered. I want her to also know I support the concept she is advocating of no more delay; that we cannot solve America's fiscal situation and also important public investments we need to make in research and innovation and keep our fragile economy going by just punting now. I think we agree on that.

The other thing we agree on is the goal to get our fiscal crisis in order, to strengthen our economy, and to keep America strong. We just are going to disagree on the means. But that is OK. That is called America. That is called the Senate. That is called debate. Let's let the world watch and hear that we actually have ideas, and just as we are doing this minute, we can debate it with civility and with interest in what is being said. I found what the Senator from New Hampshire had to say very interesting, and I will have a few comments about that and what the Senator from South Carolina said, but I wanted to have her to know that I do think we must begin to move with urgency. I do think the politics of delay, ultimatum and brinkmanship, should come to an end. I like the idea of debating ideas and look forward to that both in conversation and so on.

I just wanted to say that to her.

Ms. AYOTTE. Would the Senator from New Hampshire yield for a brief comment?

Ms. MIKULSKI. Yes.

Ms. AYOTTE. I thank the Senator, and I wanted to start by saying I know she is the new chair of the Appropriations Committee. Well, I want her to know that I do think we must begin to move with urgency. I do think the politics of delay, ultimatum and brinkmanship, should come to an end. I like the idea of debating ideas and look forward to that both in conversation and so on.

I just wanted to say that to her.

Ms. AYOTTE. The Senator from Maryland yield for a brief comment?

Ms. MIKULSKI. Yes, Ms. AYOTTE. I thank the Senator, and I wanted to say that I know she is the new chair of the Appropriations Committee. Well, let me put it this way that I put to paper. People can be critical of my proposal, but I think that now is the time when we should have a vote on every proposal and we should have every idea come to the table because it is a time to stop the charade and it is a time to solve this problem. Let's make sure we protect our country at a very dangerous time.

I will continue to work to do that for our country. I think we can do it, still addressing our deficit, still with savings, but we certainly need to do it, and having the charade vote we are going to have today will not solve it. The American people deserve better and we should be giving them better and solving this.

I thank the Chair for allowing me the time, and I yield the floor.

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Let me start first with defense, because much has been said about defense. Many tables have been pounded, many chests have been thumped talking about it. And we do have to look out for our military. But our $27.5 billion recognizes the reality of both boots on the ground. The reality of boots on the ground. Our troops are coming home. They will all be home by the summit of 2014. Our defense cuts kick in in 2015, so nothing we do will in any way dulate, or terminate money that would go to our men and women in harm’s way. So our cuts don’t kick in until 2015, and then it will be $3 billion a year over a 9-year period, which our generals and our Acting Secretary of Defense, Secretary Hagel, now concur with. So we are OK with defense. And, most of all, the military is OK with it.

Then we also cut domestic spending. Here, we cut $27 billion in the farm bill. It eliminates subsidies we don’t need to do anything. The Presiding Officer is from an agricultural State. We love your cheese. We even from time to time cheer on the Green Bay Packers. So we know agriculture is important. But essentially, we have a tax subsidy structure that goes back to the 1930s—a different economy, a Dust Bowl, people vacating homes in Oklahoma and following the grapes of wrath trail to California. So we came up through the New Deal with a way of subsidizing farmers on land, and allowing people to their land. But a lot of those subsidies aren’t needed anymore and, quite frankly, a lot goes to agra business for crops not even planted. So working with the Agricultural Committee—Appropriations didn’t do this out of the blue—we come up with $27.5 billion.

Much is said about asking Democrats if we know math. Yes, we know math. We have $27.5 billion cuts in domestic spending. That’s the number kicking in in 2015. That’s $55 billion. Getting rid of tax-break earmarks and making those who make more than $2 million a year pay their fair share, we come up with 110. Quite simply, that is our plan. I spoke quite a bit during this week about the impact of sequester. Sequester was never meant to happen. We have got to end sequester. We could do it this afternoon. For all those people who cry their tears and don’t want it, do they want to protect America’s middle class, the 99 percent, or do they want to protect billionaire tax-break earmarks? That is the choice. So they can rally: We don’t want to pay more taxes. You can’t have a government without paying taxes. And ordinary people pay them every day.

Do you know what drives me wild? There is this fix the debt crowd flew in. I watched them fly in. I loved it. They stayed in Washington where they could take expense account deductions while they stayed in Washington where they could come to lobby us. And how did they come in? On their subsidized tax-break jets and their expense accounts that they could deduct, from sushi to Cabernet. They came to tell us to raise Social Security. Then they told us to raise the age in Medicare because, after all, people live longer. Maybe when you have all that wealth you can afford health care and you don’t need Medi- care. Now, if you don’t need it, you don’t have to take it. If you don’t need Social Security, you don’t need to take it.

My whole point was, often the very solutions are given by people who get the most tax breaks. That is a peevish of mine. But really what hurts me is this: I represent some of the great iconic institutions in America—the National Institutes of Health, the National Security Agency, each doing its own work to protect the American people. The Federal Drug Administration—I have 4,000 Federal employees keeping our drugs and medical devices safe for the American people. And food safety. We have to make sure those people work and keep our economy strong.

The Democratic alternative is sound from the standpoint of policy, it is sus- tainable and reliable. We could end se- quester. I will be back to talk more about it. But I think we have a good idea here. Let’s not follow the politics and let’s not dither in the U.S. Senate.

Madam President, I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Rhode Island.

Mr. TOOMEY. Madam President, would the Senator from Rhode Island yield for a question?

Mr. WHITEHOUSE. Madam President.

The PRESIDING OFFICER. The Sen- ator from Pennsylvania.

Mr. TOOMEY. I thank the Senator, the gentleman from Rhode Island.

I wish to ask a question clarifying the procedure. My understanding is there is time reserved for me after the Senator from Rhode Island finishes with his comments.

The PRESIDING OFFICER. No order has been forthcoming to that effect yet.

Mr. TOOMEY. But there will be time available?

Mr. WHITEHOUSE. Having the floor, why don’t I propose now that at the conclusion of my remarks Senator TOOMEY be recognized.

Mr. TOOMEY. I have no further questions. I thank the Senator from Rhode Island.

The PRESIDING OFFICER. Without objection, the Senator from Pennsyl- vania will be next.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam Presi- dent, I am rising today in strong sup- port of Leader Reid’s proposal to stop the sequester. We need to reduce our debt and deficit. We should do so in a thoughtful manner.

We have so often on this floor heard our Republican friends criticize Demo-
committee here: The President believes no spending, even wasteful spending, should be cut.

Well, let’s look at the facts. Through the Budget Control Act of 2011 and several other measures, we have cut spending by $1 trillion in the next budget period of the next decade. When you include interest savings—the top part—from that reduced borrowing, it comes to $1.7 trillion in spending cuts and associated interest savings.

On the revenue side, we have only generated a little over $700 billion from ending the Bush tax cuts for the top 1 percent—at least over $450,000 in income—and from the associated interest savings. This together puts us $2.4 trillion in deficit reduction toward our goal of $4 trillion in total deficit reduction that most economists agree is needed to stabilize our budget. But notice, in the balance between spending cuts and new revenues, spending cuts are ahead by $1 trillion.

The ranking member of the Budget Committee said President Obama believes no spending, even wasteful spending, should be cut. And he is $1 trillion ahead on spending versus revenues. We have cut $7 of spending for every $1 of revenues. Even though now U.S. Government revenue is at its lowest percentage of GDP in more than 50 years, more than half a century. Our proposal going forward is 50/50, spending cuts and new revenues, spending cuts are ahead by $1 trillion.

The fourth provision in my bill would end tax breaks for big oil companies. Over the past decade the big five oil companies have collectively enjoyed over $1 trillion in profits—yes, trillion with a T. Repealing taxpayer giveaways to them is something we should be doing anyway. It is another $24 billion toward getting rid of the sequester.

The final provision in my plan helps replace the sequester by ending a tax break that, unbelievably, rewards manufacturers that close up shop in the United States and move jobs to other countries. It does that by allowing those corporations to indefinitely delay paying taxes on profits from those foreign overseas operations. Ending the deferral loophole for companies that manufacture goods overseas for sale to American customers is something we should do anyway to support our domestic manufacturers. It adds almost $20 billion toward replacing the sequester cuts.

Each one of these five provisions would make the Tax Code more fair for ordinary Americans. I love our chairman of Appropriations. She can speak to issues on the floor of the Senate like nobody else. When she said these are cushy, lobbyist-driven earmarks, she is dead right. They do not deserve to stand on their own. And we can get rid of some of the smelliest ones and spare ourselves the sequester and the loss of a million jobs at the same time? Gosh, I think we ought to be doing that.

I strongly support Leader Reid’s bill to replace the sequester cuts with a 50-50 mix of revenue and spending. But I also want to show we can avoid the sequester for the coming year by looking at the vast tax spending we do through loopholes and gimmicks in the Tax Code usually for the benefit of powerful corporations, special interests, and very high-income individuals. When you set that against the economic harm the sequester is going to cause to our country, closing those loopholes should be a higher priority, on economic grounds and on grounds of fairness.

I yield the floor. The PRESIDING OFFICER. The Senator from Vermont.
Mr. LEAHY. Madam President, I thank the distinguished Senator from Pennsylvania for allowing me to go first. I assure him I will be very brief. I know the distinguished Senator from Washington State is here. She has an interesting story about why she would say there can only be two choices, one Democratic choice and one Republican choice. I have to say I am extremely disappointed that we have gotten to this point where we cannot have an open and honest debate on a wide range of ideas, because the challenges require that kind of response. It is very disappointing that the majority party refuses to conduct that debate and appears unwilling to have those votes.

Never mind. I have developed a bill, together with Senator INHOFE, which I think is a much more sensible way to achieve the savings we badly need. I will say unequivocally, we need to trim spending. We cannot continue spending at the rate we have been spending for the past 20 years. We cannot continue trillion dollar deficits. We have a $16 trillion debt. The massive deficits and the accumulated debt are today costing us jobs and holding back our economy, so at the rate we have been spending, we cannot expect new steps to combat the appalling epidemic of domestic violence on tribal lands and to ensure that no perpetrators of this terrible crime are above the law.

The bill that the President will sign also includes the Trafficking Victims Protection Reauthorization Act, which continues and strengthens effective programs to end the scourge of human trafficking. It is unacceptable that 150 years after the Emancipation Proclamation, the evils of sex trafficking and labor trafficking, forms of modern day slavery, still exist around the world and even in the United States. It has been too difficult, but I am glad that Congress is finally acting once again to address trafficking.

I will never forget going as a young prosecutor to crime scenes at 2:00 in the morning and seeing the victims of those awful crimes. As we worked on this bill, I heard the moving stories in hearings and rallies and meetings of those who survived true horrors and had the courage to share their stories in the hopes that others could be spared what they went through. We have finally come together to honor their courage and take the action they demanded.

I thank the many Senators and Representatives of both parties who have helped to lead this fight, and the leadership of both Houses who have prioritized moving this vital legislation. I thank Representative Cole for his steadfast dedication to help preserve the protections for Native women. But most of all, I thank the tireless victims, advocates, and service providers who have given so much of themselves to ensure that this legislation would pass and that, when it did, it could make a real difference. Lives will be better because of their work and because of this law.

I yield the floor and thank my colleagues.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. TOOMEY. Madam President, I rise to address the issue of the sequestration and the Democratic and Republican alternatives. But I want to start with one point of agreement that we are having the debate in this fashion. This is certainly among the very most important issues we are grappling with—should be grappling with as a Senate, as a Congress, as a Federal Government. Getting ourselves on a sustainable fiscal path is as important as anything we can be doing.

The sequestration is an important part of that, and unfortunately the majority party here does not want to have a full and open debate and will not permit multiple amendments from both sides.

I don’t know how many ideas there are on the Democratic side. I know there are at least three or four or five different ideas on the Republican side. Frankly, I think any sensible approach to this ought to have a full and open, robust debate and I am happy to vote on every one of them. I will vote against some, I will probably vote for one, but I think the greatest problem we have is that somehow we are going to have a complete economic disaster and melt-down if this modest spending discipline goes ahead. We keep hearing about austerity. The question is, what austerity? Let me put a little context into what we are talking about here.

First of all, over the last 12 years, the Federal Government has doubled in size. We spend 100 percent more now than we did a dozen years ago. After this huge run-up in the size of Federal spending, this sequester—if it goes into effect as it is envisioned—would reduce Federal spending by 2.3 percent. After growing by 100 percent, we cannot find 2.3 percent. By way of the way, that is budget authority, which means permission to spend the actual amount that would be spent during this year would go down by about 1.2 percent. That is less than one-half of 1 percent of our economy.

Here is the other thing. This is how much austerity we are talking about: If the savings of the sequester go into effect, the cumulative debt we would have in 2013 will be greater than spending was in 2012. So let’s just be clear about what is going on here. This is not nearly the amount of savings we need. This is merely one step in the right direction. While government has been growing, the economy has not. We have had all of this spending growth. We have had massive deficits. What have we gotten in return? The worst economic recovery from any recession since the Great Depression.

We have an unemployment rate that is persistently unacceptably high. Eight percent is the official measure of unemployment, but when we take into...
account the people who have given up looking for work altogether, it is much higher than that. The fact is economic growth doesn’t depend on a bloated government that is always growing.

In fact, we will have stronger economic growth as we begin to demonstrate that we can get on a sustainable fiscal path, as soon as we can start to take the threat of a fiscal collapse off the table by showing we can get spending under control. It is absolutely essential that the sake of our economy and job growth that we achieve the savings of this sequester.

I am the first to acknowledge there are a couple of problems with the way this legislation goes about it, and that is the reason I introduced this legislation along with Senator INHOFE. The two big problems are, first, the savings hit our defense budget disproportionately. The defense budget is about 18 percent of total spending, but it is half of this whole sequester, and that is after already cutting spending. I am very sympathetic to the concern that this imposes a real problem on our defense budget.

The second problem is that the cuts are not very thoughtfully designed. There is no provision or flexibility. The categories that are subject to the sequestration are spending cuts across the board. There are huge categories that are not subject, such as the entire Social Security Program and many other programs that are not subject at all.

For those programs that are cut, there is no ability to discern which programs ought to be cut more or which ones ought to be cut less and which ones, perhaps, should not be cut at all.

The bill Senator INHOFE and I have introduced and will be voting on today—at least the cloture motion—addresses both of these problems. It does require that we achieve the savings of the sequester—and that is very important—but it would allow the President flexibility in how it is achieved so we don’t have these very ham-handed, poorly designed, across-the-board cuts.

If the bill passes, the President will be able to go to his service chiefs on the defense side, he could go to his agency and department heads on the nondefense side and say: OK. Look, you have been used to budgets that keep growing and growing, and that is what has been happening. This year you are going to have a budget back a little, and for those programs that are cut, there is no ability to discern which programs ought to be cut more or which ones ought to be cut less and which ones, perhaps, should not be cut at all.

The President would not be able to increase any amounts. This is not an exercise in just shifting money to another budget category, it would be the President having to do the program that is to be cut and then Congress could vote to disapprove them if Congress chose to do that. Ultimately, Congress would still control that important element of the budget process. To do these cuts in a way that would be straight-forward and honest.

Finally—and I think this is an important part—Congress would have a final say. When the President—under this approach if it were to pass and be signed into law—would be required to propose an alternative series of cuts, and then Congress could vote to disapprove them if Congress chose to do that. Ultimately, Congress would still control that important element of the budget process, but we would allow the President to find the most sensible way to do this.

The President is saying he does not want this flexibility. That is kind of unbelievable to me. He is going around the country scaring the American people and threatening all kinds of disastrous things he says he will have to do. Then in the same breath he says: By the way, don’t give me the flexibility to do something else. I don’t understand that. It seems to me the obvious thing to do is to do these cuts in a way that would not be disruptive and would not do harm.

Let me give one particular example: A good example is the FAA. If the sequester goes into effect or the FAA, the budget there will be cut by $6.9 billion. That is from a total of just about $17 billion.

The President and the Transportation Secretary have said if the sequester goes into effect, they are going to lay off air traffic controllers; they might have to shut down control towers; we will have long delays at airports with flights being canceled. All kinds of problems. It is interesting to note, if the sequester goes into effect, the amount of funding available to the FAA will still be more than what the President asked for in his budget.

In his budget request was the President planning on laying off air traffic controllers and shutting down airports and control towers? I rather doubt it. So if we gave the President the flexibility just within the FAA budget, the President could adopt the kinds of savings that he proposed in his own budget and get enough money to pay all of the air traffic controllers and keep the airports running. The point is even within the FAA’s budget, there would be no service disruptions whatsoever. They are not necessary.

Our bill would give the President more flexibility. He would be able to achieve savings in other areas. In other words, he would not have to hit a particular savings number for the FAA. He might find savings in other places.

I don’t know about anybody else, but I think some of these are a little less important than keeping our air control system intact and safe. It seems like common sense that we ought to give the President the discretion he needs to reduce the spending on the less vital things and continue to fund the important things.

We don’t have to only go after wasteful spending, we have an unbelievable number of redundancy in duplicate programs. I have just a few examples. We have 80 different economic development programs spread across the Federal government. We have 14,000 vacant and underutilized properties. We spend money for a cowboy poetry festival and $1 million for taste-testing foods to be served on Mars. I don’t know about anybody else, but I think some of these are a little less important than keeping our air control system intact and safe. It seems like common sense that we ought to give the President the discretion he needs to reduce the spending on the less vital things and continue to fund the important things.

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and save a lot of money and overhead in administrative and bureaucracy costs.

There is just any number of ways to achieve savings. Senator Tom Coburn has made an enormous contribution to our Federal Government by providing exhaustive litanies of duplication, redundancies, waste, and excesses. In addition to what I have mentioned, that would be a very useful place to begin in terms of finding alternatives. I would simply say we have a simple choice here. This sequela is going into effect. Nobody here suggests they have the votes or they have a way to prevent it. So the question is, Are we going to achieve these savings through badly designed spending cuts that make no attempt whatsoever to distinguish between more sensible government spending and less sensible government spending or will we adopt this bill that Senator Inhofe and I have introduced which will give the President the tools to cut in spending, but where there would not be painful, where there is waste, and where there are excesses? We are talking about what will amount in actual outlays to a little over 1 percent of the total government spending.

The people in Pennsylvania who I represent don’t believe that every dollar of government spending is spent wisely and prudently and is necessary. They know that there is a lot of waste. This is all about the next 6 months. As we know, the $1.2 trillion in savings in subsequent years is achieved by statutory spending caps. In those years the savings will be figured out by the Appropriations Committee, which is where this should be happening. I wish we had taken up an appropriations bill over this last year, but we didn’t. At least given the reality that we face, we have an opportunity to avoid the kind of calamity and disaster that is being threatened and is completely unnecessary.

I hope we will do the commonsense thing and adopt a bill that will give the President the flexibility he needs to make these cuts in a rational and sensible fashion. We need to achieve the savings for the sake of economic growth and job creation. This is no time to trade higher taxes for more spending, as my Democratic colleagues would prefer. This is a time to make sensible spending. We can do that, and I urge adoption of the measure that Senator Inhofe and I have proposed.

I yield back the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mrs. MURRAY. Madam President, in the last 2 weeks we have learned more and more what the across-the-board cuts for sequestration really mean for our families and our communities that we all represent. We have heard of workers who are on pins and needles about getting a layoff notice. We have heard from businesses that are expecting fewer customers. We heard from school superintendents wondering how they are going to absorb deeper cuts on the budgets that are already extremely tight.

After 2 years of watching our economy lurch from crisis to crisis, I think we all agree the American people have dealt with more than enough of this. That is why I am here today urging our colleagues to support the American Family Economic Protection Act which will replace the automatic cuts from sequestration in a responsible and a fair way.

Our legislation builds on the precedent that was set in the year-end deal, and it is in line with the balanced approach that the American people favor. It would replace the first year of the sequestration with equal amounts of responsible spending cuts and revenue from the wealthiest Americans and biggest corporations. Half of the deficit reduction would come from responsible cuts and dividends between domestic and defense spending.

As the drawdown from Afghanistan is completed, our bill will make targeted reductions in an overall defense budget which will be phased in responsibly as our drawdown from Afghanistan is completed and are in line with the strong military strategy for the 21st century.

Our bill would eliminate the direct payments to farmers that have been paid for long periods of time for crops that are not grown. Those are the kinds of cuts we can and should make, because responsibly tackling our debt and deficit is crucial to our country’s long-term strength and prosperity.

But to do this in a way that puts American families and our economy first, we are all going to have to do our fair share, and middle-class families and seniors and the most vulnerable Americans shouldn’t be asked to share the whole burden alone.

Our bill would replace half the sequestration with new revenues from the wealthiest Americans and biggest corporations. It calls on the wealthiest Americans to pay at least the same marginal tax rate on their income as our middle-class families pay. It will help reduce the deficit by eliminating a tax break that encourages companies to ship jobs overseas and by getting rid of a special tax loophole for oil companies. And 56 percent of the American families struggling just to get their kids off to college or to put food on the table, it only seems fair to ask those who can afford it the most to contribute to this national challenge as well.

My Republican colleagues will say the year-end deal closed the door on revenue. Most of them seem to think that closing loopholes for the richest Americans is too high a price to pay— even to replace the serious cuts to defense that are going into effect. Instead, they say all we need is more spending cuts.

But that is not how the American people see it. More than a month after the year-end deal, 76 percent of Americans—and, by the way, 56 percent of Republicans— favored a combination of spending cuts and revenue increases to reduce our deficit.

We also know the American people want an end to the cycle of looming deadlines and uncertainty and political posturing we are seeing here in Washington, DC. They have spent enough time wondering if infighting in Congress will affect the jobs they have or the businesses they have worked hard to rebuild or the future they want for their children. I think we can all agree our constituents deserve a solution and some certainty.

So our legislation meets Republicans halfway. It reflects the balanced approach the majority of the American public wants. It protects families and communities we represent from slower economic growth and fewer jobs and a weakened national defense. It allows us to move past this sequestration debate toward a fair, comprehensive budget deal that provides certainty for American families and businesses.

While the Democrats have taken a balanced approach and responsible search in our sequestration replacement bill, Republicans have gone in a very different direction. They seem to be more focused today on trying to make sure President Obama gets the blame for the consequence of the year-end deal, stop them. We have all been hearing from our constituents. They want us to come together to solve this problem. They want to see compromise. They want to see a balanced replacement.

But the Republican Inhofe-Tooney bill fails to meet these expectations. It does not solve the problem. It doesn’t stop sequestration. It is not a compromise. I urge all of our colleagues to oppose it.

The Republican Inhofe-Toomey bill would keep in place the massive cuts to both domestic and defense spending. It wouldn’t replace them; it would lock them in. Instead of making the tough decisions required to replace those cuts with responsible deficit reduction the way our bill does, the Republican bill simply hands the problem off to the President. Instead of taking a balanced approach—the approach that is favored by the vast majority of the American public—the Republican proposal would protect the wealthiest Americans and biggest corporations from paying even a penny more in taxes to help us solve this, while pushing the entire burden of deficit reduction onto the backs of our families and our communities and national defense programs. Their bill would protect defense spending from cuts, open up nondefense spending to more cuts, and specifically prohibit raising revenue to replace the cuts.

One of my Republican colleagues who is very concerned about the cuts to defense spending that would be locked in by this Republican bill called this approach “a complete cop-out.” That
same Republican said if something such as this were to pass, Republicans would be forcing President Obama to make impossible choices and then “every decision he’ll make, we’ll criticize.” Another Republican opposed this approach as well, saying, “I believe the appropriations process belongs in the legislative branch.” That is us.

The Republican bill will be devastating to our economy. The Congressional Budget Office has estimated that sequestration would cause 750,000 workers to lose their jobs by the end of this year. They estimate the economy would shrink by six-tenths of a percent by the end of the year. Federal Reserve Chairman Ben Bernanke said on Tuesday that rearranging these cuts would not have any substantial impact on the near-term economic picture.

Republicans have spent months talking about how they would not raise taxes, and that we need a cut-only approach. But now they can’t even agree on a bill that names a single cut. They want the President to do it. Leader Reid and Leader McConnell agreed to these votes we are having today over 2 weeks ago, and it took the bill last night to decide what they were even going to bring to the table. After all that time, they decided to play political games and not make any of the tough choices.

“Tackling our debt and defining our future is a serious issue, so I hope Republicans get serious. I hope they will listen to their constituents, come back to the table, and work with us on a responsible replacement to these automatic cuts that are scheduled to begin tomorrow.”

I urge my colleagues to support our approach, the American Family Economic Protection Act, and to oppose the Toomey-Inhofe bill.

**VAWA**

Before I yield the floor, I wish to say that I am very pleased the House of Representatives just took up and passed the long delayed, very hard work and badly needed victory for millions of women in this country, the Violence Against Women Act that was just passed. That means that after over 16 months of struggle, tribal women in this country, the LGBT community, immigrants, and women on colleges campuses will now have the tools and resources to realize this historic bill that provides what was put in place to drive a solution.

The passage of VAWA today is validation of what we all have been saying on this side, and I am proud of the Senate for its bipartisan work. I see Senator Grassley here today, and I thank him for his leadership on this critical issue.

I have heard from so many women throughout this months-long battle, and I especially want to mention one woman today: Deborah Parker, a member of the Tulalip Tribe from my home state who happened to be here the many months ago when Congress wanted to dump the tribal provisions in order to move the bill. She stood up with all the courage she could muster and told the story she had never told before about the abuse she had suffered while she was a very young girl and watching the same person who abused her abuse other tribal members because she had nowhere to go for recourse.

Today, that changes, for Deborah Parker and for thousands and thousands of other tribal members and other women and men in this country. It is a huge step forward in work that we have long worked on, and I am very excited that this President is going to sign this bill into law and pass something that is going to make a difference in the lives of many Americans.

Thank you, Madam President. I yield the floor.

**The PRESIDING OFFICER.** The Senator from Indiana.

Mr. COATS. Madam President, as I look at my watch, the clock is ticking toward midnight. Midnight becomes March 1, and that is the point at which the sequester kicks in, which is the across-the-board cuts—hardly massive when this year it will be about 1.2 percent of our total outlays this year. So, I am not sure what their massive need is. Maybe it can be used with any credibility; but, nevertheless, this is going to happen.

Republicans have proposed a way to address the President’s concerns—the very concerns that have been stated on this floor—including the concern that this across-the-board cuts is no way to govern because it doesn’t separate the essential from the nonessential. I think we as Republicans couldn’t agree more.

It is not the best way to govern, because it treats everything on an equal basis and basically says that every Federal program, no matter what its performance over the years, doesn’t deserve a look at how to adjust it for its lack or strength of performance. It doesn’t separate the essential functions of the Federal Government from the “this is what we would like to do but can’t afford to do right now.” So, to say that this government and the out-of-control spending that has occurred over these last several years is totally functional and that every penny we have spent is wisely spent and has been done in the interests of the taxpayer and protecting their hard-earned dollars, and that the money we are extracting from them is to make sure of some of the goals which happened less than 2 months ago on every American; every American’s paycheck was reduced. It is not just the millionaires and billionaires who took the hit, because $820 billion over the years of money on the out-of-Americans’ paychecks. So, for someone to say that what we are doing is massive when this year it amounts to a 1.2-percent cut in total spending, when virtually every business in America, every family in America has had to tighten their belt and do what is necessary to slow economic growth, when we continue to have 23 million unemployed or underemployed people in this country, and then to simply say we don’t have a spending problem, as the President famously said, defies common sense.

We don’t need fancy explanations or fancy words such as “sequester” for the American people to understand what is happening to our States having to tighten their belt. They see the companies they work for having to tighten their belt. And, as families, they see themselves having to cut back on some of their spending or some of their items because they no longer can afford to do it. The only entity they see in the United States not addressing a fiscal imbalance is the U.S. Government.

In an attempt to deal with this a year and a half ago, Congress passed the so-called sequester. The sequester was a fallback in case we weren’t able to come to grips with the problem we have and reach an accommodation, an agreement, on how to address it in the best way possible. This was the fallback. And all the attempts, starting with the President’s own commission, which he rejected, and then the Gang of Six proposals, and then the supercommittee of 12, all of the efforts, $1.2 trillion in cuts, for whatever reason did not succeed. So, what was put in place to drive a solution, didn’t drive a solution, and as a result, here we are with a sequester. But, to say the sequester cutting; this is percent from, percent from, is going to make the sky fall and cause a total economic meltdown and keep people from getting on their planes and keep us from ordering meat because meat inspectors can’t go to the meat processing plants to certify the quality of the meat, and all of the things the President is out campaigning for, for his own program—it was the President’s idea. Maybe it was his staff, but he certainly had to agree to it. It was proposed by the President and now he is campaigning against it. The fact is, it wasn’t that long ago when he said if it didn’t go into effect, he would veto it. So there has been a real change here, and I won’t go into the motivation for all of that.

There is also talk about balance. Balance is a code word for new taxes and for more taxes. It has been said over the last couple of years, during the campaign and leading all the way up to the fiscal cliff vote, that Republicans can’t give in on any kind of tax increase, even if it was on millionaires and billionaires. In the end the President won that battle and Republicans supported it. Even though we did not believe that was the best way to go forward to get our country to grow and to provide the kind of economic growth we are all looking for, we supported that. Now, we here we are just two months later with the same tired phrase that Republicans won’t take 1 penny from the rich when they just passed a bill that raises taxes on some of their rich. Therefore, what we need are more taxes on the American people to achieve balance.
It seems the White House has ob-
session with solving this problem
through increasing taxes and not want-
ing to make the hard decisions to cut
even 1.2 percent of our total budget—
2.4 in succeeding years. To say we can-
not, or should not, or are not worthy of asking
taxpayers to keep sending the hard-
earned money to Washington in order to
cover that spending—when Senator COBURN, Senator TOOMEY, when many of
us—I have been standing here every
day in virtually every session basically
saying, just through waste and ineffec-
tive programs we can easily come up
with this amount of money. Everyone
else in America has had to do it. Why
can’t we?

The charge we have heard over and
over is that this is such a terrible way
to address it that we need the flexi-
bility so these agencies can move the
money around and take the money
from the nonessential programs to
keep the security at the airports with
the traffic controllers and also keep the
meat inspectors and the others who are
essential.

In order to keep them from having
to take the hit, we came up with the
idea—Senator TOOMEY and Senator INGORE—that gives executive branch
the flexibility. That is what
they have been asking for all these
years. If we have to have the sequester,
just do not do it across the board be-
cause it forces us to do things we do
not want to do. But if we had the flexi-
bility—if you could give us the flexi-
bility—then we could move the money
within the accounts and we would still
reach the same amount of cuts—the 1.2
percent of this year’s budget—but we
would have the flexibility to move the
money around. None of this is necessary. None of
what do you want? Yesterday you wanted flexibility today gave it up;
and today you are saying: No, we do
not want that. It sounds like what they
want is only a solution to this problem
if there is a big increase in taxes.

This word “balance,” which I say, is
a code word for taxes. I just came from
the Joint Economic Committee where
a very respected economist, Michael
Boskin, said: Balance is not 50-50 if you
want economic growth because every
dollar you raise in taxes is a hindrance
to economic growth. He said: I am not
saying do not raise taxes. But the ratio should be “5 or 6 to
1.” If you want to position this country
for growth, you need about five to six
times the amount of spending cuts as
taxes increased.
So balance—50–50—according to
a very respected economist and many
others—I do not know of anybody who
said raising taxes encourages growth
because it takes money out of the pri-
ate sector and gives it to the public
sector. But rather than get into that
argument today, what the President
defines as balance is simply evermore
taxes to solve our problem, when
we know that after 4 years of effort here
that has not worked, and it will not
work.

Mr. DURBIN. Mr. President, will the
Senator from Indiana yield for a unani-
mous consent request? I will yield the
floor right back.

Mr. COATS. I am happy to do that.

The PRESIDING OFFICER (Mr.
HEINRICH). The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask
unanimous consent that witholding
standards the function to proceed cur-
rently pending, at 2:30 p.m. the Senate
resume the motion to proceed to S. 16
and the Senate proceed to the cloture
votes on the motions to proceed as
provided under the previous order, with
the time until 2:50 p.m. equally divided
among the Senate leaders and their des-
ignees; further, all other provisions of
the previous order remain in effect.

The PRESIDING OFFICER. Without
objection, it is so ordered.

Mr. DURBIN. Mr. President, I thank
my colleagues and the Senate.

Mr. COATS. Mr. President, I am
going to wrap up because my col-
leagues want to speak also.

But, let me say this: I have been say-
ing from this platform, and I have been
saying from everywhere people will listen
that we need to move to a solution to
the problem. The solution to the
problem involves, I believe, three or
four essential elements, and I think
there is widespread consensus on this
among those of us who are Republicans,
some Democrats, Conservatives,
Democrats, Republicans, economists,
and others. Unless we address that which
is growing out of control—which is our
mandatory spending—no matter what
we do on the spending level and no
matter what else we do, we are not going
to solve this problem and we are going
to keep careening from short-
term fix, short-term measure to the
next one, from fiscal cliff to fiscal cliff.

Already, we have another cliff which
people are talking about right now
at the end of this month, where we
have to fund the government for the
rest of the year. That will be another
drama, soap opera, played out before
the American people. In May, we hit
the debt limit.

None of this is necessary. None of
this had to happen if we had taken the
steps we knew we needed to take that
were presented in the Simpson-Bowles
presentation to the President years ago
and, unfortunately, rejected that and
basically, by our inaction, we are headed into a cata-
trophe, we are headed for insolvency
because this mandatory spending is
growing out of control and the amount
of discretionary spending we have which we can control is ever shrinking.

Yes, we need to sort out the fat,
the duplication. My colleagues and I
have been laying out things that I do think
any American who looks at it carefully
will say are not prudent. Of course, we need
to move up and deal with it, we are not going
to solve this problem; we are going
to keep careening from crisis to crisis.

We have one issue with the sequester going in place—can we
step up and sensibly adjust it through
flexibility in terms of how we reach
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that goal? Can we summon the will and the political courage to do what we all, I believe, know we need to do: that is, simply to do what is right for the future of America—America’s interests not our own political interests?

First, put this in context. What cannot be done, despite all the time, all the efforts made, many on a bipartisan basis—Simpson-Bowles was bipartisan, the Gang of 6 was bipartisan, the Committee of 12 was bipartisan. It is not true we are at a standoff in terms of how we viewed things. What we have not had is leadership from the White House. Something of this magnitude cannot be done without Presidential leadership, and the President has refused to do anything other than plead on a campaign basis for yet evermore taxes, which he calls balance.

So that is our challenge. We need you, Mr. President, to lead the way. We will work together with you in putting together a package which will achieve right ratios. We will work together to do what is right for the future of America and not what is right for our political future this year or next.

I guess we are pleading with the President. Similar to Presidents of the past—Ronald Reagan, a Republican, and Bill Clinton, a Democrat, took on the toughest issues and together we worked for the benefit of our people and for the future of this country and we made enormous strides in the process. But it would not have happened had the President not become engaged. At this point, the only engagement the President has made is to call for higher taxes and go out and campaign against the future of America and not what is right for our political future this year or next.

I wish to also congratulate my colleagues, Senator LEAHY, my neighbor from Vermont, and Senator CRAPO, who is on the floor today, for their leadership in getting this legislation passed so early in this session and for helping to see that it got shepherded through the House where it had been so challenged.

This is legislation that treats all victims equally regardless of whether they are Native Americans, whether they are members of the LGBT community, whether they are immigrants. It supports law enforcement by providing critical funding for police officers and prosecutors so they can hold abusers responsible. It supports crisis centers for women and families, to provide for immediate needs such as shelter and counseling.

On behalf of the thousands of women and families in New Hampshire who will benefit because of this reauthor-

ization, I wish to thank all the 268 Members of the House who voted for it and all the people in the Senate where it had such a broad bipartisan majority.

Again, I thank my colleagues, Senators LEAHY and CRAPO, for the leadership they provided in getting this done.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I too want to thank you for having the House for their passage of the Violence Against Women Act. I thank the Senator from New Hampshire for her kind remarks.

I am honored to have worked on this bill with Senator LEAHY and my other colleagues in the Senate. Senator LEAHY and I have worked together for years on issues of domestic violence and stalking, and this is one of the key endeavors we needed to get across the finish line. Now we see that we will, and we will send this important legislation to the President.

I would also like to commend the advocates across the Nation and specifically the Idaho Coalition Against Sexual and Domestic Violence who have worked tirelessly on this issue.

As a longtime champion of the prevention of domestic violence, I am glad to see there are areas in Congress where we can come together to support these important causes.

This act provides critical services to victims of violent crime as well as agencies and organizations that provide support to those individuals. For nearly two decades, the Violence Against Women Act has been the centerpiece of our Nation’s commitment to ending domestic violence, dating violence, and sexual violence. This legislation provides access to legal and social services for survivors. It provides training to law enforcement, prosecutors, judges, attorneys, and advocates to address these crimes in our Nation’s communities. It provides intervention to those who witnessed abuse and are more likely to be involved in this type of violence. It provides shelter and resources for victims who have nowhere else to turn.

There is significant evidence that these programs are working not just in Idaho but nationwide. The U.S. Department of Justice reported that the number of women killed by an intimate partner decreased by 35 percent between 1993 and 2008. In 2012 it was reported that in 1 day alone, 688 women and their children impacted by violence sought safety in an emergency shelter or received counseling, legal advocacy, and children’s support.

These important provisions are making a difference in the lives of people across this Nation. I again wish to commend all of my colleagues who supported this legislation and helped to move this critical piece of legislation to the President’s desk.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I rise to speak about the vote we are going to have today at 2:30 regarding sequestration, and I wish to strongly support the notion of giving the executive branch the flexibility it needs over the next 7 months to work through this situation in a more graceful way.

I think it is imperative for the American people, we are going to spend $47 trillion of your money over this next decade. It was incumbent upon a bipartisan group about a year ago to try to come up with about $1.2 trillion in savings over the next 10 years. Believe it or not, that didn’t happen. The sequestration was a method to ensure that at least there was some reduction in the growth of spending. I do want to say that there have been a lot of dis- cussions and this is only thing worse in sequestration, in my opinion, would be kicking the can down the road on some much needed fiscal discipline here in Washington.

I hope what we will do today is get behind a very thoughtful proposal that would say: Look, we are still going to reduce spending by this amount, but we are going to give the executive branch, because this first 7 months is happening so differently, the ability to make provisions of the PPA level. It is across the board and focused on two important categories. I agree that it is ham-handed, and the only thing worse in sequestration, in my opinion, would be kicking the can down the road on some much needed fiscal discipline here in Washington.

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and certainly still having the cuts that are necessary in growth. I might add, not in real spending. That is where we are.

We have a proposal, the Toomey-Inhofe proposal, which gives the executive flexibility to deal with these types of cuts. This is the way regular order should work, the way the Senate should work. It is not that far down the road.

As a matter of fact, I am understanding that if the Appropriations Committee wanted to, they could pass out an omnibus—not a CR but an omnibus—that has already gone through the checks. I think the two staffs have been talking about it. I am talking about at the House and the Senate. It is my understanding that they could pass something out in a week. I think maybe there are going to be some discussions about this later in the majority leader's office. Hopefully, he will give the green light. This is the way the Appropriations Committee to move ahead with something like this, which would be very sensible, in my opinion. I think most people around here would love to see something actually happen under regular order.

These reductions are necessary, in my opinion, to get our fiscal house in order. Much more needs to be done beyond this $1.2 trillion—much, much more. I don't think there is anybody who doesn't want that deficit reduction greater than $1.2 trillion needs to occur. Right now we are focused on the cuts side. We focused on the income side at the end of the year.

As we move ahead and are able to deal with the other regular order, where committees have looked at the impact, this is the best way to go forward.

Again, sequester will kick in tomorrow. I think we all understand that. There is a bill that would allow the executive branch to have the flexibility it needs to work through this in a way that is least harmful to the American people, and if that doesn't work, another step—there is another way of hitting this in an intelligent way.

I hope we have the opportunity to work this out in a way that is better for the American people. At the same time, I hope we will not back away at all from at least $1.2 trillion in spending reductions. I wish we would move later this year into real tax reform, which is really where all the money is.

To the American people, the reason we are moving to sequester and the reason we are cutting discretionary spending is we don't have the courage to deal with the real issues of America, to solve them, put it in the rearview mirror, and all of us will come together and focus on those things that would make our country stronger.

I ask unanimous consent that all quorum calls before the votes at 2:30 p.m. today be equitably divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORKER. 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. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, we have heard a lot of discussions recently about the author Bob Woodward and his comments about spending and the sequester. It is important for us to understand this. This is not an easy matter. We have a lot of confusion, I think, as to what has been happening in the budget process. So from my perspective, as ranking member on the Budget Committee, I wish for all of us to understand the issue that is at stake.

Here is what Bob Woodward said in his Washington Post Op-Ed earlier this week:

So when the President asked that a substitute for the sequester include not just spending cuts but also new revenue, he's moving the goalpost.

And when the President talks of spending cuts, he's referring to some other spending cuts somewhere in the government so that they do not fall so hard on defense, for example.

But Bob Woodward goes on to say—referring to the President's request for a substitute—that was not the deal he made.

So we need to all remember what happened was that in August of 2011, as the American people focused and spoke strongly in the 2010 election, the debt ceiling was reached. We couldn't borrow any more money.

Since we are borrowing almost 40 cents out of every dollar, it amounted to a 40-percent cut in spending, had we not raised the debt ceiling. So it was important to raise the debt ceiling, but it was also important to do something about the surging debt. So a bipartisan agreement was reached, and the agreement essentially said we will reduce the debt by $2.1 trillion, and we will raise the debt ceiling $2.1 trillion.

The good news, for those who wanted to keep spending, was that we spread
the spending cuts over 10 years. But we have already reached the debt ceiling again. We have already spent $2 trillion more than we took in. We have to deal with that again very soon.

I would like to say this to my colleagues: We are raising the debt ceiling, we are cutting spending. And then here we waltz in, less than 2 years later, with the President saying that we cannot cut as much as we promised, as agreed to and signed into law. He says that is too much. He tells us that he is not going to help us find a smarter, more effective way to do the cuts. I don’t think that is good policy.

What I urge my colleagues to do, and I believe it is the right thing, is to make the decision—and we have no choice but to make it—that we are not going to give up the little bit of spending cuts we have, which are not spending cuts but a small reduction in growth in spending. We should advise the President that we stand ready—and I am confident I can speak for the Republicans in this Chamber that we stand ready—to try and spread those cuts out in a way that is smarter and is less painful, because everybody should tighten their belt to help get this country on a sound path. We are willing to do that, but we should state that as we draw to the end of the President’s agreement—as Mr. Woodward said, the deal he made—that he signed, that is in law and that has created a new spending baseline. We should not give up on that 19 months after we agreed to it. What a mockery that makes of the integrity of our government and the commitment to fiscal responsibility.

Let’s work together on this. We had a big tax increase in January and a spending agreement in August of 2011. So now let’s get on with and operate in the world we are in. I don’t believe we will avoid the sequester by raising taxes and increasing spending over the level to which we agreed. It won’t happen. So we might as well get serious and figure out a way to help make this work in a more rational way.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, today, as we debate proposals for avoiding the so-called sequester, we find ourselves in a uniquely awkward position. Not only is there general disagreement about what brought us here, who is responsible, who is to blame, et cetera, but we also disagree about where “here” is to begin with.

President Obama has been touring the country giving speeches describing a fiscal cliff he must avoid. But what is the so-called fiscal cliff? And why Republicans are to blame for it. This is, of course, par for the course for this President, whose motto seems to be: Why solve a problem when you can make it worse?

Republican leaders have proposed the idea in the first place and has refused to work on a passable solution. So that is how we got here. The bigger, more complicated problem is determining where “here” actually is. The President and his allies have spent a lot of time misleading the American people that that is what was achieved.

If you describe the sequester using the worst possible numbers, it is an $85 billion reduction from $3.5 trillion of yearly Federal outlays—yes, that is $85 billion out of $3.5 trillion. When all is said and done, it is a reduction of less than 2.5 percent from overall Federal spending. And, as the Congressional Budget Office has made clear, not all of the $85 billion in reduction will even take the form of reduced spending this year. Even if it did, keep in mind that $85 billion would represent less than 9 days of Federal spending, based on the rate of spending last year. Once again, that is if you describe it in the worst possible terms.

In that moment, let’s go with those numbers. The President would have the American people believe that a 2.4 percent reduction in Federal spending out of $3.5 trillion will cripple our government and irreparably damage our economy, even an economy that the President must have felt was strong enough to absorb a $600 billion tax hike back on New Year’s Day. The ramifications of the 2.4 percent spending reduction never made it out of the White House, and his allies here in Congress, that the only alternative is to raise taxes yet again.

I will be the first to admit there are better, more responsible ways to reduce the deficit than the President’s indiscriminate sequester. But these scare tactics don’t even pass the laugh test. Does the President really expect the American people to believe our government is so fragile it cannot absorb a 2.4 percent spending cut—less than 2.5 percent from Federal spending—without inflicting massive damage on the American people and our economy? Apparently so.
Once again, I am describing the sequester in the worst possible terms just to demonstrate the outlandish nature of the President’s arguments. However, when you look at whether the sequester even represents a reduction in spending, you find the claims are even more absurd. When you look at whether we are cutting spending at all relative to past periods, you can easily see we are not, even with the sequester.

The so-called spending cuts in the sequester are again calculated using more spending levels. We should all remember that in fiscal year 2010, spending levels were highly elevated as a result of the President’s stimulus and other “temporary” spending measures passed in response to the financial crisis and recession. So, in other words, the sequester reduces spending only if you are measuring against an extremely high baseline that was, at that time, supposed to be temporary.

Whether something is an increase or decrease depends on what you are measuring against. If you measure relative to a big number—such as the Democrat-fueled spending of 2010—then proposed spending looks like a cut. But if you look at spending levels relative to more reasonable baselines, you will find that future spending will actually be up even with the sequester in place. For example, you will see what post-sequestration spending looks like relative to a more reasonable baseline.

According to the Congressional Budget Office, baseline estimates for post-sequester discretionary budget authority total $978 billion for fiscal year 2013. The average during the Bush years, in inflation-adjusted fiscal year 2013 dollars, was $957 billion. Neither of these figures includes spending on wars or emergencies, so this is an apples-to-apples comparison.

In adjusted current dollar terms, post-sequester spending this year will be more than $20 billion higher than the average during the Bush years. Someone may have to refresh my memory, but I don’t believe the government ceased to function during the Bush years.

I have pointed out that the government has actually increased in size relative to the rest of the world. As of 2010, the government owned 238 limousines. By 2010, that number had grown to 412. What changed in government between 2008 and 2010 that required an increase of over 73 percent in the number of Federal limousines? If anyone knows, please let the American people know. Going back to the Democrats? If anyone knows, please let the American people know. Going back to the Democrats’ phantom limousine fleet was no problem for the Democratic leaders who ran the Government Accountability Office, which the Democratic leadership’s bill to the Finance Committee to strike all the revenue increases and replace them with spending cuts. And to help further the process, I have prepared a menu of spending cut options to select from. These proposals come from Dr. Tom Coburn’s book, “Back in Black: A Deficit Reduction Plan.”

During the 2008 campaign, the President promised to find spending cuts by going through the budget, line by line. Dr. Coburn has done what the President promised but failed to do. Today, I am drawing from a small body of Dr. Coburn’s hard work.

For instance, instead of the latest incarnation of the Buffett tax, we could, according to Dr. Coburn’s book, “The Buffett Plan,” save $71 billion over 10 years by instituting a 5-year freeze on locality pay adjustments for Federal workers or we could reduce travel budgets of Federal agencies. That would save just over $43 billion over 10 years.

Another revenue increase in the majority leader’s bill that could be replaced with a spending cut is the elimination of what some Democrats have described as a tax break for shipping jobs overseas. Indeed, we have seen this proposal pop up several times over the last few years. However, as some may recall, the Chief of Staff of the Joint Committee on Taxation wrote a letter to Senator Reid that is quoted by Dr. Pascrell, the authors of a bill to close this so-called loophole, that stated:

Under present law, there are no specific tax credits or disallowances of deductions solely for locating jobs in the United States or overseas.

I previously challenged my colleagues to come and point out to me if they thought that was incorrect. To date, no one has tried to meet that challenge. Yet efforts continue to raise as a selling point the allure of closing a loophole where no loophole exists.

One spending cut from Dr. Coburn’s book that could be used as a substitute for closing the Democrats’ phantom loophole is to reduce the Federal limousine fleet back to the level it was in 2008. According to Dr. Coburn’s book, the government owned 238 limousines in 2008. By 2010, that number had grown to 412. What changed in government between 2008 and 2010 that required an increase of over 73 percent in the number of Federal limousines? If anyone knows, please let the American people know.
would save the government $115.5 million over 10 years.

There are numerous other places where we can cut spending immediately. Instead of pursuing the Democrats’ tax hike strategy or the President’s indiscriminate sequester, we should instead sensibly restrain spending through proposals such as these.

I anticipate that some of my friends on the other side will argue we should pursue these spending cuts in addition to passing more tax hikes. My response is that we should be saving all of these revenue raisers for future tax reform efforts.

There is a growing bipartisan consensus here in Congress in favor of comprehensive tax reform. The leaders in both the tax-writing committees are committed to this effort, and I believe we have a real opportunity to accomplish something on tax reform this year. However, if we start closing loop-holes and eliminating preferences now in order to avoid the sequester, they won’t be there to help us lower marginal tax rates later on when we are working on tax reform, which will make an already difficult process that much harder.

Ultimately, if we follow the path my Democratic colleagues want us to take, we will be raising taxes on the American people while at the same time hampering future tax reform efforts. This is simply not the way to go, particularly of the deeply reasonable spending cuts available to replace the President’s sequester.

As I said, whatever we do, we ought to do it through regular order. That is why I have filed this motion to commit and why I hope my colleagues will support it.

While I am waiting for someone to represent the majority, because I am going to have a unanimous consent request that I understand will be objected to and I want to protect the majority’s right to do that, as much as I don’t agree with it. I know there is an agreement in place for consideration of the sequester bill and I don’t want to stand in the way. But at some point we need to have a real bipartisan conversation about a return to regular order. For too long we have been avoiding the committee process here in the Senate and I think the results speak for themselves.

I want to work with my colleagues on both sides of the aisle to find a way to restore the deliberative traditions of the Senate by allowing the committees to do its work. If we can return to regular order, the words “honest leadership and open government” will be more than a campaign slogan. The American people should expect nothing else.

I understand my unanimous consent will be objected to, and so I ask unanimous consent that I be immediately recognized to make this unanimous consent as soon as the distinguished chairman of the Finance Committee arrives.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Mr. HATCH. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Madam President, I thank my friend from Utah for his comments. It is important since we have two votes coming up starting in less than 30 minutes, that we talk a little bit about the background, where we are today and what we are going to be faced with in these votes.

Back about 5 weeks ago, when it looked as though sequestration was going to kick in, there was concern. I understand there is a lot of concern on the Democratic side and on the defense side, but my concern is mainly on the defense side. I am the ranking member of the Senate Armed Services Committee. I am concerned about what has been happening under this administration in the disarming of America and the devastation that has taken place already. A lot of people do not realize, under this administration we are now projecting cuts already to hit $467 billion in defense.

If sequestration kicks in, it would raise that to $1 trillion, and $1 trillion over that period of time is, in fact, devastating. The Secretary of Defense, Leon Panetta, came out immediately and said: This cannot happen; we cannot adequately defend America if we allow this to take place. He was talking about sequestration.

Sequestration, I think people kind of lose sight of what it is. It is the equal and opposite of cutting the deficit. It is about taking the accounts in order to come up with a savings, which I think is kind of interesting. Here we are talking about all this anguish we are going through right now just for $1.2 trillion, when you stop and realize in the President’s own budget, over 4 years he has a $6.3 trillion increase.

So we are talking about 10 years to come up with $1.2 trillion when he was accountable for $5.3 trillion in 4 years. That is not even believable. When I say it back in my State of the Union, we share their outrage. I think the country, and the country needs to be outraged.

The problem has been, in this administration, over the past 4 years all the cuts have come from the military. They have not come from anywhere else. It is an oversimplification, but you can make the statement that they are cutting—I will yield to my friend from Utah because I understand he has a unanimous consent request. I will be happy to make the statement he asks for.

Mr. HATCH. The PRESIDING OFFICER. Without objection, the motion is so ordered.

Mr. HATCH. I thank my colleague for his courtesy. I appreciate it.

Madam President, I ask unanimous consent that following the two cloture votes today, it be in order for me to make a motion to commit S. 388 to the Finance Committee, the text of which is at the desk, and the Senate proceed immediately to vote on the motion without intervening action or debate. The PRESIDING OFFICER. Is there objection? The Senator from Montana. Mr. BAUCUS. Madam President, this Senator was probably not paying enough attention. This is the Senator’s motion to recommit?

Mr. HATCH. It is the motion to recommit.

Mr. BAUCUS. Madam President, I respect my Ranking Member’s attempt to alter the leader’s bill to strike the revenue increases in this legislation.

However, I think time is at a premium and we need to consider the Reid legislation today.

If sequestration cuts are voted on the bill to the Finance Committee will delay a solution to the sequestration cuts for weeks, if not months, and I believe most Members believe we should address the issue here and now. There is no time to waste.

We will have a full opportunity to discuss additional deficit reduction ideas in the coming weeks when we consider the budget resolution, the continuing resolution and the extension of the debt limit.

I agree we need to cut our debt and get our fiscal house in order. We know there are places to trim the fat in Federal programs.

To give families and businesses certainty, we must agree on a balanced, comprehensive plan to cut the debt that includes both revenue and spending cuts. The math will not work any other way.

A long-term balanced plan will bring the budget battles and make real progress solving our deficit problem.

A balanced plan will also encourage businesses to invest, enable investors to return to the markets with confidence and, most importantly, put Americans back to work in a growing economy.

And I look forward to working with Senator HATCH, taking on these fiscal challenges and crafting policies that create more jobs and spark economic growth right now.

The only way we will be able to get past these budget battles is by working together—Republicans and Democrats, House and Senate. We need to work together.

However, at this time I object to the motion to recommit.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. HATCH. Look, this place is not being run on regular order. The committees are being ignored. The committees are established to be able to intentionally look at these matters
and hear both sides and hear the top experts in the country. I feel very badly that this simple motion has to be objected to, I feel badly because I know neither of the amendments that will be filed, that will be heard or voted on, are going to pass. One reason they will not is as some we have not followed the regular order.

Mr. INHOFE. Will the Senator yield?
Mr. HATCH. I am happy to yield.

Mr. INHOFE. I asked unanimous consent to be recognized after the two of you went through this. Can I inquire as to about how much longer it will be? I am the author of the bill that is coming up in just a few minutes.

Mr. BAUCUS. Will the Chair indicate the time remaining?
The PRESIDING OFFICIAL. There is 22 minutes.

Mr. BAUCUS. Madam President, I ask which side has the 22 minutes?
The PRESIDING OFFICIAL. The majority.

Mr. BAUCUS. I will be glad to yield time to my friend from Oklahoma.

Mr. INHOFE. I appreciate that. It is my understanding, responding to my friend, that the other author of this bill, that I will want to listen to a statement that has outlived its usefulness, or a vital service that Americans depend on every single day. It doesn't make those distinctions.

Mr. BAUCUS. At this time?
Mr. INHOFE. Right after his time, yes.

Mr. BAUCUS. I don't fully understand. I am happy to yield 10 minutes to the Senator from Oklahoma.

Mr. INHOFE. I appreciate that. Prior to the time we propounded the unanimous consent request, I was talking about my frustration about what has been happening fiscally in this Senate during the last 4 years and the mere fact that under this administration we have increased deficits by $5.3 trillion. Now we are trying to come up with a bill that is less than that in a period of 10 years. To me, people look at that and say: What is this all about? But that is not the reason I bring this up.

I bring this up because the amount of money that has come out of the military is actually a reduction. If you look at the increase in the spending in the last 4 years, it has all come out of defense accounts, so it is defense that has taken the hits on this. Government has expanded approximately 30 percent across the board. At the same time our military has been reduced in terms of our budget for defense accounts.

Anyway, when this came up a few weeks ago, I thought it was not going to happen. I thought we were going to have something come up and change this whole idea of having to make these reductions. So what I did at that time was draft a bill. The bill merely said if we are stuck with sequestration, let's allow the chiefs—speaking of the military, the 5 military chiefs—let's allow the chiefs to massage this and have something come up selectively, out of accounts where it would be not as significant. That is included so they can look and see where we can take cuts and it will not be as devastating.

In fact, I called each one of the five service chiefs and I said: Would it be less devastating if you were able to take the same amount of money out but take it out selectively, out of accounts where it would be not as significant? They said: Yes, it would.

The answer is yes. That is where we are today. They said they are able to do that.

The frustrating fact is this President—I am getting criticized on both sides. People are saying you are giving too much to the President. We are not because we have safeguards in here, which I will explain in a minute. But at the same time, the President comes out and says he will issue a veto threat against this bill. What does this do? It gives flexibility for the President.

I am going to read something. This is a statement that President Obama said on February 19, 2013. Here it is:

Now, if Congress allows this meat-cleaver approach to take place, it will jeopardize military readiness; it will eviscerate job-creating investments in education and energy and medical research. It won't consider whether those programs are meeting the needs of the country that has outlived its usefulness, or a vital service that Americans depend on every single day. It doesn't make those distinctions.

He goes on to say that he wants that flexibility. This is the President asking for it on February 19, 2013. Here we come along with a bill that gives him that flexibility with certain restrictions so that he can't pick and choose areas that we find are against the policies that have been set. I will give an example.

We had the National Defense Authorization Act. It was one that took months and months to put together. It took a long time to put together, and we made evaluations, with a limited budget, on what we could do. All this does is if we have to make some changes from the across-the-board cut, let's make it consistent with the National Defense Authorization Act.

In other words, all those weeks and months of work by the Senate Armed Services Committee and, I might say, the House Armed Services Committee would not be in vain. Those cuts would be consistent with the intent, to make sure the President would do this.

A lot of people say we can't trust the President; he is going to put more cuts in place immediately keeping with what the Senate Armed Services Committee wants. But we have a provision called a congressional disapproval mechanism. That means that if the President doesn't do what the intent of this legislation even, then we can go ahead and disapprove it.

We have those two safeguards. One is they have to follow the criteria that is consistent with the Senate Armed Services Committee, the national defense budget which is the House and the Senate. To be sure we will be able to do that it has the disapproval mechanism.

People do not realize the costs of this. If you take the same amount of money that we are talking about in sequestration and allow the service chiefs to massage this and make changes, give them flexibility to go and change programs that are not as significant as some that might otherwise be cut—the bill allows the President to listen to the advice of his military leadership and offset some of the devastating impacts of sequestration. If the sequester is allowed to take place and the congressional resolution is not fixed, the Department of Defense stands to waste billions of dollars through the cancellation of contracts.

People don't think about this. We make commitments backed by the United States of America that we are going to do certain things. A lot of these are contracts such that if they are terminated it could cost quite a bit of money.

The termination of multiyear contracts is something that we would be concerned about. Providing the Department of Defense flexibility to determine how these cuts will be implemented will let us take this into consideration.

At this point, I ask the Senator from Pennsylvania how much time he would like for his concluding remarks.

Mr. TOOMEY. Madam President, I thank the Senator from Oklahoma. I will only ask for a minute or two to make my closing comments.

The PRESIDING OFFICIAL. Is there objection? Without objection, it is so ordered.

Mr. INHOFE. Madam President, I appreciate that very much. He has been a great partner. I have given a background of what went on 5 weeks ago and our discussions with the service chiefs. I was hoping this day would not come and that we would not be faced with the continued devastation of our military, but the time is here. Tomorrow is the 1st of the month.

The Senator from Pennsylvania and I have come up with a bill that will be voted on, and it will minimize the damage and still preserve the cuts that are mandated and are out there.

One of the problems we have not talked about is the continuing resolution. When I was talking to the different service chiefs, one was General Odierno, who is in the Army. He said that just as devastating as how the CR is set up, this corrects that problem at the same time. We are talking about that is not going to cost any more money. Believe me, a lot of my closest friends—for instance, in the House of Representatives—think it is a good thing that we are making these mandated cuts. They cannot argue with that, but we can at least minimize the damage in these cuts.

I will read something that shocked me when I saw the President had issued—I am not sure if it is a veto message. I am told it was a veto message.

Here we have a bill that gives him flexibility with the restrictions we
talked about. Yet he says he is now going to veto it. It is worth reading this again, and we need to make sure we get this in the Record.

This is his quote on February 19, 2013. This is the President speaking.

Now, if Congress allows this meat-cleaver approach to take place, it will jeopardize our military readiness; it will eviscerate job-creating investments in education and energy and medical research. It won't consider whether we're cutting some bloated program that has outlived its usefulness, or a vital service that Americans depend on every single day.

We are now giving him a vehicle that makes those distinctions so we have that flexibility. It has the safeguards to take care of the problems that have been brought up, I think it is not a good solution, but right now it is the only solution.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, I would like to thank and compliment the Senator from Oklahoma, who has been a terrific leader and ally. I appreciate his hard work and the work product we have come up with.

At the end of the day, it is not complicated. It is not a philosophical debate, it is not a philosophy of who is right and who is wrong. It is clear cuts are necessary.

The American people elected us to get their books in order—but in a clever way that doesn't have catastrophic consequences.

Similarly, on the defense side, any competent middle manager of any business in America knows that when they lay off workers, the ones that are let go first are the ones who are easiest to cut. We must understand that even in difficult budgetary times we can't do that.

Today the Senate has the opportunity to avoid this devastating sequester by voting for the American Family Economic Protection Act, which does just that. This balanced legislation will delay sequestration by replacing it with a combination of new revenues and targeted spending cuts. These spending cuts would reduce the deficit in a responsible way, eliminating unnecessary direct payments and farm subsidies and implementing reasonable and responsible defense spending reductions beginning when the war in Afghanistan is expected to end.

We must understand that even in difficult budgetary times we can't do that. We have to cut, but we have to cut in a way that doesn't have catastrophic consequences.
and innovation funding from NIH and $400,000 in funding from the National Science Foundation, costing the State 53 jobs. Vermont would lose funding for the grants that support law enforcement, prosecution and courts, crime prevention and education, corrections, drug treatment and enforcement, crime victim and witness initiatives. Sequestration would mean Vermont would lose $100,000 in funding for job search assistance, referral, and placement, meaning 3,000 fewer people will get the help and skills they need to find employment, just when they need it most.

In Vermont, sequestration would impact public health. Fewer children will receive vaccines for diseases such as measles, mumps, rubella, tetanus, whooping cough, influenza, and hepatitis B due to reduced funding for vaccinations. Across-the-board cuts mean Vermont will lose about $270,000 in grants to help prevent and treat substance abuse. And the Vermont Department of Health will lose about $55,000 resulting in around 1,400 fewer HIV tests. Sequestration would mean the state would have to rely more heavily on federal funding used to provide meals for seniors and services to victims of domestic violence.

If we do not pass the American Family Economic Protection Act today, our States will lose funding for community development, rural development, affordable housing vouchers helping to put a roof over families’ heads, we will lose funding for cancer screenings, childcare, and Head Start programs helping to get our Nation’s children ready for school.

We cannot afford to allow this self-inflicted devastation move to forward. The bottom line is that getting our fiscal house in order must go hand in hand with policies that promote economic growth, create jobs, and strengthen the middle class—all things that President Obama and Democrats in both Houses of Congress are eager to do if only we had more cooperation in both Houses of Congress are eager to do if only we had more cooperation from our friends across the aisle. We simply cannot cut our way out of this. We cannot allow an unbalanced approach that would once again require that deficit reduction be achieved solely through spending cuts, and would disproportionately impact low-income Americans and middle-class families and children.

The list of essential programs and services that will be affected by sequestration is long. So today, I would like to focus on just a few of the more than 50 agencies funded by the Financial Services and General Government Appropriations Subcommittee, which I chair. My subcommittee helps small businesses get the loans they need. It keeps Wall Street watchdogs on the job. And it funds the agencies that stand up for consumers and stand guard against unfair and dangerous practices. But the largest single appropriation in my subcommittee goes to our Nation’s tax collector—the IRS.

That’s because short-changing the IRS makes it easier for tax cheats to avoid paying what they owe. Last year, about $400 billion in taxes owed were never paid.

Mr. President, I was a CEO for many years. If there is one thing I learned in my time at ADF, it is that you can’t run a company without revenues. And state and local governments are running businesses without revenues. The sequestration plan Republicans insisted on will slash the IRS and sacrifice revenues. In fact, for every dollar the sequester cuts from the IRS, our deficit will increase by at least $5.

These cuts make no sense. But these IRS budget cuts are just the beginning of our problems. Under sequestration, as many as 1,900 small businesses won’t get loans, which would mean 22,000 fewer jobs at a time when millions are looking for work. Wall Street watchdogs like the SEC and CFTC will be forced to go home, leaving investors on Main Street vulnerable to wolves on Wall Street. And cuts to the Judiciary could undermine of some important aspects of our life: the safety of our families. That is because we will have fewer probation officers to supervise criminal offenders in our communities. Courtrooms will be less safe because of cuts to their security systems. And cuts to mental health and drug treatment programs could lead to more offenders relapsing into lives of crime.

The Federal Bar Association agrees. They wrote in a letter last week to Ashton Carter, Deputy Secretary of Defense, just went through with what they are facing. These are not easy because the sequestration was never meant to be easy. It is hard. Please don’t sugarcoat it and say there is a magic wand out there to find $1 billion out of the Department of Transportation and that if the President would just look closely, I am sure we can do it. It is not that simple.

The Senator has been involved in the supercommittee, and he has been involved in looking at this budget. He knows that on a bipartisan basis we can find savings. There is money to be found in every single agency of government, but you don’t do it with a heavy-handed sequester approach.

We had a chance today to vote on a bill to replace these cuts with a balanced approach to deficit reduction, but our Republican colleagues insisted on protecting loopholes for the wealthy and big corporations. I hope that they will reconsider their position in the next couple of weeks, and we can find savings. There is money to be saved in every single agency of government, but you don’t do it with a heavy-handed sequester approach.
and in the Commonwealth of Pennsylvania. I will yield for the Senator's question.

Mr. TOOMEY. Madam President, it is hard for me to follow this. The Senator is speaking about a request that the President made, and what Senator INHOFE and I are offering is a way to minimize the damage.

In the President's submitted request for the FAA, did he contemplate laying off air traffic controllers or closing towers? I know the answer. The President's budget—whick he submitted to Congress and is a public document—requested a certain funding for the FAA.

Mr. DURBIN. For the next fiscal year?

Mr. TOOMEY. For the current fiscal year, the President's most recent request. The President's request was for less money than the FAA will have if the sequester goes through. I don't think it was planning to lay off air traffic controllers.

Mr. DURBIN. Reclaiming my time, this is getting perilously close to a debate, which I will tell those in attendance never happens on the floor of the Senate. I will tell the Senator this time we are dealing with the CR and last year's appropriations for the Department of Transportation; that is what Secretary LaHood is using. He is using the Budget Control Act numbers. So the President's request, notwithstanding, I am not sure how the Senator voted, but there was a bipartisan vote for limiting the amount of money that could be spent in this fiscal year. I voted for it, and that is what the Secretary is operating under.

The reality is this: Even with the Inhofe amendment, $1 billion has to be cut from the Department of Transportation, and the flexibility notwithstanding, the options are so limited at this point in time.

I will tell the Senator point blank that I believe we need to reduce this deficit. Sequestration is a terrible way, but there is an alternative. There will be an alternative this afternoon, and we will ask the Senator from Pennsylvania and the Senator from Oklahoma: Are they prepared to say we are going to limit the direct agriculture support payments to farmers who have had the most profitable years in their lives and don't need them? Are they prepared to say that people making $5 million a year in income ought to pay the same tax rate as the secretaries who work for them? If they are, we can avoid the worst parts of the sequestration. If they are not, be prepared, we are in for a pretty rough ride.

Mr. INHOFE. Would the Senator yield?

The PRESIDING OFFICER. The Senator from Iowa?

Mr. HARKIN. This has been very interesting. This is not what I was going to speak on. I was going to speak on the amount of cuts we have already taken in our appropriations bill on Labor, Health, Human Services, Education, NIH, and Centers for Disease Control. I could not help but hear my friend from Pennsylvania talk about the President's budget as though that is controlling this. Would the Republican member from Pennsylvania be in the President's budget? I don't think so. They might want to select this or that or this or that, but are we now hearing from my friends on the other side that we should just carte blanche rubber stamp the President's budget? I sure hope not.

I remind my friends that the Constitution of the United States clearly says this body has two functions: taxing and spending—not the President and not the executive branch. The executive branch can propose whatever budget they want, it is up to us to decide both how to collect the taxpayers' money and how to spend it. It does not matter to me exactly what the President proposes. What I want to know is, how do we, as Congressmen—feel about where we should be investing our money and on what we ought to be spending the taxpayers' money.

The idea that somehow the President's budget says this or that and that people can pick and choose whatever they want with it, I submit again, I will bet my friends on the other side will not say: We will just adopt the President's budget as it is and we will go with that. I don't think they are ready to do that. I would not even do that for a President of my own party.

I wish to talk a second, again, about sort of the intransigence on the part of my friends on the Republican side—not only in this body but in the other body—of not countenancing any other funding or raising of revenues. I keep hearing the Speaker say: We gave revenues last month, that we had $700 billion of revenues last month; now it is time to talk about cuts. What the Speaker has done is he has drawn an arbitrary starting line of January 2013. What about last year and the year before when we adopted over $1.4 trillion in spending cuts that have already been adopted? What about the starting line there? That is when we started to address the $4 trillion we needed by 2020 to stabilize our debt. We have come up with about $1.4 trillion in spending cuts and about $700 billion in revenues. It is not the idea that we have already given up and that we have collected enough revenue. That is not it at all. Going forward we need a balance between revenues and spending cuts.

I want to read some of the things we have done in our own committee last year. We had $1.3 billion in cuts. We eliminated the education technology state grants, which a lot of people kind of liked. The Even Start Program was eliminated. The tech-prep education state grants were eliminated. The mentoring children of prisoners was eliminated; the foreign language assistance was eliminated; the civic education was eliminated; The Alcohol Abuse Reduction Program was eliminated. The career pathways innovation fund was eliminated.

Many of these programs were started by my friends on the Republican side as people in the past, some started by Democrats, but most of them were started jointly with Republican and Democrats. What I am pointing out is that we have already cut a lot of things out of Health and Human Services, education, NIH, and the Centers for Disease Control. I can tell that you Dr. Francis Collins, the head of NIH, warned that the sequester will slash another $1.6 billion from NIH's budget at the very time when we are on the cusp of having some good breakthroughs in medical research. A lot of medical researchers have been lined up and doing some great programs out there. Now all of a sudden they are going to have the rug pulled out from underneath them, but that is what is going to happen.

I might mention the kids with disabilities and what is going to happen with the funding for the IDEA, the Individuals with Disabilities Education Act. I am told about 7,200 teachers, aides, and other staff who help our communities and our schools cope with kids with disabilities who come into schools—because under IDEA we are providing that kind of support—are going to be cut. But it is going to be cut.

So this idea that somehow we can keep cutting and cutting and cutting and we are going to get to some magic land where we can continue to function as a society just isn't so. We need revenues. That is what is in the bill the majority leader has proposed, revenues that will help us reach that point where we can have both spending cuts and revenues and stabilize our debt at a reasonable percentage of our GDP.

I yield the floor.

The PRESIDING OFFICER. The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, I ask unanimous consent to waive the mandatory quorum call in relation to the cloture vote on the motion to proceed to S. 16.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

TO PROVIDE FOR A SEQUESTER REPLACEMENT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order the Senate will resume consideration of the motion to proceed to S. 16, which the clerk will state.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 19, a bill to provide for a sequester replacement.

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:
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. 19, S. 16, an Inhofe/Toomey bill to cancel budgetary resources for fiscal year 2013.

The question is, Is it the sense of the Senate that debate on the motion to proceed on S. 16, a bill to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes, 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. The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 38, nays 62, as follows:

[Roll Call Vote No. 26 Leg.]

YEAS—38

Alexander
Barrasso
Baucus
Blunt
Boozman
Burwell
Cochran
Corker
Cornyn
Crapo

[Roll Call Vote No. 27 Leg.]

YEAS—51

Baldwin
Baucus
Beck
Baldwin
Bennet
Blumenthal
Boxer
Brown
Cantwell
Cardin
Cassidy
Cochran
Collins
Corker
Cowan
Coons
Coons
Corker
Cornyn
Crapo

NAYS—62

Ayotte
Baldwin
Beck
Bennet
Blumenthal
Boxer
Brown
Cantwell
Cardin
Cassidy
Collins
Coons
Corker
Cornyn
Crapo

NAYS—49

Alexander
Ayotte
Barrasso
Blunt
Boozman
Burwell
Cochran
Collins
Cornyn
Crapo
Cruz
Donnelly
Durbin
Feinstein
Franken
Garland
Graham

The PRESIDING OFFICER. On this vote, the ayes are 38, the nays are 62. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Under the previous order, the motion to proceed to S. 16 is withdrawn.

AMERICAN FAMILY ECONOMIC PROTECTION ACT OF 2013—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. 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 motion to proceed to Calendar No. 18, S. 388, a bill to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes.


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 motion to proceed to S. 388, a bill to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes, 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.

The yeas and nays resulted—yeas 51, nays 49, as follows:

[Roll Call Vote No. 27 Leg.]

YEAS—51

Baldwin
Baucus
Beck
Bennet
Blumenthal
Boxer
Brown
Cantwell
Cardin
Cassidy
Collins
Corker
Cornyn
Crapo

NAYS—49

Alexander
Ayotte
Barrasso
Blunt
Boozman
Burwell
Cochran
Collins
Cornyn
Crapo
Cruz
Donnelly
Durbin
Feinstein
Franken
Garland
Graham

The PRESIDING OFFICER (Ms. Warren). On this vote the yeas are 51, the nays are 49. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. REID. Madam President, I enter a motion to reconsider the vote by which cloture was not invoked on my motion to proceed to S. 388, the corporate jet loophole.

The PRESIDING OFFICER. The motion is entered.

The majority leader.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that we now proceed to a period of morning business with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeds to call the roll.

Mr. MORAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CORPORATE JET LOOPHOLE

Mr. MORAN. Madam President, as we all know, our country faces tremendous fiscal challenges. We expect our President, our leaders, and those of us in Congress to engage in a meaningful and honest discussion about debt, deficits, and the direction of our Nation. Unfortunately, I think what Americans—certainly Kansans—are hearing from the White House is that some prominent Democrats is a relentless focus on political gimmicks to solve our problems.

An example of one of those is the so-called corporate jet loophole. We are focused on that instead of a serious plan to address the looming sequestration cuts that threaten to harm our economy. The President’s fixation on corporate jets stands in direct contrast with his supposed desire to help the aviation industry and create jobs. Ending the accelerated depreciation schedule for general aviation aircraft will send hundreds if not thousands of hard-working Kansans straight to the unemployment line. My State is blessed with a significant number of people who work in the aviation industry.

This rhetoric is dangerous. It is certainly hypocritical. The 5-year depreciation schedule has been law for nearly a quarter of a century, and it was not created for the benefit of the “rich” or “wealthy” but was created for the benefit of the 1.2 million Americans who make a living building and servicing these airplanes. Accelerated depreciation helps spur manufacturing and creates jobs.

I am disappointed that the President continues his endless campaign to score political points rather than to work toward a real solution to solve our Nation’s fiscal challenges. When 23 million Americans are looking for work, the government’s first priority should be to create an environment where business can grow and hire additional workers. Increasing taxes on corporate jets and other general aviation aircraft sales will only further stifle the economic recovery and result in additional job losses.

According to our Joint Committee on Taxation, closing the “loophole,”
Madam President, I suggest the adjournment of the Senate and the discharge of the present business, so that we may organize those cuts in a more structured way. Did the Senate consider those two bills? No. The Democratic-Republicans produced or considered no bill prior to today to avert the sequestration.

So I think it is fair to say that for the last 18 months we could have been working together to find an agreement, nothing was done after the House of Representatives worked that agreement. Now we have all these crocodile tears flowing from the majority here in this minority because they hard-ship this sequester may cause. Well, where have they been for the last 18 months? Why have they not proposed a single piece of legislation to avert sequestration until this very last minute?

The two votes we just had today are an example.

Why has the Senate avoided regular order with such vigor? In other words, regular order—let the committees hold hearings; let the committees debate, write a bill, bring it to the Senate floor; debate, amend, and vote it to a conference with the House of Representatives. But no regular order. Under regular order, you work to compromise. But the Senate failed to even meet with the House of Representatives. So while we are at the eleventh hour to consider an alternative.

Just like their inability to produce a budget in nearly 4 years, this Senate majority has again failed to act. A budget is a very important part of fiscal discipline, but we haven't had a budget debate for 3 years even though the 1974 law requires us to have such debate and pass a budget.

Tomorrow the President is going to meet with leaders in the Congress to see what can be done about sequestration, but why the very same day sequestration is taking place? What has the President been doing?

We have seen him traveling around the country generating mass hysteria about what might happen—and wouldn't have to do it if we had regular order here in the Senate in the meantime.

I would like to remind my colleagues that not only is the sequester a product that came from the White House, he explicitly pledged to veto a proposal to replace the cuts sometime when it was brought up in late 2011 and 2012. This is what the President said on November 2011:

Some in Congress are trying to undo these automatic spending cuts. My message to the simple. No. I will veto any effort to get rid of those automatic spending cuts to domestic and defense spending. There will be no easy off-ramps on this one.

Now the President and the Democrats here in the Senate want us to agree we know that the tax hikes on the American people rather than to cut the $3.6 trillion budget by just 2.4 percent, which they agreed to as part of the 2011 deal. Tax hikes were not included in that deal. They weren't included because the spending is the problem, not revenues.

The President must be absolutely frustrated. He apparently can't manage
a meager 2½-percent reduction even though just a few years ago he stated:

I want to go line by line through every item in the federal budget and eliminate programs that don’t work and make sure that those who benefit better do and others and that the rich pay their fair share. Well, on January 1 the other side got their wish. The top statutory tax rate increased from 35 to 39.6 percent. When this statutory rate increase is coupled with the hidden rate increase from reinstating the personal exemptions to the phaseout and the limitation on itemized deductions, the top marginal effective tax rate is not 39.6 percent but near 41 percent.

Not only did we see an increase in the income tax on January 1, but we also saw a significant tax increase on capital gains and dividends. The fiscal cliff bill instituted a top 20 percent tax rate on capital gains and dividends. However, this is not the whole story. A provision from the so-called wealthy, the other side would claim victory and move on. At least one would think they would move on from the tired old rhetoric that the wealthy do not pay their fair share. Even before the most recent tax hikes, that claim was dubious at best. According to the Congressional Budget Office, that is a new partisan study group that gives us basic information on changes of law—they say the top 1 percent already had an average Federal tax rate of 29 percent compared to 11 percent for the middle 20 percent of households. Yet the other side continues their politics of division. They continue to pit American against American and single out politically unpopular industries for tax hikes. While this may be good politics, it does not make good policy. You know, it is the other rule we ought to follow: Good policy is good politics.

The other side has resurrected in addition of this package before us the so-called Buffett rule, which would phase in a 30-percent tax rate for taxpayers earning more than $1 million. This is despite the fact that this proposal was voted down by this body less than a year ago and they know there is no chance of it passing at this time. Moreover, the new amendment for this provision makes even less sense now, given the tax increases that went into effect on January 1.

It also is not clear to me why, when we are talking about reforming the Tax Code, we are now seeking to add an additional layer of complexity onto a Tax Code we already agree is too complicated.

At the end of the day, all the Buffett rule will accomplish is siphoning off more job-creating capital and investment for Main Street so that we can spend it here in Washington, DC. I hope we all know that government consumes wealth, it does not create wealth. The wealth is created outside of this city of Washington, the seat of our government. We have to take that into consideration. It takes capital to create jobs. If you want to get unemployment down, you do not take capital out of the private sector.

In addition to the Buffett rule, the other side has resurrected another proposal voted down by this body less than a year ago. This proposal has to do with businesses deducting ordinary and necessary business expenses. The rhetoric from the other side is that their proposal would close a loophole that incentivizes companies to ship jobs overseas. The problem is there is no such provision exists. The deduction for ordinary business expenses is a mainstay of our Tax Code. It is an income-deriving provision that accounts for the cost of doing business. What the proposal before us actually does is target companies doing business on a worldwide scale. This will not bring jobs that have relocated offshore back home. What it will do is punish businesses that seek to expand in the international markets, which in turn could actually cost us jobs here at home.

The final tax increase included in the other side’s proposal today is more of a budget gimmick than a serious proposal to help pay for the delay in the sequester. There is a provision that would subject oil from tar sands to taxes that support the oilspill liability trust fund. However, if the revenue raised from this proposal is dedicated to this trust fund, how can it at the same time be dedicated to deficit reduction? If we are going to get serious about deficit reduction, we need to put an end to this double-counting charade.

The only spending the other side is willing to cut is farm subsidies. Using farm subsidies as a bargaining chip puts the Agriculture Committee in quite a tough position. I want to remind my colleagues, though, that when we wrote a farm bill last year that passed the Senate by a bipartisan majority—there was no such provision. When I wrote that bill, we cut $23 billion from that. We did away with direct payments, we maintained the crop insurance program, we put money in other programs and in food stamps as well.

There is broad support for the farm bill here in the Senate from both Democrats and Republicans and there is broad support for making spending reductions. But for Democrats to include cutting subsidies outside the context of a farm bill will make it difficult for us to write a farm bill. As we all know, there has been a lot of history of rural and urban legislators working together on farm and nutrition issues in the farm bill. By cutting farm programs in this sequestration replacement, my Democratic colleagues are undermining the ability of the Agriculture Committee to craft a bill that will gain the needed support to move through the Senate in a bipartisan way as it did last June.

I think the proposal will hurt our agricultural communities and I think those involved in American agriculture will oppose it.

At the end of the day, though, there will be money saved in the farm bill. If, given that opportunity, we can provide savings from a lot of programs, we should. We showed that ability last year. We all know the farm bill faced serious challenges in both 2008 and 2012. The challenges probably still exist in that Chamber, but we should not put ourselves in a position where we cannot even get a bill through the Senate.

For those of us who support the farm bill, we should be very concerned that this plan the Democrats are putting forward to avoid sequestration could seriously undermine the ability to pass a farm bill in either Chamber this time around. We just had an opportunity to vote on the Democrats’ tax increase. This was the first vote in the Senate on an alternative to sequestration and the first alternative offered by the Senate majority. Over a period of 18 months, they had an opportunity to offer that alternative, just as the House Republicans offered us two alternatives we never took up.

We also had the opportunity to vote on one alternative from the Republican side of the aisle, but both of these votes were for show. I hope we can now work through the other side in a bipartisan way, in regular order, to make sensible spending reductions. It is time to end the incessant talk of more tax hikes on Americans when those tax hikes already took place on January 1, when we know that the problem is in fact runaway spending. It is time to end the constant campaigning and do the work the American people expect us to do so we can leave the next generation a better life than the present generation has.

I yield the floor. I suggest the absence of a quorum.
from Louisiana. Mr. VITTER, be allowed to speak following my remarks. The PRESIDING OFFICER. Without objection, it is so ordered.

TOO BIG TO FAIL

Mr. BROWN. Mr. President, I welcome Senator VITTER and his cooperation in this matter. I appreciate the work he has done on the issue. He and I are working to address the concentration of the financial system in this country and what that means to the middle class, what it means to business lending for small businesses, and again what it means to the potential of too big to fail. I tell another Senator VITTER has been a leader on for a number of years. Both of us are members of the Senate Banking Committee.

More than 100 years ago, in 1899, one of my predecessors, Senator John Sherman, a Republican, and author of the Sherman Antitrust Act—who actually lived in my hometown of Mansfield, OH, and was the only other Senator from that city who served here—said:

I do not single out Standard Oil Company . . . [s]till, they are controlling and can control the market so absolutely as they choose to do it: it is a question of their will. To be considered as whether, on the whole, it is safe in this country to leave the production of property, the transportation of our whole country, to depend upon the will of a few men sitting at their council board in the city of New York, for there the whole machine is operated?

At the time, Senator Sherman was speaking about the trusts—specifically Standard Oil and other trusts as well—that were large, diverse industrial organizations with outsized economic and political power, not just economic power but also political power. His words are as true as they are today. Today our economy is facing threats by multi-trillion dollar—no that is trillion dollar—financial institutions. Wall Street megabanks are so large that should they fail, they could take the rest of the economy with them.

If this were to happen, instead of failure, taxpayers are likely to be asked again to cover their losses and to bail them out just as we did 5 years ago. This is a disastrous outcome because it transfers wealth from the rest of the economy into these megabanks and suspends the rules of capitalism and perpetuates the moral hazard that comes from saving risk-takers from the consequences of their behavior.

Just as Senator Sherman spoke against the trusts in the late 19th century, today people across the political spectrum—both parties and all ideologies—are speaking about the danger, the concentrated wealth of Wall Street megabanks.

In 2009, another Republican—and one a little more familiar to a modern audience—Alan Greenspan said:

If they’re too big to fail, they’re too big . . . I would argue Standard Oil . . . Maybe that’s what we need to do.

If anyone thought the biggest banks were too big to fail before the crisis, then I have bad news: They have only gotten bigger.

These are the six largest banks and their growth patterns in 1995—18 years ago—had combined assets that were 18 percent of GDP. Today they have combined assets of 43 percent of GDP. Over that time, 37 banks merged 33 times to become the top 4 largest behemoths, which now range from $1.4 trillion in assets to the largest, Bank of America and JPMorgan Chase, which is around $2.3 or $2.4 trillion in assets. That is 3.3 times today. Since the beginning of the fiscal crisis, three of these four megabanks have grown through mergers by an average of more than $300 billion.

The 6 largest banks now have twice the combined assets of the rest of the 50 largest U.S. banks. These 6 banks— Morgan Stanley, Goldman Sachs, Wells Fargo, Citigroup, JPMorgan Chase, Bank of America—the combined assets of 6 banks, are larger than the next 50 largest banks. And, if we add up the assets of banks 7 through 50, the bank that resulted would only be half the size of a bank made from the assets of the top 6.

As astonishing as these numbers are, they do not tell the whole story. Many megabank supporters argue that U.S. banks are small relative to international banks.

But as Bloomberg reported last week, FDIC Board member Tom Hoenig has expressed deep misgiving in our accounting system that allows U.S. banks to actually shrink themselves on paper. Under the accounting rules applied by the rest of the world, the 6 largest banks are 39 percent larger than we think they are. That is a difference of about $4 trillion. If that is the case, instead of being 63 percent of GDP under international accounting rules, these 6 banks are actually 102 percent of GDP. Let me say that again. The six biggest combined assets are slightly larger than the entire size of our economy. When measured against the same standard as every other institution in the world, we see the United States has the three largest banks in the world. These institutions are not just big, they are extremely complex.

According to the Federal Reserve Bank of Dallas, the 5 largest U.S. banks now have 19,664 subsidiaries. On average, they have 3,960 subsidiaries each and operate in 67 different countries. These institutions are not just massive and complex—I don’t object so much to that—it is they are also risky. According to their regulator, the Office of the Comptroller of the Currency—and I met with them today—none of these institutions has adequate risk management. Let me say that again. In stress tests, not one of the largest 19 banks has shown adequate risk management.

It is simply impossible to believe that these behemoths will not get into trouble again. We saw what happened with one of the best managed banks with a lot of employees—some 16,000, 17,000, 18,000 employees in my State alone—at one site with 10,000 employees in Columbus: JPMorgan Chase, a well-managed bank with a very competent CEO but a bank that not so long ago lost $6 billion or $7 billion of a megabank’s failure. He said that more drastic steps “could yet prove necessary.”

Governor Dan Tarullo, from the Federal Reserve, threw his support behind a proposal first introduced by the Presiding Officer’s predecessor, Senator Ted Kaufman, and me to cap the nondeposit liabilities of the megabanks some 3 years ago in this body. I believe men are not radicals; they are some of the Nation’s foremost banking experts.

History has taught us we never see the next threat coming until it is too late and almost upon us. When we passed the Dodd-Frank Act, it contained tools that regulators can use to rein in risk taking.

Unfortunately, many of those rules have stalled, and most will not take effect for years, because it is not just the economic power of the banks but a political powers so often having their way in this city and with regulators all over the country.

Dodd-Frank focuses on improving regulators’ ability to monitor risks and enhancing the actions that regulators can take if they believe the risk has grown too great. Over the last 5 years alone we have seen faulty mortgage-related securities, we have seen foreclosures and fraud, and we have seen big losses from risky trading, money laundering, and LIBOR rate rigging.

Until the Dodd-Frank rules take effect, the rest of us more or less have to stand by idly as megabanks take more risks that almost inevitably and eventually lead to failure.

We shouldn’t tolerate business as usual, monitoring risk until we are once again near the brink of disaster. We can learn from history. We should correct our mistakes by dealing with the problem head on. That means preventing the anti-competitive concentration of banks that are too big to fail and whose favored status encourages them to engage in high-risk conduct.

How many more scandals will it take before we acknowledge that we can’t rely on regulators to prevent subprime lending, dangerous derivatives, risky proprietary trading, financial instruments nobody understands, including the people running the banks in many cases, and even fraud and manipulation.
Wall Street has been allowed to run wild for years. We simply cannot wait any longer for regulators to act. These institutions are too big to manage, they are too big to regulate, and they are surely still too big to fail.

We need the financial market to fix itself because the rules of competitive markets and creative destruction don’t apply to Wall Street megabanks as they do to businesses in Louisiana or Delaware or Ohio. Megabanks’ shareholders and creditors have no incentive to end too big to fail. As a result, they will engage in ever-riskier behavior. In the end, they get paid out when banks are bailed out. Taking the appropriate steps will lead to more mid-sized banks—not a few megabanks—creating competition, increasing lending, and providing incentives for banks to lend the right way.

If there is one thing the people in Washington love are community banks. Senator VITTER has been very involved in helping community banks deal with regulations and other kinds of rules. Cam Fine, the head of the Independent Community Bankers of America, has long been arguing for the largest banks to be downsized because he sees that his members, the community banks—there might be 50 million, 100 million, or less than that in assets—are at a disadvantage.

Just about the only people who will not benefit from reining in these megabanks are a few Wall Street executives. Congress needs to take action now to prevent future economic collapses and future taxpayer-funded liabilities.

Before yielding, I wish to thank Senator VITTER, who recognizes this problem with an acuity that most don’t have, and for joining me in doing something to fix this. He announced today that we are working on bipartisan legislation to address this too-big-to-fail problem. It will incorporate ideas put forward by Tom Hoenig, Richard Fisher, and Sheila Bair. Senator VITTER and I will talk about his views in a moment.

The American public doesn’t want us to wait. They want us to ensure that Wall Street megabanks will never again monopolize our Nation’s wealth or gamble away the American dream.

To those who say that our work is done, I say we passed seven financial reform laws in the 8 years following the Depression, so it is clear there is precedent for one time, one fix, but a continued addressing of this problem until we know we have the strength of the American financial system returned to the way it once was.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I am proud to join Senator Brown on the Senate floor to echo those comments. I agree that our banks are too big to fail, unfortunately, is alive and well, and that poses a real threat to all of us—to consumers and citizens everywhere and fundamentally to the American economy.

Coming out of the financial crisis, it seemed to me that the biggest threat and the biggest problem was continuing too big to fail. I think now, several years after the passage of Dodd-Frank, we have objective numbers and evidence and pricing in the market that too big to fail is alive and well.

I think the fact that Senator Brown and I are both here on the floor echoing Senator Brown’s historical argument, virtually repeating each other’s arguments, is pretty significant. I don’t know if we quite define the political spectrum of the Senate, but we come pretty darn close. Yet we absolutely agree about this threat.

I think Senator Brown’s historical analogy is right. It is like the unfettered growth and power of the trusts in the late 19th century, and there too folks of all sorts of ideologies correctly recognized that threat—liberal Democrats as well as Senator Brown’s Republican predecessor, Senator Sherman, and, of course, the biggest Republican trust-buster of all, Teddy Roosevelt. It is the same issue. It is the issue of concentration of power. As a conservative, I have very suspicious and nervous about whether it is when it is in government or whether it is when it is in the private sector.

I think the sort of bipartisan consensus that Senator Brown personifies on the Senate floor is also growing outside Congress and outside this institution. Senator Brown alluded to some of it, but let me flesh that out.

We have, for instance, the Federal Reserve, Ben Bernanke. He was appointed by President Obama. He was a prominent figure in drafting and implementing Dodd-Frank. He recently lamented: . . . to the extent that a growing systemic footprint increases perceptions of at least some residual too-big-to-fail quality in such a firm—

Meaning a megabank— notwithstanding the panoply of measures in Dodd-Frank and our regulations, there may be funding advantages for the firm, which reinforces the impulse to grow.

In a little more blunt terms, our colleagues, Senator Elizabeth Warren, who is also a figure in coming up with Dodd-Frank, said recently in our Banking Committee hearing with Chairman Bernanke:

I’d like to go to the question about too-big-to-fail; that we haven’t gotten rid of it yet. And I think Senator Brown has laid out a number of problems, and one of that is that the big banks—big at the time that they were bailed out the first time—have gotten bigger, and at the same time that investors believe that too-big-to-fail is out there, that it’s safer to put your money into the big banks and not the little banks, in effect creating an insurance policy for the big banks that the government is creating this insurance policy—not there for the small banks.

In a similar way, we have those concerns echoed in the real world outside this body on the right as well.

Recently, George Will said:

By breaking up the biggest banks, conservatives will not be putting asunder what the free market has joined together. Government nurtured these behemoths by weaving an impervious safety net and by practicing crony capitalism.

Peggy Noonan, another well-known conservative, has said:

If you are conservative you are skeptical of concentrated power. You know the bullying and bossism it can lead to. . . . Too big to fail is too big to continue. The megabanks have too much power, too much market share, too much political influence, too much money, and too much weight within the financial system.

So I do think there is a real and growing consensus in this body, in Washington, and in the real world, as I have suggested by those observers’ quotes, and I think we need to build on that, this consensus and act in a responsible way.

Senator Brown and I have been doing that, first with joint letters to Chairman Bernanke and others, focusing on the need for significantly greater capital requirements for the biggest banks. We think this would be the best and first way we should try to rein in too big to fail, to put more protection between megabank failure and the taxpayer, more incentive for the megabanks to perhaps diversify, perhaps not gamble away the American dream, or rather break up, or at least correctly price their size and risk to the financial system.

We are following up on that initial work that was reflected in letters and specific suggestions to Chairman Bernanke with legislation that is quite far along, and I know we will be talking about more both today and in the near future.

With that, let me invite Senator Brown to round out his comments, and then I will have a few more words to say.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. I know Senator Alexander is waiting to speak. I thank Senator Vitter for his work on this issue. I remember the first discussions Senator VITTER and I had about this when he was asking some tough questions of a couple of regulators—it might have been the Secretary of the Treasury as well as a couple of other regulators—on capital standards and how important it was that, as he just mentioned, these banks have the kinds of capital standards, have the kinds of capital reserves that are so important in making sure these banks are healthy. Probably most of us in our lives have seen the movie “It’s a Wonderful Life,” and we know what happens to a bank that is not capitalized; a small-town example of a bank that served the country in ways that community banks do. It is a very different story today, perhaps.

But I think his insight into the importance of capital reserves and then continuing these discussions, we both came to the realization that, as he pointed out, people all across the political spectrum—some of my more Democratic colleagues, people such as George Will and others—have been very involved as business leaders and speaking out on issues that matter.

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So I thank Senator Vitter for his work. We will be working on legislation, and I am hopeful more of my colleagues see how important this issue is so we can continue to work together.

I yield the floor.

Mr. VITTER. Again, I thank Senator Brown for his partnership. Senator Brown, with those posters, made crystal clear the facts. The fact is that since the financial crisis, the megabanks have only continued to grow in size, market share, and market share. In fact, that has accelerated significantly.

Some folks will say: Oh, well, that was a preexisting trend. That is because of a number of factors. It is certainly true there are a number of factors at issue. But the growth has only accelerated since the crisis and Dodd-Frank. It has not let up. In addition, there have been several recent studies that actually quantify the fact that too big to fail is a market disadvantage, is, in essence, a taxpayer subsidy, as Elizabeth Warren suggested, for the megabanks.

An FDIC study released in September says that. It says:

The Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 was explicitly intended to, in part, put an end to the TBTF [too big to fail] de facto policy.

But it concludes that:

The largest banks do, in fact, pay less for comparable deposits. Furthermore, we show that some of the difference in the cost of funding cannot be attributed to either differences in balance sheet risk or any non-risk factors. The remaining unexplained risk premium gap is on the order of 45 bps [basis points]. Such a gap is consistent with an economically significant "too-big-to-fail" subsidy paid to the largest banks.

Another recent study and working paper is an IMF working paper. It simply attempted to quantify that taxpayer too-big-to-fail subsidy. According to that study, before that financial crisis, the subsidy:

. . . was already sizable, 60 basis points.
. . . It increased to 80 basis points by the end of 2009.

Then, most recently, Bloomberg has tried to put pen to paper and refine that calculation, and Bloomberg's calculation is $83 billion—an $83 billion subsidy of the five biggest U.S. banks, specifically because of artificially cheap rates created by the market believing they are too big to fail. I do like big size and dominance in market share, period. But certainly—certainly—we should not have government policy that is driving it, that is exacerbating it. It seems to me that that would be a solid consensus left and right, Democrat and Republican.

Senator Brown and I are following up on our previous work and drafting legislation. Of course, we are not ready to introduce that today. But it would fundamentally require significantly more capital. Banks and would distinguish between megabanks and other size banks; namely, community banks, midsized banks, and regional banks. The largest banks would have that significantly higher capital requirement.

It would also try to walk regulators away from Basel III and institute new capital rules that do not rely on risk weights or assume that people understand and are transparent and cannot be gamed the way we think Basel III can be manipulated and gamed.

Requiring this would do one or both of two things. It would better ensure the taxpayer against bailouts and/or it would push the megabanks to restructure because they would be bearing more cost of that risk to the financial system.

In addition, we are contemplating and discussing another section of this bill that would do something that I think is very important to do at the same time: create an easier—not a lax but a more appropriate regulatory framework for clearly smaller and less risky financial institutions such as community banks.

Again, I thank Senator Brown for his partnership. I thank him for his words today. I look forward to continuing to work on this project, as I believe a true bipartisan consensus continues to grow on this issue.

Mr. BROWN. Mr. President, I will speak briefly, and then I will certainly yield to Senator Alexander.

I appreciate very much Senator Vitter's words and comments and insight. I wish to expand for 2 or 3 minutes on one thing he said about the subsidy that these largest six banks get.

We can see again on this chart that 18 years ago these six banks' total assets were 18 percent; 18 years ago it was 18 percent of GDP. Today, through mergers and growth—and I would argue unfair competition in many cases—they are over 60 percent. But what Senator Vitter said, which I think is important to expand on a bit, is the subsidy.

Mr. BROWN. Mr. President, I yield to Senator Alexander.

It says that. It says:

I appreciate very much Senator Vitter's words and comments and insight. I wish to expand for 2 or 3 minutes on one thing he said about the subsidy that these largest six banks get.

We can see again on this chart that 18 years ago these six banks' total assets were $83 billion, is not relevant, except putting it in some context. But the reason they have this $83 billion subsidy, $85 billion subsidy or so—$83, $84, $85 billion—or they have the advantage, when they go in the capital markets of getting the advantage of 50, 60, 70, 80 basis points—and 80 basis points is eight-tenths of 1 percent in interest rate advantage—is because the capital markets believe their investments in these banks are not very risky because the markets believe these banks are too big to fail because they have the government backup for them.

So if they have no risk, people are willing to lend money to them at lower interest rates that is what the Banking Committee in effect, has done, a regional bank with about $50 billion in assets, or Key, a larger bank in Ohio—still, though, a regional bank—or banks in Coldwater, OH, or Sycamore, OH, or Third Federal in Cleveland—banks that maybe own only a few tens of millions or even up to $1 billion in assets—do not have that advantage. They pay higher interest rates when they borrow because the people who lend to them know they aren't going to get bailed out if something bad happens.

It is only these six largest banks that have that advantage. So because they can borrow money from the markets at a lower rate, they are being subsidized because we have not fixed this too-big-to-fail problem for the Nation's banks.

So it is not a Senator or a conservatively Republican or a progressive Democrat from Louisiana or Ohio making this case that they are getting this advantage; it is the capital markets that have decided, yes, these are too big to fail, so we are going to lend them money at lower rates than we would lend to the Huntington or Key or Third Federal or FirstMerit in Ohio.

Fundamentally, that is the issue; that is our actions or inactions that have given these banks a competitive edge that nobody through acts of government—whether you are a liberal or a conservative—should believe it should be part of our economic system and our financial system.

I thank Senator Vitter and yield the floor.

The PRESIDING OFFICER (Mr. COWAN). The Senator from Tennessee.

(The remarks of Mr. Alexander pertaining to the introduction of S. 421 are printed in today's Record under "Statements on Introduced Bills and Joint Resolutions.")

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

Ms. MURKOWSKI. Mr. President, I am pleased to stand with so many colleagues not only here on the Senate side but over in the House to recognize an accomplishment— an accomplishment of the Congress. I think it is important to recognize that in these times that are so contentious, where a lot of messages go back and forth but at the end of the day we haven't governed, we haven't done what we had hoped legislatively, we haven't really helped people, today we can be proud that we have worked to help people, particularly women, and that is through final passage of the Violence Against Women Act. It has been a long time coming.

We successfully moved that legislation through this body last year. I was a proud cosponsor, an early cosponsor. This ought not to be a Republican issue or a Democratic issue. It ought not be a Women's issue. It is an issue that should bother all of us when we cannot stand together and help those who have been victims of domestic violence. If
we can't do that as a minimum, we really aren't doing our job, we really aren't doing service to people.

It is exceptionally good news that not only have we seen final passage in the Senate again this Congress with 78 Senates, but today the House on a vote of 286 ayes to 138 nays advanced the Violence Against Women Act reauthorization.

I wish to acknowledge the good work of the Judiciary chairman, Senator Leahy, for his leadership and for continually pushing. Sometimes you need to keep going at it until it is recognized that the time has long passed, come and gone, that we should act.

I am pleased that we heard the call of some 1,300 organizations representing domestic and sexual violence groups, such as the AWAIC shelter in Anchorage. So many of the shelters across my State—truly, those agencies, those people have done so much to help so many.

I think it is important that people understand that the Congress has finally taken the right action to help those victims of domestic violence. I am pleased to acknowledge that accomplishment today.

LEAHY, for his leadership and for continuing with a story I began a few weeks ago. I stood before this body and decried the actions of the Fish and Wildlife Service when they announced they were moving forward with a no-action alternative in an area of the State of Alaska on the north coast, in the Aleutian East Borough where the small community of King Cove, a small community of less than 1,000 people, was being denied access to an all-weather airport—an airport that could help relieve the suffering, the anxiety. Truly, there is trauma that comes when there is a medical emergency in your community and you are trapped because of the weather: You can't get a plane, you can't get a boat safely to you. There is an option, an option would not require that a 10-mile stretch of road, a one-lane gravel road designed for non-commercial use, be placed on the edge of the refuge to allow for this Aleut community to access the rest of the world for help, for medical help.

I stood and I told my story, and I wanted to update the Senate as to where we stand today because as much as I would like to say that I was successful down here on floor in encouraging the Interior to act in the best interests of the people who live in King Cove, respect their safety, respect their lives as much as the refuge is being respected—I wouldn't need to update you; I would just say it was a good win for all. The fact is that we are not there yet. So I think it is important that people understand where exactly we are.

I think this is about the sixth visit the Secretary of King Cove have made from King Cove, AK—some 1,000-plus miles to Washington, DC. They were given an opportunity to meet with Secretary Salazar this morning. I had an opportunity, along with Senator Begich, to get an update on that meeting, and I heard that it was good and the Secretary listened. I hope the Secretary listened not only with his ears but with his eyes as he saw the tears of those people, with his soul as he heard their fears, their anxieties. I hope the Secretary appreciates that when he says his highest moral responsibility is to the Native and Indian people, he is able to translate that into action, into positive action for these people in King Cove.

I would like to share with you in the few minutes I have remaining some of the stories the Secretary heard this morning.

The community of King Cove is out in the Aleutians, about 600 air miles from Anchorage. It is about a $1,000 roundtrip ticket to get to Anchorage. Why do you need to get to Anchorage? King Cove has a medical clinic, it has a physician's assistant. If you have anything more serious than a need to get to a doctor's office, you must leave the village for care in Anchorage, so you need to make that trip.

A community such as King Cove has real mountains. It is tough to get in and out by boat. In fact, the Coast Guard, which had to do five rescues last year, says that getting in and out of the King Cove airstrip is one of the worst places in Alaska because of the terrain, the weather, the wind shears that come off the mountains, the turbulence that a helicopter experiences. It is just a bad-case scenario. Fixed wing, helicopter—it doesn't make any difference. It is tough.

There is an option. King Cove is on the water, but the waters in King Cove are not always calm. In this picture, unfortunately, it seems almost tropical looking with the blue waters. This is the dock in King Cove. You might not be able to see it from where you are sitting, Mr. President, but each one of these rungs up this steep metal ladder is about 2 feet. So if you were down here in your boat, if you had been delivered by crab boat to King Cove—about a 2½ or 3 hour ride across waters that can be about 20 feet high in the King Cove area, you would have that opportunity to come to the dock, and this is the way you get up the dock.

However, if you are like Lonnie's father—Lonnie was here to speak to the Secretary today. His father, a 67-year-old man, had double pneumonia. They had to get him out of King Cove and into Anchorage. In order for this very sick man to get up this ladder, his son, who is right down here, is pushing him up from behind. They have a line from a crab pot around his upper body. This gentleman just had shoulder surgery a couple months prior to this, and they literally hauled him up.

This was several years ago. You might think, well, maybe things have gotten better in King Cove. This picture is an individual being hauled up off the docks in a gurney-type of sled. This dock is where he is being hauled up. This is how we haul the crab pots out of the water. Two weeks ago this gentleman broke his leg in four different places and was in danger of losing his foot if he couldn't be medevaced to Anchorage.

The technology hasn't gotten better. We haven't been able to figure out how to move people safely if they are injured.

There are situations with aircraft where, because of the wind shears and the topography, they can't land like this. This is the landing that Della Trumble, who came back to speak to the Secretary this morning, witnessed as her daughter, who was in this plane, was on approach. All of a sudden gusts came out of nowhere and this aircraft was pushed down, smashed into the runway. Fortunately, there were no fatalities. But Trisha, her daughter, who also came back to talk with the Secretary, is so frightened to fly anymore that she was even able to make the trip back.

The stories are so real, and the stories are so much in the present. We think about those who aren't here to tell their stories. This is the story of the individuals who over the course of years have died, whether in an airplane crash some years ago where four individuals died, whether it is Christine or Mary or Ernest or Walter. These are folks who didn't make it out. But what we don’t have here are those people living now who have their foot, barely, or who recovered from that double pneumonia, barely. They are living to tell the story or their family members are living to tell the story, but they are horror stories.

There is a simple answer, and a simple answer is a 10-mile, one-lane gravel road with a cable along the length of the road so that you can't go off the road and go joyriding in the refuge.

We are talking about a small community of less than 1,000 people being attached to another community where there are less than 100 people. You are not going to have the volume of traffic you have in your State or that I have in the more urban areas of Alaska. We are talking about a connector road to be used for noncommercial use.

When a woman like Annette needs to travel up this ladder—I don't care even if it is good weather like this—if a pregnant woman needs to get out of town by getting on a crab boat and going 2 hours across turbulent waters, having never seen a metal ladder like this to get to an airplane, where she may fly out and make that connection to Anchorage—when you put her through this, you wonder why that pregnant woman is doing this. You cannot deliver a pregnant woman in King Cove must get out. This is what we are putting these people through. And the answer is so simple.
So I stand before you today with a call—a call to Secretary Salazar, a call to this administration to listen to the people. Listen to the people who have lived in an area for a thousand-plus years who want to continue to call this place home and who are looking for very very basic accommodations—very basic accommodations.

We have refuges all over this country. I got an e-mail from a friend of mine who said, as I am sending you this text, I am going through a refuge in Florida, driving through a refuge in Florida. It is a paved road. There are signs along the road. There are two lanes and it is a refuge. We are asking for a 10-mile, 1-lane gravel, basically emergency access road for the people of King Cove.

Sometimes I think because King Cove is so far out of the way—at the end of the world as far as some people are concerned—it is kind of out of sight, out of mind, and that maybe what is going on in this part of the country the birds are more important than the people. There is sensitive habitat out there, I agree, and we need to be responsible in how we protect habitat. But we can protect habitat and we can respect the human beings who live there or coexist side by side and do it respectfully. The people in King Cove respect the land more than you and I can ever appreciate, because if they fail to respect the land, they don’t live.

So when we talk about how we can reach an accommodation, the people of King Cove say, we are asking for a simple level of safety, and in order to gain this level of safety, we are willing to give up our lands. We are willing to give up other lands we own in exchange for this small corridor. So when we are talking about this trade, this land conveyance exchange we signed off on in 2009, it is a 300-to-1 exchange. The Federal Government gets 300 times more than the Aleuts get—300 times more—or basically 50,000-plus acres going to the Federal Government. This will be the first new wilderness created in Alaska since INILKA back in the 1980s.

What is being asked for is this small corridor, basically 206 acres, all told. Yet the Fish and Wildlife Service has said, Nope, 300-to-1 isn’t good enough for us. They think there are other alternatives. They say: Well, why can’t you go through the magistrate’s court and get a lightweight aluminum ferry out there. And do you know what the Fish and Wildlife Service did? They actually went out, when they were looking at the EIS, and they decided they were going to cost out what an aluminum ferry might cost. So when the Director of Fish and Wildlife sat down with me, he said: Senator, there is another alternative out there.

Well, he should talk to the people of King Cove about how viable an across-water alternative is when, during the wintertime, you can’t get into these areas because it is all iced over. You can’t get into that area. Talk to the people in King Cove about what it means to be very sick, to have double pneumonia, to be 8½ months pregnant, to have broken bones or a broken body, and to have to fight 20-foot waves for 3 hours and then climb up a ladder, such as the one I have shown here, in those elements, to get to an airfield and airport and really rely on Anchorage. All they are asking for is a 10-mile gravel road.

I have suggested to the Secretary—and I have suggested this to the President’s nominee to be Secretary of the Interior that there is a double standard; that we should allow things to go on in other parts of the country, but in Alaska there is a different standard. The standard for the safety of an American should never be changed. It should not be higher for someone in the eastern part of the country than it is for somebody out in King Cove. We are talking about the safety of Americas, with a reasonable alternative. We shouldn’t be having to fight over this.

But the people of King Cove are willing to travel all the way to make their case. I thank the Secretary for hearing them out. I think the Secretary is a compassionate man, and my hope is that when he looked in the eyes and heard their stories his heart was moved to respect the people of King Cove, to respect the Alaska Natives, to respect them as much as he has shown respect for the public lands he has been entrusted to protect these past 4 years.

Here is an opportunity to issue this best-interest finding and to reverse the decision from the Fish and Wildlife Service which says that no action is the way we go forward.

No action compromises the safety of these Americans. That is not acceptable.

We will keep working. We will keep fighting. But I believe that in the end, right will prevail and the people of King Cove will have their safety.

With that said, Mr. President, I thank the Chair. I yield the floor.

(MRS. GILLIBRAND assumed the Chair.)

WOMEN’S HISTORY MONTH

Mr. LEAHY. Madam President, tomorrow we will begin commemoration of Women’s History Month—an annual occasion to celebrate and honor the many contributions of American women to American history, culture, and society. Since our Nation’s founding, generations of women have fought injustice and broken down barriers at home, in the workplace, and in their communities in pursuit of the American dream.

Women’s History Month, we remember these struggles, celebrate our collective progress, and renew our commitment to protecting the rights of all women.

Earlier this month, the Senate came together in the best tradition of the Chamber to pass the Leahy-Crapo Violence Against Women Reauthorization Act with a strong bipartisan vote. This bill would not have passed without the strong leadership and support of every woman currently serving in the Senate. And today the House of Representatives passed our bipartisan bill to help survivors of rape, domestic violence, sexual assault, and human trafficking. On the eve of Women’s History month, Congress’s actions will prevent terrible crimes and help countless victims rebuild their lives.

A few days from now, on March 3, 2013, we will mark the centennial celebration of the 1913 women’s suffrage procession—a watershed moment in the struggle for women’s right to vote. On March 3, 1913—the eve of the inauguration of President Wilson—more than 5,000 women from every State in the Union assembled in Washington, DC, to march for the right to vote. They did so in the face of widespread opposition to their cause, and some were hospitalized after violence erupted along the parade route. A century later, this courageous public act is recognized as the key turning point that led to the ratification of the 19th amendment to the Constitution, giving women the right to vote in 1920.

In the coming days, we will witness the arc of American history, as thousands of women retrace the steps of the heroes of 1913, by reenacting the Women’s Suffrage March. This “Centennial Women’s Suffrage March” will be led by the women of Delta Sigma Theta Sorority, Incorporated—the only African-American women’s organization to participate in the 1913 march. I commend Delta Sigma Theta Sorority, UniteWomen.org, the American Association of University Women, the Daughters of the American Revolution and the many other women’s organizations that will join forces to reenact this historic event. I also commend the many government and private sector institutions that will support this event, including the National Archives and Records Administration, the National Park Service, the Smithsonian’s National Museum of American History, and the Smithsonian’s National Museum of Women’s History.

Like the many Americans who will commemorate the women’s suffrage march this weekend, I celebrate the progress that we have made towards justice, fairness, and equality for women—and for all of our citizens. But, while we have made remarkable strides towards gender equality, gender discrimination still exists. According to a recent study by the American Association of University of Women, full-time working women who are recent college graduates earn, on average, just 82 percent of what their male counterparts earn. It is unacceptable that the gender wage gap directly affects the economic stability of American families. A Center for American Progress report on women in the workplace found that in 2010 nearly two-thirds of all American children—62 percent—and 7 in 10 children of color were breadwinner for their family or shared that financial responsibility with a spouse or a partner.
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As we celebrate Women’s History Month, the courageous acts of the American heroines of 1913 should inspire us all to work to eliminate the gender inequalities that still exist in our society today. I join all Americans in celebrating the countless contributions to our Nation’s history and culture and in working towards a more just and fair society for future generations of American women and girls.

REMEMBERING LORI ACTON

Mr. MCCONNELL. Madam President, it is with deep regret and grief that I inform my fellow senators of the passing of my personal friend, Lori Acton.

Mrs. Acton was a dynamic and dedicated woman whose absence in the community of Laurel County will be immediately and acutely felt. Lori is someone who cannot be replaced.

Lori was a native of Sterling, Colorado, located northeast of Denver near the Wyoming border. She was survived by her husband and four children. Her mother, two sisters, and a brother also survive. Visitation is at 11 a.m. at the House-Rawlings Funeral Home in London, with funeral services at 1 p.m. in the funeral home’s chapel with the Rev. Wade Arp officiating. Burial will follow at A.R. Dyche Memorial Cemetery in London, with House-Rawlings Funeral Home in charge of arrangements.

Lori Holzworth Acton was a native of Sterling, Colorado, located northeast of Denver near the Wyoming border. She was survived by her husband and four children. Her mother, two sisters, and a brother also survive. Visitation is at 11 a.m. at the House-Rawlings Funeral Home in London, with funeral services Saturday at 1 p.m. in the funeral home’s chapel with the Rev. Wade Arp officiating. Burial will follow at A.R. Dyche Memorial Cemetery in London, with House-Rawlings Funeral Home in charge of arrangements.

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I rise today to reflect on the loss of Mr. Jack Sizemore, an exemplary citizen of Kentucky and a genuinely good man. Mr. Sizemore, of Laurel County, was laid to rest on February 12, 2013, and is survived by his wife, 7 children, 20 grandchildren, 16 great-grandchildren, and two sisters.

In closing, I want to let you know that Jack Sizemore did for me are commonly heard in Jack’s beloved town of London, and represent just how sorely his presence will be missed. His legacy of goodwill is firmly established after years working in the Laurel County Detention Center, as he chose to build a reputation as a jailer who “liked the job he was doing and [who] took care of the prisoners in a humane way and with the utmost courtesy.” This testimony comes from his former supervisor Ed Parsons, who admits that “you don’t find many men like that.”

Jack was known to always have people laughing, and the community he loved so much has looked back and seen all the ways he touched their lives. The health problems that plagued his final years cannot begin to take attention away from his legacy and reputation.

At this time, I ask that my colleagues in this United States Senate join me in honoring Mr. Jack Sizemore. Along with the condolences to his family and friends, we simultaneously offer our gratitude and praise of this truly wonderful man.
I also ask unanimous consent that an article on the life and service of Mr. Jack Sizemore that appeared in the Laurel County-area publication the Sentinel Echo be included in the RECORD.

Though no objection, the following article was ordered to be printed in the RECORD, as follows:

(From the Sentinel Echo, February 15, 2013)

FORMER JAILER REMEMBERED AS 'GOOD MAN'

(By Nita Johnson)

LAUREL COUNTY, KENTUCKY.—A former Laurel County jailer, chief administrator of the jail, and deputy sheriff was laid to rest on Tuesday after ongoing health problems.

Jack Sizemore, 76, died Saturday at his home from frontotemporal dementia, which left him unable to communicate with others. Sizemore left a legacy of goodwill for his family, friends and co-workers.

Edd Parsley worked with Sizemore after Parsley was appointed as jailer in 1997. Sizemore stayed on as chief administrator of the Laurel County Detention Center when Parsley was elected to a four-year term as jailer.

"Jack worked for me for six years as chief administrator of the jail, and he was one of those people that if you told him to do something, you could very well rest assured that he would carry it out," Parsley said. He liked the job he was doing and he took care of the prisoners in a humane way and with the utmost courtesy. You don't find many men like that.

Describing Sizemore as "a good man," Parsley reviewed Sizemore's background that made him invaluable at the jail.

"He was experienced in law enforcement. He was a deputy under several sheriffs," Parsley said. "He realized what had to be done and did it. He served this county well as a jailer, chief administrator and deputy."

Barb Rudder, who has worked in the booking department of the jail for nearly 20 years, said Sizemore was "a good person to work with."

"He always used to have people laughing and he would tell everyone that I was his babysitter."

After Sizemore retired, Rudder said she visited him during his illness the past two years.

"It's a sad loss for the community and for his family," she said.

That loss is indeed sad for Madgel Miller, who was one of Sizemore's stepchildren.

"Jack was my stepdad, but we didn't use 'step' in our family," Miller said. "He had seven kids, 20 grandchildren, 16 great-grandchildren, some of whom were step, but step was never considered in the family."

Sizemore faced several health issues during the latter part of his life, Miller said, including a quadruple bypass in 2008.

"But he was very well and since he did, we were expecting him to have a long retirement."

But other health problems came with the frontotemporal dementia, which affects one's communication skills.

"It is a rare form of dementia, but he and my mother never had a problem communicating," Miller said. "He loved my mother unconditionally, and they had their own form of communicating."

But the past several months had taken its toll on the family, Miller and Miller said by Christmas, Sizemore was very ill.

"He had a rapid decline from it (dementia). Last week, he had a real hard time of it, and my mother was in the doctor's appointment for him," Miller added. "He was in the hospital Wednesday because the doctor said he was weak and dehydrated. But he was able to walk in the hospital. He went home Friday and had a good night with family, and some friends came over. He couldn't communicate with us. He didn't eat in his sleep that night, with Mom and me beside him."

Choking back tears, Miller described Sizemore as a man with "a good heart" who was also "very intelligent."

"Jack Sizemore did for people," Miller said. "It was stories that he never told. Jack was always telling about the things he was about to do for people." Miller said. "I remember when I was going to college, he would tell me, 'This is a good place to raise kids. This is a good place to live.' He loved this town."

Hearing the impact that her father had had on the people he dealt with during his lifetime, Miller said many people had come to tell the family how Sizemore had touched their lives.

"It was good to hear people say, 'Let me tell you what Jack Sizemore did for me,' and it was stories that he never told. Jack was always telling about the things he was about to do for people," Miller said. "I remember when I was going to college, he would tell me, 'This is a good place to raise kids. This is a good place to live.' He loved this town."

SHELBY COUNTY V. HOLDER

Mr. DURBIN. Madam President, in 2005, I was honored to join Congressman JOHN LEWIS on a trip to Selma, AL, for a ceremonial walk over the Edmund Pettus Bridge to mark the 40th anniversary of the civil rights march over that bridge.

These courageous men, women, and children were marching for civil rights and voting rights. All they would receive that day, however, were beatings and bruises from police batons as they were turned back and chased down by State troopers.

A few days after "Bloody Sunday," President Johnson addressed the Nation and called on the House and the Senate to pass the Voting Rights Act.

Shortly thereafter, the Voting Rights Act was signed into law, guaranteeing that the fundamental right to vote would never again be canceled out by clever schemes—like poll taxes and literacy tests—devised to keep African Americans from voting.

The Voting Rights Act is the cornerstone of the civil rights movement and one of the most effective laws on the books when it comes to protecting the right to vote for all Americans.

On Wednesday, the Supreme Court heard oral arguments in Shelby County v. Holder, a case challenging the constitutionality of section 5, which is the very heart of the Voting Rights Act.

That section requires jurisdictions in all or part of 16 States with a history of discrimination to get approval from the Department of Justice or a Federal court before making any changes to congressional districts or voting procedures.

This is not the first time that the Supreme Court has heard a challenge to the Voting Rights Act. Though it has been subject to four prior Supreme Court challenges, the Voting Rights Act has always emerged intact and on sound legal and constitutional ground.

In 1965, the Supreme Court ruled the Voting Rights Act has been reauthorized— in 1970, 1975, 1982, and most recently in 2006—Congress has done so with the broad bipartisan support and overwhelming majorities that are all too rare these days.

That is because protecting the right to vote should not be a partisan prerogative. It is not a Democratic or Republican issue. It is a fundamental right for every eligible voter, and it is a core value of our American democracy.

In 2006, the House of Representatives voted 390 to 33 in favor of reauthorizing the law. The Senate voted unanimously, 98 to 0, to reauthorize the law. And the final bill was signed into law by President George W. Bush.

There was good reason for this bipartisan support for reauthorizing the Voting Rights Act. Congress developed an extensive record, holding 21 hearings, reviewing more than 15,000 pages in the CONGRESSIONAL RECORD, and hearing from more than 90 witnesses about the need to reauthorize the law.

Conservative Republican Congressman JIM SENSENBRENNER is one example. Congressman SENSENBRENNER was the chairman of the House Judiciary Committee when Congress reauthorized the Voting Rights Act. He strongly believes that section 5 is constitutional, and he has filed a brief asking the Supreme Court to uphold the law.

My hope is that the Supreme Court will look at the extensive evidence Congress reviewed in 2006 and defer to the judgment of an overwhelming majority of the House and a unanimous Senate.

The Court should affirm the constitutionality of this critical tool for protecting the right to vote.

We all acknowledge the progress that our great country has made on civil rights and voting rights issues. The current occupant of 1600 Pennsylvania Ave., is a symbol and timely reminder that our Nation has indeed grown to be more perfect—and more inclusive in many ways—than just a few generations ago.

But we are not yet, however, a perfect union. And some of the jurisdictions covered by the Voting Rights Act have both a demonstrated history and a contemporary record of implementing discriminatory restrictions on voting.

The Voting Rights Act has been essential in securing the progress we have made as a nation over the last five decades.

And as my Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights found during a series of hearings last Congress that the Voting Rights Act remains a relevant and critical tool in protecting the right to vote.
After a careful analysis of new voter ID laws in Texas and South Carolina, the Department of Justice used its authority under section 5 of the Voting Rights Act to object to the implementation of new photo identification requirements.

In Texas, according to the State's own data, more than 790,000 registered voters did not have the ID required to vote under the new Texas law. The law would have had a disproportionate impact on Latino voters because 38.2 percent of registered Hispanic voters did not have the type of ID required by the law.

In South Carolina, the State's own data indicated that almost 240,000 registered voters did not have the identification required to vote under the State's new law.

That included 10 percent of all registered minorities in South Carolina who would not be able to vote under the new law.

That is more than one million registered voters who would have been turned away from the polls in Texas and South Carolina if the Department of Justice did not have the authority to object to those photo identification laws under the Voting Rights Act.

Opponents of the Voting Rights Act claim that some of the jurisdictions covered by the law should no longer be subject to it.

They rarely mention, however, that the Voting Rights Act itself contains a provision allowing jurisdictions to “bail out” or be excused from coverage under the law if they demonstrate compliance with the law for the previous 10 years.

In 2006, the Supreme Court clarified and expanded this bailout provision.

As a result, more than 190 jurisdictions have bailed out of coverage under the Voting Rights Act. The fact that so many jurisdictions have been excused from coverage under the law proves two very important points.

First, the Voting Rights Act is having its intended effect. States and localities that previously had a record of discriminating against minority voters are no longer doing so thanks to the scrutiny of the Voting Rights Act.

Second, the Voting Rights Act is not over-inclusive. Jurisdictions that can prove they are not discriminating—over a reasonable period of time—will be excused from coverage under the law.

The Voting Rights Act is not about who wins an election. It is not about political advantage. It is about ensuring that every eligible American can vote and that their vote will be counted.

As long as there continues to be evidence that some people are being denied the right to vote, we have an obligation to remedy that problem.

The Voting Rights Act has done its job of protecting the right to vote for almost 50 years by developing an extensive record and reauthorizing the law in an overwhelming and bipartisan manner.

It is my hope the Supreme Court will now do its job and affirm the constitutionality of this critical law.

SO UTH ERN I L LO ISO N T O RNADO 
ONE-YEAR ANNIVERSARY

Mr. DURBIN. Madam President, this week marks the 1-year anniversary of the deadly tornado that devastated the towns of Harrisburg and Ridgway in Saline and Gallatin Counties.

I visited both of those towns right after the tornado.

I have seen my fair share of tornado damage in my life. But when I visited Harrisburg and Ridgway, I saw some things I have never seen before. I expected to see some trees blown down and shingles torn off roofs. Instead, I saw entire houses lifted from their concrete foundation and tossed on top of the neighboring house.

The loss of homes and property was really difficult but the real tragedy lies in the lives that were claimed by this tornado. Eight people died as a result of this violent storm: Randy Rann, Donna Rann, Jayllyn Ferrell, Mary Osman, Linda Hull, Greg Swierk, Don Smith and R. Blaine Mauney.

But despite this incredible loss, when I visited Harrisburg and Ridgway, what I didn’t see were broken spirits. Instead, from the very minute this disaster took place, people came together to rebuild the community. The outpouring of support was amazing almost 6,000 people pitched in before it was all over.

And I can’t say enough about the tireless efforts the emergency personnel who were there from the minute that the sirens went off. They were there to help under the most extraordinary circumstances.

I went to Harrisburg 5 weeks after my first visit and I was amazed at how much better the community looked.

Today, both communities have made incredible progress moving forward, thanks again to everyone engaged in the rescue and cleanup at every level, and during this entire past year.

I also want to recognize the hard work and dedication of: Jonathan Monken, head of the Illinois Emergency Management Agency; Eric Gregg, Mayor of Harrisburg; Becky Mitchell, Mayor of Ridgway; State Senator Gary Forby; and State Representative Brandon Phelps. They were there when their constituents and their communities needed them the most.

Today, when I see how much the residents of Harrisburg and Ridgway have done to rebuild their communities over the past year, I am proud to be from Illinois and proud to be part of this great Nation.

TRIBUTE TO DIANNE JONES

Mr. DURBIN. Madam President, I rise today to pay tribute to a friend and exceptional Illinoisan who recently passed away.

In 1949, a young woman from New York moved to Chicago to attend college at Roosevelt University. Her name was Dianne Jones, and she stayed for the next 63 years.

After graduating from Roosevelt, Dianne decided she needed to teach, and she began planting her roots in the civil rights and labor communities. Along with her husband Linzey, she fought for civil rights and equality by helping to organize two Chicago-area chapters of the NAACP. Dianne then led the successful effort to desegregate the city’s Rainbow Beach, and she even attended the 1963 March on Washington where Martin Luther King, Jr. delivered his famous “I Have a Dream” speech.

As a teacher, Dianne established herself as an advocate for educators and children by helping to found one of the first teachers unions in Illinois. She later served as that union’s local president, as well as vice president of the Illinois Federation of Teachers. As a teacher and an advocate, Dianne spent her life fighting to promote equality, justice, civil rights and education in Illinois. And she enjoyed it.

Once, when asked about her career, Dianne said, “Everyone should get to work at what they would volunteer to do.”

Dianne Jones was one of the lucky people who got to do just that. Those roots that she planted 50 years ago have continued to grow and multiply ever since.

COMMITTEE ON APPROPRIATIONS

RULES OF PROCEDURE

Ms. MIKULSKI. Madam President, the Senate Appropriations Committee has adopted rules governing its procedures for the 113th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator SHELBY, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

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

SENATE COMMITTEE ON APPROPRIATIONS
COMMITTEE RULES—113TH CONGRESS

I. MEETINGS

1. Reporting a bill. A majority of the members must be present for the reporting of a bill.

2. Other business. For the purpose of transacting business other than reporting a bill or taking testimony, one-third of the members of the Committee shall constitute a quorum.

3. Taking testimony. For the purpose of taking sworn testimony, other than sworn testimony by the Committee or any subcommittee, one member of the Committee or subcommittee shall constitute a quorum.

For the purpose of taking sworn testimony by the Committee, three members shall constitute a quorum, and for the taking of
sworn testimony by any subcommittee, one member shall constitute a quorum.

III. PROXIES
Except for the reporting of a bill, votes may be cast by proxy when any member so requests.

IV. ATTENDANCE OF STAFF MEMBERS AT CLOSED SESSIONS
Attendance of staff members at closed sessions of the Committee shall be limited to those members of the Committee staff who have a responsibility associated with the matter being considered at such meeting. This rule may be waived by unanimous consent.

V. BROADCASTING AND PHOTOGRAPHING OF COMMITTEE HEARINGS
The Committee or any of its subcommittees may permit the photographing and broadcast of open hearings by television and/or radio. However, if any member of a subcommittee objects to the photographing or broadcasting of an open hearing, the question shall be referred to the full Committee for its decision.

VI. AVAILABILITY OF SUBCOMMITTEE REPORTS
To the extent possible, when the bill and report of any subcommittee are available, they shall be furnished to each member of the Committee thirty-six hours prior to the Committee’s consideration of said bill and report.

VII. AMENDMENTS AND REPORT LANGUAGE
To the extent possible, amendments and report language intended to be proposed by Senators on a full Committee markup shall be provided in writing to the Chairman and Ranking Minority Member and the appropriate Subcommittee Chairman and Ranking Minority Member twenty-four hours prior to such markup.

VIII. POINTS OF ORDER
Any member of the Committee who is floor manager of an appropriations bill, is hereby authorized to make points of order against any amendment offered in violation of the Senate Rules on the floor of the Senate to such appropriations bill.

IX. EX OFFICIO MEMBERSHIP
The Chairman and Ranking Minority Member of the Committee are ex officio members of the special committee and shall be entitled to participate in its proceedings. The Members of the special committee are ex officio members of the special committee. Any member of the Committee who is floor manager of an appropriations bill shall be entitled to participate in the consideration of such bill.

SPECIAL COMMITTEE ON AGING

RULES OF PROCEDURE
Mr. NELSON. Madam President, the Special Committee on Aging has adopted rules governing its procedures for the 113th Congress pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that the accompanying rules for the Special Committee on Aging be printed in the Record.

The Chairman shall be appointed in the same manner and at the same time as the Members and chairman of a standing committee of the Senate. After the date on which the majority and minority Members of the special committee are initially appointed on or affect the effective date of title I of the Committee System Reorganization Amendments of 1977, each time a vacancy occurs and hours notice of the meeting of the special committee, the number of Members of the special committee shall be reduced by one until the number of Members of the special committee is reduced to the number of Members of the special committee.

The special committee shall be referred to the full Committee for its decision.

V. BROADCASTING AND PHOTOGRAPHING OF COMMITTEE HEARINGS
The Committee or any of its subcommittees may permit the photographing and broadcast of open hearings by television and/or radio. However, if any member of a subcommittee objects to the photographing or broadcasting of an open hearing, the question shall be referred to the full Committee for its decision.

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VII. AMENDMENTS AND REPORT LANGUAGE
To the extent possible, amendments and report language intended to be proposed by Senators on a full Committee markup shall be provided in writing to the Chairman and Ranking Minority Member and the appropriate Subcommittee Chairman and Ranking Minority Member twenty-four hours prior to such markup.

VIII. POINTS OF ORDER
Any member of the Committee who is floor manager of an appropriations bill, is hereby authorized to make points of order against any amendment offered in violation of the Senate Rules on the floor of the Senate to such appropriations bill.

IX. EX OFFICIO MEMBERSHIP
The Chairman and Ranking Minority Member of the Committee are ex officio members of the special committee and shall be entitled to participate in its proceedings. The Members of the special committee are ex officio members of the special committee. Any member of the Committee who is floor manager of an appropriations bill shall be entitled to participate in the consideration of such bill.

SPECIAL COMMITTEE ON AGING

RULES OF PROCEDURE
I. CONVENING OF MEETINGS
1. Meetings. The Committee shall meet to conduct Committee business at the call of the Chairman. The Members of the Committee shall notify the Committee staff of such meetings as provided in Senate Rule XXVI (d).

2. Notice and Agenda:
(a) Written or Electronic Notice. The Chairman shall give the Members written or electronic notice of any Committee meeting, accompanied by an agenda enumerating the items of business to be considered, at least 5 days in advance of such meeting.

(b) Shortened Notice. A meeting may be called on no less than 24 hours notice if the Chairman, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the meeting on shortened notice.

II. CONVENING OF HEARINGS
1. Notice. The Committee shall make public announcement of the date, place and time of any hearing at least one week before its commencement.

2. Presiding Officer. The Chairman shall preside over hearings when present, or, whether present or not, may delegate authority to preside at any meeting of the Committee.

3. Witnesses. Witnesses called before the Committee shall be given, absent extraordinary circumstances, at least 48 hours notice of any Committee meeting, accompanied by an agenda and all witnesses shall be furnished with a copy of these rules upon request.

4. Oath. All witnesses who testify to matters of fact shall be sworn unless the Committee waives the oath. The Chairman, or any Member, may request and administer the oath.

5. Testimony. At least 48 hours in advance of a hearing, each witness who is to appear before the Committee shall submit his or her testimony in writing or by electronic mail, in a format determined by the Committee and sent to the Committee Chair and Ranking Minority Member. Written or electronic testimony of witnesses called by the Committee, unless the Committee, unless the Chairman and Ranking Minority Member determine that there is good cause for a witness’s failure to do so. A witness shall be allowed no more than five minutes to orally summarize his or her testimony, and the federal government shall file 40 copies of such statement with the Committee Chair and Ranking Minority Member. The Chairman may rule on the presence of the Committee Chair and Ranking Minority Member. The Chairman may rule on the presentation by the government, corporation, or association creates a conflict of interest, and that the witness shall be recommended to personal counsel not from the government, corporation, or association.

7. Transcript. An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in closed sessions and public hearings. Any witness shall be afforded, upon request, the right to review that portion of such record, and for this purpose any copy of the witness’s testimony in public or closed session shall be provided to the witness. Upon inspecting his or her transcript, within a time limit set by the Committee Chair, a witness shall be entitled to present changes in testimony to correct errors of transcription, grammatical errors, and obvious
errors of fact. The Chairman or a staff officer designated by him shall rule on such request.

8. Impugned Persons. Any person who believes that evidence presented, or comment made by a Member or staff, at a public hearing or at a closed hearing concerning which there have been public reports, tends to impugn his or her character or adversely affect his or her reputation may:
   (a) file a sworn statement of facts relevant to the evidence or comment, which shall be placed in the hearing record; and
   (b) request the opportunity to appear personally before the Committee to testify in his or her own behalf.

9. Adjourned Hearings. Whenever any hearing is conducted by the Committee, the Ranking Member shall be entitled to call at least one witness to testify or produce documents with respect to the matter under consideration at the hearing. Such request must be made before the completion of the hearing or, if subpoenas are required to call the minority witnesses, no later than three days before the hearing.

10. Conduct of Witnesses, Counsel and Members of the Audience. In the conduct of hearings, the Chairman shall inform the Committee of the attendance of witnesses or the production of documents. If, during public or executive sessions, a witness, his or her counsel, or any spectator conducts himself or herself in such a manner as to prevent, impede, disrupt, or obstruct the conduct of such hearings, the Chairman or the presiding Member of the Committee may, by a majority vote, eject said person from the hearing room.

III. CLOSED SESSIONS AND CONFIDENTIAL MATTER

1. Procedure. All meetings and hearings shall be open to the public unless closed. To close a meeting or hearing or portion thereof, a motion shall be made and seconded to go into closed session. The Chairman shall inform the Committee of the designation of the meeting or hearing will concern Committee investigations or matters enumerated in Senate Rule XXVI(5)(b). Immediately after such discussion, the meeting or hearing or portion thereof may be closed by a vote in open session of a majority of the Members of the Committee present.

2. Witness Request. Any witness called for a hearing may submit a written or an electronic request to the Chairman no later than twenty-four hours in advance for his or her examination. The request may be in closed or open session. The Chairman shall inform the Committee of any such request.

3. Confidential Matter. No record made of a closed session, or material declared confidential by a majority of the Committee, or report of the proceedings of a closed session, shall be made public, in whole or in part by way of summary, unless specifically authorized by the Chairman and the Ranking Minority Member.

IV. BROADCASTING

1. Control. In the event that a hearing open to the public may be covered by television, radio, or any other electronic media, the Chairman or any officer shall order such coverage to end if the Chairman or any such officer determines that such coverage may be disruptive, impede, obstruct, or otherwise interfere with the conduct of the hearing or otherwise may affect adversely the testimony or reputation of witnesses. The Chairman shall so inform the Committee prior to any such action.

2. Classified Material. All classified or privileged material shall be used only with the prior written consent of the Chairman.

3. Display of Symbols. The Committee, during its work, may display any or all of the symbols prescribed in the Standing Rules of the Senate, except that its seal shall be that authorized by law and designated for polling at a meeting.

4. Procedure. The Chairman shall circulate polling slips to each Member of the Committee specifying the matter being polled and the time limit for completion of the poll. If any Member requests in advance of the meeting, the matter shall be held for meeting rather than being polled. The clerk shall keep a record of polls. If the Chairman determines that the polled matter is of the areas enumerated in Rule IV(2), and any other Member so requesting, shall be notified regarding the identity of the person to whom the subpoena will be issued and the nature of the information sought, and its relationship to the investigation.

5. Investigative Reports. All reports concerning investigations conducted by the Committee shall be printed only with the approval of the majority of the Members of the Committee.

VI. DEPOSITIONS AND COMMISSIONS

1. Notice. Notices for the taking of depositions in an investigation authorized by the Committee shall be served by the Chairman or a staff officer designated by him. Such notices shall specify a time and place for examination, and the name of the staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear unless the deposition notice was accompanied by a Committee subpoena.

2. Counsel. Witnesses may be accompanied at a deposition by counsel to advise them of their rights, subject to the provisions of Rule III(6).

3. Procedure. Witnesses shall be examined upon oath administered by an individual authorized by the Committee to administer an oath. Questions shall be propounded orally by Committee staff. Objections by the witnesses as to the form of questions shall be noted by the staff. If a witness objects to a question or refuses to testify on the basis of relevance or privilege, the Committee staff may proceed with the deposition, or may at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from a Member of the Committee. If the Member rules on the objection, he or she may refer the matter to the Committee or the Member may order and direct the witness to answer the question, but the Committee or the Member may not direct the witness to answer a question which has been ruled by the Committee or the Member may not direct the witness to testify after he or she has been ordered and directed to answer by a Member of the Committee.

4. Filing. The Committee staff shall see that the testimony is transcribed or electronically recorded.

VII. COMMITTEES

1. Establishment. The Committee will operate as a Committee of the Whole, reserving to itself the right to establish temporary subcommittees at any time by majority vote of the Chairman and the Ranking Minority Member, and the Ranking Minority Member shall be ex officio Member of all subcommittees.

2. Jurisdiction. Within its jurisdiction as determined by law, each subcommittee is authorized to conduct investigations, including use of subpoenas, depositions, and commissions.

3. Rules. A subcommittee shall be governed by the Committee rules, except that its quorum for all business shall be one-third of the subcommittee membership, and for hearings shall be one Member.

IX. REPORTS

Committee reports incorporating Committee findings and recommendations shall be printed only with the prior approval of a majority of the Committee, after an adequate period for review and comment. The printing, as Committee documents, of materials prepared by staff for informational purposes, or the printing of materials not originating with the Committee or staff, shall require prior consultation with the minority staff; these publications shall have the following language printed on the cover of the document: “Note: This document has been printed for informational purposes. It does not represent either findings or recommendations formally adopted by the Committee.”

X. AMENDMENT OF RULES

The rules of the Committee may be amended or revised at any time, provided that not less than a majority of the Committee present so determine at a Committee meeting preceded by at least 3 days notice of the amendments or revisions proposed or via polling, subject to Rule V(4).

HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS COMMITTEE

SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT

RULES OF PROCEDURE

Mr. CARPER. Madam President, Senate Standing rule XXVI requires each committee to adopt rules to govern the
Mr. CARPER. Madam President, Senate Standing Rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the RECORD not later than March 1 of the first year of each Congress. On February 27, 2013, a majority of the members of the Homeland Security and Government Affairs Committee’s Subcommittee on Financial and Contracting Management adopted subcommittee rules of procedure.

Consistent with Standing rule XXVI, I ask unanimous consent to have printed in the RECORD a copy of the rules of procedure of the Subcommittee on Financial and Contracting Oversight.

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

RULES OF PROCEDURE OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT

(1) SUBCOMMITTEE RULES.—The Subcommittee shall be governed, where applicable, by the rules of the full Committee on Homeland Security and Government Affairs and the Standing Rules of the Senate.

(2) QUORUMS.—For public or executive sessions of the Subcommittee, the Subcommittee shall constitute a quorum for the administering of oaths and the taking of testimony in any given case or subject matter. One-third of the Members of the Subcommittee shall constitute a quorum for the transaction of Subcommittee business other than the administering of oaths and the taking of testimony in any given case or subject matter. Where the Subcommittee has not received notification from the Chairman or a staff officer designated by him or her, immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery of the appropriate offices, unless the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Government Affairs waive the 48-hour waiting period or unless the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Government Affairs waive the 48-hour waiting period or unless the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Government Affairs waive the 48-hour waiting period, unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member of the full Committee that, in his or her opinion, it is necessary to issue a subpoena immediately.

When the Subcommittee or its Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other Member of the Subcommittee designated by the Chairman.

SUBCOMMITTEE ON EMERGENCY MANAGEMENT, INTERGOVERNMENTAL RELATIONS, AND THE DISTRICT OF COLUMBIA

RULES OF PROCEDURE

Mr. CARPER. Madam President, Senate Standing Rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the RECORD not later than March 1 of the first year of each Congress. On February 27, 2013, a majority of the members of the Homeland Security and Government Affairs Committee’s Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia adopted subcommittee rules of procedure.

Consistent with Standing rule XXVI, I ask unanimous consent to have printed in the RECORD a copy of the rules of procedure of the Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia.

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

RULES OF PROCEDURE OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

SUBCOMMITTEE ON EMERGENCY MANAGEMENT, INTERGOVERNMENTAL RELATIONS, AND THE DISTRICT OF COLUMBIA

1. Subcommittee rules. The Subcommittee shall be governed, where applicable, by the rules of the full Committee on Homeland Security and Government Affairs, the Standing Rules of the Senate.

2. Quorums.

A. Transaction of routine business. One-third of the membership of the Subcommittee shall constitute a quorum for the transaction of routine business, provided that one Member of the Minority is present. For the purpose of this paragraph, the term “routine business” includes the convening of a meeting of a majority of any business of the Subcommittee other than reporting to the full Committee on Homeland Security and Government Affairs any matters or recommendations.

B. Taking testimony. One Member of the Subcommittee shall constitute a quorum for taking sworn or unsworn testimony.

C. Proxies prohibited in establishment of quorum. Proxies shall not be considered for the establishment of a quorum.

3. Subcommittee subpoenas. The Chairman of the Subcommittee, with the approval of the Ranking Minority Member of the Subcommittee, is authorized to subpoena the attendance of witnesses, the production of any documents, memoranda, or records, or any other materials at a hearing, provided that the Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him or her, immediately upon such authorization, and no subpoena shall be issued for at least 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena and the Standing Rules of the Senate.

4. Quorums of the Subcommittee.

A. Transaction of routine business. One-third of the membership of the Subcommittee shall constitute a quorum for the transaction of routine business, provided that one Member of the Minority is present. For the purpose of this paragraph, the term “routine business” includes the convening of a meeting of a majority of any business of the Subcommittee other than reporting to the full Committee on Homeland Security and Government Affairs any matters or recommendations.

B. Taking testimony. One Member of the Subcommittee shall constitute a quorum for taking sworn or unsworn testimony.
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

RULES OF PROCEDURE

Mr. CARPER. Madam President, Senator Stabenow, Standing Rules XXVI, Sec. 5(b), Standing Rules of the Senate, authorize the Chairman to call meetings of the Committee for the purpose of conducting business and to adopt rules for the conduct of such meetings.

Consistent with Standing rule XXVI, I ask the Acting Clerk to insert in the RECORD a copy of the rules of procedure of the Permanent Subcommittee on Investigations.

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

RULES OF PROCEDURE FOR THE SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

1. No public hearing connected with an investigation may be held without the approval of either the Chairman and the Ranking Minority Member or the approval of a majority of the Members of the Subcommittee.

2. Subpoenas for witnesses, as well as documents and records, may be authorized by vote of a majority of the Members of the Subcommittee.

3. The Chairman shall have the authority to call meetings of the Subcommittee. This authority may be delegated by the Chairman to any other Member of the Subcommittee when necessary.

4. If at least three Members of the Subcommittee desire the Chairman to call a special meeting, a written request addressed to the Chairman, immediately thereafter, the clerk of the Subcommittee shall notify the Chairman of such request. If, within 3 calendar days after the filing of such request, the Chairman fails to call the requested special meeting, which is to be held, specifying the date and hour thereof, and the Subcommittee shall meet on that date and hour. Immediately upon the filing of such request, the Clerk shall notify all Subcommittee Members that such special meeting will be held and inform them of its date and hour. If the Chairman is not present at the time of the special meeting, the Ranking Minority Member present shall preside.

5. Per the Standing rule XXVI, one Member of the Subcommittee shall constitute a quorum for the transaction of Subcommittee business other than the administering of oaths and the taking of testimony, provided that one member of the minority is present. Witnesses at public or executive hearings who testify to matters of fact shall be sworn.

6. All witnesses at public or executive sessions, a witness, his or her counsel, or any spectator conducts himself or herself in such a manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of such hearing, the Chairman or presiding Member of the Subcommittee present during such hearing may request the Sergeant at Arms of the Senate, his or her designee or any law enforcement official to eject said person from the hearing room.

7. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of such witness at any public or executive hearing, and to advise such witness while he or she is testifying, of his or her legal rights, provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the representation by counsel from the government, corporation, or association, or by counsel representing other witnesses, creates a conflict of interest, such witness may only be represented during interrogations by staff or during testimony before the Subcommittee by personal counsel not from the government, corporation, or association, or by personal counsel not representing other witnesses. This rule shall not be construed to excuse a witness from testifying in the absence of counsel. Counsel may only be represented during interrogations by staff or during testimony before the Committee and the Ranking Minority Member that, in his or her opinion, it is necessary to issue a subpoena immediately.

8. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of such witness at any public or executive hearing, and to advise such witness while he or she is testifying, of his or her legal rights, provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the representation by counsel from the government, corporation, or association, or by counsel representing other witnesses, creates a conflict of interest, such witness may only be represented during interrogations by staff or during testimony before the Subcommittee by personal counsel not from the government, corporation, or association, or by personal counsel not representing other witnesses. This rule shall not be construed to excuse a witness from testifying in the absence of counsel. Counsel may only be represented during interrogations by staff or during testimony before the Committee and the Ranking Minority Member that, in his or her opinion, it is necessary to issue a subpoena immediately.

9. Notice. Notices for the taking of depositions in an investigation authorized by the Subcommittee shall be served and issued by the Chairman. The Chairman of the full Committee and the Ranking Minority Member of the Subcommittee shall be kept fully apprised of the authorization for the taking of depositions. Such notices shall specify a date for the taking of such depositions, the name of the Subcommittee Member or Members or staff officer or officers who will take the deposition. The deposition shall be private. The Subcommittee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness' failure to appear unless the deposition notice was accompanied by a Subcomittee subpoena.

9.1. Depositions. Depositions of witnesses in an investigation authorized by the Subcommittee shall be conducted as authorized counsel to coach the witness while he or she is testifying, of his or her legal rights, subject to the provisions of Rule 8.

9.2. Counsel. Counsel may only be represented during interrogations by staff or during testimony before the Committee and the Ranking Minority Member that, in his or her opinion, it is necessary to issue a subpoena immediately.
to the Subcommittee or he or she may order and direct the witness to answer the question, but the Subcommittee shall not initiate procedures leading to civil or criminal enforcement unless the witness refuses to testify after he or she has been ordered and directed to answer by a Member of the Subcommittee.

4.12. The Subcommittee staff shall see that the testimony is transcribed or electronically recorded. If it is transcribed, the witness shall be furnished with a copy for review in accordance with the provisions of Rule 12. The individual administering the oath shall certify on the transcript that the witness was duly sworn or her personal appearance. The transcript shall be a true record of the testimony, and the transcript shall then be filed with the Subcommittee. The Chairman of the Subcommittee may stipulate with the witness to changes in this procedure; deviations from this procedure which do not substantially impair the reliability of the record shall not relieve the witness from his or her obligation to testify truthfully.

10. Any witness desiring to read a prepared or written statement in an executive session shall file a copy of such statement with the Chief Counsel or Chairman of the Subcommittee 48 hours in advance of the hearing. The statement is to be read in the record unless the Chairman and the Ranking Minority Member waive this requirement. The Subcommittee shall determine whether such statement may be read or placed in the record of the hearing.

11. A witness may request, on grounds of distraction, harassment, personal safety, or physical disability, that during the testimony, television, motion picture, and other cameras and lights, shall not be directed at him or her. Such requests shall be ruled on by the Subcommittee Members present at the hearing.

12. An accurate stenographic record shall be kept of the testimony of all witnesses in executive and public hearings. The record of his or her own testimony, whether in public or executive session, shall be made available for inspection by witness or his or her counsel under Subcommittee supervision; a copy of any testimony given in public session or that part of the testimony given by the witness with respect to which a stenographer made a note during the testimony shall be furnished to the witness in his or her own handwriting, unless the Chairman or the Ranking Minority Member waive this requirement. The Subcommittee shall determine whether such exhibits may be read or placed in the record of the hearing.

13. Interrogation of witnesses at Subcommittee hearings shall be conducted on behalf of the Subcommittee by Members and authorized Subcommittee staff personnel only.

14. Any person who is the subject of an investigation in public hearings may submit his questions to the Chairman of the Subcommittee questions in writing for the cross-examination of other witnesses called by the Subcommittee. With the consent of a majority of the members of the Subcommittee present and voting, these questions, or paraphrased versions of them, shall be put to the witness by the Chairman, by a Member of the Subcommittee, or by counsel of the Subcommittee.

15. Any person whose name is mentioned or who is specifically identified as having knowledge of facts or who believes that testimony or other evidence presented at a public hearing, or comment made by a Subcommittee Member or counsel, tends to falsely implicate himself or her or otherwise adversely affect his or her reputation, may (a) request to appear personally before the Subcommittee to testify in his or her own behalf, which request shall be granted unless the Chairman, by a Member of the Subcommittee, or by counsel of the Subcommittee believes that testimony or other evidence presented at a public hearing, or comment made by a Subcommittee Member or counsel, tends to falsely implicate himself or her or otherwise adversely affect his or her reputation, may (a) request to appear personally before the Subcommittee to testify in his or her own behalf, which request shall be granted unless the Chairman, by a Member of the Subcommittee, or by counsel of the Subcommittee

Such request and such statement shall be submitted to the Subcommittee for its consideration and action.

16. All testimony taken in executive session shall be kept secret and will not be released for public information without the approval of a majority of the Members of the Subcommittee.

17. No Subcommittee report shall be released to the public unless approved by a majority of the Subcommittee and after no less than 10 days’ notice for comment by the Members of the Subcommittee unless for such notice and opportunity to comment has been waived in writing by a majority of the Minority Members.

18. The Ranking Minority Member may select for appointment to the Subcommittee staff a member of the Majority and such other professional staff members and clerical assistants as he or she deems advisable. The total compensation allocated to such Minority staff members shall be not less than one-third the total amount allocated for all Subcommittee staff salaries during any given year. The Minority staff members shall work under the direction and supervision of the Ranking Minority Member. The Chief Counsel for the Majority shall be kept fully informed as to preliminary inquiries, investigations, and hearings, and shall have access to all material in the files of the Subcommittee.

19. When it is determined by the Chairman and Ranking Minority Member, or by a majority of the Subcommittee, that there is reasonable cause to believe that a violation of law has occurred, the Chairman and Ranking Minority Member, or the Subcommittee by resolution, are authorized to report such violation to the proper State, local and/or Federal authorities. Such letter or report may recite the basis for the determination of reasonable cause. This rule is not authority for release of documents or testimony.

DOD APPROPRIATIONS

Ms. COLLINS. Madam President, I rise to discuss an amendment I have filed to the bills dealing with sequestration. I am joined by Senator KING who has joined me as a cosponsor.

Our amendment is the fiscal year 2013 Department of Defense appropriations bill that was approved by the Senate Appropriations Committee by a bipartisan vote of 30 to 0 on August 2, 2012.

There is just one way to avoid the meat-ax approach to budgeting that will occur under sequestration.

At the same time, we must recognize that a continuing resolution also presents real challenges for those trying to carry out the necessary functions of the Federal Government, including providing for the national defense. Continuing resolutions have become far too common these days. However, if the Pentagon is held in higher esteem, we should not blind us from the harm these stop-gap measures cause to the effective and efficient functioning of government.

A yearlong continuing resolution would be just as devastating as sequestration. I am not alone in that judgment.

After a New York Times editorial that claimed the Pentagon can easily absorb the cuts of sequestration, Deputy Secretary of Defense Ash Carter wrote the following in a letter published on February 27, 2013:

Good management is undermined by sequestration and by something that your editorial does not mention but that is as much a part of the problem as the fact that we cannot move forward with new acquisitions and are living under last year’s law. These two factors together lead to dangerous absurdities like having to curtail training, keep ships on the water, and air-planes flying. Our military will therefore not be fully ready to meet contingencies other than Afghanistan.

Secretary of Defense Leon Panetta and the Chairman of the Joint Chiefs of Staff have also repeatedly warned that the effects of sequestration or a yearlong continuing resolution will be devastating to our national security and defense industrial base.

On January 14, 2013, the Chairman of the Joint Chiefs of Staff and the heads of each military service signed a letter warning that “the readiness of our Armed Forces is at a tipping point” and the unfolding budget conditions, including the continuing resolution, are causing this readiness crisis.

Regardless of what happens with sequestration, a continuing resolution presents two major problems. First, our military will be put at risk unless the Department of Defense is able to transfer funds from investment accounts into readiness accounts. Under the continuing resolution, the Department cannot do this. That is why the letter signed by seven four-star generals said the current budget uncertainty will inevitably lead to a hollow force.”

Second, a yearlong continuing resolution prevents the Pentagon from performing three key responsibilities crucial for national security: increasing production rates for existing weapons, starting new programs not previously funded the year before, and signing multiyear procurement contracts that provide significant savings while reducing the unit cost for taxpayers.
ready to sign, but the Navy cannot sign these contracts without an appropriations bill. We risk throwing away savings on the order of hundreds of millions of dollars if we do not enact the fiscal year 2013 appropriations bill.

The ramifications of inaction on a full-year appropriations bill are not limited to the 6 months remaining in this fiscal year. Failing to enact a full-year appropriations bill that allows new starts and cost-saving multiyear procurement contracts will jeopardize the readiness with which the shipbuilding industrial base that the Congress and the Navy have worked long and hard to preserve.

When I questioned Deputy Secretary Carter on February 14, 2013, at a Senate Appropriations Committee hearing about what the continuing resolution means for shipbuilding, he testified that “we’re in the absurd position where we’re five months into the fiscal year and we have the authority to build the ships that we built last year and no authority to build the ships that we plan to build this year. That’s crazy. . . And that has nothing to do with sequester, by the way, that’s the C.R.”

The existing continuing resolution expires on March 27. That deadline is just 4 weeks away, but each week that passes puts our military increasingly at risk and makes it less prepared.

I know the chairwoman of the Senate Appropriations Committee, Senator Mikulski and Senator Shelby, share my concern that continuing resolutions are not the way to govern. I am also encouraged about reports that the House of Representatives may consider a bill next week which includes a full-year defense and a full-year veterans affairs and military construction budget.

At least as far back as 1974, Congress has never failed to pass a Department of Defense appropriations bill. Now, it is not the time for troops in the field and the looming threat of sequestration, to establish a dangerous precedent of denying our military services the support they need to accomplish the mission we have asked them to perform.

This year’s continuing resolution hurts our military readiness now and, even more, in the future.

It is time to show the American people that we can act responsibly because the very last minute. The men and women who serve our country are performing every task we have asked of them. It is long overdue for the Congress to do the same, so I urge the Senate to act to replace the current CR with a full-year Department of Defense appropriations bill as our amendment would provide.

TRIBUTE TO RICHARD D. DEBOBES

Mr. MCCAIN. Madam President, today I honor an exceptional public servant and patriot. After a lifetime of service to our Nation, Richard D.

“Rick” DeBobes is retiring from his position as staff director of the Senate Armed Services Committee, effective February 28, 2013. On this occasion, it is fitting to recognize Rick’s 50 years of uniformed and civilian service to our Nation.

Rick began his career as a naval officer, serving 26 exemplary years in jobs that included directing the International Negotiations Branch of the Navy’s Judge Advocate General, commanding the Naval Legal Service Office, serving as the legal advisor and legislative assistant to the Chairman of the Joint Chiefs of Staff, where he helped craft policies that have shaped our modern joint military force. Such a career, in and of itself, illustrates a commitment to causes greater than self-interest.

Rick’s devotion to service and excellence continued long after he left active duty. Upon his retirement from the Navy, he joined the Senate Armed Services Committee as counsel, advising committee members on issues relating to national security strategy, defense policy, foreign affairs, and Department of Defense organization and management. Rick’s authoritative analysis and counsel to members distills complex issues and often served as a basis for common understanding and problem solving. Few were surprised when, in 2003 he was asked by Senator CARL LEVIN to be the committee’s minority counsel and then, in 2009, the wisdom of that selection is evident. Rick’s steady management of the committee, amidst strong personalities and throughout the occasionally animated policy debates, has yielded the admiration of his professional colleagues in Congress and the Department of Defense, and a long record of legislative success. Thoughtful leaders throughout government will feel his absence.

I join many past and present members of the Senate Armed Services Committee in paying tribute and in expressing our appreciation of Rick’s selfless service to his country. Rick has been a steadfast and a steady leader of our military services. His valued presence as the committee’s staff director has been invaluable. Rick’s unique perspective, quintessential sense of fair play, and his experience, have made him highly respected by all members of the Armed Services Committee, effective February 28, 2013. On this occasion, it is fitting to recognize Rick’s 50 years of uniformed and civilian service to our Nation.

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Mr. CASEY. Mr. President, today I rise to honor and remember the full life of Marlene “Linny” Fowler for her exceptional service to her community, commonwealth and country.

Marlene was born in New York City, the older child of Harold and Miriam Oberkotter. Though she was raised in Harrington Park, NJ, Marlene spent her adult life living in Pennsylvania. Marlene, known affectionately as Linny, was a renowned philanthropist, artist and a pillar of her adopted community. Today I wish to honor her as such.

As a philanthropist, her influence can be seen across Northeast Pennsylvania, particularly in Bethlehem, the city she had called home since 1965. Upon the passing of her father Harold, a late UPS chief executive, Marlene became one of the wealthiest individuals in the Lehigh Valley. Choosing to eschew large homes or fancy cars, Marlene instead gave generously to support the arts and education and children. She helped to establish a childcare center and Hispanic Youth Center at Northampton Community College as well as the college’s Southside campus, which proudly bears her family name. Her generosity also helped send hundreds of students to colleges and universities that they would otherwise have been unable to afford to attend. Even with her health failing, Marlene worked hard to maintain her involvement with the community up until her passing. Although she kept the total of her generosity a secret, by her own admission she gave away tens of millions of dollars over the course of her life.

As an artist, Marlene was trained in the art of stained glass, which she taught throughout her life. She also maintained a studio at the Banana Factory in Bethlehem, an institution she helped fund. As a pillar of her community, Marlene made sure her philanthropic efforts always had a human touch. She worked with nearly families and non-profit directors in the living room of her own home, investing herself as much as her money. Even as recent economic difficulties forced her to scale back some of her giving, she still continued to keep track of all the youth she helped send to school.

As Marlene’s family and friends mourn her loss, I pray that they will be comforted by the knowledge that this great Nation will never forget the generosity of Marlene “Linny” Fowler. May she rest in peace.

ADDITIONAL STATEMENTS

STEM EDUCATION

- Mrs. BOXER. Madam President, I rise today to speak about the great work that afterschool and summer learning programs in California and across the country are doing today to help children and youth in science, technology, engineering, and mathematics, STEM, education.

Afterschool and summer programs are a vital part of our country’s education tapestry. They provide engaging, hands-on learning experiences that stimulate student interest, develop crucial skills, and drive home the relevance of our lives. Out-of-school learning opportunities help children develop the academic and life skills, such as problem-solving and determination, which are crucial in STEM fields. Additionally, these programs provide opportunities for mentors and role models to engage with children.

High-quality afterschool STEM learning programs are having a significant impact on the young people who participate in them. A recent study shows participants in afterschool and summer programs have improved attitudes toward STEM fields and careers, increased STEM capacities and skills, and they know that investing in STEM will give them unique qualifications and the ability to handle problem-solving situations. Afterschool and summer programs are uniquely positioned to deliver valuable enrichment activities like robotics that help children gain vitally important skills, including scientific reasoning, teamwork, and problem-solving skills.

In addition to programs that serve children and youth directly, organizations such as the Afterschool Alliance and the Afterschool Alliance for College Readiness are working to advance policies, research, and partnerships so that all children can access rich STEM education experiences through out-of-school programs.

Private companies are also embarking on their own initiatives. Time Warner Cable’s Connect a Million Minds, CAMM, initiative, to promote youth interest and performance in STEM fields during out-of-school time. Businesses like Time Warner Cable know that investing in STEM education now helps ensure a robust workforce in the future, and they know that afterschool, summer, and other out-of-school programs are key venues for students to develop the problem-solving, team-building, and creative thinking skills necessary for a strong STEM workforce.

I applaud the afterschool and summer learning programs, advocacy organizations, and community partnerships across the country that are working to advance our students’ achievement and our country’s future through enriching out-of-school learning. To support the work of these organizations, I hope that the Senate can come together to reauthorize the 21st Century Community Learning Centers Program—the only Federal program dedicated to supporting afterschool and summer learning.●

TRIBUTE TO JIM SYMINGTON

- Mrs. McCASKILL. Madam President, I ask the Senate to join me today in honoring the work of Jim Symington, a friend and dedicated public servant who is retiring this year. In the summer of 1974 I came to Washington as an intern for Congressman Jim Symington. That experience I learned from this great leader were instrumental in my success as a political candidate and public official.

As a member of a family steeped in public service, Jim Symington is a son of the great United States Senator Stuart Symington. Jim did not hesitate to take up the mantle of serving his country. Jim started his career serving others when he enlisted in the Marine Corps as a high school graduate. Following his military service, Jim earned his Bachelor’s degree from Yale University and his law degree from Columbia Law School.

Jim served for 2 years following law school as the assistant city counselor for St. Louis before going into private practice. In 1958, Jim entered the Foreign Service where he served as assistant to the United States ambassador for the United Kingdom. Upon his return to Washington, Jim served our Government in various positions including administrative assistant to Attorney General Robert Kennedy and the Chief of Protocol for the Department of State.

In 1968 Jim was elected to represent St. Louis, Missouri’s 2nd Congressional District, where he served four terms. During his time in Congress, Jim served on the House Commerce Committee and the Committee on Science and Technology. He also served as the chair of the Subcommittees on Space Science and Applications; Science, Research & Technology; and International Cooperation. He was an active voice on space exploration during a time when space exploration was a central topic. Upon leaving Congress in 1977, Jim returned to private law practice, and has had a distinguished legal career at Nossaman LLP/O’Connor & Hannan here in Washington, DC.

However Jim Symington has never been an ordinary practicing lawyer. He and his wife Sylvia have been friends, mentors, and highly respected members of a small group of true leaders in our America’s Capitol for many years. They are always in high demand as dinner partners or leaders of a civic endeavor. Together, their wit, intelligence, and musical prowess has constantly reminded the most powerful in our Nation that there is always more to learn and it is very dangerous to take yourself too seriously.

It is my honor to call Jim a mentor and friend. Like no other man I know, I also realize that the number of people who count on his friendship would be a record for a town where Harry Truman famously noted that if you wanted a friend you should turn to a canine. I am thankful for his friendship, advice and service to Missouri and this great
country. While these comments mark his retirement from the practice of law, I'm confident that he will continue to be a bright light of intellect, humor, and friendship for many years to come in our Nation's Capital.

I ask my colleagues to join me in honoring Jim Symington on this occasion to come in our Nation's Capital.

To continue to be a bright light of intellect, humor, and friendship for many years to come. I extend my congratulations and heartfelt appreciation to the senators and representatives as well as all support staff to our legislature on this special anniversary.

MESSAGE FROM THE HOUSE

At 2:18 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:


The message also announced that pursuant to 2 U.S.C. 6913, and the order of the House of January 3, 2013, the Speaker appoints the following Member on the part of the House of Representatives to the Congressional-Executive Commission on the People's Republic of China: Mr. SMITH of New Jersey, Co-Chairman.

The message further announced that pursuant to 22 U.S.C. 2761, and the order of the House of January 3, 2013, the Speaker appoints the following Members on the part of the House of Representatives to the British-American Interparliamentary Group: Mr. PETRI of Wisconsin, Mr. CRENshaw of Florida, Mr. LATTA of Ohio, Mr. ADERHOLT of Alabama, and Mr. WHITFIELD of Kentucky.

The message also announced that pursuant to section 1166(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239), and the order of the House of January 3, 2013, the Speaker appoints the following Member on the part of the House of Representatives to the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise: Ms. Heather Wilson of Albuquerque, New Mexico.

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–505. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—March 2013 (corrected)" (Rev. Rul. 2013–5) received in the Office of the President of the Senate on February 20, 2013, to the Committee on Finance.

EC–506. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Dual-Use Notice" (Notice 2013–13) received in the Office of the President of the Senate on February 13, 2013, to the Committee on Finance.

EC–507. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Temporary Shelter Services for Individuals Displaced by Hurricane Sandy" (Notice 2013–9) received in the Office of the President of the Senate on February 13, 2013, to the Committee on Finance.

EC–508. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2013 Census Counts for Public Housing Authority Projects" (Notice 2013–15) received in the Office of the President of the Senate on February 13, 2013, to the Committee on Finance.

EC–509. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2013 Census Counts for Public Housing Authority Projects" (Notice 2013–15) received in the Office of the President of the Senate on February 13, 2013, to the Committee on Finance.

EC–510. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Permitted Disbursements in Employee Retirement Plans" (Rev. Proc. 2013–2) received in the Office of the President of the Senate on February 14, 2013, to the Committee on Finance.

EC–511. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Eurex Deutschlands GmbH" (Rev. Rul. 2013–5) received in the Office of the President of the Senate on February 14, 2013, to the Committee on Finance.

EC–512. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—April 2013" (Rev. Rul. 2013–6) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2013, to the Committee on Finance.

EC–514. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of List of Plants, Grown in Commercial Quantities in the United States, Having a Preproductive Period in Excess of Two Years Based on the Annual Weighted Average Preproductive Period for Such Plant" (Notice 2013–18) received during adjournment of the Senate in the Office of the President of the Senate on February 13, 2013, to the Committee on Finance.

EC–515. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revised Exhibit:
Sample Notice to Interested Parties" (Announced 2013–15) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC–516. A communication from the Chief of the Border Security Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Modification of the Port Limits of Green Bay, WI” (602 Dec. 15–2) received in the Office of the President of the Senate on December 5, 2012; to the Committee on Finance.

EC–517. A communication from the Assistant Secretary for Legislative Affairs and Public Affairs, U.S. Agency for International Development (USAID), transmitting, pursuant to law, a report responding to a GAO report entitled “Agencies Could Benefit from a Shared and More Comprehensive Database on U.S. Efforts”; to the Committee on Foreign Relations.

EC–518. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13–010); to the Committee on Foreign Relations.

EC–519. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of waiver authority for Azerbaijan; to the Committee on Foreign Relations.

EC–520. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report certifying for fiscal year 2013 that the Department of State agency or United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the termination of penal codes or which includes as a subsidiary or member any such organization; to the Committee on Foreign Relations.

EC–521. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period October 1, 2012 through November 30, 2012; to the Committee on Foreign Relations.

EC–522. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of waiver authority for the Office of the President of the Senate on February 28, 2013; to the Committee on the Judiciary.

EC–523. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13–020); to the Committee on Foreign Relations.

EC–524. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13–021); to the Committee on Foreign Relations.

EC–525. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13–000); to the Committee on Foreign Relations.

EC–526. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13–013); to the Committee on Foreign Relations.

EC–527. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13–025); to the Committee on Foreign Relations.

EC–528. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13–007); to the Committee on Foreign Relations.

EC–529. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of waiver authority for Azerbaijan; to the Committee on Foreign Relations.

EC–530. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report certifying for fiscal year 2013 that the Department of State agency or United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the termination of penal codes or which includes as a subsidiary or member any such organization; to the Committee on Foreign Relations.

EC–531. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a performance report relative to the Comprehensive Drug Abuse Prevention and Control Act for fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.


EC–533. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Animal Drug User Fee Act for fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–534. A communication from the Chair, Advisory Committee on Disability, Department of Health and Human Services, transmitting, pursuant to law, a report that includes recommendations for improving federally and privately funded Alzheimer’s programs; to the Committee on Health, Education, Labor, and Pensions.

EC–535. A communication from the Executive Assistant (Political) Department of Health and Human Services, transmitting, pursuant to law, (2) two reports relative to vacancies in the Department of Health and Human Services, including the Committee on Health, Education, Labor, and Pensions.

EC–536. A communication from the Director, Office of Labor-Management Standards, Department of Labor, transmitting, pursuant to law, the report of a rule entitled “Reorganization and Delegation of Authority; Technical Amendments” received in the Office of the President of the Senate on February 13, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–537. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, a report relative to the control of Communicable Diseases; Foreign—Requirements for Importers of Nonhuman Primates (NHP)”; (RIN0920–AA23) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–538. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Control of Communicable Diseases: Interstate Scope and Definitions” (RIN0920–AA22) received in the Office of the President of the Senate on February 25, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–539. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Assistance to States for the Education of Children With Disabilities” (RIN1820–AB64) received on February 27, 2013; to the Committee on Health, Education, Labor, and Pensions.


EC–541. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled “Report to Congress on the Refugee Resettlement Program for Fiscal Year 2009”; to the Committee on the Judiciary.

EC–542. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Title VI of the Civil Rights Act of 1964 for fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–543. A communication from the Assistant Director, Bureau of Prisons, Office of the Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Establishment of the Indiana Uplands Viticultural Area and Modification of the Ohio Valley Viticultural Area” (RIN1515–AB46) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2013; to the Committee on the Judiciary.

EC–544. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Establishment of the Elkton Oregon Viticultural Area” (RIN1515–AB88) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2013; to the Committee on the Judiciary.

EC–545. A communication from the Acting Chief Privacy and Civil Liberties Officer, Office of Privacy and Civil Liberties, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “Exemption of Privacy Act System of Records of the Department of Justice, Bureau of Prisons, Inmate Central Records System (JUSTICE/ BOP–005)” (CFPCL0 Order No. 001–2013) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on the Judiciary.

EC–546. A communication from the Federal Register Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Changes To Implement the First Inventor To File Provision of the America Invents Act” (RIN0651–AC77) received during adjournment of the Senate.
in the Office of the President of the Senate on February 15, 2013; to the Committee on the Judiciary.

EC–547. A communication from the Deputy Secretary of Veterans Affairs, transmitting, pursuant to law, the Department of Veterans Affairs Vehicle Fleet Report on Alternative Fuel Vehicles for fiscal year 2012; to the Committee on Veterans' Affairs.

EC–548. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “Grants for the Rural Veterans Coordination Pilot (RVCp)” (RIN2800–A035) received in the Office of the President of the Senate on February 25, 2013; to the Committee on Veterans' Affairs.

EC–549. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “VA Homeless Providers Grant and Per Diem Program” (RIN2800–AN81) received in the Office of the President of the Senate on February 25, 2013; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHUMER, from the Committee on Rules and Administration, without amendment:

S. Res. 64. An original resolution authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary:

Shelly Deckert Dick, of Louisiana, to be United States District Judge for the Middle District of Louisiana.


David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2018.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HATCH (for himself, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUMENTHAL, Mr. BOXER, Mr. BUKAY, Mr. CAMPBELLS, Mr. COBB, Mr. COCHRAN, Ms. COLLINS, Mr. CORBETT, Mr. ENZI, Mrs. FISCHER, Mr. FLAKE, Mr. GRASSLEY, Mr. HOBSON, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. PORTMAN, Mr. Risch, Mr. Roberts, Mr. RUBIO, Mr. THUNE, Mr. TOOMEY, and Mr. WICKER):

S. 399. A bill to protect American job creation by striking the Federal mandate on employers to offer health insurance; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Mr. MERKLEY):

S. 400. A bill to amend the Federal Lands Recreation Enhancement Act to include the Corporation of the Midway Federal land management agency, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CARPER (for himself, Ms. COLLINS, Mr. COONS, Mr. LUTENBERG, Mr. WHITEHOUSE, Mr. BROWN, Mr. REED, Mr. KING, Mrs. GILLIBRAND, Mr. DURBIN, Mr. CARDIN, and Mr. WARREN):

S. 401. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 402. A bill to provide for the addition of certain real property to the reservation of the Siletz Tribe of Indians; to the Committee on Indian Affairs.

By Mr. CASEY (for himself and Mr. KIRK):

S. 403. A bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 404. A bill to preserve the Green Mountain Lookout and Glacier Peak Wilderness of the Mount Baker-Snoqualmie National Forest; to the Committee on Energy and Natural Resources.

By Mr. GEGGLESLEY (for himself, Mr. SCHUMER, Mr. LEAHY, Mr. CORNYN, Mr. DURBIN, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 405. A bill to provide for media coverage of Federal court proceedings; to the Committee on the Judiciary.

By Mr. LUTENBERG (for himself, Mr. HARKIN, Mr. ROCKEFELLER, and Mr. DURBIN):

S. 406. A bill to amend the Higher Education Act of 1965 to address the assessment of students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Ms. LANDRIEU, and Mr. WHITEHOUSE):

S. 407. A bill to provide funding for construction and major rehabilitation for projects located on inland and intracoastal waterways of the United States, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURBIN (for himself, Mr. REED, Mr. ROGERS, Mr. ALBANY, Mr. KLOBUCHAR, Mr. MURPHY, Mr. ROCKEFELLER, Mr. SANDERS, Mr. UDALL, of New Mexico, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 408. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare program; to the Committee on Finance.

By Mr. BURR (for himself and Mr. WYDEN):

S. 409. A bill to add Vietnam Veterans Day as a patriotic and national observance; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Mr. WHITEHOUSE, and Mr. SANDERS):

S. 410. A bill to amend the Internal Revenue Code of 1986 to impose a tax on certain trading transactions; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself, Mr. CRAPO, Mr. WYDEN, and Mr. WHITEHOUSE):

S. 411. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Finance.

By Ms. LANDRIEU (for herself, Mr. CHAMBLISS, Mr. MURPHY, Mr. VITTER, Mr. MENENDEZ, Mr. Udall, of New Mexico, Mr. HEINRICH, Mr. LUTENBERG, Mr. WARREN, Mr. HIRONO, Mr. ISAKSON, Mr. NELSON, Mr. BERNSTEIN, and Mr. SANDERS):

S. 412. A bill to authorize certain major medical facility leases for the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans’ Affairs.

By Mr. CORNYN (for himself, Mr. BLUMENTHAL, Mr. PORTMAN, and Mr. KLOBUCHAR):

S. 413. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to include human trafficking as a part 1 violent crime for purposes of the Edward Byrne Memorial Justice Assistance Grant Program; to the Committee on the Judiciary.

By Mr. NELSON:

S. 414. A bill to amend the Water Resources Development Act of 2000 to provide for expedited project implementation relating to the company Xprcssway EVERGREENES Corporation plan; to the Committee on Environment and Public Works.

By Ms. LANDRIEU (for herself, Mr. COCHRAN, Ms. GILLIBRAND, and Mr. PRYOR):

S. 415. A bill to clarify the collateral requirement for certain construction projects under section 7(d) of the Small Business Act, to address assistance to out-of-State small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. COBURN (for himself and Mrs. SHAHRIEH):

S. 417. A bill to reduce the number of nonessential vehicles purchased and leased by the Federal Government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROCKEFELLER (for himself and Mr. BLUMENTHAL):

S. 418. A bill to require the Federal Trade Commission to prescribe regulations regarding the collection and use of personal information obtained by tracking the online activity of an individual, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mrs. BOXER, Mr. BROWN, Mr. CANTWELL, Mr. CARDIN, Mr. DURBIN, Mr. FRANKEN, Mr. HARKIN, Mr. JOHN- son of South Dakota, Ms. KLOBUCHAR, Mrs. MURRAY, Mr. ROCKEFELLER, Mr. SANDERS, Mr. UDALL, of New Mexico, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 419. A bill to limit the use of cluster munitions to the Committee on Foreign Relations.

By Mr. ENZI (for himself and Mr. TACKETT):

S. 420. A bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for Model Due Date lists by regulator, and to conform the automatic corporate extension period to longstanding regulatory rule; to the Committee on Finance.

By Mr. ALEXANDER (for himself, Mr. MCCONNELL, Mr. CORKER, and Mr. PAUL):
S. 421. A bill to prohibit the Corps of Engineers from taking any action to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BLUMENTHAL (for himself, Mr. MORAN, Mr. BROWN, Mr. GRASSLEY, Mr. SCHUMER, Mr. TESTER, and Mr. WHITEHOUSE):

S. 422. A bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2003 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers, to ensure access to such care and services, and for other purposes; to the Committee on Veterans’ Affairs.

By Mr. MENENDEZ:

S. 423. A bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. WICKER, Mr. BLUMENTHAL, Mr. BLUNT, Ms. COLLINS, Mr. PORTMAN, and Mr. WHITEHOUSE):

S. 424. A bill to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself, Mr. GRAVEL, Ms. CANTWELL, and Mr. MURKOWSKI):

S. 425. A bill to amend title XI of the Social Security Act to improve the quality, health outcomes, and value of maternity care under the Medicaid and CHIP programs by developing maternity care quality measures and supporting maternity care quality collaboratives; to the Committee on Finance.

By Mr. TESTER (for himself and Mr. BUCOSA):

S. 426. A bill to amend the Public Health Service Act to provide for the participation of particular specialists determined by the Secretary of Health and Human Services to be directly related to the health needs stemming from environmental health hazards that have led to its declaration as a Public Health Emergency to be eligible under the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself, Mr. PRIYOR, Mr. MORAN, Mr. COATS, Mr. ROBERTS, Mr. THUNH, and Mr. ROSS):

S. 427. A bill to amend the Richard B. Russell National School Lunch Act to provide flexibility to school food authorities in meeting certain nutritional requirements for the school lunch and breakfast programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. REICH:

S. 428. A bill to expedite the development of Arctic deepwater ports and for other purposes; to the Committee on Environment and Public Works.

By Mr. NELSON (for himself, Mr. BLUNT, Mr. MACHIN, and Mrs. McCASKILL):

S. 429. A bill to enable concrete masonry products manufacturers to establish, define, and carry out a coordinated program of research and promotion to improve, maintain, and develop markets for concrete masonry products; to the Committee on Commerce, Science, and Transportation.

By Mr. HELLER (for himself and Mr. MANGIN):

S. 430. A bill to amend title 38, United States Code, to enhance treatment of certain small business concerns for purposes of Department of Veterans Affairs contracting goals and for other Committee purposes; to the Committee on Veterans’ Affairs.

By Mrs. FEINSTEIN:

S. 431. A bill to authorize preferential treatment for certain imports from Nepal, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 432. A bill to extend certain trade preferences to certain least-developed countries in Asia and the South Pacific, and for other purposes; to the Committee on Finance.

By Mr. WARNER (for himself and Mr. KIRK):

S. 433. A bill to establish and operate a National Center for Campus Public Safety; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. TOOMEY (for himself and Mr. CASEY):

S. Res. 63. A resolution encouraging the Navy to commission the USS Somerset (LPD-25) in Philadelphia, Pennsylvania; to the Committee on Armed Services.

By Mr. SCHUMER:

S. Res. 64. An original resolution authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013; from the Committee on Rules and Administration; placed on the calendar.

By Mr. GRAHAM (for himself, Mr. MENENDEZ, Ms. AYOTTE, Mr. SCHUMER, Mr. CORNYN, Mrs. BOXER, Mr. RUBIO, Mr. CASEY, Mr. HOEVEN, Mrs. GILLIBRAND, Mr. KIRK, Mr. BLUMENTHAL, Mr. CRAPO, Mr. CARDIN, Ms. COLLINS, Mr. BRIDICHI, Mr. BLUNT, Mr. BROWN, Mr. PORTMAN, Mr. MACHIN, and Mr. LAUSSERTER):

S. Res. 65. A resolution strongly supporting the Marine Corps in Philadelphia, Pennsylvania to the Committee on Foreign Relations.

S. Res. 66. A resolution designating the first week of April 2013 as "National Asbestos Awareness Week"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 16
At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 16, a bill to provide for asequer replacement.

S. 19
At the request of Mr. CORNYN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 19, a bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements.

S. 113
At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 113, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 119
At the request of Mrs. BOXER, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 119, a bill to prohibit the application of certain restrictive eligibility requirements to foreign non-governmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 220
At the request of Mr. HELLER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 220, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

S. 226
At the request of Mr. TESTER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 226, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 240
At the request of Mr. TESTER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 240, a bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for nonregular service.

S. 254
At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Ms. HICKS-FLICK) was added as a cosponsor of S. 254, a bill to amend title III of the Public Health Service Act to authorize and support the creation of cardiology education, awareness, and risk assessment materials and resources by the Secretary of Health and Human Services through the Centers for Disease Control and Prevention and the dissemination of such materials and resources by State educational agencies to identify more at-risk families.

S. 294
At the request of Mr. TESTER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.
At the request of Mr. LEAHY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 296, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

At the request of Mr. HARKIN, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

At the request of Ms. KLOBUCHAR, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 315, a bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008.

At the request of Mr. SANDERS, the name of the Senator from Hawaii (Mr. SCHATTER) was added as a cosponsor of S. 316, a bill to decouple and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service pay the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

At the request of Mr. JOHANNES, the names of the Senator from Georgia (Mr. CHAMBILIS) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 320, a bill to amend chapter 8 of title 5, United States Code, to provide for congressional review of agency guidance documents.

At the request of Mr. BAUCUS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

At the request of Mrs. SHAHEEN, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from Indiana (Mr. COATS) were added as cosponsors of S. 345, a bill to reform the Federal sugar program, and for other purposes.

At the request of Mr. COCHRAN, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving curricula programs for kindergarten through grade 12 teachers offered through institutions of higher education.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOOZMAN (for himself and Mr. MERKLEY):

S. 408. A bill to amend the Federal Lands Recreation Enhancement Act to include the Corps of Engineers as a Federal land management agency, and for other purposes; to the Committee on Environment and Public Works.

Mr. BOOZMAN. Mr. President, today Senator MERKLEY and I are introducing the Corps of Engineers Recreation Improvement Act. This legislation enables the U.S. Army Corps of Engineers to reinvest recreation fees to improve facilities where the funds are collected. Our bill creates an incentive for the Corps to maintain good facilities and to provide quality recreational opportunities on our public lands. The Corps currently collects recreation fees at many sites. This legislation would not allow the Corps to determine the way the Corps determines use fee rates. Existing law provides that users of specialized sites, facilities, equipment, or services provided by Federal expense shall be assessed fair and equitable fees. Section 210 of the Flood Control Act of 1968 also provides that no entrance fees shall be charged by the Corps. Our bill is not intended to and does not make any changes in that regard.

In Arkansas, recreation on our public Corps-operated lands is an important driver of economic activity, job opportunities, and tourism. In fiscal year 2012, over $4.2 million in revenue was collected at Corps recreation sites in Arkansas. When citizens spend money at Corps recreation sites in Arkansas, Oregon, or other states, many of them expect that their money will be invested on-site to improve facilities and create recreation opportunities. Our bill would ensure those expectations are met.

The Corps of Engineers Recreation Improvement Act would also enable the Corps to participate in the interagency America the Beautiful Pass program to allow customers an alternative payment option at sites where entrance or amenity fees are charged. This includes the distribution and sale of the passes and the retention of a portion of the revenue for the sales of those passes. It would also allow the Corps to distribute Military Passes. This will make it easier for our men and women in uniform and their families to acquire passes. The Corps currently honors these passes, but the Corps is not allowed to distribute the passes. Providing the ability for the Corps to offer passes to customers is a commonsense solution that will encourage continued use of Federal recreation sites.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 402. A bill to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon; to the Committee on Indian Affairs.

Mr. WYDEN. Mr. President, today I rise to introduce a bill that will address a cumbersome and time consuming process in place under existing law within the Bureau of Indian Affairs. This piece of legislation will streamline the land acquisition process for the Confederated Tribes of Siletz Indians. The current process for taking land into trust is simply not working, and I believe there are changes that need to be made in the process. I am pleased to be joined by Senator MERKLEY in this effort. I want to note that I introduced similar legislation last Congress that was stalled at the Committee level due to certain language in that bill—language that, at the time, was thought needed but found later was unnecessary and was preventing the bill from moving forward. In the bill I am introducing today, I took that language out to remove the needs of the various stakeholders and to ensure the bill has a chance to pass the Committee and be signed into law.

The original Siletz Coastal Treaty Reservation, established by the Executive Order on November 9, 1855, was diminished and then eliminated by the Federal Government’s allotment and termination policies. Tribal members and the tribal government have worked to rebuild the Siletz community since the Western Oregon Termination Act of August 1954 stripped the Siletz people of Federal tribal recognition. Since then the tribe has been struggling to rebuild its land base. This legislation would work to facilitate the tribe’s land into trust process within the original Siletz coastal reservation to overcome chronic agency delays in processing applications. Instead of having two cumbersome processes to bring each piece of former reservation land back into the reservation after purchases, one to bring the land into trust and another to meet the land into the reservation land, my legislation would allow the tribe to combine the process.

In this case, because the original reservation was disassembled, and the tribes terminated and provided a very small land base restoration virtually every tract of land the tribe seeks to place into trust today is considered by the Bureau of Indian Affairs,
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. 405

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

SEC. 1. SHORT TITLE.

This Act may be cited as the "Sunshine in the Courtroom Act of 2013".

SEC. 2. FEDERAL APPELLATE AND DISTRICT COURTS.

(a) Definitions.—In this section:

(1) Presiding Judge.—The term "presiding judge" means the judge presiding over the court proceeding concerned. In proceedings in which more than 1 judge participates, the presiding judge shall be the senior active judge so participating or, in the case of a circuit court of appeals, the senior active circuit judge so participating, except that—

(A) in en banc sittings of the United States circuit court of appeals, the presiding judge shall be the chief judge of the circuit whenever the chief judge participates; and

(B) in en banc sittings of the Supreme Court of the United States, the presiding judge shall be the Chief Justice whenever the Chief Justice participates.

(2) Appellate Court of the United States.—The term "appellate court of the United States" means any United States circuit court of appeals and the Supreme Court of the United States.

(b) Authority of Presiding Judge to Allow Media Coverage of Court Proceedings.—

(1) Authority and appellate courts.—

(A) In general.—Except as provided under subparagraph (B), the presiding judge of an
appellate court of the United States may, at the discretion of that judge, permit the photographing, electronic recording, broadcasting, or televising to the public of any court proceeding over which that judge presides.

(B) EXCEPTION.—The presiding judge shall not permit any action under subparagraph (A) if—

(i) in the case of a proceeding involving only the presiding judge, that judge determines the action would constitute a violation of the due process rights of any party; or

(ii) in the case of a proceeding involving the participation of more than 1 judge, a majority of the judges participating determine that the action would constitute a violation of the due process rights of any party.

(2) AUTHORITY OF DISTRICT COURTS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, except as provided under clause (iii), the presiding judge of a district court of the United States may, at the discretion of that judge, permit the photographing, electronic recording, broadcasting, or televising to the public of any court proceeding over which that judge presides.

(B) EXCEPTED PROVISIONS.—The authority of the presiding judge to permit the photographing, electronic recording, broadcasting, or televising of any juror in a trial proceeding shall include procedures for determining, at the earliest practicable time in any investigation or case, which witnesses should be considered vulnerable under this section.

(3) MANDATORY GUIDELINES.—Not later than 6 months after the date of enactment of this Act, the Judicial Conference of the United States shall promulgate mandatory guidelines which a presiding judge is required to follow for obscuring of certain vulnerable witnesses, including all crime victims, families of victims, cooperating witnesses, undercover law enforcement officers or agents, witnesses subject to section 3521 of title 18, United States Code, relating to witness relocation and protection, or minors under the age of 18 years. The guidelines shall include procedures for determining, at the earliest practicable time in any investigation or case, which witnesses should be considered vulnerable under this section.

(4) PROCEDURE REGARDING PRIVACY OF JUSTICE AND FAIRNESS.—The presiding judge of the court in which media use is desired has discretion to promulgate rules and disciplinary measures for the courtroom use of any form of media or media equipment and the acquisition or distribution of any of the images or sounds obtained in the courtroom. The presiding judge may also require written acknowledgment of the rules by anyone individually or on behalf of any entity before being allowed to acquire any images or sounds in the courtroom.

(5) NO BROADCAST OF CONFERENCES BETWEEN ATTORNEYS AND CLIENTS.—There shall be no audio pickup or broadcast of conferences which occur in a court proceeding between attorneys and their clients, between co-counsel of a client, between adverse counsel, or between counsel and the presiding judge, if the conferences are not part of the official record of the proceedings.

(6) EXPENSES.—A court may require that any accommodation to effectuate this Act be made without public expense.

(7) AUTHORITY.—Nothing in this Act shall limit the inherent authority of a court to protect witnesses or clear the courtroom to preserve the decorum and integrity of the legal process or protect the safety of an individual.

By Mr. DURBIN (for himself, Mr. REED, and Mr. WHITEHOUSE):

S. 408. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare program; to the Committee on Finance.

Mr. DURBIN. Mr. President, last week TIME Magazine published an extensive piece that took a close look at the hidden costs within our health care system and how the Medicare program, which is widely disparaged these days, is effective in controlling costs.

We as a nation will spend $2.8 trillion this year on health care. That is on average 27 percent more than what is spent per capita in other developed countries.

In 2010, Americans spent approximately $200 billion on prescription drugs. That figure is projected to double over the next decade. However, patients in the United States spend 50 percent more than other developed countries for the same drugs. Average insulin costs for people with diabetes has doubled over the past 10 years, from about $5,000 to more than $10,000.

Of the 12 new cancer drugs approved by the FDA last year, 11 were priced above $100,000 a year.

About 77 percent of all cancers are diagnosed in persons 55 years of age and older.

As these people enter the program, Medicare should be allowed to control how much it pays for these prescription drugs.

While the Affordable Care Act does a lot to control costs in the private insurance market, current law handcuffs Medicare beneficiaries from obtaining competitive prices for their prescription drugs.

For all other Medicare programs, beneficiaries can choose whether to receive benefits directly through Medicare Choice or through a private insurance plan.

The overwhelming majority of seniors choose the Medicare-run option for their hospital and physician coverage.

The bill requires the Secretary of HHS to develop at least one nationwide prescription drug plan.

Why? Because we should take advantage of the Federal Government's purchasing power.

The Veterans Administration uses this type of negotiating authority and has cut drug prices by as much as 50 percent for our Nation's veterans.
Savings from negotiating on behalf of seniors in Medicare could be used to further reduce costs in the program and ensure the program is there for future generations.

America’s health care system is burdening families and hindering our ability to future generations.

The Affordable Care Act takes important steps to begin bringing down costs in the private market and in Medicare, but there is more we can do. This proposal is a simple and common sense option that should be available for seniors.

Allowing Medicare to manage a prescription drug plan and negotiate prices, taxpayers will save money and seniors will get high quality drug coverage.

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

There being no objection, the material as ordered to be printed in the RECORD, as follows:

SEC. 2. ESTABLISHMENT OF MEDICARE OPERATED PRESCRIPTION DRUG PLAN OPTION.

(a) IN GENERAL.—Subpart 2 of part D of title XVIII of the Social Security Act is amended by inserting after section 1860D–11 (42 U.S.C. 1395w–111) the following new section:

"SEC. 1860D–11A. [In general.—] (a) IN GENERAL.—Notwithstanding any other provision of this part, for each year (beginning with 2014), in addition to any plans offered under section 1860D–11, the Secretary shall offer one or more Medicare operated prescription drug plans (as defined in subsection (c)) with a service area that consists of the entire United States and shall enter into negotiations in accordance with subsection (b) with pharmaceutical manufacturers to reduce the purchase cost of covered part D drugs for eligible part D individuals who enroll in such a plan.

(b) NEGOTIATIONS. —Notwithstanding section 1860D–11(i), for purposes of offering a Medicare operated prescription drug plan under this section, the Secretary shall negotiate with pharmaceutical manufacturers with respect to the purchase price of part D drugs in a Medicare operated prescription drug plan and shall encourage the use of more affordable therapeutic equivalents to the extent such practices do not override medical necessity as determined by the prescribing physician. To the extent practicable and consistent with the previous sentence, the Secretary shall implement strategies similar to those used by other Federal purchasers of prescription drugs, and other strategies, including the use of a formulary and formulary incentives in subsection (e), to reduce the purchase cost of covered part D drugs.

(c) MEDICARE OPERATED PRESCRIPTION DRUG PLAN.—For purposes of this part, the term ‘Medicare operated prescription drug plan’ means a prescription drug plan that offers qualified prescription drug coverage and access to negotiated prices described in section 1860D–2(a)(1)(A). Such a plan may offer supplemental prescription drug coverage in the manner as other qualified prescription drug coverage offered by other prescription drug plans.

(d) MONTHLY PREMIUM.—

(1) QUALIFIED PRESCRIPTION DRUG COVERAGE.—The monthly beneficiary premium for qualified prescription drug coverage and access to negotiated prices described in section 1860D–2(a)(1)(A) to be charged under a Medicare operated prescription drug plan shall be uniform nationally. Such premium for months in the succeeding year shall be based on the average monthly per capita actuarial cost of offering the Medicare operated prescription drug plan for the year involved, including administrative expenses.

(2) SUPPLEMENTAL PRESCRIPTION DRUG COVERAGE.—Insofar as a Medicare operated prescription drug plan offers supplemental prescription drug coverage, the Secretary may adjust the amount of the premium charged under paragraph (1).

(e) USE OF A FORMULARY AND FORMULARY INCENTIVES.—

(1) IN GENERAL.—With respect to the operation of a Medicare prescription drug plan, the Secretary shall establish and apply a formulary and may include formulary incentives described in paragraph (2)(C)(ii) in accordance with this subsection in order to:

(A) increase patient safety;

(B) increase appropriate use and reduce inappropriate use of drugs; and

(C) reward value.

(2) DEVELOPMENT OF INITIAL FORMULARY.—

(A) IN GENERAL.—In selecting covered part D drugs for inclusion in a formulary, the Secretary shall consider clinical benefit and price.

(B) ROLE OF AHRQ.—The Director of the Agency for Healthcare Research and Quality shall be responsible for assessing the clinical benefit of covered part D drugs and making recommendations to the Secretary regarding which drugs should be included in the formulary. In conducting such assessments and making such recommendations, the Director shall:

(i) consider safety concerns including those identified by the Federal Food and Drug Administration;

(ii) use available data and evaluations, with priority given to randomized controlled trials, to examine clinical effectiveness, comparative effectiveness, safety, and enhanced compliance with a particular drug regimen;

(iii) use the same classes of drugs developed by the United States Pharmacopeia for this part;

(iv) consider evaluations made by—

(I) the Director under section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003;

(II) State committees, such as the Secretary of Veterans Affairs; and

(III) other private and public entities, such as the Drug Effectiveness Review Project and Institute for Clinical and Economic Review;

(v) recommend to the Secretary—

(I) those drugs in a class that provide a greater clinical benefit, including fewer safety concerns or a greater risk of side-effects, than another drug in the same class that should be included in the formulary;

(II) those drugs in a class that provide less clinical benefit, including fewer safety concerns or a greater risk of side-effects, than another drug in the same class that should be excluded from the formulary, and

(III) drugs with the same or similar clinical benefit for which it would be appropriate for the Secretary to competitively bid (or negotiate) for placement on the formulary.

(C) CONSIDERATION OF AHRQ RECOMMENDATIONS.—

(1) IN GENERAL.—The Secretary, after taking into consideration the recommendations under subparagraph (B)(v), shall establish a formulary, and formulary incentives, to encourage the use of covered part D drugs:

(I) that have a lower cost and provide a greater clinical benefit than other drugs;

(II) that have a lower cost than other drugs with the same or similar clinical benefit; and

(III) drugs that have the same cost but provide greater clinical benefit than other drugs.

(2) FORMULARY INCENTIVES.—The formulary incentives under clause (i) may be in the form of one or more of the following:

(I) Tiered copayments;

(II) Reference pricing;

(III) Prior authorization; and

(IV) Step therapy.

(V) Medication therapy management.

(VI) Generic drug substitution.

(VII) FLEXIBILITY.—In applying such formulary incentives the Secretary may decide not to impose any cost-sharing for a covered part D drug for which—

(I) the elimination of cost sharing would be expected to increase compliance with a drug regimen; and

(II) compliance would be expected to produce savings under part A or B both.

(3) LIMITATION ON FORMULARY.—In any formulary established under subsection (a), the formulary may not be changed during a year, except—

(A) to add a generic version of a covered part D drug that entered the market;

(B) to remove such a drug for which a problem is found; and

(C) to add a drug that the Secretary identifies as a drug which treats a condition for which there has not previously been a treatment option or for which a clear and significant benefit has been demonstrated over other covered part D drugs.

(4) ADDING DRUGS TO THE INITIAL FORMULARY.—

(A) USE OF ADVISORY COMMITTEE.—The Secretary shall establish and appoint an advisory committee (in this paragraph referred to as ‘advisory committee’) to—

(i) to review petitions from drug manufacturers, health care provider organizations, patient groups, and other entities for inclusion in the formulary; and

(ii) to recommend any changes to the formulary established under this subsection.

(B) MEETINGS.—The advisory committee shall be composed of 9 members and shall include representatives of physicians, pharmacists, and consumers and others with expertise in evaluating prescription drugs. The Secretary shall select members based on their knowledge of pharmaceuticals and the Medicare population. Members shall be deemed to be special Government employees for purposes of applying the conflict of interest provisions under section 208 of title 18, United States Code, and no waiver of such provisions for such a member shall be permitted.

(C) CONSULTATION.—The advisory committee shall consult, as necessary, with physicians who are specialists in treating the disease for which a drug is being considered.

(D) REQUEST FOR STUDIES.—The advisory committee may request the Agency for Healthcare Research and Quality or an academic or research institution to study and make a report on a petition described in subparagraph (A)(i) in order to assess—

(I) clinical effectiveness;

(II) comparative effectiveness; and

(iii) safety; and

February 28, 2013
“(iv) enhanced compliance with a drug regimen.

(E) RECOMMENDATIONS.—The advisory committee shall make recommendations to the Secretary of Health and Human Services for the Medicare operated prescription drug program for—

(i) whether a covered part D drug is found to provide a greater clinical benefit, including fewer safety concerns or less risk of side-effects, compared to the drug that is currently included in the formulary and should be included in the formulary;

(ii) whether a covered part D drug is found to provide less clinical benefit, including greater safety concerns or a greater risk of side-effects, than another drug in the same class that is currently included in the formulary and should not be included in the formulary;

(iii) whether a covered part D drug has the same or similar clinical benefit to a drug in the same class that is currently included in the formulary and whether the drug should be included in the formulary.

(F) LIMITATIONS ON REVIEW OF MANUFACTURER PETITIONS.—The advisory committee shall not review a petition of a drug manufacturer under subparagraph (A)(i) with respect to a covered part D drug unless the petition is accompanied by the following:

(i) Raw data from clinical trials on the safety and effectiveness of the drug.

(ii) Any data from clinical trials conducted on the same class of drugs that are the current standard of care.

(iii) Any available data on comparative effectiveness of the drug.

(iv) Any other information the Secretary requires for the advisory committee to complete its review.

(G) RESPONSE TO RECOMMENDATIONS.—The Secretary shall provide a written response to the recommendations of the advisory committee and if the Secretary accepts such recommendations the Secretary shall modify the formulary established under this subsection accordingly.

Nothing in this section shall preclude the Secretary from adding to the formulary a drug for which the Director of the Agency for Healthcare Research and Quality or the advisory committee has not made a recommendation.

(H) NOTICE OF CHANGES.—The Secretary shall provide timely notice to beneficiaries and health professionals about changes to the formulary or formulary incentives.

(I) INFORMING BENEFICIARIES.—The Secretary shall provide information to beneficiaries about the availability of a Medicare operated drug plan or plans including providing information in the annual handbook distributed to all beneficiaries and adding information in the annual handbook distributed to all beneficiaries and adding information to the official public Medicare website related to prescription drug coverage available through this part.

SEC. 3. IMPROVED APPEALS PROCESS UNDER THE MEDICARE OPERATED PRESCRIPTION DRUG PROGRAM

Section 1860D–4(b) of the Social Security Act (42 U.S.C. 1395w–104(h)) is amended by adding at the end the following new paragraph:

“(19) MEDICARE OPERATED PRESCRIPTION DRUG PLAN.—The term ‘Medicare operated prescription drug plan’ has the meaning given such term in section 1860D–11(c).

SEC. 4. ALLOCATING COST SAVINGS TO BENEFICIARIES

(1) In general.—The Secretary shall—

(A) reduce the amount beneficiaries would pay for drug coverage; and

(B) reduce the amount beneficiaries would pay for drug coverage.

SEC. 5. REDUCING THE COST OF PRESCRIPTION DRUGS

(1) In general.—The Secretary shall—

(A) reduce the amount beneficiaries would pay for drug coverage; and

(B) reduce the amount beneficiaries would pay for drug coverage.

SEC. 6. IMPROVING THE FORMULARY

(1) In general.—The Secretary shall—

(A) reduce the amount beneficiaries would pay for drug coverage; and

(B) reduce the amount beneficiaries would pay for drug coverage.

SEC. 7. ENHANCED ACCESS TO COVERAGE

(1) In general.—The Secretary shall—

(A) reduce the amount beneficiaries would pay for drug coverage; and

(B) reduce the amount beneficiaries would pay for drug coverage.

SEC. 8. IMPROVING THE FORMULARY

(1) In general.—The Secretary shall—

(A) reduce the amount beneficiaries would pay for drug coverage; and

(B) reduce the amount beneficiaries would pay for drug coverage.

SEC. 9. IMPROVING THE FORMULARY

(1) In general.—The Secretary shall—

(A) reduce the amount beneficiaries would pay for drug coverage; and

(B) reduce the amount beneficiaries would pay for drug coverage.

SEC. 10. IMPROVING THE FORMULARY

(1) In general.—The Secretary shall—

(A) reduce the amount beneficiaries would pay for drug coverage; and

(B) reduce the amount beneficiaries would pay for drug coverage.

SEC. 11. IMPROVING THE FORMULARY

(1) In general.—The Secretary shall—

(A) reduce the amount beneficiaries would pay for drug coverage; and

(B) reduce the amount beneficiaries would pay for drug coverage.

SEC. 12. IMPROVING THE FORMULARY

(1) In general.—The Secretary shall—

(A) reduce the amount beneficiaries would pay for drug coverage; and

(B) reduce the amount beneficiaries would pay for drug coverage.

SEC. 13. IMPROVING THE FORMULARY

(1) In general.—The Secretary shall—

(A) reduce the amount beneficiaries would pay for drug coverage; and

(B) reduce the amount beneficiaries would pay for drug coverage.

SEC. 14. IMPROVING THE FORMULARY

(1) In general.—The Secretary shall—

(A) reduce the amount beneficiaries would pay for drug coverage; and

(B) reduce the amount beneficiaries would pay for drug coverage.
Progressive Democrats of America, Racial and Ethnic Health Disparities Coalition, Raising Women's Voices for the Health Care We Need, Rights to the City, Service Employees International Union, Social Security Works, UAW (United Auto Workers), Universal Health Care Action Network, USAction, Working America, AFL-CIO, Working Families Party.

ALABAMA
Federation Of Child Care Centers of Alabama.
ARKANSAS
Arkansas Community Organizations.

CALIFORNIA

COLORADO

CONNECTICUT
Connecticut Citizen Action Group.

FLORIDA

GEORGIA
9to5 Atlanta, Georgia Rural Urban Summit.

HAWAII
Faith Action for Community Equity.

IDAHO
Idaho Community Action Network, Idaho Main Street Alliance, Indian People's Action, United Action for Idaho, United Vision for Idaho.

ILLINOIS

INDIANA
Northwest Indiana Federation of Interfaith Organizations.

IOWA
Iowa Citizen Action Network, Iowa Citizen Action Network Foundation, Iowa Citizens for Community Improvement, Iowa Main Street Alliance.

LOUISIANA
Miah Project—New Orleans, PICO Louisiana.

MAINE

MARYLAND
Maryland Communities United.

MASSACHUSETTS
Disability Policy Consortium.

MICHIGAN
Harriet Tubman Center—Detroit, Metropolitan Coalition of Congregations, Metro Detroit, Michigan Citizen Action, Michigan Citizen Education Fund, Michigan Organizing Collaborative.

MINNESOTA

MISSOURI
Communities Creating Opportunity, GRO (Grass Roots Organizing), Metropolitan Conferences United, Missouri Progressive Vote Coalition, Missouri Citizen Education Fund, Missouri Jobs with Justice, Missouriians Organizing for Change, Missouriians Organizing for Reform and Empowerment, Missouri Rural Crisis Center, Progress Missouri.

MONTANA
AFSCME Council 9, Big Sky CLC—Helena, Greater Yellowstone CLC—Billings, Indian People's Action, MIA-MPT, Missoula Area CLC, Montana Alliance for Retired Americans, Montana Alliance Project, Montana Small Business Alliance, MT AFL-CIO State Federation, MT-HCAN, SEIU Healthcare 775 NW, Southcentral Montana CLC—Bozeman, Southwestern Montana CLC—Butte.

NEBRASKA
Nebraska Urban Indian Health Clinic.

NEVADA
Dream Big Las Vegas, Nevada Immigration Coalition, PLAN Action, Progressive LeaderShip Alliance of Nevada, Uniting Communities of Nevada.

NEW HAMPSHIRE

NEW JERSEY
New Jersey Citizen Action, New Jersey Citizen Action Education Fund, PICO New Jersey, New Jersey Communities United.

NEW MEXICO
Organizers in the Land of Enchantment (OLE).

NEW YORK

NORTH CAROLINA
Action North Carolina, Disability Rights NC, North Carolina Community Health Coalition, North Carolina Justice Center, Unifour OneStop Collaborative.

OHIO
Communities United for Action, Contact Center, Fair Share Research and Education Fund, Mahoning Valley Organizing Collaborative, Ohio Alliance for Retired Americans Educational Fund, Ohio Organizing Collaborative, Progress Ohio, Progressive Democrats of America—Ohio Chapter, The People's Empowerment Coalition of Ohio, To-Address Jobs with Justice & Fairfaith Worker Justice Coalition, UHCAN Ohio.

OREGON
Asian Pacific American Network of Oregon, Center for Intercultural Organizing, Fair Share Research and Education Fund, Main Street Alliance of Oregon, Oregon Action, Oregon Women's Action for New Directions, Rural Organizing Project, Portland Jobs with Justice, Urban League.

 PENNSYLVANIA

RHODE ISLAND
Ocean State Action, Ocean State Action Fund.

TENNESSEE

VIRGINIA
SEIU Virginia 512, Virginia AFL–CIO, Virginia New Majority, Virginia Organizing.

WASHINGTON

WEST VIRGINIA
West Virginia Citizen Action Group, West Virginia Citizen Action Education Fund.

WISCONSIN
9to5 Wisconsin, Citizen Action of Wisconsin, Citizen Action of Wisconsin Education Fund, Coalition of Wisconsin Aging Groups, M&S Clinical Services Assessment Center, Milwaukee Teachers Education Association (NEA), SEIU Education and Research Wisconsin, SOPHIA—Stewards of Prophetic, Hopeful, Intentional Action (Gamaliel), Wisconsin Federation of Nurses and Health Professionals (AFT/SEIU).

DEAR SENATOR DURBIN AND REPRESENTATIVE SCHAUKOWSKY:

On behalf of the millions of members and supporters of the National Committee to Preserve Social Security and...
Medicare, I am writing to express our support for the Medicare Prescription Drug Savings and Choice Act. We applaud this effort because it would improve the Medicare program for seniors and reduce federal spending on prescription drugs.

We understand that your legislation would create one or more Medicare-administered drug plans with uniform, government-provided premiums for all seniors participating in the Medicare Part D appeals process, which will provide a public formulary and streamline the Medicare Part D appeals process, as well as improve the Medicare Part D process. We applaud this important legislation.

Finally, we appreciate that your legislation should be able to receive the best price available for Medicare prescription drugs. Finally, we appreciate that your legislation establishes an advisory committee to assess the Medicare Part D appeals process, which will help all beneficiaries.

Thank you for your continued leadership on Medicare particularly for identifying ways to reduce Medicare spending without shifting costs to beneficiaries. We look forward to working with you to enact this important legislation.

Sincerely,

MAX RICHTMAN,
President and CEO.

By Mr. ROCKEFELLER (for himself, Mr. CRAPO, Mr. WYDEN, and Mr. MORAN):

S. 413. To amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, today I am joining my colleagues Senators, CRAPO, WYDEN, and MORAN in introducing the Short Line Railroad Rehabilitation and Investment Act of 2013, legislation to extend for 3 years the Section 45G short line freight railroad tax credit.

In the 112th Congress, I introduced a 6-year extension of this credit. Despite the often contentious atmosphere of the 112th Congress, during which my colleagues found little they could agree on, the short line rail credit was a bipartisan success story, with my legislation attracting more than 50 bipartisan cosponsors.

“Short line” railroads are small freight rail companies responsible for bringing goods to communities that are not directly served by large, transcontinental railroads. Supporting small railroads allows the communities surrounding them to attract and maintain businesses and create jobs. The evidence of the success of this credit can be found in communities across America.

This credit has real impact for the people of my state. West Virginia is the second biggest producer of railroad ties in the country. Since the credit was enacted, it is estimated that 750,000 railroad ties have been purchased above what would be required in a year without the credit, with no incentive. Those railroad ties translate directly into jobs. This credit does not create just West Virginia jobs but the ties, spikes, and rail this credit helps fund are almost entirely American made.

Over 12,000 rail customers across America depend on short lines. This credit creates a strong incentive for short lines to invest in private sector dollars on freight railroad track rehabilitation and improvements. Unfortunately, it is now scheduled to expire at the end of 2013.

We were unable to enact a full 6-year extension of this important tax credit last Congress, but it was released that this credit was extended through 2013 as part of the December 31st fiscal cliff deal.

This Congress I want to do more. This credit, and the short line railroads that serve all of our constituents, deserve a meaningful extension. If this credit is allowed to expire at the end of the year, private-sector investments in infrastructure in our communities will fall by hundreds of millions of dollars. This credit would extend the 45G credit through 2016, providing the important long-term planning certainty necessary to maximize private-sector transportation infrastructure investment. Over 50 members of this body sponsored legislation in the last Congress extending this credit and I hope there will be similar support again this year. I ask my colleagues to join me in supporting this important legislation.

By Mr. CORNYN (for himself, Mr. BLUMENTHAL, Mr. PORTMAN, and Ms. KHOUCHICHAR):

S. 413. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to include human trafficking as a part 1 violent crime for purposes of the Edward Byrne Memorial Justice Assistance Grant Program; to the Committee on the Judiciary.

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

S. 413

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 “Human Trafficking Reporting Act of 2013”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Human trafficking is a form of modern-day slavery.

(2) According to the Trafficking Victims Protection Act of 2000 “trafficking in persons” means—

(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision or obtaining of a person, via various means such as labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

(3) There is an acute need for better data collection of incidents of human trafficking across the United States in order to effectively combat severe forms of trafficking in persons.

(4) The State Department’s 2012 Trafficking in Persons report indicates the following:

(A) The United States is a “source, transit and destination country for men, women, and children, subjected to forced labor, debt bondage, and other severe forms of servitude and sex trafficking”; and

(B) The United States needs to “improve data collection on human trafficking cases at the federal, state, and local levels.”

(5) The International Organization for Migration has reported that in order to effectively combat human trafficking there must be reliable and standardized data, however, the following barriers for data collection exist:

(A) The illicit and underground nature of human trafficking.

(B) The reluctance of victims to share information with authorities.

(C) Insufficient human trafficking data collection and research efforts by governments worldwide.

(6) A 2009 report to the Department of Health and Human Services entitled Human Trafficking into and Within the United States: A Review of the Literature found that “the data and methodologies for estimating the prevalence of human trafficking globally and nationally have not been developed, and therefore estimates have varied widely and changed significantly over time”.

(7) The Federal Bureau of Investigation compiles national crime statistics through the Uniform Crime Reporting Program.

(8) Under current law, State and local governments receiving Edward Byrne Memorial Justice Assistance grants are required to share data on part 1 violent crimes with the Federal Bureau of Investigation for inclusion in the Uniform Crime Reporting Program.

(9) The addition of the short line rail credit creates a strong incentive for short lines to invest in infrastructure investment. Over 50 members of this body sponsored legislation in the last Congress extending this credit and I hope there will be similar support again this year. I ask my colleagues to join me in supporting this important legislation.

By Ms. LANDRIEU (for herself, Mr. COCHRAN, Ms. GILLIBRAND, and Mr. PRYOR):

S. 415. A bill to clarify the collateral requirement for certain loans under section 7(d) of the Small Business Act, to address assistance to out-of-State small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. LANDRIEU. Mr. President, I come to the floor today to speak on an issue that is of great importance to my home State of Louisiana: Federal disaster assistance. As you know, along the Gulf Coast the impact of Hurricane Isaac remain on the Gulf of Mexico during hurricane season. This is following the devastating one-two punch of Hurricanes
Katrina and Rita of 2005 as well as Hurricanes Gustav and Ike in 2008. Unfortunately, our region also has had to deal with the economic and environmental damage from the Deepwater Horizon disaster in 2010 and more recently Hurricane Isaac. For this reason, Senator COCHRAN for cosponsoring the bill and that, for SBA disaster business loans that I am filing today would clarify areas, there also is legislative language state SBDCs are not left paying out of pocket and has previously passed both chambers of Congress.

Section 2 addresses a key issue that is serving as a roadblock to business owners interested in applying for smaller SBA disaster loans. After the most recent hurricanes that hit the Gulf Coast, my staff has consistently heard from business owners, discouraged from applying for SBA disaster loans. When we have inquired further on the main motivation, the top concern related to SBA requiring business owners to put up their personal home as collateral for smaller SBA disaster loans for their business. This requirement is understandable for large loans between $70,000 and $2 million. However, business owners complained about this requirement being instituted for loans of $200,000 or less. I can understand their frustration. Business owners, in many cases who have just lost everything, are applying to SBA to get back up business assets toward its disaster loan, SBA should consider that first before attempting to bring in personal

In particular, Section 2 of the bill that I am filing today would clarify that, for SBA disaster business loans less than $200,000 that SBA is required to utilize assets other than the primary residence if those assets are available to use as collateral towards the loan. The bill is very clear though that these assets should be of equal or greater value than the amount of the loan. Also, to ensure that this is a targeted improvement, the bill also includes additional language that this bill in no way requires SBA to reduce the amount or quality of collateral it seeks on these types of loans. I seek to especially thank my former Ranking Member Olympia Snowe for working with me to improve upon previous legislation on this particular issue. The provision that I am re-introducing, as part of this disaster legislation, is a direct result of discussions with both her and other stakeholders late last year. I believe that this bill is better because of improvements that came out of these productive discussions.

I note that this provision is similar to Section 204 of S. 2731, the Small Business Administration Disaster Recovery and Reform Act of 2009 that Senator BILL NELSON and I introduced during the 111th Congress. A similar provision was contained in House of Representatives twice that Congress. H.R. 3854, which included a modified collateral requirement under Section 801, passed the House on October 29, 2009 by a vote of 389-32. The provision also passed the Senate on November 6, 2009 by a voice vote as Section 2 of H.R. 3743. During the 112th Congress, this provision passed the Senate on December 28, 2012 by a vote of 62-32 as part of H.R. 1, the Senate-passed Disaster Relief Appropriations Act. However, it was not included in H.R. 152, the House-passed Disaster Relief Appropriations Act that subsequently was enacted into law. Despite the setback earlier this year, I remind my colleagues that this provision has a history of bipartisan support and has previously passed both chambers of Congress.

To be clear though, while I do not want to see SBA tie up too much of a business’ collateral, I also believe that SBA disaster owners seeking smaller amounts of recovery loans are able to secure these loans without significant burdens on their personal property. For the business owners we have spoken to, this is some but not too much collateral, one of the Federal government’s primary tools for responding to disasters.
residences. It is unreasonable for SBA to ask business owners operating in very different business environments post-disaster to jeopardize not just their business but also their home. Loans of $200,000 or less are also the loans most likely to be repaid so the agency must ensure that out-of-state SBDCs are able to collateral of last resort in instances where a business can demonstrate the ability to repay the loan and that it has other assets. As previously mentioned, there are also safeguards in the provision that ensures that this provision will not reduce the quality of collateral required by SBA for these disaster loans nor will it reduce the quality of the SBA’s general collateral requirements. These changes will assist the SBA in cutting down on waste, fraud and abuse of these legislative reforms. In order to further assist the SBA, I believe it is important to clarify what types of business assets are acceptable, unacceptable, and what should be reviewed. For example, I understand that SBA’s current lending practices consider the following business assets as suitable collateral: commercial real estate; machinery and equipment; business inventory; and furniture and fixtures.

Section 3 of this bill removes an unnecessary prohibition in the Small Business Act that currently prohibits SBDCs from other states to help out in areas impacted by disasters. In particular, this provision authorizes the SBA Administrator to allow out-of-state SBDCs to provide assistance in small businesses located in Presidentially-declared disaster areas. This is because, as you may know, SBDCs are considered to be the backbone of the SBA’s Office of Entrepreneurial Development efforts, and are the largest of the agency’s OED programs. SBDCs are the university based resource partners that provide counseling and training to more than 600,000 clients annually. From 2007 to 2008, the counseling and technical assistance services they offered lead to the creation of 58,501 new jobs, at a cost of $3,462 per job. Additionally, they estimate that their counseling services helped to save 88,889 jobs. These centers are even more critical following natural or manmade disasters. That is because SBDCs help impacted businesses in navigating Federal disaster programs; preparing businesses to create new business plans following a disaster. For that reason, we must ensure that there is continuity to have SBDC counselors on the ground in disaster areas.

For example, right after Hurricane Katrina our SBDCs in Louisiana were severely limited in what they could do because of the widespread damage to homes and facilities utilized by their counselors. On the other hand, their counterparts at the Florida SBDCs had a wealth of disaster expertise and were willing to assist but were prohibited from providing assistance to small businesses outside their geographic area. In 2012, we experienced similar challenges following Hurricane Sandy but SBDCs in Louisiana, Florida or elsewhere were prohibited from helping their counterparts in the Northeast even if they wanted to help recovery in New York or New Jersey so this would not impact their operations back home. For smaller scale disasters, local SBDCs will respond to disasters in their own areas. However, for large scale, catastrophic disasters, this provision could make a significant difference for impacted small businesses.

In fact, on December 13, 2012, my committee received excellent testimony from Jim King, Chair of the Association of Small Business Development Centers, ASBDCs, and State Director of New York State Small Business Development Center. Mr. King outlined the symbiotic relationship between different SBDC state chapters and how they currently assist each other after disasters. He specifically noted that, “I was also privileged to have the opportunity to work with the SBDC in Louisiana following Hurricane Katrina in 2005 and visited New Orleans as one of five State Directors invited to share experiences with others there, Mary Lynn Willkerson, to evolve a strategy for recovery. I should note that Mary Lynn has returned the favor many times over since Hurricane Sandy devastated our area, with materials, information, and support, which has been greatly appreciated.” He also later noted that “Starting almost immediately after the disaster, staff in other states and programs began reaching out with offers of assistance and words or experiences of support . . . The experiences gained from disasters in Florida, Texas, Colorado, Louisiana and many other places reinforce the value of the SBDC network in meeting the needs of small business in times of disaster.” I believe that these current post-disaster arrangements are left unenforced by enacting this legislation. C.E. “Tee” Rowe, President/CEO of ASBDC noted this in his February 10, 2013 letter to my office, noting that, “Allowing SBDCs to share resources across state lines or other boundaries for the purposes of disaster recovery is a common sense proposal, little different from utilities sharing linemen.” At the same time, however, I encourage SBDC chapters across the country to establish protocols with their counterparts in other disaster areas so that their SBDC counterparts can be there post-disaster. SBDC chapters that are, unfortunately, battle hardened from multiple disasters should not be the only chapters that bear fruit from these partnerships with their counterparts.

Furthermore, I note that Section 3 of the bill has previously been passed out of committee and has been approved by the full Senate during past sessions of Congress. So this provision has a strong bipartisan support. During the 110th Congress, this provision was approved unanimously by the Small Business and Entrepreneurship Committee on May 7, 2007 as Section 104 of S. 163, the “Small Business Disaster Response and Loan Improvements Act of 2007.” S. 163 was subsequently passed by the full Senate by unanimous consent on August 3, 2007. Unfortunately, the provision was not enacted into law before the adjournment of the 110th Congress. In the 111th Congress, this provision was again approved unanimously by the Small Business and Entrepreneurship Committee on July 2, 2009 as Section 1239 of S. 2229, the “Entrepreneurial Development Act of 2009” but was not enacted into law before the adjournment of that Congress. Lastly, during the 112th Congress, the provision received 57 strong bipartisan votes on July 12, 2012 as Section 433 of Senate Amendment 2521 to S. 2237, the “Small Business Jobs and Tax Relief Act of 2012.” My Republican colleagues Senators Snowe, Collins, Vitter, Scott Brown, and Heller all voted in support of the amendment. Although it was not ultimately enacted into law, the provision was subsequently included in separate pieces of legislation introduced by Senator Olympia Snowe and myself. This provision was included in the 112th Congress in S. 3442, the “SUCCESS Act of 2012” that I introduced on July 25, 2012 as well as Section 433 of S. 3572, the “Restoring Tax and Regulatory Certainty to Small Business Act of 2012” that Senator Snowe and myself introduced.

Lastly, Section 4 is a new provision that I worked with my colleague Senator COCHRAN to include in the legislation. This section addresses past instances where SBDCs were not sufficiently reimbursed post-disaster by the SBA for disaster-related expenses. Section 3 provides clear Congressional intent that, in authorizing the SBA to allow out-of-state SBDCs to assist in disaster areas outside their geographic location, the agency must also ensure that out-of-state SBDCs are not left paying out of pocket for assisting in these disaster areas. If the SBA approves for these SBDCs to deploy staff or resources to a disaster area, the agency must in turn ensure that it reimburses SBDCs for these expenses provided they were legitimate and there are funds available to do so. I thank Senator COCHRAN for bringing this to my attention on behalf of his local SBDCs, and look forward to working closely with him to enact this provision into law.

In closing, I believe that these commonsense disaster reforms will greatly benefit businesses impacted by future disasters. First, the major proposals in this legislation are neither new nor untested. Next, this approach has already received support from the following groups from across the country: the Association of Small Business Development Centers, the International Economic Development Council, the Southwest Louisiana Economic Development Alliance, the St. Tammany Economic Development Foundation, the Northeast Louisiana Economic
SEC. 2. CLARIFICATION OF COLLATERAL REQUIREMENTS.

Section 7(d)(6) of the Small Business Act (15 U.S.C. 648(d)(6)) is amended by inserting after paragraph (5) the following: 

"(6) COLLATERAL.—Nothing in subsection (a)(2)(B) or (b) relating to damage to or destruction of the property of, or economic injury to, a small business concern, shall not apply to a small business concern if the Administrator determines that the owner of the small business concern does not have any other assets with a value equal to or greater than the amount of the loan that could be used as collateral for the loan. Provided further, That nothing in this section shall be construed to reduce the amount of collateral required by the Administrator in connection with a loan described in the preceding provision or to modify the standards used to evaluate the quality (rather than the type) of collateral of such concern.

SEC. 3. ASSISTANCE TO OUT-OF-STATE SMALL BUSINESSES.

Section 21(b)(3) of the Small Business Act (15 U.S.C. 648(b)(3)) is amended—

(1) by striking "(3) At the discretion of the Administrator" and inserting in lieu thereof the following:

"(3) Assistance to out-of-state small businesses.—

(A) in general.—At the discretion of the Administrator, a small business development center may provide assistance, as described in subsection (c), to a small business concern located outside of the State, without regard to geographic boundaries, if the small business concern is located in an area for which the President has declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 570). during the period of the declaration.

(B) continuity of services.—A small business development center that provides counseling to an area described in clause (i) shall, to the maximum extent practicable, ensure continuity of services in any State in which the center develops or maintains an office.

(C) access to disaster recovery facilities.—For purposes of this subparagraph, the Administrator shall, to the maximum extent practicable, permit the personnel of a small business development center to use any site or facility designated by the Administrator for use to provide disaster recovery assistance.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that, subject to the availability of funds, the Administrator of the Small Business Administration shall, to the extent practicable, ensure that a small business development center is appropriately reimbursed for any legitimate expenses incurred in carrying out activities under section 21(b)(3)(B) of the Small Business Act (15 U.S.C. 648(b)(3)(B)), as added by this Act.

ASSOCIATION OF SMALL BUSINESS DEVELOPMENT CENTERS,

Burke, VA, February 16, 2013.

Honorably, MARY LANDRIEU,

Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

Dear Senator Landrieu:

Thank you for giving the Association of Small Business Development Centers (ASBDC) the opportunity to comment on your proposed legislative amendments to the disaster assistance provisions in the Small Business Act (15 USC 631 et seq.).

While Congress has taken a significant step in addressing the resource issues following Sandy and other disasters there are still restrictions in the SBDC assistance authority and the US Small Business Administration’s (SBA) disaster recovery process that could complicate future disaster recovery efforts. We applaud your efforts to deal with those issues.

Under section 21(b)(3) of the Small Business Act (15 USC 648(b)(3)) SBDCs are limited in their ability to provide services across state lines. This prevents SBDCs dealing with disaster-related matters in the New York and New Jersey, from being able to draw upon the resources available in our nationwide network of nearly 1,000 centers with over 4,500 business advisors. It likewise prevents states with great experience in disaster recovery assistance like Louisiana and Florida, from providing assistance to their colleagues.

Your proposed legislation amends that SBDC geographic service restriction for the purposes of providing disaster support and assistance. Our Association wholeheartedly endorses giving the Association of Small Business Development Centers (ASBDC) the opportunity to share resources across state lines or other boundaries for the purpose of disaster recovery is a common sense proposal, little different from your implementation of the SBDC program. In addition, we would like to note that this provision has been supported by the Senate Committee on Small Business and Entrepreneurship twice in previous Congresses.

As the ASBDC wishes to express its support for your proposals to amend the collateral requirements in the disaster loan program for loans under $200,000. SBDCs routinely assist small business owners with their applications for disaster loan assistance, and have often faced clients with qualms about some of those requirements.

We share a common goal of putting small business on the road to recovery after disaster strikes and getting capital flowing is a key factor in meeting that goal. To that end, we believe SBDCs can meet the collateral requirements and help improve the flow of disaster funds to small business applicants. We believe your proposal to limit the use of personal homes as collateral on smaller loans is consistent with the need to get capital flowing to affected businesses and ease the stress on these businesses. We also believe you will not undermine the understanding standards of the disaster loan program.

Thank you again for kind attention and continuing support of small business.

Sincerely,

C.E. "Tee" Rowe, President/CEO, ASBDC.
amount of knowledge and experience in storm recovery held by SBDCs in Florida and the Gulf region. Certainly, we can all agree that disasters warrant an extraordinary re-
response; yet responses must include qualified expertise from all corners of the federal government.
Forty to sixty percent of small businesses that close as a result of a disaster do not re-
open. This is an unacceptably high number. We would not accept that level of loss in home communities, and we would not accept that level of loss in jobs; our communities cannot sustain such losses and duty dictates we make cer-
tain they don’t have to. By enacting com-
mon sense legislation like that which is under consideration here, and freeing the flow of capital and expertise, we are taking concrete steps to give our small businesses and local economies the greatest chance to recover.

EDC is your partner in the work of job creation. We thank you for your leadership in support of small business and stand ready to offer our assistance in this and future ef-
forts.

Sincerely,

PAUL L. KRUTKO,
Chairman, International Economic Development Council and President, CEO, Ann Arbor SPARK.

ST. TAMMANY ECONOMIC DEVELOPMENT FOUNDATION, Mandeville, LA, February 19, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entre-
preneurship, U.S. Senate, Washington, DC.

Dear Senator Landrieu:
The St. Tam-
many Economic Development Foundation thanks you for the opportunity to comment on the proposed amendments to the disaster assistance provisions in the Small Business Act (15 USC 631 et seq.). As we learned from Hurricanes Katrina, Rita and most recently Isaac, the sooner our small businesses are able to recover, the better it is for the re-
gion, the state and the nation.

We fully endorse the proposed amendment to Section 1 of the bill regarding collateral on business disaster loans. If approved, no longer would small business owners be required to use their personal primary residence for col-

ateral towards SBA disaster business loans less than $200,000 if other assets are available of equal or greater value than the amount of the loan. In times of crisis, affected business owners are understandably reluctant to place their personal homes up as collateral in order to obtain a much needed loan to re-
build their business. Allowing business as-
ssets to act as collateral will promote greater utiliza-
tion of the loans; leading to faster eco-

nomic recovery.

Under Section 2 of the bill, Small Business Development Centers (SBDCs) are limited in their ability to provide assistance to businesses affected by disaster recovery assistance and should not be prevented from providing assistance to their colleagues outside of Louisiana in the event of disaster. Therefore, we fully support this provision.

We applaud your efforts to protect small businesses in the wake of disasters and thank you for being a strong advocate on their behalf. After all, small busi-

nesses are the lifeblood of our great nation.

Sincerely,

Brenda Bortz, Executive Director, St. Tammany Economic Development Foundation.
disaster recovery assistance and should not be prevented from providing assistance to their colleagues outside of Louisiana in the event of disaster. Therefore, we fully support this provision.

About 85% of the members of the Chamber SWLA are small businesses. We applaud your efforts to protect, to help these small businesses in the wake of disasters and thank you for continuing to be a strong advocate on their behalf.

Sincerely,

GEORGE SWIFT
President/CEO,
SWLA Economic Development Alliance.

By Mr. ROCKEFELLER (for himself and Mr. BLUMENTHAL):

S. 418. A bill to require the Federal Trade Commission to prescribe regulations regarding the collection and use of personal information obtained by tracking the online activity of an individual, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, I rise to introduce the Do-Not-Track Online Act of 2013. This bill is a critical step towards furthering consumer privacy. It empowers Americans to control their personal information online and provides them with the ability to prevent online companies from collecting and using that information for profit.

Do-not-track is a simple concept. It allows consumers, with a simple click of the mouse, to tell every company that participates in the vast online ecosystem, “Do not collect information about me. I care about my privacy. My personal information is not for sale. And I do not want my information used in ways I do not expect or approve.” Under this bill, online companies would have to honor that user declaration or face penalties enforced by the Federal Trade Commission, FTC, or State Attorneys General.

This bill is necessary because the privacy of Americans is increasingly under assault as more and more of their daily lives are conducted online. Whether it is a person at home searching for a new job or home, a parent researching her sick child’s symptoms and treatments using a health application, or a teenager using her smartphone while riding the subway, online companies are collecting massive amounts of information, often without consumers’ knowledge or consent. As I write this testimony, consumers have never heard of are surreptitiously collecting this information in numerous ways: third-party advertising networks place “cookies” on computer web-browsers to track the websites that consumers have visited; analytic and marketing companies identify individual computers by recognizing the unique configuration, or “fingerprint,” of web-browsers; and software applications installed on mobile devices, colloquially known as “apps,” can track the mobile devices’ location, contact lists, photographs, and other personal matters. All of this information can be combined and stored on computer servers around the world and used for a variety of purposes, ranging from website analytics to online behavioral advertising to the creation of comprehensive dossiers by data brokers that build and sell personal profiles about hundreds of millions of individual Americans.

My bill would empower consumers, if they so choose, to stem the tide. It would give them the means to prohibit the collection of their information, or opt-out of those information collection practices. At the same time, the bill would preserve the ability of those online companies to conduct their business and deliver the content and services that consumers have come to expect and enjoy. The bill would grant the FTC rule-making authority to use its expertise to protect the privacy interests of consumers while addressing the legitimate needs of industry.

The key to this bill is its simplicity. For over a decade in the Senate Commerce Committee, which I chair, we have tried to make online companies can provide clear and conspicuous notice to consumers about their information practices and—once this notice has been given—further determine how consumers can either opt-in or opt-out of information collection practices. Yet today, privacy policies are still far too long, too complicated, and too full of technical legalese for any reasonable consumer to read, let alone understand. The failures of these notices are even clearer when placed on the exploding number of mobile devices on which consumers have grown to rely. My bill avoids this messy “rabbit hole” of policy considerations and creates an easy mechanism that gives consumers the opportunity to simply and easily refuse to provide the content and services to anyone and everyone collecting their online information. Period.

Let me also say a few words about what this bill does not do. My bill would not “break the Internet,” as I am sure we will hear from opponents. The truth is that my bill makes every attempt possible to provide a simple, easy-to-use tool that will implement the choices effectively in a way that is simple, easy to use, and persistent, and that, if implemented, should prevent the collection of consumers’ online data. The private sector has also taken notice and similarly recognized the utility of do-not-track for its users. Nearly every popular web browser now allows consumers to affirmatively declare a do-not-track preference to websites. The problem is that online companies have no legal obligation to honor this request and, in fact, many have gone so far as to outright refuse to do so. In February 2012, industry leaders stood at the White House and publicly declared their commitment to honor do-not-track requests from web browsers.

Yet since then, industry has failed to live up to those commitments. The online advertising industry has articulated huge exemptions to its pledge to limit the collection of information—exceptions that undermine the very self-regulatory programs the industry has promoted as effective. This industry has emphasized consumer choice yet has made statements publicly refusing to honor new do-not-track browser features. My bill would put an end to this gamesmanship and nonsense.

My bill is only part of the ongoing discussion on consumer privacy in Congress. It is simple, yet powerful. It allows consumers, if they choose, and I should emphasize that many will not make such a choice, to stop the mind-boggling number of online companies from collecting vast amounts of their information. It gives consumers an easy-to-use tool that will implement their choices effectively in a complex, rapidly-changing online world. It prohibits those lurking in the cyber-shadows from profiting off of the personal, private information of ordinary Americans. I look forward to working with my colleagues on this and other privacy legislative efforts in the Commerce Committee and on the Senate floor.

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. 418

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 “Do-Not-Track Online Act of 2013”.

SEC. 2. REGULATIONS RELATING TO “DO-NOT-TRACK” MECHANISMS.

(a) In General.—Not later than 1 year after the date of the enactment of this Act, longer be allowed to ignore this request and collect and use this information for any extraneous purpose. Moreover, these companies would be obligated to immediately destroy or anonymize the information once it is no longer needed to provide the service requested.
the Federal Trade Commission shall promulgate—

(1) regulations that establish standards for the implementation of a mechanism by which an individual can simply and easily indicate whether the individual prefers to have personal information collected by providers of online services, including by providers of mobile applications and services; and

(2) rules that prohibit, except as provided in subsection (b), such providers from collecting personal information on individuals who have not indicated a preference to meet the standards promulgated under paragraph (1), a preference not to have such information.

(b) EXCEPTION.—The rules promulgated under paragraph (2) of subsection (a) shall allow for the collection and use of personal information on an individual described in such paragraph, notwithstanding the expressed preference of the individual via a mechanism that meets the standards promulgated under paragraph (1) of such subsection, to the extent—

(1) necessary to provide a service requested by the individual, including with respect to such service, basic functionality and effectiveness, so long as such information is anonymized or deleted upon the provision of such service;

(2) the individual—

(A) receives clear, conspicuous, and accurate notice on the collection and use of such information; and

(B) affirmatively consents to such collection and use.

(c) FACTORS.—In promulgating standards and rules under subsection (a), the Federal Trade Commission shall consider and take into account the following:

(1) The approach to the scope of such standards and the conduct to which such rules shall apply and the persons required to comply with such rules.

(2) The technical feasibility and costs of—

(A) implementing mechanisms that would meet such standards; and

(B) complying with such rules.

(3) Mechanisms that—

(A) have been developed or used before the date of the enactment of this Act; and

(B) are for individuals to indicate simply and easily whether the individuals prefer to have personal information collected by providers of online services, including by providers of mobile applications and services.

(4) That rules and standards should be publicized and offered to individuals.

(5) Whether and how information can be collected and used in an anonymous basis so that the information—

(A) cannot be reasonably linked or identified with a person or device, both on its own and in combination with other information; and

(B) does not qualify as personal information subject to the rules promulgated under subsection (a)(2).

(6) The standards under which personal information may be collected and used, subject to the anonymization or deletion requirements established under subsection (a)(1)—

(A) to fulfill the basic functionality and effectiveness of an online service, including a mobile application or service;

(B) to be authorized or performed by services requested by individuals who have otherwise expressed, via a mechanism that meets the standards promulgated under subsection (a)(1), a preference to meet the personal information collected; and

(C) for such other purposes as the Commission determines substantially facilitates the functionality and effectiveness of the online service, or mobile application or service, in a manner that does not undermine an individual’s preference, expressed via such mechanism, not to collect such information.

(d) RULEMAKING.—The Federal Trade Commission shall promulgate the standards and rules required by subsection (a) in accordance with section 553 of title 5, United States Code.

SEC. 3. ENFORCEMENT OF “DO-NOT-TRACK” MECHANISMS.

(a) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—


(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—Except as provided in subparagraph (C), the Federal Trade Commission shall enforce this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(B) PRIVILEGES AND IMMUNITIES.—Except as provided in subparagraph (C), any person who violates this Act shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) NONPROFIT ORGANIZATIONS.—The Federal Trade Commission shall enforce this Act with respect to an organization that is not organized to carry on business for its own profit or that of its members as if such organization were a person over which the Commission has authority pursuant to section 5(a)(1) or 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 45(a)(1) or 45(a)(2)).

(b) ENFORCEMENT BY STATES.—

(1) IN GENERAL.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by an action or practice subject to a rule promulgated under section 2(a)(2) in a practice that violates the rule, the attorney general of the State may, upon determining that the person is not in compliance with the rule, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States—

(A) to enjoin further violation of such rule by such person; and

(B) to compel compliance with such rule;

(C) to obtain damages, restitution, or other compensation on behalf of such residents;

(D) to obtain such other relief as the court considers appropriate; or

(E) to obtain civil penalties in the amount determined under paragraph (2).

(2) Civil Penalties.

(A) CALCULATION.—Subject to subparagraph (B), for purposes of imposing a civil penalty under paragraph (1), the amount determined under this paragraph is the amount calculated by multiplying the number of days after the date of the enactment of this Act the person is in violation of such rule by the amount not greater than $16,000.

(B) MAXIMUM TOTAL LIABILITY.—The total amount of civil penalties that may be imposed with respect to a person who violates a rule promulgated under section 2(a)(2) shall not exceed $15,000,000 for all civil actions brought against such person under paragraph (1).

(C) ADJUSTMENT FOR INFLATION.—Beginning on the date that is 1 year after the date of the enactment of this Act, and annually thereafter, the amounts specified in subparagraphs (A) and (B) shall be increased by the percentage increase in the Consumer Price Index published on that date from the Consumer Price Index published the previous year.

(3) RIGHTS OF FEDERAL TRADE COMMISSION.—

(A) NOTICE TO FEDERAL TRADE COMMISSION.—

(i) IN GENERAL.—Except as provided in clause (ii), the attorney general of a State shall notify the Federal Trade Commission in writing that the attorney general intends to bring a civil action under paragraph (1) by initiating the civil action.

(ii) CONTENTS.—The notification required by clause (i) with respect to a civil action shall include a copy of the complaint to be filed with the civil action.

(iii) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating the civil action, the attorney general shall notify the Federal Trade Commission immediately upon instituting the civil action.

(B) ATTORNEY GENERAL OF A FEDERAL TRADE COMMISSION.—The Federal Trade Commission may—

(I) intervene in any civil action brought by the attorney general of a State under paragraph (1); and

(II) upon intervening—

(A) be heard on all matters arising in the civil action; and

(B) file petitions for appeal of a decision in the civil action.

(4) INVESTIGATORY POWERS.—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(5) PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.—If the Federal Trade Commission institutes a civil action or an administrative action with respect to a violation of a rule promulgated under section 2(a)(2), the Federal Trade Commission or the Attorney General may, to the extent such rule is not inconsistent with the laws of the State, bring a civil action under this Act.

(6) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under paragraph (1) may be brought in—

(i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(ii) another court of competent jurisdiction.

(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(7) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other officer of a State who is authorized by the State to do so may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating any proceeding in a court of the State for a violation of any civil or criminal law of the State.
Not later than 2 years after the effective date of the regulations initially promulgated under section 2, the Federal Trade Commission shall—

(1) review the implementation of this Act;

(2) assess the effectiveness of such regulations, including how such regulations define “personal information” as such term is used in section 2;

(3) assess the effect of such regulations on online commerce; and

(4) submit to Congress a report on the results of the review and assessments required by this section.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mrs. BOXER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. DURBIN, Mr. FRANKEN, Mr. HARKIN, Mr. JOHNSON of South Dakota, Ms. KLOBUCAR, Mrs. MURRAY, Mr. ROCKEFELLER, Mr. SANDERS, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 419. A bill to limit the use of cluster munitions, to the Committee on Foreign Relations.

Mrs. FEINSTEIN. Mr. President, I rise today with my friend and colleague from Vermont, Senator LEAHY to introduce the Cluster Munitions Civilian Protection Act of 2013.

Our legislation places common sense restrictions on the use of cluster munitions. It prevents any funds from being spent to use cluster munitions that have a failure rate of more than one percent.

In addition, the rules of engagement must specify that the cluster munitions will only be used against clearly defined military targets; and will not be used where civilians are known to be present or in areas normally inhabited by civilians.

Our legislation also includes a national security waiver that allows the President to waive the prohibition on the use of cluster munitions with a failure rate of more than one percent, if he determines it is vital to protect the security of the United States to do so.

However, if the President decides to waive the prohibition, he must issue a report to Congress within 30 days on the failure rate of the cluster munitions used and the steps taken to protect innocent civilians.

Cluster munitions are large bombs, rockets, or artillery shells that contain up to hundreds of small submunitions, or individual “bomblets.” They are intended for attacking enemy weapons and armor formations spread over a half mile radius.

But, in reality, they pose a deadly threat to innocent civilians.

In Afghanistan, between October 2001 and November 2002, 127 civilians lost their lives due to cluster munitions, 70 percent of them under the age of 18.

An estimated 1,220 Kuwaitis and 400 Iraqi civilians have been killed by cluster munitions since 1991.

During the 2006 war in Lebanon, Israeli cluster munitions, many of them manufactured in the U.S., injured and killed 343 civilians.

Sadly, Syria is just the latest example.

According to Human Rights Watch, the Syrian military has used air-dropped and ground-based cluster munitions near or in civilian areas.

In October 2010, Taftanaz and Tamane reported that helicopters dropped cluster munitions on or near their towns. One resident told Human Rights Watch:

On October 9, I heard a big explosion followed by several smaller ones coming from Shelakh field located at the north of Taftanaz. We went to see what happened. We saw a big (bomb) cut in half and several (bomblets) that we estimated personally found one that was not exploded. There were small holes in the ground. The holes were dispersed and spread over 300 meters.

Another resident reported that an air-dropped cluster munitions released bombs that landed between two neighboring schools.

Last month, Human Rights Watch issued another report that Syrian forces used “notoriously indiscriminate” ground-based cluster munitions near Idlib and Latamneh, a town near Hama.

Not surprisingly, the residents of these towns also reported that many of the bomblets were dispersed over a wide area, failed to explode, and killed or maimed innocent civilians.

One resident of Latamneh told Human Rights Watch:

I heard a big explosion followed by smaller ones... I saw wounded people everywhere and small bomblets scattered. The damage caused to the buildings was minimal. I saw a lot of unexploded bomblets.

One civilian was killed during the attack and 15 more, including women and children, were wounded. Another civilian was later killed by an unexploded bomblet. One video shows a baby with shrapnel along his right arm.

Videos taken after the incident also show that the civilians who came across the munitions were unaware of the deadly power of an unexploded bomblet.

Men, and even children, can be seen handling these weapons as if they were toys or simply souvenirs from the war.

Now, the United States has rightly condemned the Syrian military’s use of cluster munitions against innocent civilians.

However, our moral leadership is hampered by the fact that we continue to maintain such a large arsenal of these deadly weapons and support continued resistance to international efforts to restrict their use.

In fact, the United States maintains an estimated 5.5 million cluster munitions containing 728 million submunitions. These bomblets have an estimated failure rate of between 5 and 15 percent.

According to the most recent data, only 30,900 of these 728 million submunitions have self-destruct devices that would reduce the impact of the bomblets.

That accounts for only 0.00004 percent of the U.S. arsenal.

So, the technology exists for the U.S. to meet the one percent standard, but our arsenal still overwhelmingly consists of cluster bombs with high failure rates.

How then, do we convince Syria not to use these deadly weapons?

While we wait, the international community has taken action.

On August 1, 2010, the Oslo Convention on Cluster Munitions—which would prohibit the production, use, and export of cluster munitions and requires signatories to eliminate their arsenals within eight years—formally came into force. To date, it has been signed by 111 countries and ratified by 77 countries.

This group includes key NATO allies such as Canada, the United Kingdom, France, and Germany, who are fighting alongside our troops in Afghanistan.

It includes 33 countries that have produced or used cluster bombs.

But it does not include the United States.

The United States chose not to participate in the Oslo process or sign the treaty.

This is unacceptable.

Instead, the Pentagon continues to assert that cluster munitions are “legitimate weapons with clear military utility in combat.”

Recognizing that the United States could not remain silent in the face of widespread international efforts to restrict the use of cluster munitions, Secretary of Defense Robert Gates issued a new policy on cluster munitions in June, 2008 stating that, after 2018, the use, sale, and transfer of cluster munitions with a failure rate of more than 1 percent would be prohibited.

This policy is a step in the right direction, but would still allow the Pentagon to use cluster bombs with high failure rates for five more years.

This runs counter to our values. I believe the administration should take another look at this policy.

In fact, on September 29, 2009, Senator LEAHY and I were joined by 14 of our colleagues in sending a letter to President Obama urging him to conduct a thorough review of U.S. policy on cluster munitions.

On April 14, 2010, we received a response from then National Security Advisor Jim Jones stating that the administration will undertake this review following the policy review on U.S. landmines policy.

The administration should complete this review without delay.

Until then, we are still prepared to use these weapons with well-known failure rates and significant risks to innocent civilians.

What does that say about us?

The fact is, cluster munition technologies already exist that meet the one percent standard. Why do we need to wait until 2018?

This delay is especially troubling given that in 2001, Secretaries of Defense William Cohen issued his own
policy on cluster munitions stating that, beginning in fiscal year 2005, all new cluster munitions must have a failure rate of less than one percent.

Unfortunately, the Pentagon was unable to meet this deadline and Secretary Gates’ policy essentially postpones any meaningful action until 2018.

If we do nothing, close to twenty years will have passed since the Pentagon first recognized the threat these deadly weapons pose to innocent civilians. We can do better.

First, it should be noted that in 2007, Congress passed, and President Bush signed into law, the FY 2008 Consolidated Appropriations Act, which included a provision that prohibits the sale and transfer of cluster bombs with a failure rate of more than one percent.

That ban has been renewed on an annual basis and remains on the books.

Our legislation simply moves up the Gates policy by five years and extends the ban on the sale and transfer of cluster munitions with high failure rates to our own arsenal.

For those of my colleagues who are concerned that it may be too soon to enact controls on the use of cluster munitions with failure rates of more than 1 percent, I point out again that our bill allows the President to waive this restriction if he determines it is vital to protect the security of the United States.

I would also remind my colleagues that the United States has not used cluster munitions in Iraq since 2003 and has observed a moratorium on their use in Afghanistan since 2002.

In conclusion, let me say that Senator Leahy and I remain as committed as ever to raising awareness about the threat posed by cluster munitions and to pushing the United States to enact common-sense measures to protect innocents. This body constantly talks about America’s moral leadership, and this is the perfect opportunity to exercise it.

Senator Leahy and I continue our efforts for people like Phongsavath Souliyalat.

Last year, former Secretary of State Hillary Rodham Clinton traveled to Laos and met Phongsavath, a 19-year-old Laotian man who lost his eye and his hands to a bomblet just three years before.

The bomblet that injured Phongsavath was dropped more than 30 years ago during the Vietnam War. It lay unexploded, a de facto landmine, until his 16th birthday.

Sadly, he is not alone. The U.S. dropped 270 million bomblets over Laos, and 30 percent failed to explode.

According to an article from the Los Angeles Times, civilians in one-third of Laos are threatened by unexploded ordnance, and only one percent of that area has been cleared.

Since the Vietnam War, more than 20,000 people have been killed or injured by these deadly weapons. All of them were innocent civilians that the United States did not intend to target.

After Phongsavath described the suffering of those who, like him, had been injured by unexploded bomblets, Secretary Clinton replied: “We have to do more.”

I agree wholeheartedly. As a first step, Congress should pass the Cluster Munitions Civilian Protection Act of 2013. I urge my colleagues to support this important initiative.

Mr. President, I am pleased to join with my friend from California, Senator Feinstein, in introducing the Cluster Munitions Civilian Protection Act of 2013. It is identical to the bill that she and I have introduced in prior years, and I commend her for her persistence on this important humanitarian issue.

I come to this issue having devoted much effort over many years to shining a spotlight on and doing what can be done to help innocent victims of war.

In the last century, and continuing into this new century, noncombatants increasingly have borne the brunt of the casualties in armed conflicts across the globe. Limiting the use of weapons that are inherently indiscriminate, that cause unacceptable collateral damage, and that have indiscriminate effects, such as cluster munitions, are tangible, practical, meaningful things we can do to reduce these unnecessary casualties.

Cluster munitions, like any weapon, have some military utility. But anyone who has seen the indiscriminate devastation that cluster munitions cause over wide areas understands the unacceptable threat they pose to noncombatants. These are not the laser-guided weapons the Pentagon showed destroying their targets during the invasion of Baghdad. To the contrary, Cluster munitions can kill and maim anyone within the 360 degree range of flying shrapnel.

There is the horrific problem of cluster munitions that fail to explode as designed and remain as active duds, like landmines, until they are triggered by whoever comes into contact with them. Often it is an unsuspecting child or a farmer.

Even now, in Laos today people are still being killed and maimed by millions of U.S. cluster munitions left from the 1970s. That legacy, resulting from years of secret bombing of a peaceful nation, posed no threat to the United States, contaminated more than a third of Laos’ agricultural land and cost countless innocent lives. It is shameful that we have contributed less in the past 35 years to clean up these deadly remnants of war than we spent in a few days of bombing.

Current law prohibits U.S. sales, exports and transfers of cluster munitions that have a failure rate exceeding 1 percent. The law also requires any sale, export or transfer agreement to include a requirement that the cluster munitions will be used only against military targets.

The Pentagon continues to insist that the United States should retain the ability to use millions of cluster munitions in its arsenal which have estimated failure rates of 5 to 20 percent. It has pledged to meet the 1 percent failure rate for U.S. use of cluster munitions in 2018.

Like Senator Feinstein I reject the notion that the United States can justify using antiquated weapons that so often fail, so often kill and injure innocent people including children, and which many of our allies have renounced. That is not the kind of leadership the world needs and expects from the United States. If we have learned anything from Afghanistan it is that harming civilians, even unintentionally, creates enemies among those whose support we need, and undermines the mission of our troops.

Senator Feinstein’s and my bill would apply the 1 percent failure rate to U.S. use of cluster munitions beginning in 2015. However, our bill permits the President to waive the 1 percent requirement if the President certifies that it is vital to protect the security of the United States. I would hope the Pentagon will recognize this as the best interest, and will work with us by supporting this reasonable step.

Since December 3, 2008, when the Convention on Cluster Munitions opened for signature in Dublin, at least 108 states have signed, including Great Britain, Germany, Canada, Norway, Australia and other allies of the United States. However, the Bush Administration did not participate in the negotiations that culminated in the treaty, and the Obama Administration has not signed it.

Some have dismissed the Cluster Munitions Convention as a pointless exercise, since it does not yet have the support of the United States and other powers such as Russia, China, Pakistan, India and Israel. These are some of the same critics of the Ottawa treaty banning antipersonnel landmines, which the United States and the other countries I named have also refused to sign. But that treaty has dramatically reduced the number of landmines produced, used, sold, and stockpiled—and the number of mine victims has fallen sharply. Any government that contemplates using landmines today does so knowing that it will be condemned by the international community. I suspect it is only a matter of time before the same is true for cluster munitions.

It is important to note that the United States today has the technological ability to produce cluster munitions that meet the requirements of our bill, as well as of the treaty. What is lacking is the political will to act.

There is no excuse for continuing to use cluster munitions that cause unacceptable harm to civilians. I urge the Obama administration to review its policy on cluster munitions and put the United States on a path to...
join the treaty as soon as possible. In the meantime, our legislation would be an important step in the right direction.

I want again to thank and commend Senator Feinstein, who has shown such passion and steadiness in raising the question of how to protect our citizens from these indiscriminate weapons.

By Mr. ALEXANDER (for himself, Mr. McCONNELL, Mr. COOKER, and Mr. PAUL):

S. 421. A bill to prohibit the Corps of Engineers from taking any action to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes; to the Committee on Environment and Public Works.

Mr. ALEXANDER. Mr. President, today I am introducing legislation along with Senator McCONNELL, Senator COOKER and Senator PAUL, to prevent the U.S. Army Corps of Engineers from restricting fishing rights in some of the best fishing areas in the States of Tennessee and Kentucky below 10 dams along the Cumberland River.

I have talked with the Corps several times about this. They have told me the only solution is legislation. I am hoping there is some other solution by reasonable compromise.

But I am taking the Corps’s advice. On Thursday, Congressman WhitFIELD, of Kentucky, introduced legislation on this matter, and so I am introducing similar legislation today.

I have also drafted language that could be included in an appropriations bill that would prevent the Corps of Engineers from using any funds to restrict fishing in what is called the tailwaters below these 10 Corps of Engineers dams on the Cumberland River.

Today I spoke with the Secretary of the Army, John McHugh. I urged him to have the Corps give Congress enough time to consider this matter, perhaps to work out something with the Corps by compromise or, if not, to pass legislation.

On Monday, I am meeting with the Assistant Secretary of the Army, Je- Ellen Darcy, who is in charge of the Corps of Engineers, to ask that the Corps stop taking any further action to build physical barriers along the Cum- berland River.

Earlier, I met with James DeLapp, the colonel who is the commander of the Nashville District. Then I met, along with Congressman WHITFIELD and Congressman COOPER of Nashville, TN, with MG Michael Walsh, who is the deputy commanding general. I have a number of meetings on this sub- ject, and I am determined to get some result, one way or the other.

I am delighted to have the Repub- lican leader, Senator McCONNELL, my colleague, Senator COOKER from Ten- nessee and Senator PAUL of Ken- tucky as cosponsors on the legislation.

One may say, with a large number of problems facing our country—from Iran to the sequester—why is a Sena- tor—in fact, four, and a number of Congressmen interested in fishing?

There are 900,000 Tennesseans who have fishing licenses, and one of my jobs is to represent them. I know and they know about some of the best fishing areas in our State.

This is an area where grandfathers and grandparents and granddaughters go on Saturdays and go during the week. There are lots of Tennesseans who consider these prize properties and their lands. These are public lands, and they feel they have a right to be there.

The problem is that the Corps of Engineers wants to erect physical barriers below the dams to keep the fishermen out of the area that is just below the dam.

The Corps’ goal is laudable. The goal is to improve safety, they say. We all support safety, but there are much better solutions than this.

Let me give an analogy. When you have a railroad crossing, you do not keep the gate down at the railroad crossing 100 percent of the time. The track is not dangerous if the train is not coming.

The water comes through these dams only 20 percent of the time, and the water is not dangerous if the water is not spilling through the dams. So if we kept the gate down at the railroad crossing 100 percent of the time, we would not be able to travel anywhere. That is the same sort of rea- soning we have here.

From Washington, the Department of the Army is saying they have a policy, which they have had since 1996—which they have never applied on the Cum- berland River—that suddenly they have decided, after all these years, they have to close the fishing area 100 percent of the time, even though it might be dangerous only 20 percent of the time.

I am not the only one who thinks this is an unreasonable policy.

Last week, I went to Old Hickory Dam, near Nashville. About 150 fisher- men were there with me on the banks of the Cumberland River. I met with the Corps officials. They turned the water on so I could see it spilling through the dam. Then they turned it off. I met with Ed Carter, the director of the Tennessee Wildlife Resources Agency. I met with Mike Butler, the chief of the Tennessee Wild- life Federation. I have talked with the Kentucky wildlife people and this is what they say. They think the Corps’ plans to improve safety are so unreasonable that the wildlife agencies will not even help them enforce it. But they say, on the other hand, there are reasons- ways to improve safety; that is, to treat the waters below the dam the way the Tennessee Valley Authority does, for example, which is to erect large signs, out of which already exist on Old Hickory Dam, and the sirens when the water is coming through. You could close the parking lot. You could patrol the area. There are lots of ways to put the gate down, in effect, on these fishing areas 20 percent of the time. That makes a lot of sense, and the local agencies are willing to help do that.

Our legislation makes clear that for purposes of this act, installing and maintaining sirens, strobe lights, and signage for alerting the public of haz- ardous waters shall not be considered a part of the prohibition. It makes no sense to take these public lands and say to people: Well, the lawyers came in and said we have to do this. Of course we need to be careful; however, being careful does not mean you keep the gate down over the railroad crossing 100 percent of the time, and it doesn’t mean you close the area to fishing 100 percent of the time when it is dangerous only 20 percent of the time.

I am also concerned about the $2.6 million the Corps needs to transfer from other parts of its budget to put up these physical barriers. Where is the money coming from? I thought we were in the middle of a big sequester, a big budget crunch. I thought we were out of money. One of the areas which has some of the most difficult problems to deal with is the Department of the Army. This is no time to be wasting money building barriers that the wild- life people in Tennessee and Kentucky, whose job it is to encourage boat safety, think are unreasonable.

I am doing what the Corps has said needs to be done, which is to provide legislation. I look forward to con- tinuing to work with the Corps of Engi- neers. My hope is that we can work out a reasonable solution with the wildlife agencies.

The county judges on both sides of the border are very involved in this. They see the economic benefit that comes from the large number of people who visit those areas for recreational purposes. They leave their dollars be- hind. This creates good jobs in Ten- nessee and Kentucky.

Basically, these are public waters. Tennessee and Kentucky fishermen ought to have access to them, and there shouldn’t be an edict from Wash- ington that puts the gate down the railroad crossing 100 percent of the time. I am going to do my best to see that doesn’t stand. I hope we can work it out, but if we cannot, I am glad to introduce this legislation with Senator McCONNELL, Senator COOKER, and Sen- ator PAUL. The same legislation is in the House of Representatives with Congress- man WHITFIELD. I look forward to my meeting Monday with the Assistant Secretary of the Department of the Army.

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

S. 421

Be it enacted by the Senate and House of Rep- resentatives of the United States of America in Congress assembled, That this Act may be cited as the “Freedom to Fish Act”:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Freedom to Fish Act”.
The number of garment factories plummeted from 450 to 10. The U.S. share of Nepalese garment exports dropped from 90 percent to 21 percent.

Despite Nepal's poverty and the collapse of the Nepalese garment industry, Nepalese garments are still subject to an average U.S. tariff of 11.7 percent and can be as high as 32 percent. In essence, we are penalizing an impoverished country which cannot afford this. I would point out that U.S. tariffs on Nepalese garments stand in contrast to the European Union, Canada, and Australia which allow Nepalese garments into their markets duty free.

It should come as no surprise then, that while the U.S. share of Nepalese garment exports has fallen, the European Union's share has risen from 18.14 percent in 2006 to 46 percent in 2010. The purpose of the Nepal Trade Preferences Act is to ensure that we provide Nepal with the same trade preferences afforded to it by other developed countries. No more, no less.

Humanitarian and development assistance programs should be critical components of our efforts to help Nepal.

But we should also help the Nepalese people help themselves and open the U.S. market to a once thriving export industry. In the end, economic growth and prosperity can be best achieved when Nepal is given the chance to compete and grow in a free and open global marketplace.

Success in that marketplace will lead to a lesser dependence on foreign aid and encourage Nepal to develop other viable export industries.

With this legislation, the United States can make a real difference now to help revitalize the garment industry in Nepal and promote economic growth and higher living standards.

The impact on the domestic industry will be minimal. At most, Nepalese garments have accounted for 0.26 percent of all garment imports in the United States generating $14 million in revenue.

Nepal will continue to be a small player in the U.S. market. But to allay any concerns that Nepalese garments will somehow flood the market, this bill does place sensible restrictions on the amount of garments that will receive duty free status. That amount will rise every year up to a specific percentage of all U.S. garment imports.

By passing this legislation, we will help ensure that the garment industry will be a big player in contributing to Nepal’s economic growth and development. This will be more jobs and a rising standard of living for the Nepalese people.

Let there be no doubt, it is my hope that this bill will also spur Nepal’s political parties to come together, resolve their differences, and finalize a new constitution. Lasting political stability is essential if Nepal is to fully realize the economic benefits of this legislation.

Almost 7 years ago, the Nepalese people embraced peace and reconciliation. Let us show our solidarity with them by demonstrating our commitment to the success of the peace process by passing this commonsense measure. I urge my colleagues to support the Nepal Trade Preferences Act.
ensuring that we help all of those in need.

In fact, this effort goes hand in hand with my long-standing support for a strong and effective foreign aid budget for the United States as an essential tool in helping lift these countries out of poverty and put them on the path to economic prosperity and political stability.

Especially in these difficult fiscal times, however, humanitarian and development assistance should not be the sum total of our efforts.

Make no mistake: these programs help stabilize poor and war-torn countries, save lives, and lay the foundation for future prosperity.

Yet, the key for sustained growth, jobs, and rising standards of living will be the ability of each of these countries to create vital export industries to compete in a free and open global marketplace.

It is clear that the textile and apparel industries in many of the Asia-South Pacific countries in this bill are those industries that hold out the best hope for export growth.

We should help these countries help themselves by opening the U.S. market to their exports as we have done for other developing countries in the past.

By doing so, we will demonstrate the best of American values: reaching out to neighbors in need and helping them to stand on their own two feet.

We will also help ourselves.

First, as these countries become more prosperous, we will see new opportunities for our own exports in their growing markets.

This, in turn, will create jobs and economic growth in our own country.

But if we maintain high tariffs on imports from the Asia-South Pacific countries, those opportunities will likely go to the European Union and other developed countries that already have trade preference programs for these countries.

We should not put ourselves at such a disadvantage.

Second, as the Asia-South Pacific countries become more stable politically, we will help protect U.S. national security interests by preventing failed states which could become breeding grounds for terror.

There is no doubt in my mind that the cost of lowering tariffs on imports and apparel imports, compared to 24 percent for China, and 72 percent for the rest of the world.

These countries will continue to be small players in the U.S. market, but the benefits of this legislation will have a major impact on their export economies.

By passing this legislation we will have an opportunity to change lives, protect our national security interests, and help the American consumer. We should seize this opportunity.

I respectfully ask for the support of all my colleagues for this important initiative.

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

Finally, at a time of economic uncertainty, by eliminating tariffs on imports from the Asia-South Pacific countries, this bill will help lower prices for the American consumers and provide them with more options.

It will also help the 3 million American workers whose jobs depend on apparel imports.

There is no doubt in my mind that the Asia-South Pacific Trade Preferences Act is a win-win for the U.S. and the Asia-Pacific countries.

Now, let me address some of the concerns that may be raised about this bill.

First, many of the Asia-Pacific countries have struggled in the past with corruption, a lack of democracy, human rights abuses, and the absence of rule of law.

Some may ask: why reward these countries with a trade preference program?

Make no mistake. These countries will not automatically receive the trade benefits provided by this legislation.

This legislation has been drafted to ensure that the benefits are granted on a performance-driven basis.

That is, to be eligible, a beneficiary country must demonstrate that it is making continual progress toward establishing rule of law, political pluralism, the right to due process, and a market-based economy that protects private property rights.

So, this legislation would help promote democracy, human rights, and the rule of law while sustaining vital export industries and creating employment opportunities.

The beneficiary countries have a clear incentive to stay on the right path or they will lose the benefits of this bill.

If we ignore any problems, we will sustain the status quo and our efforts will fail.

Finally, whenever we discuss the creation of a new trade preference program, understandable concerns are raised about the impact on domestic manufacturers.

If this bill becomes law, however, the impact on U.S. jobs will be minimal.

Currently, the beneficiary countries under this legislation account for only 4 percent of U.S. textile and apparel imports, compared to 24 percent for China, and 72 percent for the rest of the world.

These countries will continue to be small players in the U.S. market, but the benefits of this legislation will have a major impact on their export economies.

By passing this legislation we will have an opportunity to change lives, protect our national security interests, and help the American consumer.

We should seize this opportunity.

Resolved, That the Senate encourages the Navy to commission the USS Somerset (LPD-25) in Philadelphia, Pennsylvania.

SEC. 2. COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTS.

(a) General Authority.—In carrying out its powers, duties, and functions under the
Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Agriculture, Nutrition, and Forestry is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate; (2) to employ personnel; and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $3,787,685, of which amount—

(1) not to exceed $10,267, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $616, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 5. COMMITTEE ON THE BUDGET.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Budget is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate; (2) to employ personnel; and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $3,453,383.

SEC. 6. COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Commerce, Science, and Transportation is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate; (2) to employ personnel; and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $4,155,382.

SEC. 7. COMMITTEE ON ENERGY AND NATURAL RESOURCES.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate; (2) to employ personnel; and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $3,787,685, of which amount—

(1) not to exceed $10,267, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $616, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 8. COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Environment and Public Works is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate; (2) to employ personnel; and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $4,155,382.

SEC. 9. COMMITTEE ON FINANCE.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Finance is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate; (2) to employ personnel; and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $3,787,685, of which amount—

(1) not to exceed $10,267, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $616, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).
(2) to employ personnel; and
(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $75,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 12. COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, the Committee on Homeland Security and Governmental Affairs is authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration is authorized from March 1, 2013, through September 30, 2013, in its discretion—
(1) to make expenditures from the contingent fund of the Senate;
(2) to employ personnel; and
(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $3,866,195, of which amount—
(1) not to exceed $100,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and
(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 11. COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Health, Education, Labor, and Pensions is authorized from March 1, 2013, through September 30, 2013, in its discretion—
(1) to make expenditures from the contingent fund of the Senate;
(2) to employ personnel; and
(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $3,866,195, of which amount—
(1) not to exceed $75,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) INVESTIGATIONS.—
(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and
(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 10. COMMITTEE ON FOREIGN RELATIONS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, the Committee on Foreign Relations is authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, in accordance with its powers, duties, and functions under the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)); and
(2) not to exceed $5,833, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 13. COMMITTEE ON ENERGY AND NATURAL RESOURCES.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, and S. Res. 445, agreed to October 9, 2004 (as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration is authorized from March 1, 2013, through September 30, 2013, in its discretion—
(1) to make expenditures from the contingent fund of the Senate;
(2) to employ personnel; and
(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $5,074,429, of which amount—
(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and
(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) INVESTIGATIONS.—
(1) In General.—The committee, or any duly authorized subcommittee of the committee, is authorized to study or investigate—
(A) the efficiency and economy of operations of the Government in including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, or unethical practices, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government involved in the control and management of energy shortages including, but not limited to, their performance with respect to—
(i) the collection and dissemination of accurate statistics on fuel demand and supply; and
(ii) the implementation of effective energy conservation measures; and
(iii) the adequacy of present government programs in all forms; and
(iv) the coordination of energy programs with State and local government;
(v) control of exports of scarce fuels;
(vi) the management of tax, import, pricing, and other policies affecting energy supplies; and
(vii) the allocation of fuels in short supply by public and private entities;
(B) the management of energy supplies owned or controlled by the Government;
(C) the management of energy supplies owned or controlled by the Government;
(D) the management of energy supplies owned or controlled by the Government;
(E) the efficiency, economy, and effectiveness of all agencies and departments of the Government involved in the control and management of energy shortages including, but not limited to, their performance with respect to—
(i) the collection and dissemination of accurate statistics on fuel demand and supply; and
(ii) the implementation of effective energy conservation measures; and
(iii) the adequacy of present government programs in all forms; and
(iv) the coordination of energy programs with State and local government;
(v) control of exports of scarce fuels;
(vi) the management of tax, import, pricing, and other policies affecting energy supplies; and
(vii) the allocation of fuels in short supply by public and private entities;
(B) the management of energy supplies owned or controlled by the Government;
(C) the management of energy supplies owned or controlled by the Government;
(D) the management of energy supplies owned or controlled by the Government;
(E) the efficiency, economy, and effectiveness of all agencies and departments of the Government involved in the control and management of energy shortages including, but not limited to, their performance with respect to—
(i) the collection and dissemination of accurate statistics on fuel demand and supply; and
(ii) the implementation of effective energy conservation measures; and
(iii) the adequacy of present government programs in all forms; and
(iv) the coordination of energy programs with State and local government;
(v) control of exports of scarce fuels;
(vi) the management of tax, import, pricing, and other policies affecting energy supplies; and
(vii) the allocation of fuels in short supply by public and private entities;
(B) the management of energy supplies owned or controlled by the Government;
(C) the management of energy supplies owned or controlled by the Government;
(D) the management of energy supplies owned or controlled by the Government;
(E) the efficiency, economy, and effectiveness of all agencies and departments of the Government involved in the control and management of energy shortages including, but not limited to, their performance with respect to—
(i) the collection and dissemination of accurate statistics on fuel demand and supply; and
(ii) the implementation of effective energy conservation measures; and
(iii) the adequacy of present government programs in all forms; and
(iv) the coordination of energy programs with State and local government;
(v) control of exports of scarce fuels;
(vi) the management of tax, import, pricing, and other policies affecting energy supplies; and
(vii) the allocation of fuels in short supply by public and private entities;
(B) the management of energy supplies owned or controlled by the Government;
to the records and activities of any persons, corporation, or other entity.

(3) SPECIAL COMMITTEE AUTHORITY.—For the purposes of this subsection, the committee, solely authorized subcommittee of the committee, or its chairperson, or any other member of the committee or subcommittee designated by the chairperson is authorized, in its, his, her, or their discretion—

(A) to require by subpoena or otherwise the attendance of witnesses and production of correspondence, books, papers, and documents;

(B) to hold hearings;

(C) to sit and act at any time or place during the recesses, adjournments, and adjournment periods of the Senate;

(D) to administer oaths; and

(E) to take testimony, either orally or by sworn statement, or, in the case of staff members of the Committee and the Permanent Subcommittee on Investigations, by deposition in accordance with the Committee Rules of Procedure.

(4) AUTHORITY OF OTHER COMMITTEES.—Nothing contained in this subsection shall affect or impair the exercise of any other standing committee of the Senate, any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

(5) SUBPOENA AUTHORITY.—All subpoenas related legal processes of the committee and its subcommittee authorized under S. Res. 4, agreed to March 2, 2011 (112th Congress) are authorized to continue.

SEC. 13. COMMITTEE ON THE JUDICIARY.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXV of the Standing Rules of the Senate, the Committee on the Judiciary is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $2,124,020, of which amount—

(1) not to exceed $15,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $7,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 14. COMMITTEE ON RULES AND ADMINISTRATION.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $1,609,970, of which amount—

(1) not to exceed $30,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 15. COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Small Business and Entrepreneurship is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $1,524,917, of which amount not to exceed $15,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))).

SEC. 16. COMMITTEE ON VETERANS’ AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Veterans’ Affairs is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $15,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 17. SPECIAL COMMITTEE ON AGING.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions imposed by section 104 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by such section, the Special Committee on Aging is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $1,704,661, of which amount not to exceed $15,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))).

SEC. 18. SELECT COMMITTEE ON INTELLIGENCE.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under S. Res. 400, agreed to May 19, 1976 (94th Congress), and in exercising the authority conferred on it by such section, the Select Committee on Intelligence is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $3,739,220, of which amount not to exceed $15,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))).

SEC. 19. COMMITTEE ON INDIAN AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions imposed by section 105 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by such section, the Committee on Indian Affairs is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.
(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013—(1) In subsection (b) in an amount not to exceed $3,850,000, which shall be available for the period March 1, 2013, through September 30, 2013, in this subsection shall not exceed $1,304,696, of which amount—

(i) $1,000,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(ii) not to exceed $20,000, may be expended for training consultants of the professional staff of such committee (under procedures prescribed by section 202(i)) of that Act.

SEC. 20. SPECIAL RESERVE.

(a) ESTABLISHMENT.—Within the funds in the account “Expenses of Inquiries and Investigations” appropriated by the legislative branch appropriation Acts for fiscal year 2013, there is authorized to be established a special reserve to be available to any committee funded by this resolution as provided in subsection (b) in an amount not to exceed $3,850,000, which shall be available for the period March 1, 2013, through September 30, 2013.

(b) AVAILABILITY.—The special reserve authorized in subsection (a) shall be available to any committee—

(I) on the basis of special need to meet unpaid obligations incurred by that committee during the period referred to in subsection (a); and

(II) at the request of a Chairman and Ranking Member of that committee subject to the approval of the Chairman and Ranking Member of the Committee on Rules and Administration.

SEC. 21. SENATE NATIONAL SECURITY WORKING GROUP EXTENSION AND REVISION.

(a) WORKING GROUP RECONSTITUTION.—

(1) Senate National Security Working Group (in this section referred to as the “Working Group”), authorized by Senate Resolution 105 of the 101st Congress, 1st session (agreed to on April 13, 1989), as subsequently amended and extended, is hereby reconstituted.

(2) DUTIES.—The Working Group—

(A) shall serve as a forum for bipartisan discussion of current national security issues relating to the jurisdictions of multiple committees of the Senate;

(B) may receive regular meetings and maintain records of all meetings and activities;

(C) may authorize members to act as official representatives of the United States delegation to any negotiations to which the United States is a party regarding—

(i) the reduction, limitation, or control of conventional weapons, weapons of mass destruction, or the means for delivery of any such weapons;

(ii) the reduction, limitation, or control of missiles or missile warheads;

(iii) export controls;

(D) may study any issues related to national security that the majority leader of the Senate and the minority leader of the Senate jointly determine appropriate; and

(E) is encouraged to consult with parliaments and legislators of foreign nations and to participate in international fora and consultative forums and institutions regarding the matters described in subparagraphs (C) and (D); and

(F) is not authorized to investigate matters relating to intelligence operations against the United States, counterintelligence operations and activities, or other intelligence matters within the jurisdiction of the Committee on Intelligence under Senator Resolution 400 of the 94th Congress, agreed to on May 19, 1976.

(3) COMPOSITION.—

(A) IN GENERAL.—The Working Group shall be composed of 20 members, as follows:

(i) 7 Cochairmen, who shall head the Working Group;

(ii) 4 Members of the Senate from the majority party in the Senate (in this section referred to as the “Majority Cochairmen”), appointed by the majority leader of the Senate;

(iii) 3 Members of the Senate from the minority party in the Senate (in this section referred to as the “Minority Cochairmen”), appointed by the minority leader of the Senate;

(iv) 6 Members of the Senate from the majority party in the Senate, appointed by the majority leader of the Senate;

(v) 6 Members of the Senate from the minority party in the Senate, appointed by the minority leader of the Senate.

(B) ADMINISTRATIVE COCHAIRMEN.—The major party leader of the Senate shall designate one of the Majority Cochairmen to serve as the Majority Administrative Cochairman, and the minority leader of the Senate shall designate one of the Minority Cochairmen to serve as the Minority Administrative Cochairman.

(C) PUBLICATION.—Appointments and designations made under this paragraph shall be printed in the Congressional Record.

(4) VACANCIES.—Any vacancy in the Working Group shall be filled in the same manner in which the original appointment was made.

(b) WORKING GROUP STAFF.—

(1) COMPENSATION AND EXPENSES.—(A) The Working Group is authorized, from funds made available under subsection (c), to employ such staff of such committee, as the case may be, but the account from which such professional staff member is paid shall be reimbursed for the services of such professional staff member (including agency contributions when appropriate) by the funds made available under subsection (c)(2).

(B) DUTIES.—The professional staff members authorized by this paragraph shall serve as the Majority Cochairmen or the Minority Cochairmen, as appropriate, to carry out such other functions as their respective Cochairmen may specify.

(D) EXCLUSIVE PARTICIPATION IN OFFICIAL ACTIVITIES.—Except as provided in paragraph (4), only designated staff of the Working Group may participate in the official activities of the Working Group.

(3) LEADERSHIP STAFF.—

(A) IN GENERAL.—The majority leader of the Senate and the minority leader of the Senate may each designate 2 staff members who shall be responsible to the respective leader.

(B) COMPENSATION.—Funds necessary to compensate leadership staff shall be transferred from the funds made available under subsection (c)(3) to the respective account from which such designated staff member is paid.

(4) FOREIGN TRAVEL.—

(A) IN GENERAL.—All foreign travel of the Working Group shall be authorized solely by the majority leader of the Senate, upon the recommendation of the Administrative Cochairmen.

(B) EXPENSES.—(i) The Working Group shall be paid from the contingent fund of the Senate, out of the account of Miscellaneous Items, upon vouchers approved jointly by the Administrative Cochairmen (except that no reimbursement for foreign travel, (ii) not more than $180,000 shall be expended for staff and for expenses (excepting expenses incurred for foreign travel), of which not more than $100,000 shall be available for each Administrative Cochairman and the staff of such Administrative Cochairman and not more than $60,000 shall be available for each Cochairman who is not an Administrative Cochairman.

(C) PAYMENT OF EXPENSES.—(i) COMMITTEE STAFF.—No foreign travel or other funding shall be authorized by any committee of the Senate for the use of staff for activities described under this paragraph without the joint written authorization of the majority leader of the Senate and the minority leader of the Senate to the chairperson of such committee.

(ii) MEMBER STAFF.—No foreign travel or other funding shall be authorized for the use of any Member of the Senate, other than the working group staff, for activities described under this paragraph unless the majority leader of the Senate and the minority leaders of the Senate jointly so authorize in writing.

(D) AMOUNTS AVAILABLE.—(i) IN GENERAL.—The expenses of the Working Group shall be paid from the contingent fund of the Senate, out of the account of Miscellaneous Items, upon vouchers approved jointly by the Administrative Cochairmen (excepting expenses incurred for foreign travel, not to be required for the disbursement of salaries of employees who are paid at an annual rate).

(ii) AMOUNTS AVAILABLE.—For any fiscal year, not more than $500,000 shall be expended for staff and for expenses (excepting expenses incurred for foreign travel), of which not more than $100,000 shall be available for each Administrative Cochairman and the staff of such Administrative Cochairman, and not more than $60,000 shall be available for each Cochairman who is not an Administrative Cochairman and the staff of such Cochairman.

(3) LEADERSHIP STAFF.—In addition to the amounts referred to in paragraph (2), for any fiscal year, not more than $60,000 shall be expended from the contingent fund of the Senate, out of the account of Miscellaneous Items, for leadership staff as designated in paragraph (2).
S1035

February 28, 2013

CONGRESSIONAL RECORD—SENATE

 SENATE RESOLUTION 65—STREN- 
CHLY SUPPORTING THE FULL IM-
PLEMENTATION OF UNITED STATES AND 
INTERNATIONAL SANCTIONS ON IRAN AND 
URGING THE PRESIDENT TO CON-
TINUE TO STRENGTHEN EN-
FORCEMENT OF SANCTIONS LEG-
ISLATION

Mr. GRAHAM (for himself, Mr. 
MENENDEZ, Ms. AYOTTE, Mr. SCHUMER, 
Mr. CORNYN, Mrs. BOXER, Mr. RUBIO, Mr. 
CASEY, Mr. HOYER, Mr. GIU- 
BRAND, Mr. KIRK, Mr. BLUMENTHAL, Mr. 
CRAPO, Mr. CARDIN, Ms. COLLINS, Mr. 
BEGICH, Mr. BLUNT, Mr. BROWN, Mr. 
WYDEN, Mr. PORTMAN, Mr. MANCHIN, 
and Mr. LAUTENBERG) submitted the 
following resolution; which was 
referred to the Committee on Foreign 
Relations:

S. RES. 65

Whereas, on May 14, 1948, the people of 
Israel proclaimed the establishment of the 
sovereign State of Israel; 

Whereas, on March 28, 1949, the United States Government recognized the establish-
ment of the new State of Israel and estab-
lished full diplomatic relations; 

Whereas, since its establishment nearly 65 
years ago, the modern State of Israel has re-
built a nation, forged a new and dynamic democracy, created and contributed a thriving economic, political, cultural, and intellectual 
life despite the heavy costs of war, terror-
ism, and unjustified diplomatic and econ-
omic boycotts against the people of Israel; 

Whereas the people of Israel have estab-
lished a vibrant, pluralistic, democratic po-
litical system, including freedom of speech, 
association, and religion; and a vigorously free press; free, fair, and open elections; the rule 
of law; a fully independent judiciary; and 
other democratic principles and practices; 

Whereas since the 1979 revolution in Iran, 
the leaders of the Islamic Republic of Iran 
have repeatedly made threats against the ex-
istence of the State of Israel and sponsored 
terrorism and violence against its citizens; 

Whereas, on October 27, 2005, President 
Mahmoud Ahmadinejad called for a 
worldwide Zionist outgrowth that will disappear off the landscape of geography; 

Whereas, in February 2012, Supreme Leader 
of Iran Ali Khamenei said of Israel, “The Zi-
onist regime is a cancerous tumor on this 
region that should be cut off. And it defi-
itely will be cut off.”; 

Whereas, in August 2012, Supreme Leader 
Khamenei said of Israel, “This bogus and fake Zionist outgrowth will disappear off the United States and International 
Sanctions Legislation Section

SECTION 1. SENSE OF CONGRESS.

Congress—

(1) reaffirms the special bonds of friendship and cooperation that have existed between the United States and the State of Israel for more than sixty years and that enjoy over-
whelming bipartisan support of the American people and among the people of the United States;

(2) strongly supports the close military, in-
telligence, and security cooperation that has been pursued with Israel and urges this cooperation to continue and deep-
en;

(3) deprecates and condemns, in the strongest possible terms, the remarks and policies of the leaders of the Islamic Rep-
public of Iran threatening the security and existence of Israel;

(4) recognizes the tremendous threat posed to the United States, the West, and Israel by the Government of Iran’s continuing pursuit of a nuclear weapons capability;

(5) states that the United States is compelled to take military action in self-
defense; and

(6) reaffirms its strong support for the full implementation of United States and inter-
national sanctions on Iran and urges the President to continue and strengthen en-
forcement of sanctions legislation;

(7) declares that the United States has a vital national interest in, and unbreakable commitment to, ensuring the existence, sur-
vival, and security of the State of Israel, and reaffirms United States support for Israel’s right to self-defense; and

(8) urges that, if the Government of Israel 
is compelled to take military action in self-
defense, the United States Government

Whereas, on October 22, 2012, President 
Obama said of Iran, “The clock is ticking. . . . 
And we’re going to make sure that if they do 
not meet the demands of the international 
community, then we’re going to take all op-
tions necessary to make sure they don’t have 
a nuclear weapon.”;

Whereas, on May 19, 2011, President Obama 
stated, “Every state has self-defense, and 
Israel must be able to defend itself, by itself, against any threat.”;

Whereas, on September 21, 2011, President Obama 
asserted, “America’s commitment to Israel’s security is unshakeable. Our friend-
ship with Israel is deep and enduring.”;

Whereas, on March 4, 2012, President Obama 
observed, “And whenever an effort is 
made to delegitimize the state of Israel, my 
administration has opposed them. So there 
should not be a shred of doubt by now: when 
the chips are down, I have Israel’s back.”;

Whereas, on October 22, 2012, President Obama 
asserted, “Israel is a true friend. And if 
Israel is attacked, America will stand with 
Israel. I’ve made that clear throughout my 
presidency . . . . I will stand with Israel if 
they are attacked.”;

Whereas, in December 2012, 74 United States Senators wrote to President Obama—

(1) reaffirms its strong support for the full implementation of United States and international 
sanctions on Iran and urges this cooperation to continue and deepen;

(2) deprecates and condemns, in the strongest possible terms, the remarks and policies of the leaders of the Islamic Rep-
public of Iran threatening the security and existence of Israel;

(3) recognizes the tremendous threat posed to the United States, the West, and Israel by the Government of Iran’s continuing pursuit of a nuclear weapons capability;

(4) states that the United States is compelled to take military action in self-
defense; and

(5) reaffirms United States support for Israel’s right to self-defense; and

(6) reaffirms its strong support for the full implementation of United States and international 
sanctions on Iran and urges the President to continue and strengthen enforcement of sanctions legislation;

(7) declares that the United States has a vital national interest in, and unbreakable commitment to, ensuring the existence, survival, and security of the State of Israel, and reaffirms United States support for Israel’s right to self-defense; and

(8) urges that, if the Government of Israel is compelled to take military action in self-
defense, the United States Government

Whereas the Government of the Islamic Republic of Iran has provided weapons, train-
ing, and funding, and directed to terrorist 
groups, including Hamas, Hizbollah, and Shi-
ite militia, in their respective countries, and 
the murder of hundreds of United States 
service members and innocent civilians;

Whereas the Government of the Islamic Republic of Iran has provided weapons, train-
ing, and funding to the regime of Bashar al 
Assad that has been used to suppress and 
murder its own people; 

Whereas, on January 24, 2012, President Barack Obama 
issued a report that docu-
mented “serious concerns regarding possible 
military dimensions to Iran’s nuclear pro-
gram,” and affirmed that information was 
available to “prove” that “Iran has carried out activities relevant to the de-
velopment of a nuclear explosive device” and 
that some activities may be ongoing;

Whereas the Government of Iran stands in violation of the Universal Declaration of 
Human Rights for denying its citizens basic freedoms, including the freedoms of expres-
sion, religion, peaceful assembly and move-
ment, and for flagrantly abusing the rights 
of minorities and women;

Whereas the Government of Iran violates 
its full cooperation with the IAEA on all 
outstanding issues related to its nuclear ac-
tivities, particularly those concerning the possible military dimensions of its nuclear 
program;

Whereas the Government of Iran has refused to comply with United Nations Security Council resolutions or to fully cooperate with the IAEA;

Whereas, in November 2011, the IAEA Di-
rector General issued a report that docu-
mented “serious concerns regarding possible 
military dimensions to Iran’s nuclear pro-
gram,” and affirmed that information was 
available to “prove” that “Iran has carried out activities relevant to the de-
velopment of a nuclear explosive device” and 
that some activities may be ongoing;

Whereas the Government of Iran continues to publicly deny the existence of Israel;

Whereas, since 2006 demanding of the Government of the Islamic Republic of Iran its full and sus-
tained suspension of all uranium enrich-
ment-related activities and its full cooperation with the IAEA on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program;

Whereas the Government of the Islamic Republic of Iran is determined to prevent Iran from getting a 
nuclear weapon, and I will take no options 
determined to prevent Iran from getting a 
nuclear weapon, and I will take no options 
outside the chips are down, I have Israel’s back.”;

Whereas, on October 22, 2012, President Obama 
asserted, “Israel is a true friend. And if 
Israel is attacked, America will stand with 
Israel. I’ve made that clear throughout my 
presidency . . . . I will stand with Israel if 
they are attacked.”;

Whereas, in December 2012, 74 United States Senators wrote to President Obama—

(1) reaffirms its strong support for the full implementation of United States and international 
sanctions on Iran and urges this cooperation to continue and deepen;

(2) deprecates and condemns, in the strongest possible terms, the remarks and policies of the leaders of the Islamic Rep-
public of Iran threatening the security and existence of Israel;

(3) recognizes the tremendous threat posed to the United States, the West, and Israel by the Government of Iran’s continuing pursuit of a nuclear weapons capability;

(4) states that the United States is compelled to take military action in self-
defense; and

(5) reaffirms United States support for Israel’s right to self-defense; and

(6) reaffirms its strong support for the full implementation of United States and international 
sanctions on Iran and urges the President to continue and strengthen enforcement of sanctions legislation;

(7) declares that the United States has a vital national interest in, and unbreakable commitment to, ensuring the existence, survival, and security of the State of Israel, and reaffirms United States support for Israel’s right to self-defense; and

(8) urges that, if the Government of Israel is compelled to take military action in self-
defense, the United States Government
S1036

February 28, 2013

CONGRESSIONAL RECORD — SENATE

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, cadets for members of the Reserve Officers’ Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to the Department of Defense Military Retirement Fund, $12,529,469,000.

DIVISION B—DEPARTMENT OF DEFENSE

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. RULES OF CONSTRUCTION.

Nothing in this resolution shall be construed as an authorization for the use of force or a declaration of war.

S. RES. 66

Whereas dangerous asbestos fibers are invisible and cannot be smelled or tasted; Whereas the inhalation of airborne asbestos fibers can cause significant damage; Whereas asbestos fibers can cause cancer such as mesothelioma and asbestosis and other health problems; Whereas asbestos-related diseases can take 10 to 50 years to present themselves; Whereas the estimated survival time for those diagnosed with mesothelioma is between 6 and 24 months; Whereas, generally, little is known about late-stage treatment of asbestos-related diseases, and there is no cure for such diseases; Whereas early detection of asbestos-related diseases may give some patients increased treatment options and might improve their prognoses; Whereas the United States has substantially reduced its consumption of asbestos, yet continues to consume almost 1,100 metric tons of the fibrous mineral for use in certain products throughout the United States; Whereas asbestos-related diseases have killed thousands of people in the United States; Whereas exposure to asbestos continues, but safety and prevention of asbestos exposure are not significantly reducing the incidence of asbestos-related diseases and can further reduce the incidence of such diseases; Whereas asbestos has been a cause of occupational cancer; Whereas thousands of workers in the United States face significant asbestos exposure; Whereas thousands of people in the United States die from asbestos-related diseases every year; Whereas a significant percentage of all asbestos-related disease victims were exposed to asbestos on naval ships and in shipyards; Whereas asbestos was used in the construction of a number of office buildings and public facilities built before 1975; Whereas people in the small community of Libby, Montana, suffer from asbestos-related diseases, including mesothelioma, at a significantly higher rate than people in the United States as a whole; and Whereas the establishment of a “National Asbestos Awareness Week” will raise public awareness about the prevalence of asbestos-related diseases and the dangers of asbestos exposure: Now, therefore, be it

Resolved, That the Senate—

(1) designates the first week of April 2013 as “National Asbestos Awareness Week”; and

(2) urges the Surgeon General to warn and educate the public about the public health issues of asbestos exposure, which may be hazardous to their health; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Office of the Surgeon General.

AMENDMENTS SUBMITTED AND PROPOSED

SA 23. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 16, to provide for a sequester replacement; which was ordered to lie on the table.

SA 24. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 388, to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 23. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 16, to provide for a sequester replacement; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION B—DEPARTMENT OF DEFENSE

Military Personnel, Army

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers’ Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $40,157,392,000.

Military Personnel, Navy

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty, (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers’ Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $26,989,384,000.

Military Personnel, Marine Corps

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $12,529,469,000.

Military Personnel, Air Force

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets; for members of the Reserve Officers’ Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $12,529,469,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, and 10303 of title 10, United States Code, or while performing or a declaration of war.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 10303 of title 10, United States Code, or while serving on active duty under section 10211 of title 10, United States Code, in connection with performing duties specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duties, and expenses authorized by section 16131 of title 10, United States Code, and for payments to the Department of Defense Military Retirement Fund, $4,341,823,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duties specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code, and for payments to the Department of Defense Military Retirement Fund, $1,875,596,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duties specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for payments to the Department of Defense Military Retirement Fund, $559,621,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10302, and 10303 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duties specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for payments to the Department of Defense Military Retirement Fund, $1,728,550,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, travel, and related expenses for personnel of the Air Force National Guard while on duty under section 10211, 10302, or 12402 of
title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12310(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 1215(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, authorized by law, as authorized by the Chief, National Guard Bureau; for payments to the Department of Defense Military Retirement Fund, $8,085,077,000.

**TITLE II**

**OPERATION AND MAINTENANCE**

**OPERATION AND MAINTENANCE, ARMY**

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $33,804,145,000.

**OPERATION AND MAINTENANCE, NAVY**

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law, and not to exceed $14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $46,479,556,000.

**OPERATION AND MAINTENANCE, MARINE CORPS**

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $5,694,965,000.

**OPERATION AND MAINTENANCE, AIR FORCE**

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $34,983,793,000.

**OPERATION AND MAINTENANCE, DEFENSE-WIDE**

**(INCLUDING TRANSFER OF FUNDS)**

For expenses, not otherwise provided for, necessary for the operation and maintenance of active and Reserve Components of the Department of Defense (other than the military departments), as authorized by law, $31,331,839,000: Provided, That not more than $36,000,000 may be used for the joint non-materiel Command Initiative Fund authorized under section 166a of title 10, United States Code: Provided further, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: Provided further, That of the funds provided under this heading, not less than $36,480,000 shall be made available to the Joint Financial Management Initiative: Provided further, That $8,000,000 of the funds appropriated for the Army National Guard division, Air National Guard division, Air Force Reserve Command, and members in the Ready Reserve may be transferred to the Army Reserve and Air Force Reserve for use in support of the National Guard and Reserve Components of the Armed Forces, as authorized by law: Provided further, That the Secretary of Defense is authorized to transfer $5,000,000,000, as appropriated hereunder, to the Department of the Army for the Army National Guard and the Army Reserve, to be available for expenses for the operation and maintenance of the Army National Guard and the Army Reserve, including training, organizing, and administering, of the Army National Guard Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,246,982,000.

**OPERATION AND MAINTENANCE, AIR FORCE**

Reserve

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air National Guard Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,272,385,000.

**ENVIRONMENTAL RESTORATION, ARMY**

**(INCLUDING TRANSFER OF FUNDS)**

For the Department of the Army, $3,355,921,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such funds transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

**ENVIRONMENTAL RESTORATION, NAVY**

**(INCLUDING TRANSFER OF FUNDS)**

For the Department of the Navy, $3,507,000,000, to remain available until transferred: Provided, That the Secretaries of the Navy and the Marine Corps may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

**ENVIRONMENTAL RESTORATION, AIR FORCE**

**(INCLUDING TRANSFER OF FUNDS)**

For the Department of the Air Force, $3,260,000,000, to remain available until transferred: Provided, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such funds transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.
be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, AIR FORCE
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $529,263,000, to remain available until September 30, 2014, for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $11,133,000, to remain available until September 30, 2015, for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $297,595,000, to remain available until September 30, 2015, for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC ACTION

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Action programs of the Department of Defense (consisting of the programs provided under sections 166, 166a, 166b, and 2561 of title 10, United States Code), $108,759,000, to remain available until September 30, 2014.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate congressional authorization, to the governments of the former Soviet Union and of the United States, including assistance provided by contract or by grants, for facilitating the elimination of equipment and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and transportation, weapons components and weapons technology and expertise, and for defense and military contacts, $19,975,000, to remain available until September 30, 2015.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $720,000,000.

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, supplies, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,687,823,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, modification, and modernization of vehicles, including tactical, support, and non-tracked combat vehicles; and the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants; and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,624,381,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including armored combat vehicles; the purchase of armored combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants; and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,260,059,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $4,990,259,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $5,414,061,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $15,936,358,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF MUNITIONS, ARMY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,491,259,000, to remain available for obligation until September 30, 2015.
PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories thereof; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $6,170,286,000, to remain available for obligation until September 30, 2015.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and items of plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $7,008,348,000, to remain available for obligation until September 30, 2015.

PROCUREMENT, OTHER-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts thereof, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $17,008,348,000, to remain available for obligation until September 30, 2015.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be acquired or laid up in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, $564,371,000; Virginia Class Submarine, $3,217,601,000; Virginia Class Submarine (AP), $1,652,557,000; CVN Refueling Overhaul, $1,613,392,000; CVN Refueling Overhauls (AP), $70,010,000; DDG–1000, $839,222,000; DDG–85 Destroyer, $1,048,658,000; DDG–85 Destroyer (AP), $466,283,000; Littoral Combat Ship, $1,784,959,000; LPD–17 (AP), $583,355,000; Joint High Speed Vessel, $189,196,000; Moored Training Ship, $307,300,000; LCAC Service Life Extension Program, $15,614,855,000, to remain available for obligation until September 30, 2015.

For outfitting, post delivery, conversions, and first destination transportation, $309,916,000.

Completion of Prior Year Shipbuilding Programs, $372,573,000.

In all: $15,614,855,000, to remain available for obligation until September 30, 2017. Provided, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: Provided further, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: Provided further, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: Provided further, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment, and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the procurement and construction of motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and electronic and communication equipment, and ground

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and items of plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $17,008,348,000, to remain available for obligation until September 30, 2015.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 363 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $189,196,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, re-habilitation, lease, and operation of facilities and equipment, $2,485,388,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, OTHER WIDE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, re-habilitation, lease, and operation of facilities and equipment, $16,646,307,000, to remain available for obligation until September 30, 2014. Provided, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique operational requirements of the Special Operations Forces: Provided further, That funds appropriated for the development and performance of the V-22 may be used for the Cobra Judy program.
TITLE VI
OTHER DEPARTMENT OF DEFENSE PROGRAMS
DEFENSE HEALTH PROGRAM
For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, authorized by law, $32,240,788,000; of which $30,707,349,000 shall be for operation and maintenance, of which not to exceed 1 percent shall remain available until September 30, 2015, of which up to $15,954,952,000 may be available for contracts entered into under the TRICARE program; of which $586,462,000, to remain available for obligations incurred before September 30, 2015, shall be for procurement; and of which $1,026,977,000, to remain available for obligation until September 30, 2014, shall be for research, development, and testing, and evaluation.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE
For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,301,786,000, of which $635,643,000 shall be for operation and maintenance, of which no less than $53,948,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $22,214,000 for operations on military installations and $1,138,263,000, to remain available until September 30, 2014, to assist State and local governments; $18,592,000 shall be for procurement, to remain available until September 30, 2015; and of which $1,823,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and $647,351,000, to remain available until September 30, 2014, shall be for research, development, test and evaluation, of which $627,705,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICATION AND COUNTER-DRUG ACTIVITIES, DEFENSE (INCLUDING TRANSFER OF FUNDS)
For drug interdiction and counter-drug activities of the Department of Defense, for transfers to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code, for maintenance, of which no less than 90 percent shall be for procurement and for research, development, test and evaluation, $1,138,263,000; Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That the transfer authority provided under this heading shall be available for obligation beyond the current fiscal year, unless expressly provided herein.

Orvis and General
For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $332,921,000, of which $311,921,000 shall be for operation and maintenance, of which not to exceed $760,000 is available for emergencies and extraordinary expenses to be expended on the approval or authorization of the Inspector General; and payments may be made on the Inspector General’s certificate of necessity for confidential military purposes; of which $1,000,000, to remain available until September 30, 2015, shall be for procurement.

TITLE VII
RELATED AGENCIES
CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM ACCOUNT
For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT
For necessary expenses of the Intelligence Community Management Account, $542,346,000.

TITLE VIII
GENERAL PROVISIONS
SEC. 8001. No part of any appropriation contained in this division shall be used for publicity or propaganda purposes not authorized by the Congress.
SEC. 8002. During the current fiscal year, provided that the law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this division shall not be at an annual rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.
SEC. 8003. No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year, unless expressly provided herein.
SEC. 8004. No more than 20 percent of the appropriations in this division which are limited for obligation during the current fiscal year shall be obligable in the last 2 months of the fiscal year: Provided, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)
SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, the President, in consultation with the Secretary of Defense, and with the approval of the Office of Management and Budget, and not to exceed $5,000,000,000,000 of working capital funds of the Department of Defense, to be available in this division to the Department of Defense for military functions (except military construction) between such appropriations and the working capital fund thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That the transfer may not be used unless for higher priority items; and that unobligated balances, and to the extent necessary, such items for which funds are requested has been denied by the Congress: Provided further,
That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this division: Provided further, That funds in this section shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority unanticipated and unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested is identified with the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees, unless the Secretary of Defense certifies in writing to the Congress, Appropriations Act, for military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

Sect. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the table titled “Committee Recommended Adjustments to the Budgetary Authority and Outlays” regarding this division, the obligation and expenditure of amounts appropriated or otherwise made available in this division for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this division.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this division: Provided, That transfers of the amounts described in subsection (a) shall be included in the table for each appropriation with a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and (3) the identification of items of special congressional interest.

(b) Not later than 60 days after enactment of this division, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, and transfers necessary to appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and (3) an identification of items of special congressional interest.

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense, established pursuant to section 2208 of title 10, United States Code, may be maintained in order to preclude the Congress from determining prior to fiscal year 2013: Provided, That transfers may be made between such funds: Provided further, That transfers may be made in excess of the money appropriated by this division between working capital funds and the “Foreign Currency Fluctuations, Defense” appropriation and the “Operation and Maintenance” appropriation in a manner determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made if the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this division, funds in this division shall be used to reimburse a working capital fund to procure or increase the value of war reserve material inventory. Provided further, That the Secretary of Defense has not notified the Congress prior to any such obligation.

Sect. 8009. Funds appropriated by this division may not be used to initiate a special access procurement or to deliver notification 30 calendar days in advance to the congressional defense committees.

Sect. 8010. (a) None of the funds provided in this division shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have no objections at the time the proposed contract is awarded: Provided, That no part of any appropriation contained in this division shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government’s liability: Provided further, That no part of any appropriation contained in this division shall be available to initiate a multiyear procurement contract for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this division: Provided further, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: Provided further, That none of the funds provided in this division may be used for multiyear contracts awarded after the date of the enactment of this division unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond the amount for the current fiscal year in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered, and

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funds used for procurement of such unit:

(c) None of the funds provided in this division shall be available for the procurement of a commercial satellite system associated with those vessels: Provided, That the Secretary of Defense has notified the Congress prior to any such obligation.

Sect. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be used to pay for any humanitarian assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code. Such funds shall be reported as required by section 401(d) of title 10, United States Code: Provided, That funds available for operation and maintenance of vessels shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: Provided further, That upon a determination by the Secretary of Defense that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the use of medical facilities and personnel during that fiscal year without prior notification 30 days of the enactment of this division unless in the case of any such contract:

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond the amount for the current fiscal year in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered, and

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funds used for procurement of such unit:

(c) None of the funds provided in this division shall be available for the procurement of a commercial satellite system associated with those vessels: Provided, That the Secretary of Defense has notified the Congress prior to any such obligation.

Sect. 8012. (a) During the fiscal year 2013, the fiscal year 2014 budget request for the Department of Defense as well as all justifications and assessments supporting the fiscal year 2014 and 2015 budget requests shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were not in effect.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

Sect. 8013. None of the funds made available by this division shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

Sect. 8014. None of the funds made available by this division shall be available for basic pay and allowances of any member of the Army participating as a full-time student receiving benefits under section 1074 of title 38, United States Code, or the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund.
when time spent as a full-time student is credited toward completion of a service commitment: Provided, That this section shall not apply to those members who have reenlisted with a Mentor-Protégé Program or a Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this division solely for the purpose of implementing a Mentor-Protégé Program development assistance agreement pursuant to section 813 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this division.

SEC. 8016. None of the funds in this division may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States. For the purpose of this section, the term “manufactured” shall include cutting, heat treating, quality control, testing of chain and welds in the forging and shot peening or shot blasting process: Provided further, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components purchased or manufactured outside the United States; Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense may be used to demolitize or dispose of M–1 Carbines, M–1 Garand rifles, .30 caliber rifles, .30 carbine rifles, or M–1911 pistols, or to mutilate or destroy small arms ammunition or ammunition components that are not otherwise removed from service under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than $500,000 of the funds appropriated or made available in this division during any single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is in the best interest of the Government.

SEC. 8019. In addition to the funds provided elsewhere in this division, $15,000,000 is appropriated for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any small business owned and controlled by an individual or individuals defined under section 4221 (9) of title 25, United States Code, shall be considered a contractor for the purpose of determinations under the subcontract compensations provided in section 4221 (9) of title 25, United States Code, for the purpose of determining eligibility for any of the programs provided in this division, that in order to acquire capability for national security purposes: Provided further, That the Secretary of Defense shall, with the submission of the department’s fiscal year 2014 budget request, submit a report presenting the specific amounts of funds made available for each defense FFRDC during that fiscal year and the associated budget estimates.

SEC. 8020. Funds appropriated to any division for the Department of Defense May be used for any single relocation of a research and development center (FFRDC), either as a new entity, a similar entity of a defense FFRDC, and no such entity referred to previously in this subsection, not more than $1,125 staff years may be funded for the development or maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

SEC. 8021. (a) None of the funds appropriated in this division is available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no individual or individuals defined under section 4221 (9) of title 25, United States Code, shall be considered a contractor for the purpose of determining eligibility for any of the programs provided in this division, that in order to acquire capability for national security purposes: Provided further, That the Secretary of Defense shall, with the submission of the department’s fiscal year 2014 budget request, submit a report presenting the specific amounts of funds made available for each defense FFRDC during that fiscal year and the associated budget estimates.

SEC. 8022. For the purposes of this division, the term “congressional defense committees” means the Armed Services Committee of the Senate and the Committee on Appropriations of the House of Representatives, the Armed Services Committee of the House, the Committee of the Armed Services of the Senate, the subcommittee on Defense of the Committee on Appropriations of the House of Representatives, the House Appropriations Committee, and the Senate Appropriations Committee.

SEC. 8023. (a) None of the funds appropriated or made available in this division shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted in the United States; Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 4151, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: Provided further, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition is necessary for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of enactment of this Act;

SEC. 8024. (a) None of the funds appropriated or made available in this division shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted in the United States; Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 4151, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: Provided further, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition is necessary for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of enactment of this Act;

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no individual or individuals defined under section 4221 (9) of title 25, United States Code, shall be considered a contractor for the purpose of determining eligibility for any of the programs provided in this division, that in order to acquire capability for national security purposes: Provided further, That the Secretary of Defense shall, with the submission of the department’s fiscal year 2014 budget request, submit a report presenting the specific amounts of funds made available for each defense FFRDC during that fiscal year and the associated budget estimates.

SEC. 8025. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the modification, depot maintenance and repair of other national security related articles, through competition between Department of Defense depot maintenance activities and private firms: Provided, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) with the United States has engaged in a pattern of unfair acts that has caused serious injury to United States industry, and that the injury is being caused by foreign countries which are party to such an agreement, and that in order to acquire capability for national security purposes: Provided further, That the Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.
against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is an agreement that defines and describes an international agreement between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress for review and comment on the scope of the Department of Defense purchases from foreign entities in fiscal year 2013. Such report shall separately indicate the dollar value of items purchased with a prospective waiver of the Buy American Act that was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means chapter 83 of title 10, United States Code.


SEC. 8032A. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may waive, at any cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Washington, and relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted by an Indian tribe under the United States-Central America, Dominican Republic, and Haiti Free Trade Agreement Program Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Washington, and other similar threats; or

(c) As determined by the Secretary of the Army, the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to ensure that a new product or idea of a specific concern is given financial support: Provided, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been authorized by the Secretary, determines that the award of such contract is in the interest of the national defense.

SEC. 8033. (a) None of the funds appropriated by this division for programs of the Central Services Working Capital Fund during fiscal year 2014 shall be available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until expended: Provided, That any funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during fiscal year 2014 shall remain available until expended: Provided further, That any funds appropriated or transferred to the Central Intelligence Agency intervening in the development, acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act shall remain available until September 30, 2014.

SEC. 8033A. (a) Except as provided in subsections (b) and (c), none of the funds made available by this division may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of assignment remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the waiving of such limitations will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency establishing a new activity to minimize, mitigate, or eliminate the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats; or

(3) an Army field operating agency established to improve the effectiveness and efficiency of biometric activities and to integrate common biometric technologies throughout the Department of Defense.
most efficient and cost effective organization plan developed by such activity or function;

(2) The Competitive Sourcing Official determines that over all performance periods, the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function will be less cost to the Department of Defense by an amount that equals or exceeds the lesser of:

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) The contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

SEC. 8041. (a) The Department of Defense, without regard to subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any other provision of law, may by regulation, order, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Dea Civilian Rehabilitation Act (section 4003 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (b) of section 2461 of title 10, United States Code, for the conversion or outsourcing of commercial activities.

(RECISIONS)

SRC. 8040. Of the funds appropriated in Department of the Army Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

"Shipbuilding and Conversion, Navy, 2007/2018": DDG-51 Destroyer, $98,400,000;

"Shipbuilding and Conversion, Navy, 2007/2018": DDG-51 Destroyer Advance Procurements, $1,400,000;

"Shipbuilding and Conversion, Navy, 2007/2018": CVN Refueling Overhaul, $14,100,000;

"Procurement of Ammunition, Army, 2011/2013": $4,500,000;

"Other Procurement, Army, 2011/2013": $114,648,000;

"Aircraft Procurement, Navy, 2011/2013": $13,760,000;

"Shipbuilding and Conversion, Navy, 2011/2015": DDG-51 Destroyer, $231,300,000;

"Weapons Procurement, Navy, 2011/2013": $21,086,000;

"Aircraft Procurement, Air Force, 2011/2013": $83,400,000;

"Missle Procurement, Air Force, 2011/2013": $8,709,000;

"Other Procurement, Air Force, 2011/2013": $9,500,000;

"Operation and Maintenance, Defense Wide, 2012/XXXX": $21,000,000;

"Aircraft Procurement, Army, 2012/2014": $47,400,000;

"Other Aircraft Procurement, Army, 2012/2014": $41,606,000;

"Air Force Procurement, Navy, 2012/2014": $4,140,000;

"Shipbuilding and Conversion, Navy, 2012/2016": Littoral Combat Ship, $26,800,000;

"Shipbuilding and Conversion, Navy, 2012/2016": DDG-51 Destroyer, $83,000,000;

"Weapons Procurement, Navy, 2012/2014": $25,015,000;

"Other Procurement, Navy, 2012/2014": $4,800,000;

"Procurement of Ammunition, Navy and Marine Corps, 2012/2014": $50,703,000;

"Procurement, Marine Corps, 2012/2014": $335,301,000;

"Aircraft Procurement, Air Force, 2012/2014": $581,699,000;

"Missile Procurement, Air Force, 2012/2014": $14,800,000;

"Other Procurement, Air Force, 2012/2014": $55,800,000;

"Procurement, Defense Wide, 2012/2014": $56,100,000;

"Research, Development, Test and Evaluation, Army, 2012/2013": $8,000,000;

"Research, Development, Test and Evaluation, Navy, 2012/2013": $420,254,000;


SEC. 8041. None of the funds made available in this division shall be available for the purpose of authorizing positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are consistent with a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this division may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this division for operation and maintenance of the Military Departments, Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: Provided, That nothing in this section authorizes the Committee on Armed Services to waiving in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That this restriction shall not apply to the purchase of "computer hardware", as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. None of the funds in this division may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8048. None of the funds made available in any other Act that contains the restriction shall apply to the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources or budget of any program, project, or activity financed by this division to the jurisdiction of another Federal agency not financed by this division without the express authorization of Congress: Provided, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8049. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate, are notified 15 days in advance of such transfer.

(b) This section applies—

(1) to international peackeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the
United Nations Charter under the authority of a United Nations Security Council resolution; and
(2) any other international peacekeeping, peace enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:
(1) a description of the equipment, supplies, or services to be transferred
(2) a statement of the value of the equipment, supplies, or services to be transferred.

(d) The case of a proposed transfer of equipment or supplies—
(A) a statement of whether the inventory requirements for all elements of the Armed Forces, including any reserve components, for the type of equipment or supplies to be transferred have been met; and
(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8050. None of the funds available to the Department of Defense under this division shall be obligated or expended to pay a contractor under a contract with the Department of Defense if the amount paid by the contractor to an employee when—
(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor; and
(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than $500,000 of entitlements of appropriations made in this division under the heading “Operation and Maintenance, Defense-Wide” may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, for the pay of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2921 of title 10, United States Code.

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 8109, 8211, 8215, and 9404.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Secretary of Defense shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of the equipment under that subsection.

SEC. 8054. Using funds made available by this division or any other Act, the Secretary of Defense may, pursuant to a determination under section 1405(b)(8) of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserlautern Militia Community in the Federal Republic of Germany: Provided, That in the City of Kaiserlautern and at the Rhone Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: Provided further, That the Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are made to consider the use of United States coal as an energy source.

SEC. 8055. None of the funds appropriated in title IV of this division may be used to procure entitlements of appropriations for military forces for operational training, operational use or inventory requirements: Provided, That this restriction does not apply to items used by the Department of Defense for training, test and evaluation activities preceding and leading to acceptance for operational use: Provided further, That this restriction does not apply to programs funded under the National Intelligence Program: Provided further, That the Secretary of Defense may waive this restriction in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest of the United States.

SEC. 8056. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the use of Department of Defense funds and on the acquisition of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to the proposed sale would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—
(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and
(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing items included in section 11 (chapters 50-65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4232, 4233, 6401 through 6406, 6506, 7091 through 7094, 7219 through 7309, 7306.40, 7306.49 through 7508, 8105, 8106, 8109, 8211, 8215, and 9404.

SEC. 8057. (a) None of the funds made available by this division may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense determines that the release of credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been met; and
(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program under this section (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

SEC. 8058. None of the funds appropriated or made available by other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8059. Notwithstanding any other provision of law, funds appropriated in this division under the heading “Research, Development, Test and Evaluation, Defense-Wide” for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided to the congressional defense committees: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that it is in the national interest to do so.

SEC. 8060. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this division.

SEC. 8061. During the current fiscal year, none of the funds available to the Department of Defense may be used to support another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: Provided, That this restriction shall not apply if the department or agency is paid by law to provide support to such department or agency on a nonreimbursable basis, and is providing the required support pursuant to existing authorities.

SEC. 8062. The Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.
S. 8062. Notwithstanding section 1231(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 12306, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

S. 8063. None of the funds provided in this division may be transferred to any nongovernmental entity or entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demilitarize to the standards of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Munitions and Military Articles issued by the Department of State.

S. 8064. Notwithstanding any other provision of law, the Secretary of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration otherwise required under section 12310(b) of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

S. 8065. None of the funds appropriated by this division shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds resales (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia. The military installation location is provided: Provided, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the military installation is located: Provided further, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are contiguous with another State: Provided further, That alcoholic beverages other than wine and malt beverages sold by the drink on a military installation located in the District of Columbia shall be procured from the most competitive source, price and other factors considered.

INCLUDIING TRANSFER OF FUNDS

S. 8066. Of the amounts appropriated in this division under the heading—"Operation and Maintenance, Army", $131,381,000 shall remain available until expended: Provided, That any other provision of law, the Secretary of Defense is authorized to transfer funds to other activities of the Federal Government: Provided further, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects for which funds are provided in this section: Provided further, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: Provided further, That projects authorized by this section shall comply with applicable environmental laws to the maximum extent consistent with the national security, as determined by the Secretary of Defense: Provided, That section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 2009–279) shall remain available until expended in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2013.

INCLUDIING TRANSFER OF FUNDS

S. 8068. During the current fiscal year, not to exceed $200,000,000 from funds available under—"Operation and Maintenance, Defense, Army": Provided, That this transfer authority is in addition to any other transfer authority available under this division: Provided further, That the Secretary of Defense shall not fewer than 30 days prior to making transfers to the Department of State of $64,975,000, notify the congressional defense committees in writing with the source of funds and a detailed justification, execution plan, and timeline for each transfer: Provided further, That of this amount, $20,000,000 is hereby transferred to the Department of Defense: Provided further, That the Secretary of Defense shall not fewer than 30 days prior to making transfers to the Department of State of $64,975,000, notify the congressional defense committees in writing with the source of funds and a detailed justification, execution plan, and timeline for each transfer: Provided further, That of this amount, $20,000,000 is hereby transferred to the Department of Defense: Provided further, That the Secretary of Defense shall not fewer than 30 days prior to making transfers to the Department of State of $64,975,000, notify the congressional defense committees in writing with the source of funds and a detailed justification, execution plan, and timeline for each transfer:

INCLUDIING TRANSFER OF FUNDS

S. 8069. Of the amounts appropriated in this division under the headings—"Procurement, Defense-Wide" and "Research, Development, Test and Evaluation, Defense-Wide": $749,736,000 shall be for the Israel Cooperative Programs: Provided, That of this amount, $211,000,000 shall be for the Secretary of Defense to pay to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, $149,679,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which $39,206,000 shall be for production quantities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, treaties, agreed policies and procedures for an upper-tier component to the Israeli Missile Defense Architecture, and $44,365,000 shall be for the Arrow System Improvement Program (SRBM) program, including a long range, ground and airborne, detection suite: Provided further, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and purposes as the appropriation to which transferred: Provided further, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this division.

S. 8070. (a) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of U.S. Navy forces assigned to the Pacific Fleet: Provided, That none of the funds available to the Department of Defense may be obligated to modify command and control relationships to give U.S. Navy forces assigned to the Pacific Fleet operational and administrative control of C-130 and KC-135 forces assigned to the Pacific and European Air Force Command: Provided further, That the Secretary of Defense may provide for such indemnification as the Secretary determines to be necessary: Provided further, That projects authorized by this section shall comply with applicable environmental laws to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

S. 8071. Of the amounts appropriated in this division under the heading—"Shipbuilding and Conversion, Navy", $372,573,000 shall remain available until expended in fiscal year 2013, to fund prior year shipbuilding cost increases: Provided, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following in the amounts specified: Provided further, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which they are merged.

(1) Under the heading—"Shipbuilding and Conversion, Navy, 2007/2013": LHA Replacement Program $156,685,000;

(2) Under the heading—"Shipbuilding and Conversion, Navy, 2008/2013": LPD–17 Amphibious Transport Dock Program $80,888,000;

(3) Under the heading—"Shipbuilding and Conversion, Navy, 2009/2013": CVN Refueling Overhauls Program $135,000,000.

S. 8072. Funds appropriated by this division for defense education and training funds in this division, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for Fiscal Year 2013.

S. 8073. None of the funds provided in this division shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity until such program, project, or activity must be underwritten immediately in the interest of national security and only after written prior notification to the congressional defense committees.

S. 8074. The budget of the President for fiscal year 2014 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States programs identified as a Foreign Military Sales Program, a Foreign Military Construction Program, and a Foreign Cooperative Programs for contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: Provided, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: Provided further, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: Provided further, That these documents shall include budget exhibits OP–1 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

S. 8075. None of the funds in this division may be used for research, development, test, evaluation, procurement or deployment of weapons or weapons systems or in any way to provide funds or other assistance to any entity performing demilitarization services for the Department of Defense.

INCLUDIING TRANSFER OF FUNDS

S. 8076. In addition to the amounts appropriated or otherwise made available elsewhere in this division, $302,759,000 is hereby appropriated to the Department of Defense: Provided, That upon the determination of the
Secretary of Defense that it shall serve the national interest, he shall make grants in the amount specified as follows: $20,000,000 to the United Service Organizations.

SEC. 8083. The funds appropriated or made available in this division shall be used to reduce or disestablish the operation of the 33rd Weather Reconnaissance Squadron of the Air National Guard or, if that would reduce the WC-130J Weather Reconnaissance mission below the levels funded in this Division: Provided, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8079. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 602(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8080. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, adverse adjustments in ship construction program appropriated in law: Provided, That the Secretary may transfer not to exceed $100,000,000 under the authorities specified in subsections (b) and (c), to the Secretary of the Navy for the purpose of providing assistance to American shipbuilders, who may be obligated to provide assistance to foreign shipbuilders for the construction of foreign ships.

Provided further, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Congress.

SEC. 8081. For purposes of section 7008 of title 41, United States Code, any subdivision of appropriations made under the heading “Shipbuilding and Conversion, Navy” that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading “Shipbuilding and Conversion, Navy” appropriations in the current fiscal year or any prior fiscal year.

SEC. 8082. (a) None of the funds appropriated or made available for transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) may be used to support the US Army Robotics Program.

(b) The Army shall retain responsibility for and operational control of the MQ-1C Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8084. (a) Of the funds appropriated under the heading “Operation and Maintenance, Navy” may be used for the Asia-Pacific Regional Initiative Program for the purpose of establishing the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance and disaster relief, incremental and personnel costs of training and exercising with foreign security forces: Provided, That funds made available for this purpose may be used, notwithstanding any authority for humanitarian assistance, security assistance or combined exercise expenses: Provided further, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8085. For purposes of section 1533(b) of title 31, United States Code, any subdivision of appropriations made in this division under the heading “Shipbuilding and Conversion, Navy” shall be considered to be for the same purpose as any subdivision under the heading “Shipbuilding and Conversion, Navy” appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8086. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books:

(1) For procurement programs requesting more than $15,000,000 in any fiscal year, the budget exhibits for: P-3, Procurement; P-5, Cost Analysis; P-5a, Procurement History and Planning; P-21, Production Schedule; and P-40, Budget Item Justification.

(2) For research, development, test and evaluation programs requesting more than $5,000,000 in any fiscal year, the R-1, Research, Development, Test and Evaluation Program Budget Justification; R-3, Research, Development, Test and Evaluation Project Cost Analysis; and R-4, Research, Development, Test and Evaluation Program Schedule Profile.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8087. Notwithstanding any other provision of law, the Army may use up to $25,000,000 of funds appropriated for Operation and Maintenance, Army in this division for real property maintenance and repairs projects at Fort Drum, New York.

SEC. 8088. (a) Not later than 60 days after enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal years 2014: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President’s budget, as enacted by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level.

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this division may be transferred until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence submits to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8089. Of the funds appropriated in this Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, $20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: Provided, That the funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: Provided further, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8090. The Director of National Intelligence shall submit the budget and budget justification to Congress in this or any subsequent fiscal year, at or about the time that the President’s budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-year authorization, a future-year appropriation, a future-year emergency requirement, or a future-year emergency requirement. The budget and budget justification submitted to Congress that year shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8091. For the purposes of this division, the term “congressional intelligence committees” means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8092. The Department of Defense shall continue to report incremental contingency operation costs for Operation New Dawn and Operation Enduring Freedom on a monthly basis in the Cost of War Execution Report approved by the Office of the Under Secretary of Defense Financial Management and Comptroller in accordance with section 2493(d) of title 10, United States Code.

SEC. 8093. During the current fiscal year, not to exceed $11,000,000 from each of the appropriations made in title II of this division for “Operation and Maintenance, Army”, “Shipbuilding and Conversion, Navy”, and “Operation and Maintenance, Air Force” may be transferred by the military department concerned to its central fund establish by Public Law 106-398, “Fisher-Hakimi Act”, or the Secretary of Defense, in accordance to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8094. Funds appropriated by this division for operations and maintenance, and fiscal year 2014, may be transferred by the Secretary of the Army, and by the Secretary of the Navy, for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the Report of the Secretary in section 7205 of title 10, United States Code.

SEC. 8095. (a) Any agency receiving funds made available in this division, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or
any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report

(1) the public posting of the report

promises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall so only after such report has been referred to the respective Committee or Committees of Congress for no less than 45 days.

Sect. 8006. None of the funds appropriated or otherwise made available by this division may be expended for any Federal contract for an amount in excess of $1,000,000, unless the contractor agrees not to

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that

promises national security; or

waive the prohibition under subparagraph

(3) unless the Secretary of Defense, acting through the Office of the Secretary of Defense, the Inspector General, or the Deputy Secretary of Defense, authorizes it.

Sect. 8009. (a) From within the funds appropriated for operation and maintenance for the Defense Health Program in this division, the Secretary of Defense may transfer funds to外国的Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–34: Provided, That for purposes of section 170(b), the facility operations issued of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Lake Forest Clinic, and supporting facilities designated as a combined Federal medical facility as described by section 708 of Public Law 110–417: Provided further, That the additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees of both the House of Representatives and the Senate.

(b) None of the funds appropriated or otherwise made available by this division may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not less than necessary to avoid such harm.

The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall include an alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States.

Sect. 8007. None of the funds made available under this division may be distributed by the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

Sect. 8100. None of the funds appropriated or otherwise made available by this division may be obligated or expended to pay a retired general or flag officer to serve as a senior advisor to the Secretary of Defense unless such retired officer files a Standard Form 278 or successor form consistent with section 2634 of title 5, Code of Federal Regulations (eree of 5) to the Office of Government Ethics.

Sect. 8101. Appropriations available to the Department of the Navy may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $200,000 for any vehicle, and other purchase or other limitations applicable to the purchase of passenger carrying vehicles.

Sect. 8102. Of the amounts appropriated for “Operation and Maintenance, Defense-Wide”, $196,822,100 shall be available to the Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, to make grants, conclude cooperative agreements, and supplement other Federal funds, to remain available until expended, to assist the civilian population of Guam in response to the military buildup of Guam, for addressing the non-diplomatic civil aspects of such improvements: Provided, That the Secretary of Defense shall not fewer than 15 days prior to obligating funds for this purpose, notify the cognizant congressional committees of the details of any such obligation.

Sect. 8103. There is hereby established in the Treasury of the United States the “Ship Modernization, Operations and Sustainment Fund”. There is appropriated $2,382,100,000, for the “Ship Modernization, Operations and Sustainment Fund”, for obligation in fiscal year 2014 until September 30, 2014: Provided, That the Secretary of the Navy shall transfer funds from the “Ship Modernization, Operations and Sustainment Fund” to appropriations for military personnel; operation and maintenance; research, development, test and evaluation; and procurement, only for the purposes of naming, operating, sustaining, equipping and modernizing the Ticonderoga-class guided missile cruisers CG–61, CG–64, CG–67, CG–69, CG–70, CG–71, and CG–73, and the Whidbey Island-class dock landing ships LSD–41 and LSD–46: Provided further, That funds transferred shall be merged with and be available for the same time period as the appropriation to which they are transferred: Provided further, That the transfer authority provided herein shall be in addition to any other transfer author-ity available to the Secretary of Defense: Provided further, That the Secretary of the Navy shall, not less than 30 days prior to making any transfer from the “Ship Modernization, Operations and Sustainment Fund”, notify the congressional defense committees in writing of the details of such transfer.

Sect. 8104. Of the amounts made available in this division under the heading “Operation and Maintenance, Defense-Wide”, these shall be available until expended: Provided, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provisions of law, to make cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public school buildings in order to address capacity or facility condition deficiencies at such schools: Provided further,
That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with which the Secretary has the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: Provided further, That funds may not be made available under this Act unless the Secretary of Department of Defense-connected children is greater than 50 percent.

Sec. 8105. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories or possessions Khalid Sheikh Mohammed or any other detainee who—

1. is not a United States citizen or a member of the Armed Forces of the United States; and
2. is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

Sec. 8106. (a)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantanamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress a determination described in subsection (b) not later than 30 days before the transfer of the individual.

(b) A pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(c)(1) The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (A) or (B) of subsection (b)(1) or the pre-trial agreement entered in subsection (b) not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(d)(1) The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (A) or (B) of subsection (b)(1) or the pre-trial agreement entered in subsection (b) not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(e) An order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(f) A pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

Sec. 8108. None of the funds made available by this division may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony tax violation or is subject to a tax lien that has not been satisfied, for which all court judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

Sec. 8110. The Secretary of the Air Force shall obligate and expend funds previously designated by the Committee on Appropriations, the Committee on Armed Services, the Permanent Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives.
appropriate for the procurement of RQ-4B Global Hawk and C-27J Spartan aircraft for the purposes for which such funds were originally appropriated.


NATIONAL GUARD PERSONNEL, ARMED FORCES

For an additional amount for “National Guard Personnel, Air Force”, $10,473,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, $30,578,256,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, $41,088,360,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, $9,291,493,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROVIDED FURTHER, That such reimbursement may be made in such amounts as the Secretary of the Air Force may determine, with the concurrence of the Secretary of Defense, and in consultation with the Director of the Office of Management and Budget, in reduction of obligations of the federal government for military operations in support of Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn pending certification by the Secretary of Defense that such reimbursement is needed to carry out the policies of the United States and maintain a sufficient readiness for the national defense.

AFGHANISTAN INFRASTRUCTURE FUND

For an additional amount for “Afghanistan Infrastructure Fund (Including Transfer of Funds)”, $350,000,000, to remain available until
September 30, 2014: Provided, That such sums shall be available to the Secretary of Defense for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: Provided further, That the infrastructure referred to in the preceding proviso is in support of the counteringinsurgency strategy, which includes providing for facilities and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment: Provided further, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: Provided further, That any projects funded under this heading shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: Provided further, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of being available to the administrative authorities contained in that Act: Provided further, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: Provided further, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordination with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghanistan: Provided further, That any funds transferred to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: Provided further, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for Aircraft Procurement, Army, for remainder of fiscal year 2014, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for “Missile Procurement, Army”, $67,951,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for “Procurement of Weapons and Tracked Combat Vehicles, Army”, $15,422,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for “Procurement of Ammunition, Army”, $326,193,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for “Other Procurement, Army”, $66,377,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, NAVY

For an additional amount for “Procurement of Ammunition, Navy”, $79,044,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-Wide”, $362,749,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.
available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT
For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, $1,000,000,000, to remain available for obligation until September 30, 2015: Provided, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees a written report on the modernization priority assessment for their respective National Guard or Reserve component: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY
For an additional amount for “Research, Development, Test and Evaluation, Army”, $42,357,000, to remain available until September 30, 2015: Provided, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees a written report on the modernization priority assessment for their respective National Guard or Reserve component: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY
For an additional amount for “Research, Development, Test and Evaluation, Navy”, $52,519,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE
For an additional amount for “Research, Development, Test and Evaluation, Air Force”, $32,387,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS
DEFENSE WORKING CAPITAL FUNDS
For an additional amount for “Defense Working Capital Funds”, $1,12,387,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS
DEFENSE HEALTH PROGRAM
For an additional amount for “Defense Health Program”, $993,896,000, which shall be for operation and maintenance: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDISTION AND COUNTER-DUER ACTIVITIES, DEFENSE
For an additional amount for “Drug Interdiction and Counter-Dru Activities, Defe”, $469,025,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT IMPROVED EXPLOSIVE DEVI DEFEAT (INCLUDING TRANSFER OF FUNDS)
For the “Joint Improved Explosive De Device Defeat Fund”, $1,314,114,000, to remain available until September 30, 2015: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improved Explosive Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the identification and defeat of explosive devices: Provided further, That the Secretary of Defense may transfer funds provided here in to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That no additional authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not later than 15 days before making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

GENERAL PROVISIONS—THIS TITLE
SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated otherwise made available for the Department of Defense for fiscal year 2013.

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $1,000,000,000 between the appropriations or funds otherwise made available for the Department of Defense in this title: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: Provided further, That the funds authorized in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the conditions and limitations on the authority provided in the Department of Defense Appropriations Act, 2013.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, “Afghanistan Infrastructure Development Fund”, or the “Afghanistan Security Forces Fund” provided in this division and executed in direct support of overseas contingencies operations in Afghanistan, the United States shall be obligated at the construction contract is awarded: Provided, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase use by military personnel of the Department of Defense in the U.S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of $25,000 per vehicle and light armored vehicles for the physical security of personnel or for force protection pur poses up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed $200,000,000 of the amount appropriated in this title under the heading “Operation and Maintenance, Army” may be used, notwithstanding any other provision of law, for the Commander’s Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: Provided, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed $20,000,000: Provided further, That not later than 45 days after the end of each fiscal year, the Secretary shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: Provided further, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander’s Emergency Response Program in Afghanistan: Provided further, That not later than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature, and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with one or more non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or a third-party contributor to finance the sustainment of the project, including any other provision of law, to provide supplies, services, transportation, including airlift
and seafar, and other logistical support to coalition forces supporting military and stability operations in Afghanistan: Provided, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. Notwithstanding any other provision of law, up to $93,000,000 of funds made available in this title under the heading ‘‘Operations and Maintenance, Air Force’’ may be obligated and expended for purposes of the Task Force for Business and Stability Operations, subject to the direction and control of the Secretary of Defense, with concurrence of the Secretary of State, to carry out strategic business and economic assistance activities to support the Maritime Security of Open Oceans and Enduring Freedom: Provided, That not less than 15 days before making funds available pursuant to the authority provided in this section for activities that have a total anticipated cost of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed project.

SEC. 9012. From funds made available to the Department of Defense in this title under the heading ‘‘Operations and Maintenance, Air Force’’ up to $508,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and support, security, and facilities renovation and construction: Provided, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2013, the Secretary of Defense may leverage other resources and activities that may be carried out by the Office of Security Cooperation in Iraq, with the concurrence of the Secretary of State, including assisting Iraqi Ministry of Defense personnel to address gaps in capability of such personnel to manage defense-related institutions and integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and counter-terrorism: Provided further, That not later than October 30, 2012, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training and assistance activities that are needed after the end of fiscal year 2013, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): Provided further, That not less than 15 days before making funds available pursuant to the authority provided in this section for activities that have a total anticipated cost of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed project. 

SEC. 9013. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: (a) Other Procurement, Army, 2012/2013, $207,600,000; (b) Mine Resistant Ambush Protected Vehi- cule Fund, 2012/2013, $400,000,000; (c) Research, Development, Test and Evaluation, Air Force, 2012/2013, $3,000,000; (d) Afghanistan Security Forces Fund, 2012/ 2013, $1,000,000,000; (e) Joint Improvised Explosive Device Defeat Fund, 2012/2013, $1,690,000,000; (f) The Secretary of Defense, notwithstanding any other provision of law, may use, or authorize to be used, any other resource of the United States Government, including any non-standard equipment received in contravention of any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and support, security, and facilities renovation and construction: Provided, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2013, the Secretary of Defense may leverage other resources and activities that may be carried out by the Office of Security Cooperation in Iraq, with the concurrence of the Secretary of State, including assisting Iraqi Ministry of Defense personnel to address gaps in capability of such personnel to manage defense-related institutions and integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and counter-terrorism: Provided further, That not later than October 30, 2012, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training and assistance activities that are needed after the end of fiscal year 2013, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): Provided further, That not less than 15 days before making funds available pursuant to the authority provided in this section for activities that have a total anticipated cost of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed project.

SEC. 9014. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than $250,000: Provided, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Command, a Combatant Command, or a coalition, as determined in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

SEC. 9011. Notwithstanding any other provision of law, up to $93,000,000 of funds made available in this title under the heading ‘‘Operations and Maintenance, Air Force’’ may be obligated and expended for purposes of the Task Force for Business and Stability Operations.
performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $5,361,765,000.

TITLE II
OPERATION AND MAINTENANCE
OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $32,700,000,000, to be expended for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $33,304,145,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $14,804,000,000, to be expended for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $14,479,556,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $4,569,682,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,899,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $7,681,736,000.

OPERATION AND MAINTENANCE, DEFENDER-WIDE (INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities at the Department of Defense (other than the military departments), as authorized by law, $31,331,839,000: Provided, That not more than $30,000,000 may be used for the Commander Initiative Fund authorized by section 166a of title 10, United States Code: Provided further, That not to exceed $38,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes, $34,983,793,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air National Guard; repair of facilities and equipment; procurement of weapons, supplies, and equipment; and communications, $3,227,362,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD PERSONNEL, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organizing, and administrating the Air National Guard, in connection with operation and maintenance, and repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,174,079,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD PERSONNEL, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organizing, and administrating the Army National Guard, in connection with operation and maintenance, and repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,057,422,000.
things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including items of weapon systems or war materiel, which have been transferred from the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such funds may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, ARMY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $335,921,000, to remain available until transferred: Provided, That the Secretary of the Army, in determining which军 funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, NAVY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $319,594,000, to remain available until transferred: Provided, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, AIR FORCE (INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $529,263,000, to remain available until transferred: Provided, That the Secretary of the Air Force, shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such funds may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $11,133,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such funds may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES (INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $287,243,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid Program (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $198,759,000, to remain available until September 30, 2014.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories thereof; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government; and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,429,665,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories thereof; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government; and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,687,823,000, to remain available for obligation until September 30, 2015.
and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,624,380,000, to remain available for obligation until September 30, 2015.

**OTHER PROCUREMENT, ARMY**

For construction, procurement, production, and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $4,980,209,000, to remain available for obligation until September 30, 2015.

**FOR CONSTRUCTION, PROCUREMENT, PRODUCTION, AND INSTALLATION OF EQUIPMENT, APPLIANCES, AND MACHINE TOOLS IN PUBLIC AND PRIVATE PLANTS; RESERVE PLANT AND GOVERNMENT AND CONTRACTOR-OWNED EQUIPMENT LAYAWAY; AND OTHER EXPENSES NECESSARY FOR THE FOREGOING PURPOSES,** $719,154,000, to remain available for obligation until September 30, 2015.

**AIRCRAFT PROCUREMENT, NAVY**

For procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories thereof; specialized equipment of public and private plants, including the land necessary therefor; and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $16,996,358,000, to remain available for obligation until September 30, 2015.

**WEAPONS PROCUREMENT, NAVY**

For construction, procurement, production, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories thereof; expansion of public and private plants, including the land necessary therefor; and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,868,919,000, to remain available for obligation until September 30, 2015.

**PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS**

For construction, procurement, production, and modification of ammunition, and associated ordnance, ground guided systems and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,868,919,000, to remain available for obligation until September 30, 2015.

**PROCUREMENT, MARINE CORPS**

For expenses necessary for the procurement, modification, and modernization of missiles, armament, military equipment, spare parts, and accessories thereof; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor; and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $1,334,488,000, to remain available for obligation until September 30, 2015.

**PROCUREMENT, DEFENSE-WIDE**

For expenses of activities and agencies of the Department of Defense (other than the military departments) for procurement, production, and modification of equipment, supplies, materials, and spare parts, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government-owned equipment and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $4,146,375,000, to remain available for obligation until September 30, 2015.

**MISSILE PROCUREMENT, AIR FORCE**

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment; spare parts and accessories thereof; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government-owned equipment and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $4,146,375,000, to remain available for obligation until September 30, 2015.

**PROCUREMENT OF AMMUNITION, AIR FORCE**

For construction, procurement, production, modification of ammunition, and associated ordnance, not otherwise provided for; specialized equipment and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government-owned equipment and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $4,146,375,000, to remain available for obligation until September 30, 2015.

**PROCUREMENT, AIR FORCE**

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment; spare parts and accessories thereof; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government-owned equipment and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $4,146,375,000, to remain available for obligation until September 30, 2015.

**PROCUREMENT, AIR FORCE**

For construction, procurement, production, and modification of equipment (including ground guidance and control equipment, electronic and communication equipment), and supplies, materials, and spare parts thereof, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government-owned equipment and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $459,194,000, to remain available for obligation until September 30, 2015.

**OTHER PROCUREMENT, AIR FORCE**

For procurement and modification of equipment (including ground guidance and control equipment, electronic and communication equipment), and supplies, materials, and spare parts thereof, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government-owned equipment and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $459,194,000, to remain available for obligation until September 30, 2015.
therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $4,692,890,000, to remain available for obligation until September 30, 2015.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2099), $189,189,000, to remain available until expended.

TITLE IV
RESEARCH, DEVELOPMENT, TEST AND EVALUATION
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, re-habilitation, lease, and operation of facilities and equipment, $8,427,588,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, re-habilitation, lease, and operation of facilities and equipment, $16,646,307,000, to remain available for obligation until September 30, 2014: Provided, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique operational requirements of the Special Operations Forces: Provided further, That funds appropriated under this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, re-habilitation, lease, and operation of facilities and equipment, $25,374,286,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $18,419,129,000, to remain available for obligation until September 30, 2014: Provided, That of the funds made available in this paragraph, $300,000,000 for the Defense Rapid Innovation Program may only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation, and provide proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: Provided further, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary shall not, fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including maintenance, replacement, and operation of facilities and equipment which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $229,788,000, to remain available for obligation until September 30, 2014.

TITLE V
REVOLVING AND MANAGEMENT FUND
DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,516,181,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national needs of the United States, $697,460,000, to remain available until expended: Provided, That none of the funds provided in this paragraph shall be used in connection with procedures that provide for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreadsers for delivery: Provided further, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: Provided further, That the Secretary of the military department responsible for such procurement may waive the restrictions in this first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available at the Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That none of the funds provided in this paragraph shall be available for obligations which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes for which transferred, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this division.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,301,786,000, of which $635,843,000 shall be for operation and maintenance, of which no less than $35,948,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $32,214,000 for military installations and $3,734,000, to remain available until September 30, 2014, to assist State and local governments; $18,592,000 shall be for procurement, to remain available until September 30, 2015, of which $1,823,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and $19,592,000 shall be for research, development, test and evaluation, of which $627,765,000 shall only be for the Assembling Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE (INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $1,138,263,000: Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes of which transferred, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this division.

TITLES VII
RELATION AGENCIES
CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund: Provided, That none of the funds appropriated by this Act may be used for emergency or extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessary military purposes; of which $1,000,000, to remain available until September 30, 2015, shall be for procurement.

TITLES VIII
GENERAL PROVISIONS
SEC. 8001. No part of any appropriation contained in this division shall be used for publicity or propaganda purposes not authorizing the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of
compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted by the Secretary of Defense to noncivilian employees of the Department of Defense funded by this division shall not be at a rate in excess of the percentage increase authorized by law for federal civilian employees of the Department of Defense whose pay is computed under the provisions of section 3332 of title 5, United States Code, or at a rate less than 20 percent of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Energy employees and contractor employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980:

SEC. 8007. (a) Not later than 60 days after enactment of this division, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities in fiscal year 2013: Provided, That the report shall include—

(1) a delineation in the table for each appropriation by a separate column to display the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a table for each appropriation by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this division, none of the funds provided in this division shall be available for reprogramming or transfer until the report identified in subsection (a) has been submitted to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities in fiscal year 2013: Provided, That the report shall include:

(1) a delineation in the table for each appropriation by a separate column to display the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a table for each appropriation by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of the Navy, funds appropriated to the Navy in section 2208 of title 10, United States Code, may be maintained in only such cash balances in working capital funds of the Department of the Navy, funds appropriated to the Navy in section 2208 of title 10, United States Code, may be maintained in only such

SEC. 8009. Funds appropriated by this division may be used for a multiyear contract for which the economic buy compared to an annual procurement:

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of aircraft, that includes, for any aircraft:

(2) in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funds provided under this act;

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Provided further: That the report shall in—

SEC. 8010. (a) None of the funds provided in this division shall be available to initiate: (1) a multiyear contract that employs economic buy compared to an annual procurement to the value of $20,000,000 in any one year of the contract; and

(2) in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funds provided under this act;

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Provided further: That the report shall in—

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated for the purposes of this division to the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, for humanitarian and civic assistance costs under chapter 20 of title 10,
United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 2(b) of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: Provided, That in the case of any assistance to the Federated States of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8022. During the current fiscal year 2013, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justifications material and other documentation supporting the fiscal year 2014 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2014.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8031. None of the funds made available by this division shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8041. None of the funds appropriated by this division shall be available for the basic pay of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Veterans Affairs Education Benefits program when spent as a full-time student is credited toward completion of a service commitment: Provided, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1997: Provided further, That this section applies only to active components of the Army.

SEC. 8015. Funds appropriated in title III of this division for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this division solely for the purpose of implementing a Mentor-Protégé Program development assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this division.

SEC. 8046. None of the funds in this division may be available for the purchase by the Department of Defense (and its departments and agencies) of anchor chains. Mooring chains 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: Provided, That for the purpose of this section, the term ‘substantially manufactured’ means that more than 75 percent of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbine, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, 30 caliber rifles, 90 caliber rifles, 155 caliber artillery shells, 2.75 inch rockets, .50 caliber machine guns, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale: Provided further, That small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than $500,000 of the funds appropriated or made available in this division shall be used during a single fiscal year for any organization, unit, activity or function of the Department of Defense into or within the National Capital Region: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8019. In addition to the funds provided elsewhere in this division, $15,000,000 is appropriated only for incentive payments authorized under Defense Federal Acquisition Regulation Implementing Act of 1974 (25 U.S.C. 1544): Provided, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any small business or women-owned small business that is not otherwise prohibited from commercial sale, shall be credited toward completion of a service commitment or ammunition components that are not otherwise prohibited from commercial sale, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation owning a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustee, Travel Overseers, Applicant Review Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in any fiscal year: Provided, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Travel Regulatations when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the Department of Defense during fiscal year 2013 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, none of the funds available to the Department of Defense during fiscal year 2013, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: Provided, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: Provided further, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP) that are to be used for the defense FFRDC during that fiscal year and the associated budget estimates.
SEC. 8024. None of the funds appropriated or made available in this division shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned, facility owned by the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall not apply to any public or private steel plate: Provided further, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committee on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this division.

In purposes of this division, the term "congressional defense committees" means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the subcommittee on Defense of the Senate Appropriations Committee, and the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modifying of the property, the maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between the Department of Defense and foreign defense activities and private firms: Provided, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8027. None of the funds appropriated to the Department of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (1) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and another foreign country to which the Secretary of Defense has designated, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8030. None of the appropriations or funds provided under this division shall be used to purchase items having an investment item unit cost of not more than $250,000, except for funds appropriated in this division may be expended by an entity of the Department of Defense unilaterally, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8035. None of the funds appropriated by this division shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the agency responsible for the procurement determines—

(1) as a result of thorough technical evaluation, one source is found fully qualified to perform the proposed work;
(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and has been submitted in confidence by one source; or
(3) the purpose of the contract is to take advantage of significant and unique industrial capabilities and to insure that a new product or idea of a specific concern is given financial support:
Provided. That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or with a company which is a subsidiary or affiliate of the Department of Defense, who has been certified by the Senate, determines that the award of such contract is in the interest of the United States.

SEC. 8037. (a) Except as provided in subsections (b) and (c), none of the funds made available by this division may be used to—

(1) create a joint operating agency; or

(2) to the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned to perform any activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements for the performance of an activity or function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code); and

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act.

(3) the Department of Defense, or an Army field operating agency established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code); and

(b) the Competitive Sourcing Official determines, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)), that the conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, policy and is deemed to be awarded under the authority of, and in compliance with, subsection (b) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(SEC. 8039. (a) None of the funds appropriated in this title, other than funds appropriated in section 2304, may be used to enter into a contract; or participate in studies, research, development, test and evaluation, for any fiscal year, of a weapon system, major weapon system, or major weapon system program, unless the Secretary of the Army concurs in the decision of the Secretary of Defense that—

(1) the weapon system, major weapon system, or major weapon system program is determined to be a strategic weapon system or major weapon system program, as determined by the Secretary of the Army, who has concurred in the decision of the Secretary of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code); and

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act;

(2) the Competitive Sourcing Official determines, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)), that the conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, policy and is deemed to be awarded under the authority of, and in compliance with, subsection (b) of section 2304 of title 10, United States Code; and

(c) the conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, policy and is deemed to be awarded under the authority of, and in compliance with, subsection (b) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(SEC. 8040. SEC. 8040. None of the funds appropriated in this title, other than funds appropriated in section 2304, may be used to enter into a contract; or participate in studies, research, development, test and evaluation, for any fiscal year, of a weapon system, major weapon system, or major weapon system program, unless the Secretary of the Army concurs in the decision of the Secretary of Defense that—

(1) the weapon system, major weapon system, or major weapon system program is determined to be a strategic weapon system or major weapon system program, as determined by the Secretary of the Army, who has concurred in the decision of the Secretary of Defense that—

(A) the weapon system, major weapon system, or major weapon system program is determined to be a strategic weapon system or major weapon system program, as determined by the Secretary of the Army, who has concurred in the decision of the Secretary of Defense that—

(2) the Competitive Sourcing Official determines, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)), that the conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, policy and is deemed to be awarded under the authority of, and in compliance with, subsection (b) of section 2304 of title 10, United States Code; and

(c) the conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, policy and is deemed to be awarded under the authority of, and in compliance with, subsection (b) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(SEC. 8041. SEC. 8041. None of the funds available in this division may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposing civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are from or related to a direct reduction in military force structure.

(SEC. 8042. SEC. 8042. None of the funds appropriated or otherwise made available in this division for the purpose of being obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

(SEC. 8043. SEC. 8043. Funds appropriated in this division for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

(SEC. 8044. SEC. 8044. During the current fiscal year, none of the funds appropriated or otherwise made available in this division may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: Provided, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

(SEC. 8045. SEC. 8045. None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(SEC. 8046. SEC. 8046. None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(SEC. 8047. SEC. 8047. None of the funds appropriated by this division may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of
domestic origin: Provided, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense needs on a timely basis, and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That this restriction shall not apply to the purchase of “commercial items”, as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

S. 8047. None of the funds in this division may be used to finance any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

S. 8048. Funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this division to the jurisdiction of another Federal department or agency by the Department of Defense without the express authorization of Congress; Provided, That this limitation shall not apply to transfers of funds expressly provided for in defense Appropriations Acts for provisions of Acts providing supplemental appropriations for the Department of Defense.

S. 8049. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the Senate are notified 15 days in advance of such transfer. 

(b) This section applies to—
(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and
(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:
(1) description of the equipment, supplies, or services to be transferred;
(2) a statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—
(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and
(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

S. 8050. None of the funds available to the Department of Defense for the current fiscal year shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—
(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to such employee; and
(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

S. 8051. During the current fiscal year, no more than one appropriation made in this division under the heading “Operation and Maintenance, Defense-Wide” may be transferred to appropriations available for personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel with respect to wages, salaries, and other personnel benefits for which modernization in the Kaiserslautern Military Community in the Federal Republic of Germany may be used to support the provision of medical care for eligible foreign military personnel stationed at Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of foreign States costs associated with the use of United States anthracite as the base load energy for municipal district heat for the United States for that country.

S. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—
(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to such employee; and
(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

S. 8053. (a) Notwithstanding any other provisions of law, the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a case-by-case basis.

(b) The Secretary of Defense, in consultation with the Chief of the National Guard Bureau, may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a case-by-case basis.

S. 8054. None of the funds made available by this division may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, or where the necessary corrective steps have been taken.

S. 8055. None of the funds made available by this division may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has determined that such waiver is required by extraordinary circumstances.

S. 8056. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided by law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into by the United States and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2690 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Section (a) applies only to—
(1) contracts and subcontracts entered into on or after the date of the enactment of this Act and
(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation on the buying or contracting for personal property, food, or clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule of the United States, or any other Acts for the fiscal years 1990, 1991, 1992, 1993, 1994, and 1995.

S. 8057. (a) None of the funds made available by this division may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights or where the necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to the conduct of any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

Provided, That after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to...
the congressional defense committees de-
scribing the extraordinary circumstances, the purpose and duration of the training pro-
gram, the United States forces and the for-
eign involvement in the program, and the information relating to human rights violations that necessitates the way.

SEC. 8056. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Depart-
ment of Defense, including areas in such military family housing units, that are not designed for use by the Department of Defense or otherwise not used for the purpose of conducting official Department of Defense business.

SEC. 8059. Notwithstanding any other provi-
sion of law, the Secretary of Defense may certify in a by-case basis by certifying to the congress-
ional defense committees that it is in the na-
tional interest to do so.

SEC. 8060. The Secretary of Defense shall provide a classified quarterly report begin-
ing 30 days after enactment of this Act, to the House and Senate Appropriations Com-
mittees, Subcommittees on Defense on cer-
tain matters as directed in the classified annex accompanying this division.

SEC. 8061. Notwithstanding section 1231(b) of title 10, United States Code, a Reserve
force authorized by the National Guard Con-
mand (INCLUDING TRANSFER OF FUNDS) on full-time National Guard duty under sections 502(f) of title 32, United States Code, may perform duties in support of the ground-based "Global Security Contingency Fund', notify:

SEC. 8062. Notwithstanding section 1231(b) of title 10, United States Code, a Reserve
force authorized by the National Guard Con-
mand (INCLUDING TRANSFER OF FUNDS) on full-time National Guard duty under sections 502(f) of title 32, United States Code, may perform duties in support of the ground-based "Global Security Contingency Fund', notify:

SEC. 8063. None of the funds provided in
this division may be transferred to any non-
governmental entity armament held by the Department of Defense that has a center-
fire cartridge and a United States military nomenclature designation of "armor pene-
trating incendiary tracer (API-T)", or "armor-piercing incendiary tracer (API-T)", except to an entity performing demilitarization services for the Department of Defense under contracts that require the entity to demon-
strate to the satisfaction of the Depart-
ment of Defense that armor piercing projec-
tiles and components that are rendered inert by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of De-

the congressional defense committees de-
scribing the extraordinary circumstances, the purpose and duration of the training pro-
gram, the United States forces and the for-
eign involvement in the program, and the information relating to human rights violations that necessitates the way.

SEC. 8056. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Depart-
ment of Defense, including areas in such military family housing units, that are not designed for use by the Department of Defense or otherwise not used for the purpose of conducting official Department of Defense business.

SEC. 8059. Notwithstanding any other provi-
sion of law, the Secretary of Defense may certify in a by-case basis by certifying to the congress-
ional defense committees that it is in the na-
tional interest to do so.

SEC. 8060. The Secretary of Defense shall provide a classified quarterly report begin-
ing 30 days after enactment of this Act, to the House and Senate Appropriations Com-
mittees, Subcommittees on Defense on cer-
tain matters as directed in the classified annex accompanying this division.

SEC. 8061. Notwithstanding section 1231(b) of title 10, United States Code, a Reserve
force authorized by the National Guard Con-
mam (INCLUDING TRANSFER OF FUNDS) on full-time National Guard duty under sections 502(f) of title 32, United States Code, may perform duties in support of the ground-based "Global Security Contingency Fund', notify:

SEC. 8062. Notwithstanding section 1231(b) of title 10, United States Code, a Reserve
force authorized by the National Guard Con-
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governmental entity armament held by the Department of Defense that has a center-
fire cartridge and a United States military nomenclature designation of "armor pene-
trating incendiary tracer (API-T)", or "armor-piercing incendiary tracer (API-T)", except to an entity performing demilitarization services for the Department of Defense under contracts that require the entity to demon-
strate to the satisfaction of the Depart-
ment of Defense that armor piercing projec-
tiles and components that are rendered inert by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of De-

the congressional defense committees de-
scribing the extraordinary circumstances, the purpose and duration of the training pro-
gram, the United States forces and the for-
eign involvement in the program, and the information relating to human rights violations that necessitates the way.

SEC. 8056. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Depart-
ment of Defense, including areas in such military family housing units, that are not designed for use by the Department of Defense or otherwise not used for the purpose of conducting official Department of Defense business.

SEC. 8059. Notwithstanding any other provi-
sion of law, the Secretary of Defense may certify in a by-case basis by certifying to the congress-
ional defense committees that it is in the na-
tional interest to do so.

SEC. 8060. The Secretary of Defense shall provide a classified quarterly report begin-
ing 30 days after enactment of this Act, to the House and Senate Appropriations Com-
mittees, Subcommittees on Defense on cer-
tain matters as directed in the classified annex accompanying this division.

SEC. 8061. Notwithstanding section 1231(b) of title 10, United States Code, a Reserve
force authorized by the National Guard Con-
mam (INCLUDING TRANSFER OF FUNDS) on full-time National Guard duty under sections 502(f) of title 32, United States Code, may perform duties in support of the ground-based "Global Security Contingency Fund', notify:

SEC. 8062. Notwithstanding section 1231(b) of title 10, United States Code, a Reserve
force authorized by the National Guard Con-
mam (INCLUDING TRANSFER OF FUNDS) on full-time National Guard duty under sections 502(f) of title 32, United States Code, may perform duties in support of the ground-based "Global Security Contingency Fund', notify:

SEC. 8063. None of the funds provided in
this division may be transferred to any non-
governmental entity armament held by the Department of Defense that has a center-
fire cartridge and a United States military nomenclature designation of "armor pene-
trating incendiary tracer (API-T)", or "armor-piercing incendiary tracer (API-T)", except to an entity performing demilitarization services for the Department of Defense under contracts that require the entity to demon-
strate to the satisfaction of the Depart-
ment of Defense that armor piercing projec-
tiles and components that are rendered inert by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of De-

the congressional defense committees de-
scribing the extraordinary circumstances, the purpose and duration of the training pro-
gram, the United States forces and the for-
eign involvement in the program, and the information relating to human rights violations that necessitates the way.

SEC. 8056. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Depart-
ment of Defense, including areas in such military family housing units, that are not designed for use by the Department of Defense or otherwise not used for the purpose of conducting official Department of Defense business.

SEC. 8059. Notwithstanding any other provi-
sion of law, the Secretary of Defense may certify in a by-case basis by certifying to the congress-
ional defense committees that it is in the na-
tional interest to do so.

SEC. 8060. The Secretary of Defense shall provide a classified quarterly report begin-
ing 30 days after enactment of this Act, to the House and Senate Appropriations Com-
mittees, Subcommittees on Defense on cer-
tain matters as directed in the classified annex accompanying this division.

SEC. 8061. Notwithstanding section 1231(b) of title 10, United States Code, a Reserve
force authorized by the National Guard Con-
mam (INCLUDING TRANSFER OF FUNDS) on full-time National Guard duty under sections 502(f) of title 32, United States Code, may perform duties in support of the ground-based "Global Security Contingency Fund', notify:

SEC. 8062. Notwithstanding section 1231(b) of title 10, United States Code, a Reserve
force authorized by the National Guard Con-
mam (INCLUDING TRANSFER OF FUNDS) on full-time National Guard duty under sections 502(f) of title 32, United States Code, may perform duties in support of the ground-based "Global Security Contingency Fund', notify:

SEC. 8063. None of the funds provided in
this division may be transferred to any non-
governmental entity armament held by the Department of Defense that has a center-
fire cartridge and a United States military nomenclature designation of "armor pene-
trating incendiary tracer (API-T)", or "armor-piercing incendiary tracer (API-T)", except to an entity performing demilitarization services for the Department of Defense under contracts that require the entity to demon-
strate to the satisfaction of the Depart-
ment of Defense that armor piercing projec-
tiles and components that are rendered inert by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of De-
SEC. 8072. Funds appropriated by this division, or made available by the transfer of funds in this division, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the Intelligence Authorization Act for Fiscal Year 2013, (3) Under the heading ‘‘Shipbuilding and Conversion, Navy,’’ $135,000,000 is hereby appropriated for operation and maintenance, Navy, and may be transferred to do certain other things prescribed in this section (a) in the current fiscal year, (b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that this is necessary to meet operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8080. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law; Provided, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: Provided further, That the Secretary may not transfer any funds under the authority provided by this section until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to each of the congressional intelligence committees that such transfer is necessary for operational requirements of the Armed Forces.

SEC. 8089. Of the funds appropriated in the current fiscal year for research and development, test and evaluation projects requesting more than $15,000,000 in any fiscal year, the R–1, Research, Development, Test and Evaluation Budget Item Justification; R–2, Research, Development, Test and Evaluation Cost Analysis; R–3, Research, Development, Test and Evaluation Program Cost Analysis; and R–4, Research, Development, Test and Evaluation Program Schedule Profile.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8087. Notwithstanding any other provision of law, the Secretary of the Army may use up to $25,000,000 of funds appropriated for Operation and Maintenance, Army in this division for real property maintenance and repair projects and activities at Arlington National Cemetery.

SEC. 8088. (a) Not later than 60 days after enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: Provided, That the report shall include:

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation with a separate column to display the President’s budget request; and

(3) an identification of items of special congressional interest.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8089. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, $20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: Provided, That funds transferred under this provision may be made available for the same purposes and time period as the appropriation to which transferred: Provided

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further, That the Office of Management and Budget must approve any transfers made under this provision.

S. 8090. The Director of National Intelligence shall not make any transfers for intelligence operations except—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the individual personally certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, "covered subcontractor" means the entity that has a subcontract in excess of $1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor’s or subcontractor’s agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this section not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

S. 8097. None of the funds made available under this division may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

S. 8088. Provisions within the funds appropriated for operation and maintenance for the Defense Health Program in this division, up to $139,304,000, shall be available for transfers to the Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84: Provided, That for purposes of section 1704(b), the facility operations funded are operations of the integrated health care system at the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supported operations at a combined Federal medical facility as described by section 706 of Public Law 110-114: Provided further, That additional funds may be transferred under this section for the purpose of operation and maintenance for the Defense Health Program to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

S. 8099. (a) In this section the term ‘conference’ has the meaning given that term under section 300-3.1 of title 41, Code of Federal Regulations, or as amended.

(b) A grant or contract funded by amounts made available under this division may not be used for the purpose of defraying the cost of any conference that is not directly and programmatically related to the purpose of the program under which the grant or contract was awarded.

S. 8091. Except as provided in paragraph (3), the Department of Defense may not sponsor or host a conference for which the cost to the Department is expected to be more than $100,000 using amounts made available under this division, unless the Deputy Secretary of Defense approves sponsoring or hosting the conference.

2(A) Except as provided in subparagraph (B) or paragraph (3), the Department of Defense may not sponsor or host a conference for which the cost of the Department is expected to be more than $100,000 using amounts made available under this division.

(B) The Deputy Secretary of Defense may waive the prohibition under subparagraph (A) if the Deputy Secretary determines that it is in the interest of national security to spend more than $500,000 on a conference.

For purposes of a conference sponsored or hosted by the Office of the Inspector General of the Department of Defense, the Inspector General shall discharge the authorities and responsibilities of the Deputy Secretary of Defense under this subsection.

Not later than October 31, 2013, the Deputy Secretary of Defense shall provide a publicly available report of all Department—

(1) conferences during fiscal year 2013 where the cost to the Department is more than $100,000 using amounts made available under this division, which—

(A) shall include, for each such conference—

(i) the cost of the conference to the Department of Defense;

(ii) the location of the conference;

(iii) the date of the conference;

(iv) a brief explanation of how the conference advanced the mission of the Department of Defense;

(v) the total number of individuals whose travel expenses or other conference expenses were paid by the Department of Defense; and

(vi) any waiver made under subsection (c)(2)(B); and

(B) shall not include any confidential or similarly sensitive information.

S. 8100. None of the funds appropriated or otherwise made available by this division may be obligated or expended to pay a retired general or flag officer to serve as a senior level advisor to the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure) under subpart 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

S. 8101. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.
Office of Economic Adjustment of the Department of Defense, to make grants, conclude cooperative agreements, and supplement other Federal funds, to remain available until September 30, 2014: Provided, That the Secretary of the Navy shall transfer funds from the “Ship Modernization, Operations and Sustainment Fund” to appropriations for military personnel, operation and maintenance, research, development, testing and evaluation; and procurement, only for the purposes of manning, operating, sustaining, evaluation; and procurement, only for the Sustainment Fund”, to remain available until expended, to assist the civilian employees at such schools to comply with the terms of the cooperative agreements, and supplemental Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: Provided further, That in making such funds available, the Office of Economic Adjustment of the Department of Education shall give priority consideration to those military installations with schools having the most serious capacity or deficiency deficiencies determined by the Secretary of Defense: Provided further, That such funds shall not be made available to a school unless its enrollment of Department of Defense-connected children is greater than 50 percent.

Section 8106, None of the funds appropriated or otherwise made available in this section may be transferred, release, or assist in the transfer or release to or within the United States, its territories, or possessions, or any other foreign country or entity and any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress a certification, in unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary’s certifications:

(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this Act or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress a certification, in unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary’s certifications:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

Section 8106, None of the funds appropriated or otherwise made available in this section may be transferred, release, or assist in the transfer or release to or within the United States, its territories, or possessions, to the custody or control of any other foreign country or entity and any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress a certification, in unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary’s certifications:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

Section 8106, None of the funds appropriated or otherwise made available in this section may be transferred, release, or assist in the transfer or release to or within the United States, its territories, or possessions, to the custody or control of any other foreign country or entity and any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress a certification, in unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary’s certifications:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

Section 8106, None of the funds appropriated or otherwise made available in this section may be transferred, release, or assist in the transfer or release to or within the United States, its territories, or possessions, to the custody or control of any other foreign country or entity and any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress a certification, in unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary’s certifications:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

Section 8106, None of the funds appropriated or otherwise made available in this section may be transferred, release, or assist in the transfer or release to or within the United States, its territories, or possessions, to the custody or control of any other foreign country or entity and any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress a certification, in unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary’s certifications:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

Section 8106, None of the funds appropriated or otherwise made available in this section may be transferred, release, or assist in the transfer or release to or within the United States, its territories, or possessions, to the custody or control of any other foreign country or entity and any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress a certification, in unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary’s certifications:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

Section 8106, None of the funds appropriated or otherwise made available in this section may be transferred, release, or assist in the transfer or release to or within the United States, its territories, or possessions, to the custody or control of any other foreign country or entity and any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress a certification, in unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary’s certifications:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

Section 8106, None of the funds appropriated or otherwise made available in this section may be transferred, release, or assist in the transfer or release to or within the United States, its territories, or possessions, to the custody or control of any other foreign country or entity and any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress a certification, in unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary’s certifications:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

Section 8106, None of the funds appropriated or otherwise made available in this section may be transferred, release, or assist in the transfer or release to or within the United States, its territories, or possessions, to the custody or control of any other foreign country or entity and any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress a certification, in unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary’s certifications:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.
(ii) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

(3) The term ‘foreign terrorist organization’ shall be defined as set forth in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 8107. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, or acquire or possess any asset to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) (A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8108. None of the funds made available by this division may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has not been paid, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8109. None of the funds made available by this division may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the responsibility for collecting the tax liability, the awarding agency is aware of the unpaid Federal tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8110. The Secretary of the Air Force shall utilize and expend funds previously appropriated for the procurement of RQ-4 Global Hawk and C-27J Spartan aircraft for the purposes for which such funds were originally appropriated.

SEC. 8111. It is the Sense of the Senate that the next available capital warship of the U.S. Navy be named the USS Ted Stevens to recognize the service achievement, military service sacrifice, and undaunted heroism and courage of the long-serving United States Senator for Alaska.

TITLE IX
OVERSEAS CONTINGENCY OPERATIONS
MILITARY PERSONNEL
LIFE SAVINGS PERSONNEL, NAVY
For an additional amount for ‘‘Military Personnel, Army’’, $9,790,082,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for ‘‘Military Personnel, Navy’’, $8,969,625,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for ‘‘Military Personnel, Marine Corps’’, $1,623,356,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS
For an additional amount for ‘‘Military Personnel, Marine Corps’’, $1,623,356,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE
For an additional amount for ‘‘Military Personnel, Air Force’’, $1,286,783,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY
For an additional amount for ‘‘Reserve Personnel, Army’’ $156,893,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY
For an additional amount for ‘‘Reserve Personnel, Navy’’, $39,335,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS
For an additional amount for ‘‘Reserve Personnel, Marine Corps’’, $24,722,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for ‘‘Reserve Personnel, Air Force’’, $25,348,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE
For an additional amount for ‘‘Reserve Personnel, Air Force’’, $25,348,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for ‘‘National Guard Personnel, Army’’, $583,804,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for ‘‘National Guard Personnel, Air Force’’, $10,473,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY
For an additional amount for ‘‘National Guard Personnel, Army’’, $583,804,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for ‘‘National Guard Personnel, Air Force’’, $10,473,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.
OPMATION AND MAINTENANCE, ARMY Reserve

For an additional amount for “Operation and Maintenance, Army Reserve”, $154,537,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPMATION AND MAINTENANCE, NAVY Reserve

For an additional amount for “Operation and Maintenance, Navy Reserve”, $55,924,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPMATION AND MAINTENANCE, MARINE CORPS Reserve

For an additional amount for “Operation and Maintenance, Marine Corps Reserve”, $25,477,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPMATION AND MAINTENANCE, AIR FORCE Reserve

For an additional amount for “Operation and Maintenance, Air Force Reserve”, $120,618,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPMATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Army National Guard”, $382,448,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPMATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Air National Guard”, $19,975,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the “Afghanistan Security Forces Fund”, $5,149,167,000, to remain available until September 30, 2014: Provided, That such sums shall be designated by the Secretary of State, in coordination with the Secretary of Defense, to be used for the purpose of providing assistance to the government of Afghanistan, including the provision of equipment, supplies, services, training, facilities, infrastructure repair, renovation, and construction, for the purpose of supporting the counterinsurgency strategy in Afghanistan.

AFGHANISTAN INFRASTRUCTURE FUND

For the “Afghanistan Infrastructure Fund”, $350,000,000, to remain available until September 30, 2014: Provided, That such sums shall be used for the purpose of providing assistance to the government of Afghanistan, including the provision of equipment, supplies, services, training, facilities, infrastructure repair, renovation, and construction, for the purpose of supporting the counterinsurgency strategy in Afghanistan.

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for “Aircraft Procurement, Army”, $1,140,294,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for “Missile Procurement, Army”, $67,951,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for “Procurement of Weapons and Tracked Combat Vehicles, Army”, $15,422,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for “Procurement of Ammunition, Army”, $326,190,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OHTHER PROCUREMENT, ARMY

For an additional amount for “Other Procurement, Army”, $2,284,190,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for “Aircraft Procurement, Navy”, $426,436,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for “Weapons Procurement, Navy”, $23,500,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.
For an additional amount for "Procurement, Navy", $98,882,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", $32,357,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PRODUCTION, DEFENSE-WIDE

For an additional amount for "Defense Working Capital Funds", $3,467,964,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for "Office of the Inspector General", $97,000,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated otherwise made available or authorized by the Department of Defense for fiscal year 2013.

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary, with the approval of the Office of Management and Budget, shall transfer up to $1,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: Provided further, That the authority provided in this section in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2013.

SEC. 9003. Superintendence and administration costs associated with a construction project funded with appropriations available for operation and maintenance, "Afghanistan Infrastructure Fund", or the "Afghanistan Security Forces Fund" provided in this division and executed in this section, and all such administration costs include all in-house Government costs.
(2) To exercise United States control over any oil resource of Iraq.

(3) To establish a military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) From funds made available in this title under the heading “Operation and Maintenance, Air Force” up to $508,000,000 may be used by the Secretary of Defense to exercise United States control over any oil resource of Iraq and for any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction activities funded under the National Defense Authorization Act for Fiscal Year 2013, the operations and activities of the Office of Security Cooperation in Iraq, security assistance teams, and projects that may be carried out by the Office of Security Cooperation in Iraq, with respect to the Secretary of Defense, including any other CERP projects that may be carried out by the Office of Security Cooperation in Iraq, and security assistance teams.

SEC. 9012. From funds made available in this title for the Department of Defense in this title under the heading “Operation and Maintenance, Air Force” up to $508,000,000 may be used by the Secretary of Defense for any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction activities funded under the National Defense Authorization Act for Fiscal Year 2013, the operations and activities of the Office of Security Cooperation in Iraq, security assistance teams, and projects that may be carried out by the Office of Security Cooperation in Iraq, with respect to the Secretary of Defense, including any other CERP projects that may be carried out by the Office of Security Cooperation in Iraq, and security assistance teams.
Urban Affairs be authorized to meet during the session of the Senate on February 28, 2013, at 10 a.m., to conduct a hearing entitled “Addressing FHA’s Financial Condition and Program Challenges, Part II.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 28, 2013, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Delivery System Reform: Progress Report from CMS.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on February 28, 2013, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on February 28, 2013, at 10 a.m., in room SD-G50 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS’ AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on February 28, 2013, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 28, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, I see our majority leader on the floor. I will yield to him.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I appreciate very much my friend from Iowa allowing me to proceed.

I wish just to note for the record that I have only had two U.S. Senators visit me in my home in Searchlight. He is one of them.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that on Monday, March 4, 2013, at 5 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 15 and 16; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate’s action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S. RES. 64

Mr. REID. Madam President, I ask unanimous consent that on Tuesday, March 5, at a time to be determined by the majority leader, after consultation with the Republican leader, the Senate proceed to the consideration of Calendar No. 20, S. Res. 64; that the only amendment in order in the resolution be a Paul amendment striking provisions relative to the National Security Working Group; that there be up to 30 minutes of debate equally divided in the usual form on the Paul amendment; that upon the use or yielding back of that time, the Senate proceed to vote on the Paul amendment; that upon disposition of the Paul amendment, the Senate proceed to vote on adoption of the resolution, as amended, if amendable.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appoints the following Senator as a member of the Commission on Security and Cooperation in Europe (Helsinki) during the 112th Congress: the Honorable ROGER WICKER of Mississippi.

ORDERS FOR MONDAY, MARCH 4, 2013

Mr. REID. I ask unanimous consent that when the Senate complete its business today, it adjourn until 2 p.m. on Monday, March 4, 2013; that following the prayer and pledge, the morning hour be deemed expired, the journal of proceedings be approved and the time allotted to the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate proceed to a period of morning business until 5 p.m., with Senators permitted to speak up to 10 minutes each; further, that following morning business, the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, at 5:30 p.m. on Monday, there will be up to two rollovers on confirmation of the Chen and Faullin nominations for both U.S. district judge nominees for New York.

ORDER FOR ADJOURNMENT

Mr. REID. Madam President, there being no further business to come before the Senate, I ask unanimous consent that following the statement of the distinguished Senator from Iowa, Mr. HARKIN, the Senate adjourn under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa.

SEQUESTER

Mr. HARKIN. Madam President, we are now on the eve of the so-called sequester. Tomorrow, March 1, Federal agencies will begin making $85 billion in arbitrary, destructive budget cuts—cuts that economists tell us will damage our fragile economy and cost nearly 1 million jobs. This is a shame and it is shameful. This is yet another self-inflicted wound to our economy, and it is completely unnecessary.

For months, President Obama and Democrats in Congress have urged Republicans to join with us in negotiating a balanced package of spending cuts and revenue increases to head off this sequester. Regrettably, we have run up against the same old response from our Republican colleagues: obstruction, obstruction, obstruction—an adamant refusal to compromise. They reject the very idea of a balanced approach, insisting that all deficit reduction must come exclusively from cuts to spending and investment. Since they have not gotten their way, they are now willing to allow all the destructive impacts of the sequester to happen.

I am about to say what I believe this is all about, because it really is breathtaking. Republicans would rather allow our economy to lose up to a million jobs than to close a tax loophole that pays companies to move American jobs to foreign countries. They would rather risk jolting the economy back into recession than to close a tax loophole that allows hedge fund managers making hundreds of millions of dollars a year to pay a lower tax rate than middle-class families. It really is breathtaking.

I am deeply concerned about the arbitrary cuts to programs that undergird the middle class in this country—everything from medical research to education, from mass transit to critical mental health services.

Mr. REID. Madam President, I ask unanimous consent that following the statement of the distinguished Senator from Iowa, Mr. HARKIN, the Senate adjourn under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa.
education to food and drug safety. Earlier this week, the Director of the National Institutes of Health, Dr. Francis Collins, warned that the sequester would slash $1.6 billion from NIH’s budget, directly damaging ongoing research into cancer, Alzheimer’s, and other diseases.

Funding for special education would also suffer deep cuts, eliminating Federal support for more than 7,200 teachers, aides, and other staff who support our students with disabilities.

Funding for food safety would be severely impacted, resulting in thousands of fewer inspections, a slowdown in meat processing, costing jobs and endangering the safety of the public. The Food Safety and Inspection Service may have to furlough all employees for approximately 2 weeks, which could close down or severely restrict meatpacking plants around the country.

The list of destructive budget cuts goes on and on, and what many people may not understand is that these are just the latest cuts to spending and investment.

Over the past 2 years, the President and Congress have already agreed to $4 trillion in spending cuts, all from the discretionary side of the budget. These have been very dramatic spending reductions.

As I said earlier today, when we hear the Speaker of the House say he wants to do more, well, you see what he is doing is he is drawing an arbitrary starting line. His starting line is the first of this year. But you have to go back a year and a half to the Budget Control Act when, beginning with that, this Congress made $1.4 trillion in spending cuts—$1.4 trillion—and January we did $700 billion in revenues. So we are still $2 in cuts for every $1 in revenue. Yet the Speaker says we should have no more revenues, all spending cuts, to get up to our $4 trillion that is needed to stabilize our debt in this country. So that means he wants to have another $2.6—well, let me think about that; I have to add it up—it would be $1.9 trillion more in spending cuts.

Think about that, and think about it in terms of just one area that I know about firsthand in my capacity as chair of the Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies. That subcommittee has jurisdiction over spending for example, at the National Institutes of Health. Over the last 2 years, Congress has completely eliminated 65 programs under that jurisdiction, totaling $1.3 billion. What that means is no more funding for education technology, $100 million; no more funding for highly promising new proposals for more funding for creating smaller learning communities in high schools, another $88 million.

LIHEAP, the Low Income Home Energy Assistance Program, has been cut by $1.6 billion. That is a 30-percent cut—a 30-percent cut. That cut eliminates home heating and cooling assistance for 1.5 million low-income and elderly households in this country. That has already been done. The Speaker wants to do more. Maybe he wants to eliminate the entire LIHEAP program.

The administration’s signature education initiative, Race to the Top, has already been cut by a 20-percent cut. What is that we have done already. If we cut any more, you are really going to be destroying education initiatives in this country.

How about lead poisoning, childhood lead poisoning. It has been cut by 93 percent, from $230 million a year down to $2 million, meaning that the Centers for Disease Control and Prevention no more has any funding to test children for lead. And you know that if you get kids early, you can stop the deteriorating effects of lead poisoning. But now we are not even going to be testing these kids anymore.

National programs to keep our schools safe and drug free have been cut by two-thirds, from $191 million to $65 million.

As I said, national programs that keep schools safe and drug free are cut by two-thirds. I wonder how many people know that? I wonder how many people know that we cut that already by two-thirds.

Again, this list goes on and on with deep cuts to vital programs. I wish to emphasize, these are the cuts we have already made in the last 2 years. The sequester will cut them even further.

Fighting childhood lead poisoning, which we know continues on in this country, we know how it destroys kids and their future growth, and we know early intervention can alleviate that. Yet it has been cut by 93 percent. What are we going to do, cut it by another 7 percent? We just will not have any efforts at all to test kids for lead poisoning early on. The sequester will have very real consequences for the economy and for our society.

Finally, let me step back and put our discussion of this sequester in a broader perspective. By all means, we need to reduce deficits further, especially in the longer term. But I have questioned repeatedly the sort of obsessive, exclusive, almost borderline hysterical focus on budget deficits. Meanwhile, we are neglecting other urgent national priorities. How about the jobs deficit, the deficit in our investment in our infrastructure, the deficit in our investment in a strong, growing, middle class?

What we need is an approach to the budget that addresses all of these—reducing budget deficits, yes, but doing it in a way that allows us to strengthen the middle-class and middle-income foundation for future economic growth.

We also need to look at the demographic projection of our country as well as the challenges posed by globalization. Our Nation is growing older with the retiring baby boomers. This will dramatically increase government costs for health care and other services. We are also now in a global economy competing not only in manufacturing, but also services. We have the chance to raise the standards of education and training that equips our young people and workers for the jobs of the future.

In this broader context, what is the best way to address the resulting deficits? Do we just slash spending for education, slash spending for infrastructure, slash spending for research and discovery, sacrificing the investments we will need to grow our economy in the decades ahead? Do we just allow the destructive sequester to kick in, costing us jobs, cutting vital supports for middle-class Americans?

These are the destructive budget options which will take effect starting tomorrow if we fail to act. This is why I urge colleagues to reach out their hand to close the deal.

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controllers begin to be furloughed because they don't have enough money and air traffic begins to slow down in New York and Chicago and Washington, DC, and Atlanta.

It is always true that in times such as these, when we have these kinds of crises facing us, who gets hurt first and the most are the people at the bottom rung of the ladder, kids with disabilities, families who need some heating assistance in the middle of the winter, elderly people who may need some Meals On Wheels delivered to their homes.

These are always the people who get hit first and the hardest. We can't forget our societal obligations as a Congress to make sure their needs are met also. We can't turn a blind eye and a deaf ear to the needs of people in our society who don't have anything anyway. We can't throw them out in the cold. We can't let our children be denied Head Start programs or adequate child care programs. This is not befitting a great and wonderful society such as America.

I am hopeful with a meeting in the White House tomorrow—as I know it is not just a photo opportunity—we will hear from the Speaker of the House that, yes, we need a balanced approach, and we are willing to take that balanced approach. If they do that, we can get this settled within the next few days and then move ahead.

So that is my hope for tomorrow. And I hope, again, we will see some forthcoming on the part of Republicans that they are indeed willing to compromise.

Madam President, I yield the floor.

ADJOURNMENT UNTIL MONDAY, MARCH 4, 2013, AT 2 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until Monday, March 4, 2013, at 2 p.m.
EXTENSIONS OF REMARKS

HON. ADAM B. SCHIFF
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. SCHIFF. Mr. Speaker, this week marks the twenty-fifth anniversary of the pogrom against people of Armenian descent in the town of Sumgait, Azerbaijan. The three-day massacre in the winter of 1988 resulted in the deaths of scores of Armenians, many of whom were burnt to death after being brutally beaten and tortured. Hundreds of others were wounded. Women and girls were brutally raped. The carnage created thousands of ethnic Armenian refugees, who had to leave everything behind to be looted or destroyed, including their homes, cars and businesses.

These crimes, which were proceeded by a wave of anti-Armenian rallies throughout Azerbaijan, were never adequately prosecuted by Azerbaijan authorities. Many who organized or participated in the bloodshed have gone on to serve in high positions on the Azerbaijani government. For example, in the days leading up to the massacre, a leader of the Communist Party of Azerbaijan, Hidayat Orujev, warned Armenians in Sumgait, "If you do not stop campaigning for the unification of Nagorno Karabakh with Armenia, if you do not sober up, 100,000 Azeris from neighboring districts will break into your houses, torch your apartments, rape your women, and kill your children." In a cruel twist, Orujev went on serve as Azerbaijani's State Advisor for Ethnic Policy and later as head of State Committee for Work with Religious Organizations.

The Sumgait massacres led to wider reprisals against Azerbaijan's ethnic minority, resulting in the virtual disappearance of Azerbaijan's 450,000-strong Armenian community, and culminating in the war launched against the people of Nagorno Karabakh. That war resulted in almost 30,000 dead on both sides and created more than one million refugees in both Armenia and Azerbaijan.

In the years since the fighting ended, the people of Artsakh, the region's ancestral name, have struggled to build a functioning democratic state in the midst of unremitting hostility and threats from Azerbaijan, as well as sniper fire and other incursions across the Line of Contact between the two sides. Hatred towards Armenians is both inculcated and taught in schools and celebrated in Azeri youth, as exemplified by the case of Ramin Safarov, an Azerbaijani army captain who had confessed to the savage 2004 axe murder of Armenian army lieutenant Gurgen Margaryan, while the latter slept. At the time, the two were participating in a NATO Partnership for Peace exercise in Budapest, Hungary. After the murder, Safarov was sentenced to life in prison by a Hungarian court and imprisoned in Hungary.

Last August Safarov was sent home to Azerbaijan, purportedly to serve out the remainder of his sentence. Instead of prison, he was greeted as a hero by the Azerbaijani government and promenaded through the streets of Baku carrying a bouquet of roses. President Ilham Aliyev immediately pardoned Safarov and he was promoted to the rank of major and given a new apartment and eight years of back pay.

In recent weeks, 75-year-old Akram Alyilisi, one of Azerbaijan's most celebrated writers, has been subjected to a campaign of hatred. According to a report in the BBC, [h]is books have been publicly burnt. He has been stripped of his national literary awards and a high-ranking Azeri politician has offered $13,000 as a bounty for anyone who will cut off his ear. Alyilisi’s "crime?"— in his short novel Stone Dreams, he dared to look at the conflict between Azeris and Armenians from the Armenian perspective.

With these disgusting acts, the Azerbaijani state reminded the whole world why the people of Artsakh must be allowed to determine their own future and cannot be allowed to slip into Aliyev’s clutches, lest the carnage of Sumgait a quarter century ago serve as a fore-shadowing of a greater slaughter.

HAPPY 80TH BIRTHDAY, MRS. BETTY HECHLinski

HON. JACKIE WALORSKI
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mrs. WALORSKI. Mr. Speaker, I submit these remarks in honor of my aunt, Mrs. Betty Hechliniski of South Bend, Indiana who turns 80 years old today. A lifelong Hoosier resident, Aunt Betty was the oldest of three children and attended school in her hometown of South Bend, graduating from St. Adalbert Elementary School and Washington High School.

Aunt Betty has always assumed a natural leadership role in the Walorski family, particularly to my father Walorski. The proud mother of three children and five grandchildren, Aunt Betty continues to remain busy in the community, attending church and blessing us all with her wonderful cooking at family gatherings. As the matriarch of the Walorski family, she continues to remind us of the power of generosity and kindness. I am honored to join our family and friends in wishing Aunt Betty a Happy Birthday, with many more years of continued health and joyful memories.

TRIBUTE TO SARAH COLLINS-RUDOLPH IN RECOGNITION OF HER SACRIFICES AS A SURVIVOR OF THE 1963 BOMBING OF SIXTEENTH STREET BAPTIST CHURCH IN BIRMINGHAM, ALABAMA

HON. TERRI A. SEWELL
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to honor and recognize Sarah Collins-Rudolph, a little known American hero whose life was forever changed on the morning of Sunday, September 15, 1963. On that tragic day, Sarah’s sister Addie was one of four little girls killed in the noted bombing of Sixteenth Street Baptist Church in Birmingham, Alabama. While her name isn’t engraved in memorials or printed in history books, to many in the Birmingham community, Sarah is known as “the fifth little girl.” As we remember the 50th anniversary of this tragic event in our nation’s history, we pay tribute to the four lives that were lost. But, we must also remember those that survived this horrible tragedy. Sarah Collins-Rudolph is one of those survivors. Sarah is the last of eight children born to Alice and Oscar Collins of Birmingham, AL. The day of the bombing, she was just 12 years old and Addie Mae were one year apart and formed a unique closeness due to their closest in age.

On the morning of the bombing, Sarah was in the bathroom of the church’s basement with the four victims including Addie Mae, Denise McNair, Carole Robertson and Cynthia Wesley. Sarah was the only girl in the bathroom...
that day to survive. She lost her right eye and her life was filled with corrective surgeries and extensive medical care for her injuries. There were 21 survivors of the bombing of Sixteenth Street Baptist Church but no single family suffered as much as the Collins family, losing Addie Mae and caring for Sarah’s multiple injuries.

The physical and emotional scars of this senseless tragedy remain with Sarah as she continues her extraordinary life. Even today, there are moments when she struggles mentally with her fate of being bombed at just 12 years old. Despite the persistent aftermath of the events, she is dedicated to making sure that the nation remembers the bombing and its significance to the civil rights movement.

Sarah shares her painful story in hopes that future generations will know their history and remember those that were symbols of the civil rights movement.

Today, I salute Sarah Collins-Rudolph for her sacrifices to our country. We are often reminded of the civil rights giants that fought on the front lines for justice and equality. But it is an immoral failure if we ever forget the sacrifices made by all those who were a part of this transformative time in American history. On behalf of a grateful nation, we say thank you to Mrs. Sarah Collins-Rudolph for the personal sacrifice and courageous fight she has endured for civil and equal rights. On that Sunday morning in 1963, Sarah’s life changed instantly and she was forever scarred by the actions of those who sought to stifle America’s movement. But because of Sarah, we rejoice in a new era of our history that realizes the dreams of those before us.

We salute Mrs. Collins-Rudolph because her story was a catalyst for a new America. Her sacrifices led us to the liberties and freedoms that many of us enjoy today. I am especially grateful for Sarah’s story for had it not been for her painful journey, my own journey would not be possible. As Alabama’s first Black Congresswoman, I stand before you today with a humble heart knowing that Sarah’s journey paved the way for my own place in American history.

I ask all of my colleagues in the House of Representatives to join me in saluting Mrs. Sarah Collins-Rudolph, an Alabama treasure and an American hero.

TO RECOGNIZE THE FAIRFAX COUNTY YOUTH FOOTBALL LEAGUE AND THE 2013 FAIRFAX COUNTY FOOTBALL HALL OF FAME HONOREES

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the Fairfax County Youth Football League and to congratulate the 2013 Fairfax County Football Hall of Fame honorees and scholarship award recipients.

The importance of youth sports cannot be overstated. Participation in organized sports instills in our youth many values that will serve them well throughout their lives. These values include sportsmanship, teamwork, honesty, a sense of belonging, and maybe most important, the work ethic developed by striving for success and working to achieve a common goal. Organized youth sports also contribute to our society. Studies have shown a correlation between participation in sporting activities and increased academic performance. Some studies indicate that a reduction in gang activity can be partially attributed to refocusing at-risk children into organized, supervised activities such as youth sports.

I commend the Fairfax County Youth Football League for providing opportunities for our children to succeed and be a part of a team. I also congratulate the following students, coaches and community leaders who are being recognized:

- 23rd Annual Fairfax County Football Hall of Fame:
  - $1,500 Scholarship Award Recipients: Raina Aide (Cheerleading, J.E.B. Stuart HS), Harrison “Sonny” Romine (Football, Chantilly HS), Brian Deely (Football, Westfield HS), and Ben Sanford (Football, Madison HS)
  - Fairfax County Football Hall of Fame 2013 Inductees: Evan Royster (Washington Redskins, Penn State, Westfield HS, FRYC), Bruce Rosen (Bryant Center, Yorktown HS), and Steve Wilmer (Coach/Commissioner—McLean Youth Football)

Football Official of the Year—Youth Sports: Steve Caruso (Fairfax County Football Officials Association)

- Karl Davey Community Achievement Award: Tom Healy (Southwestern Youth Association, FOYFL)
  - Tom Davis Meritorious Service Award: Deb Garris (Manager, Sykes Turf Branch, Fairfax County Park Authority)

- Gene Nelson Commissioner of the Year Award: Jason McEachin (Dulles South Youth Sports)
- High School Players of the Year: Jonathan Allen (Stone Bridge HS), Tyler Donnelly (Yorktown HS), Oren Burks (South County HS), Sean Huelskamp (Chantilly HS), Scott Carpenter (Gonzaga College HS), Nick Newman (Battlefield HS)
- High School Coaches of the Year: Mickey Thompson (Stone Bridge HS), Jason Rowley (Oakton HS)

- Youth Sports Players of the Year: Avery Howard (Manassas YFL), Virginia “Ginny” Delacruz (SYC), Justin Burke (RYA), Preston Bacon (CAYA), Miles Thompson (Fairfax Police Youth Club), Anthony Eaton, Jr. (Alexandria Youth Football), Hunter Godin (APYFL), Robbie McGoff (SCAA), Nicholas D’Vecchia (SYA), Markel Harrison (VYI), Carlo Esposito (BRYC), Michael Bayeux-Gary (HOYFL), Phillipe Oliveros (CYA), Joshua Bruce (FT. Belvoir Youth Sports), Noah Adler (VYI), Christian Jessup (Dulles South Youth League)
- Youth Sports Coaches of the Year: Anthony Price (Gum Springs Community Center), Buddy Morris (BRYC), Tommy Durand (Arlington Football League), Donny Cooke (VYI)

- Youth Cheerleaders of the Year: Haley Clay (Dulles South Youth League), Rachel Strauss (VYI), Angel Bailey (HOYC), Asjah Snead (HOYC), Meghan Adams (GHYFL)

Mr. Speaker, I ask that my colleagues join me in congratulating the Fairfax County Youth Football League as well as those students, coaches and community leaders who are being honored at this 2013 Hall of Fame celebration. On behalf of all of my colleagues, I rise to recognize a remarkable veteran, Marine Master Sergeant Elbert Lester. On Friday, November 2, Mr. Speaker, Marine Master Sergeant Elbert Lester, now eighty-seven years of age, was awarded the Munford Point Marines’ Congressional Gold Medal, the highest civilian honor bestowed by Congress for distinguished achievement.

The Munford Point Marines were the first African-Americans to serve in the United States Marine Corps in 1941, when President Franklin D. Roosevelt created the Fair Employment Practices Commission, ultimately forcing the Corps to recruit blacks. When asked, “Why did you choose the Marine Corps?” he replied “They decided that for me.” He then explained while at the Army recruiting station, the black company was asked for volunteers to go into the Marines. No one did. “So, they put our names in a hat and my name was one of those that were pulled. I was one of the unlucky ones.”

Elbert Lester was assigned to the 27th Depot Company as a Corporal and would serve until June of 1951. During his following training, his unit was put aboard a ship in Norfolk, VA to Guadalcanal, a thirty-day voyage that would begin his time of service in the South Pacific. Most of the 19,000 black Marines trained at Munford Point were assigned to ammunition and depot companies, bring ammunition and supplies to the front lines, and returning wounded and dead to transport ships.

After the war, he returned to Quitman County, Mississippi where he married his childhood sweetheart Pearlene Williams. They have thirteen children: Frank, Teresa, Pearlie Mae, Elbert, Jr., Patricia, LaCresia, Napoleon, Mr. Lester, Albert, Timothy, Roderick, Darius, Cornelius and three adopted: Waring, Tiffany and Kikera Brown. Mr. and Mrs. Lester have been married for 65 years and live on their 80-acre farm. They attend Woodland Missionary Baptist Church, where they both sing in the choir.

Mr. Speaker, I ask my colleagues to join me in recognizing Monford Point Marine Master Sergeant Elbert Lester for his sacrifices in promoting democracy around the world and the United States of America.
SLAIN SANTA CRUZ POLICE OFFICERS

HON. SAM FARR
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. FARR. Mr. Speaker, I had planned to be on the floor this morning to talk about the 52nd Anniversary of the founding of the Peace Corps.

However, something very unpeaceful happens in my district in Santa Cruz, CA recently that I need to speak about instead—Tuesday afternoon, two police officers were shot and killed, and a suspect was later killed by police.

When other officers arrived at the scene, they found the two detectives, Sgt. Loran “Butch” Baker, a 28-year veteran, and detective Elizabeth Butler, a 10-year veteran, shot and killed outside a residence.

Sgt. Baker leaves behind a wife, two daughters and a son, who is a community service officer with the Santa Cruz Police Department.

Detective Butler leaves behind her partner and two young sons.

This is a horrible tragedy, and I join with all the residents of the Central Coast, to mourn this loss and to pay our respects to these two outstanding officers.

Our prayers and sympathies are with the families and loved ones of the officers who gave their lives in the line of duty.

While the words of comfort we offer today are sincere, our actions and deeds will be the true test of our resolve. If we are truly committed to ending gun violence in our communities, we must be willing to find real solutions to prevent this type of senseless shooting from occurring again.

We owe that much to the brave men and women who put on a police uniform every day.

We must be willing to protect those who so bravely protect us.

As a community, we promise that the sacrifices of Sgt. Baker and Detective Butler will not be forgotten.

PERSONAL EXPLANATION

HON. DAVID P. ROE
OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. ROE of Tennessee. Mr. Speaker, on rolcall No. 46, had I been present, I would have voted “Yea.”

TO RECOGNIZE VFW POST 7327 AND THE 2013 AWARD RECIPIENTS

HON. GERALD E. CONNOLLY
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize the Springfield Veterans of Foreign Wars Post 7327 and the recipients of its 2013 Annual Awards.

The Veterans of Foreign Wars (VFW) traces its beginnings to 1899 when veterans of the Spanish American War established local organizations to bring awareness to their service and to advocate for veterans retirement benefits and improved medical care. Today, with membership of 2.2 million at approximately 1,100 posts worldwide, the VFW continues its efforts to support the men and women who have served our great country in uniform and their families.

The VFW has a distinguished record of service to the broader community. The VFW and Ladies Auxiliary contribute more than 13 million hours of volunteerism every year. In this field of champions, the Springfield VFW Post 7327 stands out for the depth of its commitment to our community.

Often called “The Friendliest VFW Post in Virginia,” Post 7327 has one of the most aggressive ADOPT-A UNIT programs in the entire VFW organization to support our service members stationed overseas. VFW Post 7327 visits the VA hospital at least quarterly; bringing along goodie bags for our Wounded Warrriors. Each Thanksgiving and Christmas, VFW Post 7327 adopts military families in need through the USO and provides them with meals baskets for each holiday, Christmas gifts for all the children, commissary cards for the parents, and a Christmas party where the children can meet Santa and receive a gift filled stocking. The Ladies Auxiliary members collect, sort, and distribute more than 2,000 pieces of clothing each month to various charitable organizations. VFW Post 7327 is a strong supporter of local youth organizations including the Boys Scouts, Girl Scouts, and Little League Baseball that contribute greatly to the education and well being of our children.

Each year, VFW Post 7327 bestows awards to outstanding local citizens in recognition of their extraordinary actions and dedication. I congratulate the following individuals on receiving these 2013 Awards: Teachers of the Year: Erin Poppe and Michael Walser.


Patriot’s Pen: 1st Place: Shane David King, 2nd Place: Sion Kim, 3rd Place: Rishon A. Elliott.

Police Officer of the Year: George Joca.

Emergency Medical Technician of the Year: Kayla Thompson.

VFW Post 7327 has also recognized JW & Friends Restaurant and the Northern Virginia Surgery Center for their continued support to the Post and its Ladies Auxiliary.

I ask the entire 6th District to keep Gerald’s mother, Faye, his daughter, Kayla, and son, Keegan, along with the entire extended McKinsey family in your thoughts and prayers.

PERSONAL EXPLANATION

HON. RICHARD L. HANNA
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. HANNA. Mr. Speaker, on rollcall No. 49, on motion to suspend the rules and agree to Academic Competition Resolution of 2013, I was unable to successfully cast my vote by electronic device. Had I been able to vote, I would have voted “yes.”

THE COST OF INACTION WILL BE STAGGERING

HON. EARL BLUMENAUER
OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. BLUMENAUER. Mr. Speaker, I submit this letter, which is an example of an opportunity for a bipartisan climate action.

The effects of climate change in the world’s most vulnerable regions present a serious threat to American national security interests. As a matter of risk management, the United States must work with international partners, public and private, to address this impending crisis. Potential consequences are undeniable, and the cost of inaction, paid for in lives and valuable U.S. resources, will be staggering. Washington must lead on this issue now.

Countries least able to adapt to or mitigate the impacts of climate change will suffer the most, but the resulting crises will quickly become a burden on U.S. priorities as well. Both the Department of Defense and the State Department have identified climate change as a serious risk to American security and an agent of instability. Without precautionary measures, climate change impacts abroad could spur mass migrations, increase civil conflict, and lead to a more unpredictable world. In fact, we may already be seeing signs of this as vulnerable communities in some of the most fragile and conflict-ridden states are increasingly displaced by floods, droughts and other natural disasters. Protecting U.S. interests under these conditions would progressively exhaust American military, diplomatic, and development resources as we struggle to meet growing demands for emergency international engagement.

It is in our national interest to confront the risk that climate change in vulnerable regions presents to American security. We must offer adaptive solutions to communities currently facing climate-driven displacement, support disaster risk reduction measures and help mitigate potential future...
impacts through sustainable food, water and energy systems. Advancing stability in the face of climate change threats will promote resilient communities, reliable governance and dependable access to critical resources.

We, the undersigned Republicans, Democrats and Independents, implore U.S. policy-makers to increase security and global stability by addressing the risks of climate change in vulnerable nations. Their plight is our fight; their problems are our problem. 

The current face budgetary austerity and a fragile economic recovery, public and private sectors must work together to meet the funding demands of this strategic international priority. Effective adaptation and mitigation efforts in these counties will protect our long-term interests abroad.


HONORING PAMELA W. WALKER
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013
Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a courageous and remarkable veteran, Mrs. Pamela W. Walker.

Mrs. Walker was born and raised in Leland, Mississippi. She is one of seven children born on September 27, 1962 to Mr. Vernell and Mrs. Ada Walker. She is married to Mr. Lester Walker and has three sons: Jarvis, Reginald, and Derrick.

Mrs. Walker graduated from Leland High School in 1980. She went on to further her education at Alcorn State University, where she received her Bachelor of Arts degree in 1985; her Bachelor of Science degree in 1994 from Mississippi Valley State University; and her Masters of Science in 2002, also from Mississippi Valley State University.

Mrs. Walker joined the Army ROTC at Alcorn State University, on May 15, 1984. Since that time, she has served a total of 26 years in the military. Over that time period, she has attended several military schools, received numerous awards, and she has served overseas in FEPA-Okinawa, Saudi Arabia, Germany, Iraq, and Korea.

Furthermore, her determination and drive to serve this country has pushed her up the ladder in leadership. She was appointed Second Lieutenant (1984), First Lieutenant (1987), Captain (1991), Major (1998), and she retired as a Lieutenant Colonel (2006).

Mrs. Walker is currently an elementary teacher in Greenville Public School District (Mississippi), where she has been for 23 years. She has learned a lot about life during her time in the service, and it has helped her in her classroom.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Pamela W. Walker for her time and dedication to serving our country.

TO RECOGNIZE THE RECIPIENTS
THE FAIRFAX COUNTY 2012 LAND CONSERVATION AND TREE PRESERVATION AND PLANTING AWARDS

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013
Mr. CONNOLLY. Mr. Speaker, I rise to recognize the recipients of Fairfax County 2012 Land Conservation and Tree Preservation and Planting Awards.

Fairfax County is considered one of the best counties in the nation in which to live, work and raise a family. One reason for this designation is the innovative environmental protection policies that have been implemented by the County and embraced by its business partners. I was pleased to have led that effort during my tenure as Chairman of the Board of Supervisors. These awards recognize the following developers, designers and site superintendents who have elevated in their stewardship of the environment:

Large Commercial: Belvoir Corporate Campus: Owner: Loidsdale 24, LLC.

CONGRESSIONAL RECOGNITION FOR DOROTHY HUNT FINLEY
HON. RON BARBER
OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013
Mr. BARBER. Mr. Speaker, I rise today to recognize Dorothy Hunt Finley—a daughter of Southern Arizona ranchers who spent a lifetime giving back to her community before passing away on February 20th at the age of 92.

Dorothy grew up in rural Cochise County, not far from the U.S.-Mexico border and never envisioned a future as an educator, a beer distributor and a community leader and benefactor.


Best Protected Environmentally Sensitive Site: Bull Run Woods Lot 12, Section 8: Owner: Trust Communities, Inc. Superintendent: Peter Judge; Contractor: Basheer & Edgemoore; Belvoir Run Lot 12, LLC. Engineer: Smith Engineering. Site Inspector: David Nichols.

Outstanding Environmental Firm: Smith Engineering for Bull Run Woods Lot 12, Section 8 and Urban Ltd. for Mallory Square and Belvoir Corporate Campus.


Mr. Speaker, I ask my colleagues to join me in congratulating these award recipients. Fairfax County and its residents have benefited greatly from the collaborative spirit that is represented by these awards today, and I thank each of the awardees for their efforts.
For three decades, Dorothy was a teacher and a principal at schools in the Tucson Unified School District. She was chairwoman of the TUSD Elementary School Principals and president of the Arizona Elementary School Administrators. Because of her background in education, Dorothy became a member of the Pima Community College Foundation Board and co-founded the Women’s Studies Advisory Council at the University of Arizona.

Her life took a turn 30 years ago when her husband, Harold, died. Dorothy became CEO of Finley Distributing Company, a beer wholesaler. She also became a dedicated community activist.

Dorothy was a member of nearly 100 community organizations that benefited from her time, commitment and financial generosity. That list includes the Arizona Chamber of Commerce, the Greater Tucson Economic Council, Pima County Juvenile Court, Arizona Historical Society, Tucson Urban League, the Arizona Theatre Company, the UA Wildcat Club, La Frontera Child Family Center, the American Diabetes Association, Big Brothers Big Sisters, the Juvenile Diabetes Foundation, the Arizona-Sonora Desert Museum, Goodwill Industries, the March of Dimes and the United Cerebral Palsy Foundation.

Dorothy received numerous well-deserved awards for her work, including a gubernatorial Celebrating Exceptional Women award, the Entrepreneur of the Year award from the YWCA and the Woman of the Year honor from the Tucson Metropolitan Chamber of Commerce. She was named among the top 100 private business owners in Arizona and received a Lifetime Achievement Award from the YWCA.

In 2004, Dorothy was presented with the Zachary and Elizabeth Fisher Distinguished Civilian Humanitarian Award, which she traveled to the Pentagon to accept. She also is the only civilian to have a building named after her on Davis-Monthan Air Force Base: the Dorothy Finley Child Development Center.

I am proud to recognize Dorothy Hunt Finley—an exceptional friend to the people of Southern Arizona. She will be deeply missed.

HONORING LARRY DANCE

HON. LUKE MESSER
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of one of my constituents, Larry Dance of Greensburg, Indiana.

Larry was a life-long resident of Greensburg and active member of the community. He served his country in Operation Desert Storm as a member of the Air Force, earning the Act of Bravery Medal. At home, he served as a decorated Lieutenant in the Greensburg Police Department, including being named Office of the Year and President of the Fraternal Order of Police.

Larry continued his love of sport as an assistant wrestling coach at Greensburg High School and as a team wrestler in the World Police and Fire Games. On a personal note, I have fond memories playing alongside Larry on the Greensburg High School football team. I ask the entire 6th District to keep his wife Shannon, three daughters Mallory, Megan, and Baili, and the entire extended Dance family in your thoughts and prayers.

CONGRATULATING GO SOLAR BROWARD ROOFTOP SOLAR CHALLENGE

HON. THEODORE E. DEUTCH
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DEUTCH. Mr. Speaker, today I rise to congratulate Go SOLAR Broward RoofTop Solar Challenge, a U.S. Department of Energy grand-funded program that encourages residents and businesses of Broward County to convert to solar energy. I would like to applaud the program and its sponsors for establishing a simplified and streamlined process for Broward County residents and businesses to obtain photovoltaic rooftop solar systems.

I have been a long time supporter of solar power as a way to create new jobs in South Florida and move our county towards a more secure energy future. With some of our nation’s most beautiful environmental treasures, including our beaches and the Everglades, I believe these natural resources must be protected by further investments in renewable energy options. Improving our access to innovative clean energy technologies will help curb our dependence on fossil fuels, thereby benefiting our environment, economy, and national security.

The Go SOLAR Broward RoofTop Challenge provides an important service to the county by making solar power more accessible to local residents and businesses. I am thankful to this conference for bringing together government officials, local businesses, and private citizens committed to solar energy to share information and resources. I want to particularly thank Kristin Jacobs, Broward County Mayor, for her leadership in spreading green energy to the region. Congratulations to the Go SOLAR Broward RoofTop Challenge team and all of the conference participants for taking action to spread solar power resources to South Florida.

HONORING MR. JOHN MCELENKEY, DEALERSHIP OWNER OF MCELKEY CHEVY BUICK GMC TOYOTA OF CLINTON, IOWA

HON. DAVID LOEBSACK
OF IOWA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. LOEBSACK. Mr. Speaker, today I would like to recognize Mr. John McEleney, an auto-dealer operator as a 24-year-old, carrying on the tradition of family ownership. John was chairman of the National Automobile Dealers Association in 2009, a historic year in the auto industry, and he took part in many high-level policy discussions with the US Department of Treasury and the White House in an effort to fight for dealers across the country.

In addition to his dedicated service at the family dealership and his work on behalf of the American auto industry, John has been a generous supporter of charitable efforts, including supporting the Iowa Automobile Dealers Foundation for Education and the National Automobile Dealers Charitable Foundation. He also founded the “Fill the Stocking Fund” in Clinton that helps provide gifts and financial support for needy families within the community. John has chaired a successful fundraising campaign to support economic development in the Clinton area, as well as serving as president of the Clinton Rotary Club, on the Paul B. Sharar Foundation Board of Directors, and as vice president of the Mount St. Clare College board.

On behalf of my constituents, I would like to thank John McEleney for his years of service to the Clinton community, the State of Iowa, and our nation. I know I join his colleagues, friends, and family in congratulating him for his nomination for TIME Dealer of the Year.

PERSONAL EXPLANATION

HON. DAVID P. ROE
OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. ROE of Tennessee. Mr. Speaker, on rollcall No. 47. Had I been present, I would have voted “yea”.

RECOGNIZING THE 2013 DULLES REGIONAL CHAMBER OF COMMERCE “EDUCATOR OF THE YEAR”

HON. GERALD E. CONNOLLY
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the Dulles Regional Chamber of Commerce (the DRCC) for its ongoing dedication to local businesses and our community. The DRCC sponsors a fundraising event, Casino Royale, the proceeds of which will support programs for homeless children in Fairfax County. In addition, during this event, the DRCC will present its 2013 “Educator of the Year” Awards to educators who demonstrate exceptional effort and achievement.

The DRCC dates back to 1959, when it began as the Herndon Chamber of Commerce. Since its founding, the Chamber has
Mr. BISHOP of New York. Mr. Speaker, I rise today to speak about the importance of science, technology, engineering and math (STEM) education to this country’s future and prosperity. Educating a STEM workforce has become increasingly central to U.S. economic competitiveness and growth and requires the collaborative efforts of government, private industry and non-profits to succeed.

STEM fields are more important than ever to the development and maintenance of a high standard of living for all. Over the past several decades the performance of American students in STEM subjects has lagged behind their international peers. And at the same time that students are spending less time studying science in the classroom than they did a decade ago, only one out of every five households has access to STEM extra-curricular activities.

Employers are increasingly frustrated when searching for qualified applicants for high-paying STEM jobs. Job growth in STEM fields offers great potential, estimated to grow at the rate of 17 percent by 2018—nearly double the rate of non-STEM related careers. Given the importance of STEM education, the jobs of the future and the ability of our workforce to compete rest in having a well-trained workforce. As an elected representative and a parent, I believe that investing in education and college access programs, with a focus on Science, Technology, Engineering, and Math, is an investment in America and will spur innovation and set our young people on a path for lifelong success. This year’s awardees have demonstrated how outstanding educators are crucial leaders on that journey. Therefore, I am pleased to join the chamber in congratulating the following recipients of the 2013 Educator of the Year Award:

Ms. Whitney Branisteau, Dranesville Elementary School; Ms. Hallie Case, Herndon Middle School; Ms. Barbara Clougherty, Chantilly High School; Ms. Jen Howe, Chantilly Academy; Mr. Jeff Jones, Mountain View High School; Ms. Cheryl McGovern, Herndon Elementary School; Ms. Kelly Mosgrove, Ormond Stone Middle School; Ms. Amy Valint, Herndon High School; Ms. Kay Ward, Liberty Middle School.

Mr. Speaker, I ask my colleagues to join me in congratulating these individuals and thanking them for their many contributions to our children’s success and our nation’s future.

HONORING ANDREW L. HAWKINS OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a war veteran, Mr. Andrew L. Hawkins.

Mr. Hawkins is a native of Tallahatchie County, Mississippi, the youngest son of Andrew and Evelyn Hawkins. He received his early education in the West Tallahatchie School District and is a 1966 graduate of West District High School of Sumner. Mr. Hawkins migrated to Chicago, IL after graduation, and shortly thereafter was inducted into the U.S. Army.

Mr. Hawkins attended Basic Training and Advanced Infantry Training (AIT) in Fort Polk, Louisiana. He qualified with the 45 caliber, M-14 and M-16 as a marksman and sharp shooter. His next duty station following AIT landed him in Southeast Asia (Vietnam) from 1969 to 1970, where he served one year of duty initially while stationed in La Ki for several months with the First Infantry Division. The remainder of his tour was with the 101st Airborne Division, where he was wounded in action and was awarded a Purple Heart Medal and returned home.

After being honorably discharged from the Army, he began pursuing higher education at DePaul University in Chicago, Illinois on the GI Bill. He completed his bachelor’s degree and much of his master’s at DePaul. He later moved back to his home state of Mississippi because he felt that his military experience had equipped him with life skills and discipline to cope with life challenges back home. Mr. Hawkins attributes his will to survive and success to his parents, community, elementary and high school teachers, and his strong spiritual upbringing.

Mr. Speaker, I ask my colleagues to join me in recognizing wounded Vietnam War Veteran and Purple Heart recipient, Mr. Andrew L. Hawkins, for his dedication and service to his country while in the United States Army.

RECOGNIZING THE IMPORTANCE OF STEM EDUCATION
HON. TIMOTHY H. BISHOP OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. BISHOP of New York. Mr. Speaker, I rise today to speak about the importance of science, technology, engineering and math (STEM) education to this country’s future and prosperity. Educating a STEM workforce has become increasingly central to U.S. economic competitiveness and growth and requires the collaborative efforts of government, private industry and non-profits to succeed.

STEM fields are more important than ever to the development and maintenance of a high standard of living for all. Over the past several decades the performance of American students in STEM subjects has lagged behind their international peers. And at the same time that students are spending less time studying science in the classroom than they did a decade ago, only one out of every five households has access to STEM extra-curricular activities.

Employers are increasingly frustrated when searching for qualified applicants for high-paying STEM jobs. Job growth in STEM fields offers great potential, estimated to grow at the rate of 17 percent by 2018—nearly double the rate of non-STEM related careers. Given these figures, it is difficult to underestimate the importance of STEM education, both in and outside of school, for our nation’s collective economic future and the future of our nation’s students. Federal, state, and local governments must partner with the private sector to provide American students with the resources necessary to compete in an increasingly competitive global market.

One private sector campaign aimed at addressing this issue is Time Warner Cable’s Connect a Million Minds (CAMM) program. CAMM is designed to inspire the next generation of problem solvers by connecting young people to the wonders of STEM outside of the classroom. Introduced in November 2009 in conjunction with President Obama’s “Educate to Innovate” effort, CAMM has answered the President’s call-to-action for action for cross-sector partnerships to address the STEM crisis. In downtown New York, CAMM connects parents, students with docents of local STEM resources that would otherwise remain untapped, including the Brooklyn Botanic Garden, the National Park Service at Hamilton Grange, and the New York Transit Museum. I want to congratulate Time Warner Cable for this important initiative. My colleague in Congress, Mr. Jeff Jones of Chantilly High School, is a CAMM ambassador and is helping to leverage the region’s STEM resources and tap into the community’s STEM education and college access programs, with a focus on Science, Technology, Engineering, and Math, is an investment in America and will spur innovation and set our young people on a path for lifelong success. This year’s awardees have demonstrated how outstanding educators are crucial leaders on that journey. Therefore, I am pleased to join the chamber in congratulating the following recipients of the 2013 Educator of the Year Award:

Ms. Whitney Branisteau, Dranesville Elementary School; Ms. Hallie Case, Herndon Middle School; Ms. Barbara Clougherty, Chantilly High School; Ms. Jen Howe, Chantilly Academy; Mr. Jeff Jones, Mountain View High School; Ms. Cheryl McGovern, Herndon Elementary School; Ms. Kelly Mosgrove, Ormond Stone Middle School; Ms. Amy Valint, Herndon High School; Ms. Kay Ward, Liberty Middle School.

Mr. Speaker, I ask my colleagues to join me in congratulating these individuals and thanking them for their many contributions to our children’s success and our nation’s future.

RECOGNIZING THE IMPORTANCE OF THE LILLY LEDBETTER FAIR PAY ACT
HON. DANNY K. DAVIS OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise today to speak about the importance of equal pay for equal work. Equal opportunity for women—of which equal pay is a fundamental facet—is an essential premise for our nation to be a Democracy. In 2009, the Democratic Congress took strides to further close the gender discrimination gap in the professional work environment by passing The Lilly Ledbetter Fair Pay Act, which was the first bill President Obama signed law. The Lilly Ledbetter Fair Pay Act is of enormous importance for women’s rights in the workplace. For decades, companies large and small have paid women less for the same work compared to their male counterparts. This law reaffirmed that each occurrence of pay and compensation discrimination against women violates Title VII of the Civil Rights Act. The law addressed a Supreme Court ruling in Ledbetter v. Goodyear Tire & Rubber Company that undermined statutory protections against discrimination by unduly restricting the time period in which victims of discrimination could challenge and recover for discriminatory compensation decisions or other practices, contrary to the intent of Congress. The Lilly Ledbetter Fair Pay Act restored women’s right to challenge employers once they discovered they were wrongfully discriminated against in terms of pay and benefits. Further, the law clarified that employers are entitled to up to two years of backpay for such discrimination, as provided under title VII.

Since enactment, courts around the country have applied the Lilly Ledbetter Fair Pay Act as Congress intended, for straightforward pay discrimination cases based on sex, race, disability, and age. In clarifying the period during which a worker may file a discrimination claim, the law has provided a proper time frame extension to file lawsuits against employers for wage discrepancies. The anniversary of the signing of this bill reflects the ongoing commitment to ensure equal pay for all Americans and serves as a reminder that we must monitor and protect civil rights laws.
Unfortunately, equal opportunity is not yet a reality for women. This is why I join my Demo-
cratic colleagues in supporting the The Pay-
check Fairness Act, which strengthens the
equality provisions within the Lilly Ledbetter
Fair Pay Act and eliminates the loopholes not
seen in the past. For example, it increases
penalties on employers who violate federal law
and allows women to pursue legal matters if
they are treated unjustly. The legislation also
ensures equality in the tax code so that every-
one—male and female, high-income earners
and those living in poverty—pays their respec-
tive tax rate. Fairness should be applicable to
all, in wages and in taxes. The Paycheck Fair-
ness Act provides effective remedies to
women who are not being paid equal wages
for equal work, and Congress should pass the
bill as soon as possible.

HONORING THE LIFE OF HORACE
NARVEL BROOKS

HON. KENNY MARCHANT
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. MARCHANT. Mr. Speaker, I rise today
to honor the life of Horace "Chief" Narvel
Brooks. I ask my colleagues to join me in
celebrating the good and long life of Mr.
Brooks, who passed away on Sunday, Janu-
ary 20, 2013.

Horace joined the United States Navy at the
age of 17 and served in both World War II and
the Korean War. Horace, having faithfully
served, retired from the military as a Chief
Gunner’s Mate. Horace far exceeded his duty
in serving both his country, family and the
24th District of Texas. Each year around Vet-
erans Day, Horace would share stories of his
military duties with high school students, im-
porting wisdom and firsthand experiences.

Mr. Speaker, Horace "Chief" Brooks was a
great father and family man, and a true Amer-
can patriot. I ask all my distinguished col-
leagues to join me in celebrating his life, and
honoring the many people whose lives are
better for having crossed his path.

RECOGNIZING THE TURNING POINT
MEMORIAL ASSOCIATION

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, as the na-
tion’s capital hosts a weekend celebration of
women’s suffrage movement at the former
Occoquan Workhouse, later called the
Lorton Prison, in Fairfax County, where they
were jailed.

Their incarceration was one of the most sig-
ificant but least known events of the women’s
suffrage movement and a true turning point in
the ultimately successful struggle. The gutsy
women—labeled by some as “unpatriotic” —
held firm to their goals. Choosing jail over pay-
ing a $25 fine, one proclaimed, “Not a dollar
of your fine dollar will I pay. To pay a fine
would be an admission of guilt. We are innocent!”

Winning the right to vote took 72 years
when Tennessee ratified the 19th Amendment
in 1920, the largest extension of democratic
rights in the nation’s history. The suffragists’
nonviolent actions pioneered civil rights tactics
later used in other civic movements and their
refusal to back down became a model for ac-
tivists.

To recognize their struggle, the all–volunteer
Turning Point Suffragist Memorial Association
is building the memorial in the shadow of the
nation’s capital in Fairfax County. It will feature
a waterfall and 19 stations (for the 19th
Amendment) along a winding garden path to
relate the history of the movement and the
story of empowerment and perseverance.

More information can be found online at

Mr. Speaker, I ask my colleagues to join me
in commending the members and supporters
of the Association and wishing them continued
success with the memorial.

PROVIDING FOR CONSIDERATION
OF S. 47, VIOLENCE AGAINST
WOMEN REAUTHORIZATION ACT
OF 2013

SPEECH OF
HON. SHEILA JACKSON LEE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Ms. JACKSON LEE. Mr. Speaker, I rise to
support H.R. 11, the reauthorization of the Vi-
cence Against Women Act.

Over the last 18 years, VAWA has provided
life-saving assistance to hundreds of thou-
sands of women, men, and children. Originally
passed by Congress in 1994 as part of the
Violent Crime Control and Law Enforcement
Act of 1994, this landmark legislation, bipartisan legis-
lation was enacted in response to the preva-
ience of domestic and sexual violence and the
significant impact that such violence has on
the lives of women.

Just last month a co-ed at the venerable
University of Virginia, my alma mater was con-
victed of murdering her boyfriend. This hits
close to home. As well as Yvette Cade, who
had acid poured over her face by an irate ex-
husband. As well as the murder of Annie Le
at Harvard University. And unfortunately, I
could go on and on. These women were
black, white, and Asian, living in different cities
under different circumstances. They had one
common denominator: victims of abject and
pervasive violence. Lives destroyed because of
men-at-rage.

With each reauthorization, VAWA has been
improved in meaningful ways to reflect a grow-
ing understanding of how best to meet the
varied and changing needs of survivors.

VAWA has shown, while rates of domestic violence have dropped by over 50 percent in
the past 18 years, there remains a lot of work
to be done still have a lot of work ahead of us.

In December, the Centers for Disease Con-
rol and Prevention (CDC) released the first
National Intimate Partner and Sexual Violence
Survey (NISVS), which found:

1 in 5 women have been raped in their life-
time and 1 in 4 women have been the victim
of severe physical violence by a partner.

Over 80% of women who were victimized
experienced significant short-term and long-
term impacts related to the violence and were
more likely to experience Post-Traumatic
Stress Disorder and long-term chronic dis-
esases such as asthma and diabetes.

Every nine seconds a woman in the United
States is assaulted or beaten by stalkers or
her partner.

Every year in the United States, 1,000 to
1,600 women die at the hands of their male
partners, often after a long, escalating pattern
of battering.

In 2009, 111 women were killed by their
former or current husband, intimate partner or
boyfriend in the State of Texas.

DOMESTIC VIOLENCE IS THE LEADING CAUSE OF INJURY
FOR WOMEN IN AMERICA

According to a study, there are more victims
of domestic violence than victims of rape,
mugging and automobile accidents combined.

VAWA was designed to address these grave
some stats.

VAWA established the National Domestic
Violence Hotline, which receives over 22,000
calls each month. VAWA funds train over
500,000 law enforcement officers, prosecutors,
judges, and other personnel each year.

This landmark legislation sent the message
that violence against women is a crime and
will not be tolerated.

States are taking violence against women
more seriously and all states now have stalk-
ing laws, criminal sanctions for violation of civil
protection orders, and reforms that make date
or spousal rape as serious of a crime as
stranger rape.

H.R. 11

The bipartisan Violence Against Women Re-
authorization Act of 2013 passed the Senate
with overwhelming bipartisan support. 78 out
of 22 U.S. Senators supported this important
bipartisan legislation.

The VAWA Reauthorization bill significantly
strengthens the ability of the Federal Govern-
ment, the States, law enforcement, and serv-
ice providers to combat domestic violence,
dating violence, sexual assault, and stalking.

As with the previous reauthorizations of VAWA
in 2000 and 2005, this bill responds to the re-
alities and needs reported by those who work
with victims every day to make VAWA work
better for all victims.

The Republican leadership announced they
will bring their version of the Violence Against
Women Act (VAWA) reauthorization to the
House Floor. As opposed to the bipartisan
Senate bill, the House Republican version of
VAWA omits protections for the LGBT, Native
women, and immigrant communities. It also
excludes provisions that combat sex traf-
ficking, and that would have helped law en-
forcement address the backlog in DNA evi-
dence kits. The GOP version is being brought
to the House Floor in the complete absence
of committee action and without the consultat
of House Democrats.

As my colleague, Congressman JOHN CON-
VERS stated “The House Republican version
of VAWA is evidence that the Majority
continues to pick and choose which victims of domestic
violence are deserving of protection. The Senate has passed a strong bipartisan bill that contains critical protections for all victims of domestic violence, but House Republicans are reverting back to partisan politics by pushing through a bill that will not pass the Senate. We should be seeking ways to expand and improve VAWA.

FUNDING TO STRENGTHEN VAWA

Although the Senate has passed strong legislation to expand and improve VAWA, the House bill reverts back to partisan politics by pushing through a bill that will not pass the Senate. We should be seeking ways to expand and improve VAWA. The Senate bipartisan reauthorization of VAWA ensures that ALL victims of domestic violence receive aid, including LGBT survivors. 

The largest VAWA grant—the STOP formula grant—enables the DHSHHS to award funds to those organizations that would like to offer specific programs for LGBT victims.

Unfortunately, the House Republican bill refuses to acknowledge the needs of all victims of domestic violence, human trafficking and stalking. There are too many women waiting on vital domestic violence services. It is time for House Republicans to end this charade and allow a vote on the comprehensive VAWA that passed the Senate earlier this month.

WHY REPUBLICANS OPPOSE THE BILL (“CONTROVERSIAL NEW PROVISIONS”)

The Senate bipartisan reauthorization of VAWA ensures that ALL victims of domestic violence receive aid, including LGBT survivors. LGBT people are often victims of Domestic Violence.

A 2010 Centers for Disease Control and Prevention study found that lesbian, gay, bisexual and transgendered victims report intimate partner violence, sexual violence, and stalking at levels equal to or higher than the general population.

The report also found that bisexual women report higher incidences of rape, physical violence, and stalking than their lesbian and heterosexual counterparts.

Recent studies show that LGBT victims face discrimination when accessing services. For example, 45% of LGBT victims were turned away when they sought help from a domestic violence shelter, according to a 2010 survey, and nearly 55% were denied protection orders.

Service providers have gathered numerous stories of LGBT victims denied assistance or services because of their sexual orientation or gender identity.

The Senate Bill ensures non-discrimination, and allows for a wider variety of groups to apply for VAWA funding.

The legislation clarifies that organizations seeking to provide specific services to gay and lesbian victims may receive funds under the largest VAWA grant—the STOP formula grant program.

No organization will be required to develop services specifically targeting this population, but those organizations that would like to offer such services will be able to access funding. Currently, STOP grant funds are only available to organizations predominantly serving women.

Additionally, the legislation clarifies that gay and lesbian victims are included in the definition of underserved populations. Although the LGBT community experiences domestic violence at the same rate as heterosexual couples, a 2010 study found that many victim services providers lack services specific to LGBT victim.

This bill does not mandate that Service Providers Offer Specific LGBT Services.

The legislation does not require service providers to offer specific programs for LGBT victims. It simply seeks to increase the availability of specialized services and to ensure that no victim is turned away based on their sexual orientation or gender identity.

VAWA AND IMMIGRANT WOMEN

H.R. 11 adds the crime of stalking to the offenses for which a U Visa is available. The U Visa was created to encourage immigrant victims of crime to report and help prosecute criminal activity. It is only available to victims of certain crimes, which currently include domestic violence and sexual assault.

H.R. 11 protects the children of applicants for U Visas from "aging out" of the process if they become adults while their parent’s application is pending.

H.R. 11 clarifies that VAWA self-petitioners, U Visa petitioners and holders, and T Visa holders (victims of human trafficking) are exempted from the public charge inadmissibility ground that typically precludes a non-citizen from remaining in the country.

H.R. 11 extends the so-called “widow’s and widower’s fix,” approved by Congress in 2009, to add the surviving minor children of a VAWA self-petitioner when the abusive spouse of the petitioner died after the filing of the petition. Other relatives of the petitioner would remain ineligible.

H.R. 11 requires annual reports to Congress regarding outcomes and processing times for VAWA self-petitioners and U Visas.

H.R. 11 strengthens the existing International Marriage Broker Regulation Act to provide vital disclosures to foreign fiancés and fiancées of U.S. citizens regarding the criminal history of the sponsoring citizen and other information foreign fiancés and fiancées need to protect themselves from entering abusive marriages. Requires international marriage brokers to collect proof that the foreign fiancé or fiancée is of the age of consent.

H.R. 11 extends the application of the Prison Rape Elimination Act to all immigration detention facilities under the authority of the DHS and HHS.

VAWA EXPANDS PROTECTIONS FOR TRIBAL WOMEN

VAWA Reauthorization provides law enforcement with additional tools to combat domestic and sexual assault in tribal communities.

The bill adds new federal crimes—including a ten-year offense for assaulting a spouse or intimate partner by strangling or suffocating and a five-year offense for assaults resulting in substantial bodily injury—that will enable federal prosecutors to more effectively combat types of assault frequently committed against women in Indian country.

These new crimes allow law enforcement to appropriately address the gradual escalation of seriousness often associated with domestic violence offenses. The bill also clarifies that tribal courts have the authority to issue and enforce tribal protection orders, ensuring that these protection orders can be used effectively to keep women safe.

VAWA Reauthorization closes jurisdictional loopholes that ensure that those who commit domestic violence in Indian country do not escape justice.

The bill addresses a gaping jurisdictional hole by giving tribal courts concurrent jurisdiction over Indian and non-Indian defendants who commit domestic violence offenses against an Indian in Indian country.

Currently, tribal courts do not have jurisdiction over non-Indian defendants who abuse and attack their Indian spouses on Indian lands, even though more than 50% of Native women are married to non-Indians. Prosecution of domestic violence offenses in Indian country often falls through the cracks, since federal and state law enforcement and prosecutors have limited resources and may be located hours away from tribal communities.

CONCLUSION

Mr. Speaker, I urge the members of this House to vote in favor of H.R.11. The Violence Against Women Act provides crucial protections for victims of domestic violence. We cannot wait any longer to reauthorize this crucial legislation that saves the lives of women every day.

HONORING THE 25TH SILVER ANNIVERSARY OF THE YOUNG ISRAEL OF BOCA RATON AND YAKOV & RUCHIE LYONS

HON. BENNIE G. THOMPSON
OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, today I rise to honor a remarkable veteran, Elizabeth Michelle Woods. She is a lifelong resident of the Mississippi Delta. Ms. Woods joined the United States Army Reserve while a senior in high school at East Side High School and served eight years with the 479th Ordnance Company. She completed a tour of duty in Operation Desert Storm as an assistant squad leader. She earned the U.S. Army Achievement Medal, the U.S. Army Certificate of Achievement and other awards. After returning from Saudi Arabia she obtained an Associate of Arts Degree in Social Work. Ms. Woods earned the rank of Sergeant Promotional after serving our country for 12 years and received an Honorable Discharge. During and after completion of her military
service, she continued her educational pursuits and received a Bachelor of Science Degree in Social Work, a Masters Degree in Social Work, and an Executive Masters of Science Degree in Health Administration.

Ms. Woods stated that her service to America taught her that she can succeed in her life pursuits. She has utilized her social work skills during her tenure in law enforcement and developed a Crime Victims Assistance Program with the Department of Veterans Affairs where she provided mental health services. Ms. Woods has also served as Director of Social Work at Delta Health Center and Aaron Henry Health Center. Ms. Woods is the daughter of the late Percy and Annie Woods.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Elizabeth Woods for her dedication to serving our great country.

**PERSONAL EXPLANATION**

**HON. ADAM SMITH**

**OF WASHINGTON**

IN THE HOUSE OF REPRESENTATIVES

**Thursday, February 28, 2013**

Mr. SMITH of Washington. Mr. Speaker, on Monday, February 25, 2013, I was unable to be present for recorded votes. Had I been present, I would have voted “yes” on rollcall vote No. 46 (on approving the journal) and “yes” on rollcall vote No. 47 (on the motion to suspend the rules and pass H.R. 667).

**RECOGNIZING MR. LEE WRIGHT AND HIS 48 YEARS OF SERVICE**

**HON. GERALD E. CONNOLLY**

**OF VIRGINIA**

IN THE HOUSE OF REPRESENTATIVES

**Thursday, February 28, 2013**

Mr. CONNOLLY. Mr. Speaker, I rise today to thank and commend Lee Wright of Woodbridge, Va., for his 30 years of honorable service with the United States Air Force and for his subsequent 18 years of civilian service with the Defense Intelligence Agency. We are fortunate to have among us veterans with Mr. Wright’s sense of duty and continued commitment to public service.

Mr. Wright began his career stationed at Cam Rahn Bay, RVN in 1964. After his tour, Mr. Wright served at multiple air stations, eventually serving on staff at the US Air Force Intelligence Agency, for his 18 years of civilian service with the Defense Intelligence Agency. Mr. Wright soon moved on to DIA assignments spanning Western Europe, Turkey, Eurasia and Russia where he served multiple roles in intelligence operations. He devoted, hard work, and expertise on Russia led to successive roles within DIA’s Russia/EURASIA Division, where Mr. Wright would eventually become Division Chief.

Since August of 2011, Mr. Wright has lent his considerable experience to DIA’s Office of Congressional and Public Affairs where his leadership, work ethic and knowledge base have proven invaluable to his colleagues. There is little doubt that after 48 years of serving his country, Mr. Wright has earned some well-deserved R&R.

Mr. Speaker, I ask that my colleagues rise to join me in recognizing and thanking Lee Wright for his committed and selfless service to his colleagues and our country. We wish Mr. Wright, his wife, Dottie, and his family well in retirement.

**RECOGNIZING RARE DISEASE DAY**

**HON. STEPHEN F. LYNCH**

**OF MASSACHUSETTS**

IN THE HOUSE OF REPRESENTATIVES

**Thursday, February 28, 2013**

Mr. LYNCH. Mr. Speaker, today, February 28, 2013, marks the sixth annual International Rare Disease Day, a day to raise awareness of the nearly 7,000 rare diseases affecting 30 million Americans, or about one in ten people. Here in the United States, any disease affecting 200,000 people or fewer is considered rare.

Rare Disease Day is also an opportunity to celebrate the life-saving advances in science and research that continue to transform the diagnosis, treatment, and standard of care for many orphan diseases, thanks in no small part to the advocacy efforts of the medical community, patients and their families, and rare disease organizations.

In my congressional district, I have met with a number of constituents and their families whose lives have been impacted by rare diseases, cystic fibrosis among them.

Cystic fibrosis is a genetic disease affecting approximately 30,000 children and adults in the United States and is characterized by a reduction in the flow of salt and water across cell membranes which leads to the buildup of thick, sticky mucus in the lungs. In 1955, with limited therapies available, children with cystic fibrosis were not expected to live long enough to attend elementary school. Today, due to significant improvements in medical treatment and care, people with the disease are living longer, healthier lives. The median predicted age of survival now stands at 38 years.

Today, I have never been more hopeful of the promise science holds for all patients affected by rare diseases; however, there remains much work to be done. On this sixth annual International Rare Disease Day, I join with patients and their families in urging my colleagues to think about what more Congress can do to help bring hope to those suffering from rare diseases.

**CLUSTER MUNITIONS CIVILIAN PROTECTION ACT OF 2013**

**HON. JAMES P. MCGOVERN**

**OF MASSACHUSETTS**

IN THE HOUSE OF REPRESENTATIVES

**Thursday, February 28, 2013**

Mr. MCGOVERN. Mr. Speaker, today I am honored to join my esteemed colleagues, Representative CHARLES BOUSTANY (R–LA) and Senators DIANNE FEINSTEIN (D–CA) and PATRICK LEAHY (D–VT) in introducing the Cluster Munitions Civilian Protection Act of 2013. This bill will restrict the use and deployment of dangerous cluster munitions.

Cluster bombs are canisters designed to open in the air before making contact, dispersing between 200 and 400 small munitions that can saturate a radius of 250 yards. The bombs are intended for military use when attacking enemy troop formations, but are often used in or near populated areas. This is a problem because up to 40 percent of these bomblets fail to explode and become de facto landmines, posing a significant risk to civilians—particularly children—lasting years after a conflict ends.

The Cluster Munitions Civilian Protection Act prevents any U.S. military funds from being used on cluster munitions with a failure rate of more than 1 percent, unless the rules of engagement specify that cluster munitions (1) will only be used against clearly defined military targets, and (2) will not be used where civilians are known to be present or in areas normally inhabited by civilians.

The bill requires the president to report to Congress on the plan to clean up unexploded cluster munitions, and it includes a national security waiver allowing the president to waive the prohibition if he determines such a waiver is vital to national security.

Mr. Speaker, current law prohibits U.S. sales, exports and transfers of cluster munitions that have a failure rate exceeding 1 percent. The law also requires any sale, export or transfer agreement to include a requirement that the cluster munitions will be used only against military targets. Regrettably, the Pentagon insists that the U.S. should continue to have the ability to use millions of stockpiled cluster munitions that have estimated failure rates of 5 to 20 percent until 2018. This is simply not acceptable; we can do better.

I believe strongly that the United States should be an international leader in ending the terrible toll on civilian populations caused by the high failure rate of these weapons. Passage of this bill would establish in law the Pentagon’s standard of a 99 percent functioning rate for all U.S. cluster munitions, and ensure that our deployment and use of these munitions adhere uniformly to this standard. We must do everything possible to spare innocent civilians intended for military targets. The current risk posed by cluster munitions is simply unacceptable.

In 2011, Handicap International studied the effects of cluster bombs in 24 countries and regions, including Afghanistan, Chechnya, Laos and Lebanon. Its report found civilians make up 98 percent of those killed or injured by cluster bombs, and 27 percent of the casualties were children.

The Oslo Convention on Cluster Munitions—which has been signed by 111 countries and ratified by 77—prohibits the production, use and export of cluster munitions and requires signatories to eliminate their arsenals within eight years. While nearly all of our major military allies have joined this treaty, to date, the United States has not.

There will always be those who will argue against such a change in military policy and practice, who will say this can’t be done. History argues otherwise. I am hopeful that we can make significant progress on this issue and pass this legislation during the 113th Congress.
Mr. Speaker, I ask my colleagues to join me in congratulating Mr. Ned Gauthwright, who has dedicated his life to serving his country and community.

RECOGNIZING LORI SALTZMAN FOR 34 YEARS OF SERVICE IN THE UNITED STATES GOVERNMENT

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the distinguished career of my constituent, Lori Saltzman. After 34 years of service in the United States federal government, Lori is retiring as the Director of the Health Sciences Directorate of the Consumer Product Safety Commission.

Lori began her career in the federal government in 1978 as a research scientist in the Pulmonary Branch of the National Heart, Lung and Blood Institute, while attending graduate school at George Washington University. In 1984, she joined the U.S. Consumer Product Safety Commission’s Directorate for Health Sciences as a toxicologist, where she spent the remainder of her career.

In 1991, Lori was selected to be a candidate in CPSC’s Women’s Executive Leadership Program, where she learned valuable management skills that helped further CPSC’s regulatory and policy development. In 1994, Lori was named acting director of the Health Effects Division of Health Sciences and eventually Director of the Division of Health Sciences.

Under her leadership, the Health Sciences staff made significant contributions in helping the CPSC address a number of important consumer product issues, including assessing the toxicity and risk associated with the use of lead and cadmium in children’s jewelry, fire retardant chemicals in upholstered furniture and mattresses, phthalates in children’s products, and arsenic from pressure treated wood preservatives used on decks and playgrounds. Lori also represented CPSC on numerous federal interagency groups and task forces.

She served as one of the early co-chairs of the federally mandated Committee on Indoor Air Quality (CIAQ), as a federal liaison to the CDC’s Advisory Committee on Childhood Lead Poisoning Prevention (ACCLPP), and as a representative to the recent Interagency Task Force on Problem Drywall.

Because of Lori’s understanding of CPSC’s scientific issues, as well as its compliance and enforcement activities, her opinions and technical expertise were often relied upon by Compliance officials to support their actions against regulated industries. Throughout her career she has been dedicated to developing and mentoring her staff to assure that the Commission’s compliance activities continue to be supported with the best scientific analyses possible. Her talents in both the scientific and policy arenas led to detailed assignments as a special assistant with former CPSC Chairman Ann Brown and Commissioner Nancy Nord, as well as the Associate Director in the CPSC’s Office of General Counsel. Additionally, she received honors and accomplishments. Lori is also a licensed medical technologist registered with the American Society of Clinical Pathologists.

Mr. Speaker, I ask my colleagues to join me in congratulating Lori Saltzman and in extending our Nation’s gratitude to her for her honorable and dedicated service to the United States government. I wish her the best of luck in her retirement and all her future endeavors.

RECOGNIZING THE 20TH ANNIVERSARY OF THE FAMILY AND MEDICAL LEAVE ACT

HON. DANNY K. DAVIS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. DAVIS of Illinois. Mr. Speaker, this February marks the 20th anniversary of the enactment of the Family and Medical Leave Act. The Family and Medical Leave Act afforded millions of employees leave of their jobs for personal and family emergencies while keeping their job security intact. This bill expanded access to extended medical leave to millions of workers and military caregivers enabling these citizens to take a leave intermittently whenever medically necessary to care for a loved one with a serious injury or illness.

The Family and Medical Leave Act has afforded millions of Americans with up to 12 work weeks of unpaid leave in one year for family and health events without jeopardizing their employment or their health insurance. Since enactment, American families have used the law more than 100 million times. The law has given mothers and fathers the ability to care for a new baby or a seriously-ill child. The law has helped adults caring for a sick spouse, child, or parent with serious health conditions—a protection that will grow exponentially in importance as the generation of baby boomers age.

Despite the strides we have taken in protecting our workers, many Americans are not able to take advantage of the time off and protections offered under the Family and Medical Leave Act. For example, businesses with fewer than 50 employees are exempt from the law, leaving tens of millions of workers ineligible. The need for continued improvement to federal law is clear from the story of Toya, as told by the Family Values at Work organization. Working as a substitute teacher at the grade school level, Toya needed to take time off to care for her sick children. After several days her boss posed a question to her that she should never be asked: “What’s more important, your children or your job?” Upon choosing her children, she was told her services were no longer needed. Federal law is clear: workers who lose their jobs for caring for a sick loved one, or to care for a new baby or a seriously-ill child, should not be punished for taking time off to care for their family.

The anniversary of this legislation provides an opportunity to re-affirm that our nation is committed to fair benefits for all workers and to serve as a launching point to strengthen federal laws protecting workers. I celebrate this law and the relief it provides daily to millions of Americans, allowing them the ability to securely take leave from work in order to accommodate emergencies. Such protections constitute a worker’s right, not a privilege. On this anniversary, we should recognize the law’s success as well as areas for improvement. I celebrate the 20th anniversary of the Family and Medical Leave Act and the piece of mind
THANKING GORDON BEAUDOIN FOR HIS SERVICE TO THE HOUSE

HON. CANDICE S. MILLER
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mrs. MILLER of Michigan. Mr. Speaker, on the occasion of his retirement on February 28, 2013, we would like to thank Mr. Gordon Beaudoin for his twenty-three years of distinguished service to the United States House of Representatives. Gordon has served this great institution as a valued employee of House Information Resources (HIR), within the Office of the Chief Administrative Officer (CAO).

Gordon began on the Hill in 1990 as an on-site Voice Service Manager with an outside contractor. He was responsible for all telephone services for the House, the Library of Congress and the Supreme Court. He retired from the company in 2000, and became a full-time employee for the House on April 16, 2001.

Gordon’s first responsibility as Manager of the Voice and Video Branch was to sustain existing systems and ensure the best level of voice service was provided to the House community. After September 11, 2001, Gordon’s team was tasked with identifying and resolving vulnerabilities in the voice systems necessary for Congress to perform its duties.

Gordon directed the development of a voice network recognized by industry experts as one of the most reliable and sustainable in the country. His team completely revamped the voice system hardware and software to provide multiple backups and redundancy. Additionally, he directed his team to completely redesign the network used to transport phone calls. It was an amazing improvement to reliability of service and one in which Gordon is extremely proud to have been a part.

Then, Gordon’s responsibilities focused on the tracking and implementation of new technology in the House community. Gordon had the foresight to initiate projects which will continue to provide House customers with the world class service they expect from the CAO. Based on his vision, the voice network is being upgraded to provide new features in the future. Additionally, the voicemail system is being converted to an IP based system in the House community. Gordon had the foresight to initiate projects which will continue to provide House customers with the world class service they expect from the CAO.

CONGRESSIONAL RECORD — Extensions of Remarks

INTRODUCTION OF THE WELFARE INTEGRITY ACT OF 2013

HON. STEPHEN LEE FINCHER
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. FINCHER. Mr. Speaker, I rise today to discuss the importance of Washington ending the cycle of drug abuse by allowing states to perform random drug tests to receive the Temporary Assistance for Needy Families (TANF) benefits.

The time is now to stop the cruel cycle of drug abuse. Currently, Washington enables people who are addicted to drugs by allowing them to participate in the TANF program while still abusing drugs. This program was designed to provide a safety net for families and children in their time of need. Instead Washington is enabling the drug abuse cycle to continue because Washington does not demand consumers who use the program to be drug free.

If Washington wants to help families move toward economic stability it must end the cycle of drug abuse and encourage individuals to become healthy. By allowing for random drug checks, it can ensure that families receiving TANF benefits use the funds for the intended purpose of feeding, clothing, and providing shelter for children while cutting the ties that enables the cycle of drug abuse.

The Welfare Integrity Act of 2013 requires each state participating in the TANF program to certify that applicants and current recipients are being randomly tested for illegal drug use. In order to pass constitutional muster, the Welfare Integrity Act of 2013 requires states to provide a consent and waiver form where applicants are given the choice to waive their Fourth Amendment Rights and submit to a random drug test. The Supreme Court has ruled several times individuals have the right to waive their Fourth Amendment rights. Bottom line, the choice is yours.

Mr. Speaker, I urge my colleagues in the House to support me in passing the Welfare Integrity Act of 2013 to eliminate abuse and encourage individuals to become healthy. By allowing for random drug checks, it can ensure that families receiving TANF benefits use the funds for the intended purpose of feeding, clothing, and providing shelter for children while cutting the ties that enables the cycle of drug abuse.

RECOGNIZING CAPTAIN KRISTIAN P. BIGGS FOR THIRTY YEARS OF SERVICE IN THE UNITED STATES NAVY

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize Captain Kristian P. Biggs for thirty years of dedicated service in the United States Navy. Captain Biggs will retire as the Director of Missile Defense and Integration in the Office of the Deputy Assistant Secretary of the Navy for Ships.

Captain Kris Biggs was born on July 23, 1961 in Jacksonville, Florida. He earned a Bachelor of Science Degree in Physics (Department of Engineering) and Mathematics at Jacksonville University, where he received a commission in April 1983 as an Ensign, via the NROTC program, into the Restricted Line (Engineering Duty Officer). He holds a Master of Science Degree in Engineering Acoustics from the Naval Postgraduate School in Monterey, California, and is a graduate of the Advanced Program Manager’s Course from the Defense Systems Management College in Fort Belvoir, Virginia.

After completing the Surface Warfare Officer School Basic Course in Coronado, California, he reported to the USS Lang (FF–1060) where he qualified as a Surface Warfare Officer while serving as a Surface Warfare Officer, Assistant Navigator, and Personnel Officer. In September 1986, Captain Biggs entered the Naval Postgraduate School in Monterey, California and graduated in December 1988 with a Masters Degree in Engineering Acoustics. After completing the Engineering Duty Officer Basic Course in Mare Island, California, Captain Biggs reported to Commander, Operational Test and Evaluation Force in Norfolk, Virginia where he served as the Operational Test Director for the AN/SQQ–89(V) ASW Combat System.

In October 2004, Captain Biggs became the Program Executive Officer for Undersea Warfare in Crystal City, Virginia in the fall of 1995. His initial assignment was as an Assistant Program Manager in the Naval Signal Processors Program Office (PMS 428). Following the Advanced Program Manager’s Course in 1997, Captain Biggs was assigned to the Undersea Weapons Program Office (PMS 404) where he worked on advanced technology. He was selected to become a member of the Acquisition Professional Community and completed his Level III Program Management qualification. In 1998, Captain Biggs was assigned to the Program Executive Officer for Theater Surface Combatants where he served as the Navy Area Theater Ballistic Missile Defense (TBMD) Test and Evaluation Branch Head in the Navy Area TBMD Program Office (R45). From August 2000 to July 2002, he served as the Navy Area TBMD Systems Engineering Branch Head.

In August 2002, Captain Biggs reported to Program Executive Officer for Integrated Warfare Systems (PEO IWS) Detachment Huntsville, Alabama where he served as the Joint Land Attack Cruise Missile Defense Elevated Netted Sensor System (JLENS) Deputy Project Manager (Navy) in the Army Program Executive Officer for Air, Space and Missile Defense. He went to Afghanistan in 2003 and Iraq in 2004 in support of Operations ENDURING FREEDOM and IRAQI FREEDOM. He was promoted to Captain in July 2004.

In October 2004, Captain Biggs became the 11th Commanding Officer of the Tactical Training Center at Naval Surface Warfare Center, Panama City, Florida. He was selected to become the first Commanding Officer of the Naval Undersea Warfare Center at Newport, Rhode Island in 2007. He was promoted to Commander in June 2008 and assumed command of Undersea Warfare Group Six, a command comprising 8,000 personnel in 19 locations. Captain Biggs is enabling the drug abuse cycle to continue because Washington does not demand consumers who use the program to be drug free.
Captain Biggs’ personal decorations include the Legion of Merit, Defense Meritorious Service Medal, Meritorious Service Medal with one gold star, Navy Commendation Medal with three gold stars, Army Commendation Medal, Navy Achievement Medal and various service related awards and campaign ribbons.

Captain Biggs is married to the former Marina Reese. The Biggs’ have four children; Justin, Eric, Juliana, and Joshua.

Mr. Speaker, I ask my colleagues to join me in honoring Captain Kristian P. Biggs for his thirty years of service to our country. Captain Biggs has demonstrated a deep commitment to the security of our nation. His exemplary career is a testament to the level of dedication exhibited among our men and women in the armed forces. I would like to personally wish him the best of luck in his future endeavors.

NATIONAL MARFAN AWARENESS MONTH

HON. STEVE ISRAEL OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. ISRAEL. Mr. Speaker, I rise today on behalf of the hundreds of thousands of Americans affected by Marfan syndrome and related heritable connective tissue disorders across the country.

As February marks National Marfan Awareness Month, it is important to raise awareness to this rare genetic condition. About 1 in 10,000 Americans carries a genetic mutation that impacts connective tissue throughout the entire body. Patients often have disproportionately long limbs, a protruding or indented chest bone, curved spine, and loose joints. However, these are not what most concern Marfan syndrome patients. Internal organs have connective tissue and in Marfan patients the aorta, the large artery that carries blood away from the heart, is weakened and prone to enlargement and potentially fatal rupture.

This year marks the 30th anniversary of the enactment of the Orphan Drug Act. While we have made great strides in addressing rare conditions since the Orphan Drug Act first became law, we must not lose sight of the work that still needs to be done. Patients with Marfan syndrome and related disorders rely on us to provide investment in critical research activities so that treatment options can be improved and, most importantly, so that cures can be found.

I am proud to represent the nation’s foremost organization working to support the Marfan community, the National Marfan Foundation, based in Port Washington, New York. The Foundation was founded in 1981 by Priscilla Cicciariello, and since then the Foundation has worked to improve the lives of those affected by Marfan syndrome and related disorders by promoting research, raising awareness, and providing support to those afflicted with Marfan.

I urge my colleagues to join me in recognizing National Marfan Awareness Month. I look forward to working with colleagues from both sides of the aisle to make critical investments in medical research and treatment to save the lives of people across the United States.

RECOGNIZING COOK COUNTY SPELLING BEE CHAMPION ALIA ABIAD

HON. DANIEL LIPINSKI OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize Alia Abiad, winner of the Cook County Spelling Bee. Alia Abiad is a 7th Grader at McClure Junior High School, and a resident of my hometown of Western Springs, IL. In addition to being a skilled tennis player and violinist for the Chicago Youth Symphony Orchestra, her recent performances in local Spelling Bees have demonstrated that she is an extremely dedicated and talented young woman.

Alia diligently practices her spelling independently and with her parents every day. She also gains her edge by reading books intended for an audience well beyond her age. Alia initially won the title of best speller at McClure Junior High, and then went on to win the Cook County Regional Spelling Bee. In these competitions she maintained a perfect record, spelling every word correctly. Alia will be representing her school and her peers at the Scripps National Spelling Bee in Washington, DC this upcoming May.

This victory is a reminder of how preparation, practice, and perseverance produce solid results, even when facing difficult challenges. I call on all my colleagues to join me in congratulating Alia Abiad for her tremendous accomplishment.

RECOGNIZING SUSAN RIGBY AS THE 2014 ESCAMBIA COUNTY, FLORIDA TEACHER OF THE YEAR

HON. JEFF MILLER OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Mrs. Susan Rigby as the 2014 Escambia County, Florida Teacher of the Year. Mrs. Rigby has been an inspiration to her students, her colleagues, and our community; and I am honored to recognize her success and achievements.

In 1983, Mrs. Rigby graduated from the University of West Florida with a bachelor’s degree in Clinical Teaching and Special Education. However, Mrs. Rigby’s passion for teaching began well before 2005. Since 1989, Mrs. Rigby has served the students and community of Northwest Florida, both in the Escambia County and Santa Rosa County school districts. Mrs. Rigby initially served as an ESE Teacher Assistant and Substitute Teacher for the Escambia County School District from 1989 to 1999. Since then, she has served twice as an ESE Teacher for Pine Forest High School, Math Teacher for Navarre High School, and is currently the an Algebra 1A Co-Teacher at Pine Forest High School.

The superb quality and effectiveness of the schools in Northwest Florida can no doubt be credited to educators like Susan Rigby. Mrs. Rigby understands the invaluable role teachers play in the lives of their students, and she possesses an unwavering commitment and fervor. She is an exemplary teacher who believes encouraging her students to reach their highest potential is most crucial to the learning experience. The enthusiasm demonstrated by Mrs. Rigby’s students is truly a testament to her dedication and desire to see her students achieve both in and out of the classroom.

Aside from her involvement at Pine Forest High School, Mrs. Rigby dedicates her time to various community events such as Relay for Life, We Believe in Children 5K, as well as projects that benefit underprivileged classrooms. Mrs. Rigby’s efforts and devotion have not gone unnoticed, and she has been honored for her years of teaching secondary education. In 2004, she was awarded the University of West Florida, Outstanding College of Education Student. She was also the recipient of the Pine Forest High School Teacher of the Year, as well as the Walmart Selection Teacher of the Year in 2005.

Mr. Speaker, I am proud to recognize Mrs. Susan Rigby as the 2014 Escambia County Teacher of the Year. My wife Vicki joins me in congratulating Mrs. Rigby, and we wish her all the best for continued success.

THE GREEN MOUNTAIN LOOKOUT HERITAGE PROTECTION ACT

HON. SUZAN K. DeBENE OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Ms. DEBNEN. Mr. Speaker, I rise today to introduce the Green Mountain Lookout Heritage Protection Act, along with my colleague Congressman Larsen. Green Mountain Lookout, located in the Glacier Peak Wilderness, was built in 1933 as a Civilian Conservation Corps project. During the Second World War, the lookout was used to detect fires and to spot enemy aircraft. It is no surprise that with such a rich history, the Green Mountain Lookout is listed on the National Register of Historic Places.

Unfortunately, severe weather caused the Green Mountain Lookout to fall into disrepair, and the U.S. Forest Service began taking steps to preserve the historic structure for future generations. However, a group based out of Montana filed a lawsuit against the Forest Service for using machinery in order to conduct repairs, and a U.S. District Court ordered the Forest Service to remove the lookout. This legislation would protect the Green Mountain Lookout, one of the few surviving fire lookouts in the West, by allowing critical maintenance while keeping this iconic structure in its original home.

The Green Mountain Lookout represents a significant piece of the Pacific Northwest’s history and it deserves to be protected for future generations. I urge my colleagues to preserve a part of our Nation’s history by supporting this bill.
IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE INTEGRATION OF THE UNIVERSITY OF ALABAMA

HON. TERRI A. SEWELL
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to recognize the 50th Anniversary of the integration of the University of Alabama in Tuscaloosa, Alabama.

This weekend, a bi-partisan congressional delegation led by Representative JOHN LEWIS (D–GA) will travel to Alabama as part of the 13th annual Faith & Politics Congressional Civil Rights Pilgrimage. I have the great pleasure of co-hosting the delegation with my fellow Alabama colleagues Representatives SPENCER BACHUS (R–AL) and MARTHA ROBY (R–AL).

The Pilgrimage is a meaningful opportunity to commemorate the steps of our nation’s Civil Rights icons through the historic Civil Rights sites in Tuscaloosa, Birmingham, Montgomery, and Selma. It is also a time to reflect on our painful past while acknowledging our current progress.

This year marks the 50th Anniversary of so many significant civil rights events that occurred in 1963. One of those events was the infamous stand taken by then Governor Wallace at the doors of the University of Alabama to prevent black students from registering. The University of Alabama has come a long way since that infamous day to promote racial diversity within its student body, faculty, and administration.

Today, I pay special tribute to the University of Alabama for commemorating the 50th Anniversary of a pivotal event in the struggle for racial equality in America. I believe it is important that we must acknowledge our painful past and frame its significance in the global fight for civil and human rights.

The history of the State of Alabama has been one of the critical role it played in the Civil Rights Movement which caused a global movement for the quest of human dignity and rights around the world. We, in the 7th Congressional District of Alabama, pay tribute to the University of Alabama as one of the crown jewels of higher education in our district, and honor the courage of the black students—Autherine Lucy, James Hood, and Vivian Malone—who paved the way for the multitude of successes the University enjoys today.

On June 11, 1963, two African-Americans, James Hood and Vivian Malone attempted to enroll at the University of Alabama. Prior to their attempts, only one African-American, Autherine Lucy, had been successful in registering and actually attending classes at the institution.

In 1957,Autherine Lucy and Polly Anne Myers filed suit against the University to clarify their rights and obtain an injunction after being denied admission based on race. The injunction was granted and Ms. Lucy was eventually admitted to the University. She became the first African-American to attend a white public school or university in the State of Alabama. However, she was unfairly expelled after just three days when the University suggested that her presence was a nuisance to the campus because they could not provide a safe environment for the young student.

In 1963, pursuant to the same injunction, James Hood and Vivian Malone made a secondary attempt to fully integrate the University. Upon their arrival to the Tuscaloosa campus, former Alabama Governor George Wallace attempted to block Hood and Malone from entering Foster Auditorium to register for classes. As the world watched, Governor Wallace’s attempts to prevent integration of the University of Alabama are recorded in our Nation’s history as “The Stand in the Schoolhouse Door.” Governor Wallace was determined to defend his now infamous declaration: “Segregation Now, Segregation Tomorrow, and Segregation Forever.” But his efforts to halt progress were fruitless. That day, Hood and Malone with the support of a federal court order and members of the University of Alabama National Guard, were eventually allowed to register for classes and pursue their degrees. They are forever recorded in our nation’s history as two of the first African-American students to attend the University.

Vivian Malone was the first African-American to graduate from the University of Alabama and James Hood later received his doctorate from the University.

Today, “The Stand in the Schoolhouse Door” is remembered as a pivotal moment in the civil rights movement. As we commemorate the 50th anniversary of this historic event, we recognize its significance in the quest for justice and equality. While there were dark moments, the events of that day are now seen as a catalyst on our road to forming a more perfect union.

Today, the University of Alabama stands as a beacon of inspiration. The diversity represented in today’s student body is a visible reminder of the sacrifices of Autherine Lucy, James Hood and Vivian Malone. Because of their bravery and courage, the University of Alabama now boast a widely diverse student body, an outstanding academic curriculum and a world class athletic program. Today, the University of Alabama is ably led by its first woman President, Dr. Judy Bonner. We recently celebrated having the number one collegiate team in four NCAA sports—including women’s gymnastics and football being named the BCS National Champions for the second year in row.

As a beneficiary of the courageous contributions of Autherine Lucy, James Hood and Vivian Malone, I am humbled by the opportunities their bravery has afforded all black Alabamians. As Alabama’s first African-American Congresswoman, I know that my journey would not be possible without their sacrifices.

On behalf of the 7th Congressional District, the State of Alabama and this nation, I ask my colleagues to join me in paying tribute to the University of Alabama and its important place in our nation’s history.

Roll Tide!

IN HONOR OF THE 52ND ANNIVERSARY OF PEACE CORPS

HON. SAM FARR
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. FARR. Mr. Speaker, I rise today to honor the 52nd anniversary of Peace Corps. For over 5 decades, through war and conflict, Peace Corps has sent Americans to distant lands to serve others in the common cause of global peace. Since 1961, over 210,000 Americans have served at the request of 139 developing countries. I am proud to be a part of these ranks. Peace Corps changed my life. And it changes the lives of those who serve and the communities that are served.

I speak, over 8,000 Americans are serving in 76 countries. This includes my constituent Nelly Alcantar from King City, CA. She is a Community Health Education Volunteer in Suriname who helped build a computer lab at the local primary school and develop illustrations for a water and sanitation project manual.

Mr. Speaker, I commend Nelly, Jonathan and the hundreds of thousands of other Peace Corps Volunteers, past and present for fulfilling the vision of President John F. Kennedy. You represent America’s highest ideals: peace, equality and friendship. Thank you for your service.

TRIBUTE TO MAYOR CARROL DAUGHERTY

HON. JO BONNER
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. BONNER. Mr. Speaker, I rise to pay tribute to Mayor Carrol Daughterty, a respected public servant and good friend who is stepping down after 42 years at helm of the Town of McIntosh, Alabama.

Born and raised in McIntosh, Mayor Daughterty is a graduate of Leroy High School and Huffstetter Business College in Mobile. A consummate businessman and civic leader, he founded CMS Construction Company in Saraland. While many would be content to focus all their talents toward leading an important and successful business, like CMS Construction, Mayor Daughterty has devoted an equal amount of time to improving his community and South Alabama through a combination of public service and volunteering.

It must be noted that Mayor Daughterty’s community service achievements are far ranging and considerable. He helped organize McIntosh Christian Academy. He was a founder and board member of Southwest Bank, formerly known as Washington County State Bank. He is a former Board Member of Friends of Searcy Hospital in Mt. Vernon; Board Member of North Mobile Community Hospital in Satsuma; Charter Board Member of Southwest Alabama Health Services in McIntosh and a Charter Member and one of the organizers of the McIntosh Betterment Association.

Mayor Daughterty helped organize the McIntosh Volunteer Fire Department and was a staunch supporter of the McIntosh Rescue Squad. Furthermore, he helped establish the McIntosh Public Branch of the Washington County Library with the help of his late wife, Melva Jean, and area industry leaders.

Mayor Daughterty is a former Board Member of the Alabama Sheriffs’ Boys Ranch and was appointed by Governor George C. Wallace to serve on the Board of Directors of the Alabama Department of Labor Management Committee.

IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

IN HONOR OF THE 52ND ANNIVERSARY OF PEACE CORPS

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INTRODUCTION OF THE SOCIAL SECURITY IDENTITY DEFENSE ACT OF 2013

HON. THOMAS E. PETRI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. PETRI. Mr. Speaker, today I am introducing the Social Security Identity Defense Act of 2013, legislation to enhance the ability of the Internal Revenue Service to fight identity theft when that agency becomes aware of the fraudulent use of a taxpayer’s personal information.

This legislation is a direct response to the experience of constituents of mine in Princeton, Wisconsin. During a routine review of his credit report, my constituent found accounts opened by another person using his Social Security number. This discovery raised many concerns, not the least of which was that this person’s income might be reported to the IRS under his Social Security number. Upon contacting the IRS, he was told that the IRS knew of the situation and that they had known about it for some time.

Not surprisingly, this answer was not altogether comforting. The IRS knew that someone else had been using his Social Security number, but kept that information under lock and key. While the IRS remained silent, additional frauds were committed, resulting in the further misuse of my constituent’s personal information by another person to establish a fraudulent credit history. When he raised this issue with the IRS, he was astounded by the agency’s answer. Privacy statutes prevent the IRS from discussing the return information of a taxpayer with anyone else. In the view of the IRS, the fraudulent use of a taxpayer’s personal information with that information’s rightful owner. The agency also would be directed to transmit information that may be evidence of an identity theft to the FBI so that the Bureau can make this material available to state and local law enforcement agencies upon their request. Finally, the Social Security Identity Defense Act calls for the IRS to direct employers not to include a Social Security number on a W–2 form when that agency is aware that the employee is making fraudulent use of that number.

These are important steps forward. They will empower both citizens and law enforcement agencies in their efforts to combat identity theft, and they will limit the use of personal identifiers in the commission of future crimes. I urge my colleagues to join me in this effort by cosponsoring the Social Security Defense Act.

ANNIVERSARY OF THE SUMGAIT POGROMS

HON. FRANK PALLONE, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. PALLONE. Mr. Speaker, again this year I ask my colleagues to join me in commemorating the 25th anniversary of the Sumgait pogroms that the Basic rights of life, liberty and security are promoted throughout the Caucasus region. I ask my colleagues to join me in calling on Azerbaijan to cease its human rights abuses and to take action to create a peaceful future.

As co-chair and founder of the Congressional Armenian Issues Caucus, I know that the caucus will continue its work to ensure that the basic rights of life, liberty and security are protected throughout the region. We will continue to advocate for a peaceful resolution to conflict in the region. We will continue to call on Azerbaijan to cease its hostilities toward the Armenian people and stand for justice whenever it is violated.
RETIREMENT OF RICHARD HERTLING

HON. LAMAR SMITH
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. SMITH of Texas. Mr. Speaker, the call to serve one's country comes to people in many different forms. Some protect our nation in the Armed Forces. Some are elected to public office. Others serve officials in the three branches of our government. But all work together to protect, preserve and uphold the founding principles of this great nation.

Richard Herding has spent the last 27 years serving his country in both the legislative and executive branches. A graduate of the University of Chicago Law School, he began his career at the U.S. Department of Justice. Since then he has worked for Senators, Congressional committees and a presidential campaign.

During the Bush Administration, he oversaw major policy decisions by the Justice Department as the Principal Deputy Assistant Attorney General for Legal Policy.

He also managed the Justice Department’s communication with Capitol Hill as the Acting Assistant Attorney General of the Office of Legislative Affairs.

Most recently he served as the Staff Director and Chief Counsel for the House Judiciary Committee, which I chaired in the last Congress. With Richard’s help, the House Judiciary Committee passed more substantive bills than any other committee in the last Congress. His strategic thinking was instrumental in achieving this goal.

Today, Richard Herding is retiring, and we in the House are losing a smart attorney and good friend. But the Senators, members of the House and staff who worked with him will also miss his tutorials in ancient history and his use of Latin in everyday conversations.

We thank him for his service to his country, and wish him the best on his well-deserved retirement.

IN HONOR OF QUEENS COUNTY EXECUTIVE DISTRICT ATTORNEY JESSE J. SLIGH

HON. GREGORY W. MEEKS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. MEEKS. Mr. Speaker, I stand here today to honor a respected leader in my community, Queens County Executive District Attorney Richard A. Brown’s Special Prosecution Division. The Special Prosecutions Division serves as a bridge between the Queens County District Attorney’s office and the diverse people of Queens. The division proactively fights crime by building strong community partnerships, tackling quality of life issues, and spearheading crime prevention and mentoring programs that educate the youth of Queens about law enforcement and provide a positive structure for children who might otherwise head down the wrong path.

Mr. Sligh, the third of thirteen children, was the first member of his family to attend college, but not only did he attend college he graduated from the Ivy League Columbia University and then he earned his juris doctorate from Georgetown Law School here in Washington D.C. After that, he served our great nation as a Captain in the U.S. Army Jag Corps and earned an exemplary trial record in the process. In 1982, he joined the Queens County District Office. Jesse Sligh’s talent impressed his supervisors and continued to impress them until he reached the position of Executive District Attorney. Thirty-one years later he still serves Queens County.

On February 20, 2013 the Queens County District Attorney office honored Jesse Sligh as part of a Black History Month Celebration and I want to honor him today as well. Jesse, a man of great faith, is a founding member of the Erie Avenue Baptist Church in Philadelphia and he is a member of the Queens Executive Board for the Boy Scouts. Jesse has been a mentor to young and old, he is a true friend to everyone he has known, and he always offers help in times of need. I applaud Mr. Sligh for all he has accomplished and his service to our Country, his family, public service and God. I am proud that he is a member of my district.

Jesse, we thank you for your good and faithful work.

IN MEMORY OF MRS. AThERLenee MoNoRoe

HON. AL GREEN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. AL GREEN of Texas. Mr. Speaker, I would like to honor the memory of a spiritual leader and a pillar of Houston’s Sunnyside community, Mrs. Atherlene Monroe. With extraordinary dedication, Mrs. Monroe devoted her life to the spiritual instruction of others and her family.

Mrs. Monroe was born in Houston, TX on February 6, 1935. Her parents instilled within her an unshakeable faith, and a desire to spiritually mentor as well as teach others. On December 20, 1953, Mrs. Monroe met and married another pillar of the Sunnyside community, Reverend Rugley Monroe, Jr., Pastor of the El Bethel Missionary Baptist Church. Together Reverend and Mrs. Monroe raised three sons as well as one daughter. They worked to serve their community as well as save the souls of a multitude of people.

Mrs. Monroe served in several roles at the El Bethel Missionary Baptist Church and the local spiritual community. Through her selfless hard work and integrity, she eventually became a member of the choir, president of the Women’s Mission, as well as treasurer of the Southside’s Minister’s Wives Union organization. She was also a faithful companion to her husband of 59 years in all his endeavors.

Finally, Mr. Speaker, Mrs. Monroe will be missed dearly by a host of family and friends. The family includes her husband, four children, Rugley Monroe, III, Angelene Stewart, David Monroe, Sr., and Patrick Monroe, Sr., as well as her nine grandchildren, twelve great-grandchildren, and one great-great grandchild. Mrs. Monroe will be remembered in the Sunnyside community as an exemplar of a faithful Christian lady, wife, mother, and teacher.

TRIBUTE TO JOHN DUDLEY TERRELL, JR.

HON. JO BONNER
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. BONNER. Mr. Speaker, I rise today to pay tribute to the memory of an American hero and a good friend, Mr. John Dudley Terrell, Jr., who recently passed away at the age of 91.

A native and lifelong resident of Mobile, Mr. Terrell graduated from McGill Institute and attended Springhill College.

Like many Alabamians of his generation, John answered his country’s call to serve during World War II. As a young lieutenant with the Army Air Corps, he flew 51 combat missions at the controls of a B24 Liberator bomber in the European Theater of Operations.

His considerable wartime experience included participation in three historic battles: Air Offensive Europe, The Rome-Arno Campaign, and the Battle of Normandy where his bravery and combat piloting skills no doubt helped to advance the Allied efforts against the Axis powers.

For his courageous service, he received the Distinguished Flying Cross, the Air Medal with two Oak Leaf Clusters and the European Theater Medal with three Bronze Stars.

After the Allied Victory in Europe, Mr. Terrell left the Army Air Corps to return to civilian life where he traded his role as an aviator for that of an Independent Insurance Agent in his hometown.

He partnered with business associates to form the Robertson, Grove and Terrell Agency. Later he joined W.K.P. Wilson and Son’s, Inc. During his long and successful career in the insurance industry, he distinguished himself as exceptional businessman. Among his achievements, he was presented the Chartered Property Casualty Underwriter (CPCU) designation. He later joined TriCorp, Inc., where he worked until his well-deserved retirement.

John was a longtime member of St. Ignatius Catholic Church of Mobile. He was also an active member of numerous local community service organizations including several mystic societies.

On behalf of the people of South Alabama, I wish to extend my personal condolences to his wife of 60 years, Annunziata, their three children: Liz, John III, and Kathleen, and their 10 grandchildren. You are all in our thoughts and prayers.
Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Aaron Honeysucker for his dedication to serving to our great country.

CONGRATULATING THE 2012 NAVAL ACADEMY OF INVENTORS’ CHARTER FELLOWS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor the 101 inventors who were recently recognized at the University of South Florida in Tampa and inducted as the 2012 National Academy of Inventors’ Charter Fellows by the United States Commissioner of Patents, Margaret A. Focarino. In order to be named as a Charter Fellow, these men and women were nominated by their peers and have undergone the scrutiny of the NAI Selection Committee, our inventors, as making significant impact on quality of life, economic development, and welfare of society. Collectively, this elite group holds more than 3,200 patents.

The 2012 NAI Charter Fellows include individuals from 56 research universities and non-profit research institutes spanning not just the United States but also the world. This group of inductees touts eight Nobel Laureates, 14 presidents of research universities and non-profit research institutes, 53 members of the National Academies, 11 inductees of the National Inventors Hall of Fame, two Fellows of the Royal Society, five recipients of the National Medal of Technology and Innovation, four recipients of the National Medal of Science, and 31 AAAS Fellows, among other major awards and distinctions.

The contributions made to society through innovation are immeasurable. I commend these individuals, and the organizations that support them, for the work that they do to revolutionize the world we live in. As the fellows or inventors are inducted, may it encourage future innovators to strive to meet this high honor and continue the spirit of innovation.

The 2012 NAI Charter Fellows include:

- Dharmar P. Agrawal, University of Cincinnati; Anthony Atala, Wake Forest University;
- Benton F. Baugh, University of Houston; Khowor Behbehani, University of Texas at Arlington; Raymond J. Bergeron, University of Florida; Gerardine G. Botte, Ohio University; Robert H. Brown, Jr., University of Massachusetts Medical Center; Robert L. Byer, Stanford University; Sir Roy Calne, University of Cambridge; Curtis R. Carlson, SRI International.
- Nai Yuen Chen, University of Texas at Arlington; Stephen Z. D. Cheng, The University of Akron; Paul C. W. Chu, University of Houston; James P. Dauer, University of Wisconsin-Madison; Roger J. Davis, University of Massachusetts Medical Center; Sandra J. F. Degen, University of Cincinnati; Hector F. DeLuca, University of North Carolina; William H. Green, University of California; Donn M. Dennis, University of Florida; Akira Endo, Tokyo University of Agriculture & Technology; Howard J. Federoff, George-town University; Victor F. Fossey, Draper Laboratory; John W. Goodrich, University of Kentucky; Kenneth M. Ford, Institute for Human & Machine Cognition; Eric R. Fossum, Dartmouth College; Robert C. Gallo, University of Maryland; Alan N. Gentry, The University of Akron; Morteza Gharib, California Institute of Technology; Ivar Gjearer, Rensselaer Polytechnic Institute.
- Barbara A. Ghilchek, Boston University; Richard D. Gitlin, University of South Florida; Michael B. Glebov, University of Central Florida; D. Yogi Goswami, University of South Florida; Mark W. Grinstaff, Boston University; Greg Hampikian, Boise State University; Barbara C. Hansen, University of South Florida; Patrick T. Harker, University of Delaware; Martin E. Hellman, Stanford University; Nick Holonyak, Jr., University of Illinois at Urbana-Champaign;
- Leroy E. Hood, Institute for Systems Biology; Richard A. Houghten, Torrey Pines Institute for Molecular Studies; Ernest B. Izvještac, Jackson State University; Stephen C. Jacobsen, University of Utah; Eric W. Kaler, University of Minnesota; Linda P. B. Katehi, University of California, Davis; Joseph P. Kennedy, The University of Akron; Sakhrat Khizroev, Florida International University; Sung Wan Kim, University of Utah; George V. Kondraske, University of Texas at Arlington.
- John J. Kopchick, Ohio University; Roger D. Kornberg, Stanford University; Max G. Lagally, University of Wisconsin-Madison; Robert T. Langer, Massachusetts Institute of Technology; Brian A. Larkin, University of Nebraska-Lincoln; Victor B. Lawrence, Stevens Institute of Technology; Virginia M.-Y. Lee, University of Pennsylvania; Non-Marie Pierre Leh, University of Strasbourg; Shinn-Zong Lin, China Medical University; Thomas A. Lipo, University of Wisconsin-Madison.
- Barbara H. Liskov, Massachusetts Institute of Technology; Alan F. List, H. Lee Moffitt Cancer Center and Research Institute; Bowen Loftin, R. R. Brown University; Dan Luss, University of Houston; Robert Magnusson, University of Texas at Arlington; Richard B. Marchase, University of Alabama at Birmingham; Stephen W. S. McKeever, Oklahoma State University; Craig C. Mello, University of Massachusetts Medical Center; Shyam Mohapatra, University of South Florida; Theodore D. Moustakas, Boston University.
- George R. Newkome, The University of Akron; C. L. Max Nikias, University of Southern California; University of Florida; Julio C. Paim, University of Texas Health Science Center at San Antonio; Thomas N. Parks, University of Utah; C. Kenneth Patel, University of California, Los Angeles; Prom S. Paul, University of Nebraska-Lincoln; David W. Pershing, University of Utah; G. F. Peterson, Georgia Institute of Technology; Leonard Polizzotto, Draper Laboratory.
- Huntington Potter, University of Colorado Denver; Paul R. Sanberg, University of South Florida; Thomas A. Schifer, Purdue University; Raymond F. Schinazi, Emory University; Dean L. Sicking, University of Alabama at Birmingham; Oliver Smithies, University of North Carolina at Chapel Hill; Solomon H. Snyder, Johns Hopkins University; Franky So, University of Florida; M. J. Soileau, University of Central Florida; Nyang Su, University of Florida.
- Jack W. Szostak, Harvard University; Esther Sans Takeuchi, Stony Brook University; H. Holden Thorp, University of North Carolina at Chapel Hill; John M. Trojanowski, University of Pennsylvania; Roger Y. Tsien, University of California, San Diego; James E. Dahlberg, University of Chicago; John P. Whitehead, University of Nebraska-Lincoln; James W. Wagner, Emory University; John E. Ware, Jr., University of
Of New Jersey

Mr. ANDREWS. Mr. Speaker, I rise today to observe the 66th commemoration of Taiwan’s 2–28 Massacre. The Massacre was an anti-government uprising in Taiwan that began on February 28, 1947 when the children of impoverished parents were rounded up and executed by the Chinese soldiers. The massacre continued to inspire the Taiwanese democracy movement that grew from the 2–28 Massacre continue to inspire the people of Taiwan in their struggle for freedom and democracy and helped galvanize the movement for domestic independence.

In some ways, the 228 incident was Taiwan’s Boston Massacre for both events functioned as the cradle of a move by both peoples to full democracy and helped galvanize the struggle for independence.

Mr. Speaker, I urge my colleagues to join me today in commemorating this important historical event.

IN COMMEMORATION OF THE 66TH ANNIVERSARY OF THE 2–28 MASSACRE

Mr. Speaker, I rise today in observance of Black History Month—an opportunity to celebrate the rich legacy of African-Americans and the many ways they have shaped our Nation’s history.

This Black History Month, we commemorate two landmark anniversaries in American history: the 150th anniversary of the Emancipation Proclamation and the 50th anniversary of the March on Washington. Separated by a century, these two seminal events underscore what the Reverend Martin Luther King, Jr., once said—that “the arc of the moral universe is long but it bends towards justice.” Each successive generation of Americans must always do their part to build on the progress of those who came before them in order to advance the ideals of freedom and equality upon which our Nation was founded.

In South Florida, we have a history that has benefited tremendously from trailblazing African-American leaders who have broken through color barriers in order to contribute to our communities and our country.

They include individuals who served our country bravely, including Lt. Col. Eldridge Williams—one of the legendary Tuskegee airmen—and Col. Brodes Hartley Jr., who has been a leading civil rights leader in South Florida who committed to improving quality health care access for veterans. There is a long line of Hispanic and Black veterans who fought the KKK, from the Rev. John A. Ferguson, who after serving in the Navy helped found a small congregation in Richmond Heights that would grow to nearly 800 under his leadership and today stands at over 1400.

They include leaders like Al Dotson Sr., a pastor who served as the first elected African American president of the Orange Bowl Committee and the Chairman of the Board of Trustees for Florida International University, as well as Mayor Otis Wallace, who has served Florida City as mayor for over twenty-eight years and is today the longest serving elected official in the State of Florida.

I could name so many others. South Florida is a better place because of their commitment to public service and their strong leadership.

EXPANDING THE DEPARTMENT OF VETERANS AFFAIRS DEFINITION OF ‘HOMELESS VETERAN’

Ms. HAHN. Mr. Speaker, after over ten years of wars, we have a new group of veterans in our nation. We have a responsibility to provide support and services for our soldiers since they return home. This includes the area of domestic violence.

Sadly, our brave soldiers who return home after protecting our nation are not immune from domestic abuse. As I’ve said previously, we have a duty to our veterans. However, current law fails to fully protect those veterans who have been driven from their homes because of domestic violence.

In order to reflect the modern day reality that there are more women in our military than ever before, it is important that we continue to update our laws to address emerging issues within this new trend.

The civilian definition of homelessness includes people fleeing from domestic violence. However, the current law the Department of Veterans Affairs uses to administer benefits for homeless veterans does not recognize those driven from their homes by abuse as homeless.

The full definition of “homeless” under the law includes the following: “Any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that create a reasonable fear of harm to the victim or the victim’s family.” However, the Department of Veterans Affairs currently defines “homeless veteran” based on an incomplete definition of the civilian homeless law.

That’s why I have decided to reintroduce this bipartisan legislation with my colleague Congressman RUNYAN that would expand the Department of Veterans Affairs’ definition of
“homeless veteran” to include veterans fleeing situations of domestic violence and other life threatening emergencies. As a result, this change will allow those veterans who find the courage and the means to leave their abusers the ability to access the benefits that should be available to all homeless veterans.

This is a long overdue bipartisan common sense bill that adds no additional cost to the taxpayer. When we introduced this bill last Congress, we were able to garner 72 co-sponsors from both sides of the aisle. The legislation also had the support of a number of organizations including: Veterans of Foreign Wars (VFW) AMVETS The National Coalition for Homeless Veterans The Service Women’s Action Network The Association of the US Navy The National Law Center on Homelessness & Poverty Veterans for Common Sense The National Association for the Education of Homeless Children and Youth The National Coalition Against Domestic Violence

By passing this bill, we will ensure that this especially vulnerable population of veterans has the chance to access benefits the Department of Veterans Affairs already provides. After fighting for our country, our veterans should never find themselves without a safe home to come back to.

HONORING CAPTAIN TAMIKO WRIGHT

HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor an active soldier, Captain Tamiko Wright.

Captain Wright is a 1996 graduate of Vicksburg High School. Upon graduating from high school, she attended the University of Southern Mississippi, where she earned her bachelor’s degree in Kinesiology. She also holds a Masters in Business Administration (MBA) from Columbia Southern University and is currently seeking an additional Masters degree in Logistics.

Captain Wright is employed by the Combined Support Maintenance Shop (CSMS) at Camp Shelby, Mississippi where she is the Supervisor of Production Control. Captain Wright oversees the flow of approximately 1500 work requests per month on various types of military equipment. Her additional duties at CSMS include Anti-Terrorism Officer, Assistant Safety Officer, Hazardous Waste Management Coordinator, Sexual Harassment Officer, Assistant Operating Manager and SAMS–1E training officer.

Captain Wright and her husband, Larry Wright, reside in Hattiesburg, Mississippi and have two lovely daughters: Amari, 7 years old and Lorrie, 2 years old.

Captain Wright has dedicated over 12 years to the Mississippi Army National Guard. While doing so, she has served her country in deployment for Operation Iraqi Freedom to Kuwait and served on the S1 administrative staff for Operation Clean-Up during Hurricane Katrina.

Captain Wright is presently serving as Company Commander of the 1387th Quarter Master Water Supply Company in Greenville, Mississippi. Her successful career includes: Platoon Leader for D1 367th Maintenance Company, DeKalb, Mississippi; Executive Officer, 367th Maintenance Company, Philadelphia, Mississippi; and Acting Commander of the 367th Maintenance Company.

While attending Officer Candidate School (OCS), Captain Wright was named Outstanding Graduate for excellence in academics and leadership; she also received the Erickson Award for the candidate whose overall class ranking was number 1 based on overall criteria; and the Adjutant General Award for outstanding leadership ability. She also received numerous decorations and badges: the Army Achievement Medal, Army Commendation Medal, Army Reserve Component Achievement Medal, Army Good Conduct Medal, National Defense Service Medal, Global War on Terrorism Expeditionary Medal, Armed Forces Reserve Medal with Device, Mississippi Longevity Medal, Mississippi Emer- gency Services, Federal Office of Emergency Service Ribbon and the Army Service Ribbon.

Mr. Speaker, I ask my colleagues to join me in honoring an active soldier, Captain Tamiko Wright.

HONORING MAJOR GENERAL CARROLL THACKSTON

HON. ROBERT HURT
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. HURT. Mr. Speaker, I rise today to recognize and honor the life of a remarkable public servant, my friend Major General Carroll Thackston, of South Boston in Virginia’s 5th Congressional District.

Major General Thackston had a distinguished military career spending six years in the United States Army and 35 years in the Virginia National Guard, where he served as inspector general of the 6th Region, the 116th Support Battalion, state military personnel officer, chief of staff, assistant adjutant general, and adjutant general following his 1994 appointment by Governor George Allen.

As adjutant general, he provided encouraging words as he visited Virginia National Guard members; he helped those in need as he engaged in state emergency response operations; and he provided leadership as he oversaw the transition of Virginia National Guard operations to Fort Pickett.

The recipient of two Virginia Distinguished Service Medals, Major General Thackston will be remembered for his unwavering loyalty and true devotion to serving and protecting his fellow Virginians.

In addition to his role as a highly respected military veteran, Major General Thackston was also known for his service to his local community. He was a member of the South Boston Town Council and served as Mayor of South Boston. He also served on several boards including the Halifax County Chamber of Commerce, the Richmond and South Boston United Way, the South Boston School Board, and the YMCA.

Major General Thackston was a dear friend and he will be missed by our community. I ask my colleagues to join me in remembering a great Virginian and a truly dedicated public servant who not only made an impression on the lives of those of us in the Fifth District, but a man who made a difference in the lives of all Virginians.

SHELBY COUNTY V. HOLDER (VOTING RIGHTS ACT) BEFORE THE SUPREME COURT

HON. YVETTE D. CLARKE
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Ms. CLARKE. Mr. Speaker, the struggle for equality and justice through the Civil Rights Movement would not have attained its level of success without dedicated leaders such as Rosa Parks, Rev. Dr. Martin Luther King, Jr., Rev Jesse Jackson Sr., and my colleague, Representative John Lewis who put their lives on the line to make it so.

So here we are, nearly 50 years after the Voting Rights Act was signed into law by President Lyndon B. Johnson, the Supreme Court heard Shelby County v. Holder, the outcome of which holds the possibility of setting our nation back centuries.

Much of the debate regarding Section 5 of the Voting Rights Act has focused on the breadth of Section 5’s preclearance rules and provisions. In 1921, New York State enacted an English-only literacy test that remained on the books through the 1960s. During this time, New York State experienced a “Great Migration” from the South, as well as, from Puerto Rico and other areas of Latino descent. Most of these migrants lived in communities such as Harlem in Manhattan, the South Bronx, and the Bedford-Stuyvesant section of Brooklyn. At that time, New York State law included a literacy test which proved difficult, if not impossible for people with educational or language barriers. Coincidentally, there were three counties in New York City with low voter turnout in the 1968 election due in large part to the fact that these literacy tests could not be passed. This ultimately became the reason why jurisdictions for Section 5 preclearance were extended to specific counties in New York, in particular, Brooklyn, New York.

On May 10, 1967, a federal court ruled that the hodgepodge of gerrymandered congressional districts that snaked in and out of Bedford-Stuyvesant, Brooklyn were unconstitutional, in that they operated “to minimize or cancel out the voting strength of racial or political elements of the voting population that have been denied equal protection of the laws.” The Voting Rights Act subsequently passed. This ultimately became the reason why jurisdictions for Section 5 preclearance were extended to specific counties in New York, in particular, Brooklyn, New York.

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Andrew W. Cooper, a community activist, was the impetus for this historic change. A year after the Voting Rights Act became law, he sued New York State officials in a case called Cooper v. Power. The ensuing legal battle led to the redrawing of the now historically known as the Congressional District of New York (the district was later reapportioned to parts of the 11th District and now 9th Congressional District).

The ruling set in motion a monumental shift in voting rights in New York and beyond, redefining political representation for people of color. It was built on the foundation of civil rights gains made in the south and helped push the agenda for Voting Rights nationwide.

As a woman of color, a witness to the re-election of our nation’s first Black President, and the U.S. Representative for the Ninth Congressional District, which is a majority-minority district covered under Section 5 of the Voting Rights Act, I am deeply concerned by the potential ramifications of this case and the impact of its ruling on people of color and their right to vote.

Most recently a Brooklyn elected official wrote an editorial questioning the validity and significance of Brooklyn’s classification as a Section 5 covered jurisdiction. Brooklyn NY has one of the largest concentrations of people of color in the nation. It is also worth noting that another elected official from Brooklyn appeared in “Black face”, just this Sunday. These types of hostile inquiries and acts erode the fabric of American democracy and speak to the heart of why Section 5 preclearance is vital to the realization of justice and equality.

In many areas, racially polarized voting and the intent to disenfranchise Black voters demonstrate that the requirements of Section Five remain crucial to the basic function of our democracy. The 9th Congressional district of New York, which I presently represent, was birthed in 1965 when Andrew Cooper brought suit under the Voting Rights Act against racial gerrymandering and in response to widespread and prolific discriminatory voting practices in Brooklyn. This suit gave birth to New York’s 12th Congressional district and the election in 1968 of Shirley Chisholm, the first Black woman ever elected to the U.S. Congress to whom I have the distinct honor and privilege of succeeding almost 40 years later.

Even in the years after the formation of the Congressional Black Caucus in 1971, people of color remained underrepresented at every level of elected offices. These are just a few examples of why Section 5, and in particular its preclearance clauses, are essential to ensure that changes to voting rules and practices do not result in voter suppression, retrogression, and discrimination.

Without the existence of majority-minority districts, the voices of millions of Americans will be excluded from Capitol Hill; and their perspectives would not inform public debate. Without Section 5, racially polarized voting and democracy would exist in form, but not in fact.

When I was elected to Congress in 2006, and after Congress had just reauthorized the Voting Rights Act, I would never have thought that today we would be re-litigating issues that I believed were long since settled and resolved.

It took our nation over 200 years to obtain the victories of the Civil Rights Movement, now less than 50 years after the Voting Rights Act was signed into law are we truly to believe that systemic racial discrimination and voter suppression has ended? I think not! These advancements in the struggle for equality, permitting All Americans to freely exercise the right to vote will take more than a short lifetime to protect and preserve. Jurists of the Supreme Court, a word of advice- if it ain’t broke, don’t fix it!

ST. MARKS PAROCHIAL SCHOOL
HON. MICHAEL G. FITZPATRICK
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Mr. FITZPATRICK. Mr. Speaker, I rise today in honor of St. Mark’s Parochial School in Bristol Borough, PA. On December 27, 1887, St. Mark’s Parochial School was opened and officially blessed, becoming the first parochial school in Bucks County. St. Mark’s School was initially staffed by The Sisters, Servants of the Immaculate Heart of Mary, and Father Ward, who was Pastor of St. Mark Parish from 1879 to 1887, is considered the founder of Catholic education in Bristol. For the next 125 years, the school would become an integral part of the Bristol Borough community.

Thanks to its dedicated teachers and staff, St. Mark’s Parochial School provides students with a high quality and well-rounded education in a Christian environment. It helps children develop a strong sense of morality and concern for their fellow neighbor. Further, members of St. Mark’s routinely demonstrate an active presence in their community. The school has become a great source of pride for the Borough of Bristol.

St. Mark’s shows promise and growth as an institution and will continue to cultivate young minds. Because the school serves as a model of excellence in education and an active participant in community development, it is my pleasure to honor St. Mark’s Parochial School of Bristol Borough on the floor of the U.S. House of Representatives.

SEQUESTER HARM IS “ABSOLUTELY OVER-HYPED”

HON. JOHN J. DUNCAN, JR.
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES

Mr. DUNCAN of Tennessee, Mr. Speaker, Mayor Bloomberg says, “Spare me!” He said yesterday that the Administration’s efforts to scare people about the sequester have gone too far. He said, “In all fairness, on Monday, we’ll be able to police the streets.”

He said “there’s a lot of postponing” and that statements about laying off employees, closing down hospitals, and letting prisoners go “are not good for the country.”

The Mayor said, “Spare me, I live in that world. I mean come on, let’s get serious here.”

In today’s National Journal Daily, Steve Bell, senior director of the Bipartisan Policy Center, says the sequester is “completely overhyped.”

He says, “a sequester will occur and the next day the likelihood is that almost no one will know that it started.”

The choice is simple. We can cut now or crash in the very near future. The press says the sequester will hurt the economy. Actually, the sequester is miniscule in comparison to the harm to our economy from the President’s tax hikes, Obamacare, and environmental overkill.

HONORING MINNIE DODGE

HON. JEFF DENHAM
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Ms. Minnie Dodge, Administrative Manager for the Modesto Chamber of Commerce, who is retiring after 14 years of outstanding service to our community.

Ms. Dodge attended Boise State University. During her time in the state of Idaho, she worked for L.B. Industries, Inc., the Larry Banes Foundation, and was the co-owner of Omega Construction.

Minnie then relocated to California, where she was hired at the Modesto Chamber of Commerce as the Customer Service Manager in February of 1999. During her years at the Chamber, she was on several committees, including the Ag Aware Luncheon, the Harvest Luncheon, the Good Egg Breakfast, and the Modesto Chamber of Commerce Leadership Steering Committee.

In July 2002, Minnie was promoted to Administrative Manager. Minnie and her husband, Tony Meli, will soon be moving back to Boise, Idaho. Her family includes children Nicole, Cherene and her husband Steve, and Shane and his wife Tracy; along with their grandchildren Emily, Ashley, Conner, and Jack.

Mr. Speaker, please join me in honoring and commending Minnie Dodge for her numerous years of selfless service to the betterment of our community.

PERSONAL EXPLANATION

HON. YVETTE D. CLARKE
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Ms. CLARKE. Mr. Speaker, I was unavoidably detained in my district and missed the vote on Monday, February 25, 2013. Had I been present, I would have voted “yea” on rollover No. 47, H.R. 667—To redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

HONORING JESSE J. JOSSELL, JR.
HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to acknowledge and honor Jesse J. Jossell, Jr., of Marks, Mississippi. He says, “A sequester will occur and the next day the likelihood is that almost no one will know that it started.”

Further, members of St. Mark’s routinely demonstrate an active presence in their community. The school has become a great source of pride for the Borough of Bristol. St. Mark’s shows promise and growth as an institution and will continue to cultivate young minds. Because the school serves as a model of excellence in education and an active participant in community development, it is my pleasure to honor St. Mark’s Parochial School of Bristol Borough on the floor of the U.S. House of Representatives.

Mr. Speaker, please join me in honoring and commending Minnie Dodge for her numerous years of selfless service to the betterment of our community.
Jesse was born in Coahoma County on September 5, 1935 to the late Jesse J. and Cordelia B. Jossell, Sr. His family later moved to Quitman County, Mississippi where he attended school and in May 1954 he graduated from Marks Industrial High School. He received a Bachelor of Arts Degree from Coahoma Junior College in May 1959. In 1961, he received his Bachelor of Science Degree from Jackson State College, now Jackson State University. He also attended Howard University in 1965. In 1969, he earned a Master of Science Degree in Natural Science from Oklahoma State University and later a Master of Education Degree in Educational Administration and Supervision in 1973.

From 1960 until 1973, Jesse Jossell worked for the Quitman County School District in Marks, Mississippi as a classroom science teacher and science supervisor before accepting a principal position at the Falcon Junior High School in 1973.

In 1973, Jesse Jossell was asked to seek the office of Superintendent of Schools in the upcoming State and County Elections in 1975. Just five years earlier, the leadership in the black community under the new voting rights laws sought to test this new tool. Jesse by far was the most attractive candidate and offered the best opportunity to elect an African-American to a countywide position. For two years, voter registration was the order of the day. More than 1,500 African-Americans were added to the voter rolls by qualifying deadline. Although Jesse and the other black candidates were not elected, three years later he was elected the first African-American to the Quitman County Board of Supervisors.

Jesse Jossell was later called into the ministry, where he has served as Pastor of Holly Grove Missionary Baptist Church since 1984. Through his work as pastor, he has provided child care to working mothers, especially single low-income and those trying to better themselves by going to school.

Mr. Speaker, I ask my colleagues to join me in recognizing Pastor Jesse Jossell, Jr. for a life of dedication to bettering the lives of the least among us.

HONORING CONNECTICUT’S PEACE CORPS VOLUNTEERS

HON. JOE COURTNEY
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. COURTNEY. Mr. Speaker, I rise today to honor the contributions of the 26 Peace Corps members from eastern Connecticut who are currently serving in the Peace Corps around the world. For five decades, the Peace Corps has supported international diplomacy through the promotion of peace, goodwill, and social and economic equality. I am proud that these eastern Connecticut residents who are devoted part of their lives to help improve the lives of others.

Among these eastern Connecticut volunteers is Keith Esposito, a resident of Gales Ferry and a Boston University graduate who is teaching English in Spain. Emily Howell Keller, a New Canaan resident and Connecticut College graduate, is serving in Panama as an Environmental Education volunteer. Justin Lamont, who is serving in the Philippines, is a forest and land management consultant as part of the Peace Corps Response program.

Another volunteer, Chelsea Krieger, is serving as a HIV/AIDS technical health advisor in Malawi. Chelsea previously spent a year in Honduras through the Peace Corps; however, the Honduran program was suspended one year into her service. Chelsea completed a Master’s in Public Health and was motivated to apply for a Peace Corps response position to use her knowledge to assist those in need. Lantham Avery Jr. is currently serving in Kenya. The country currently experiencing unrest in the wake of the upcoming national elections. Additionally, one of my former interns, Gabrielle Tassone from Montville, is serving in Madagascar as an education volunteer. Other eastern Connecticut residents are serving in countries from Armenia to Tanzania to Gambia, and Kenya.

As we recognize the 52nd Anniversary of the founding of the Peace Corps program, it is important to recognize the over 210,000 American volunteers that have participated in this important service program. Volunteers have shown the international community the American value of service in over 139 countries. This program provides the best and brightest of our young people the opportunity to represent their country abroad, by teaching English, by assisting with economic development programs, and by providing necessary support to small communities throughout the world. As we begin Peace Corps month, I am hopeful that we can all recognize all of these invaluable contributions to American values and global understanding.

Mr. Speaker, I call upon my colleagues to join me in honoring these distinguished volunteers from Connecticut and across the country, for their contributions to the developing world and for embodying the core value of service we all share.

RECOGNIZING THE ALLIANCE FOR LUPUS RESEARCH’S 10TH ANNUAL WALK WITH US TO CURE LUPUS

HON. THEODORE E. DEUTCH
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. DEUTCH. Mr. Speaker, I rise today to recognize the Alliance for Lupus Research’s tenth annual Walk With Us To Cure Lupus.

Since its creation, Walk With Us To Cure Lupus has promoted awareness in our community and raised over one million dollars in support of medical research aimed at curing this disease.

Lupus is a chronic autoimmune disease in which a person’s immune system attacks normal, healthy tissues. The underlying causes are unknown, and there is no cure. This disease may cause damage to various parts of the body including skin, joints, and internal organs. As a chronic disease, those who suffer from lupus can endure months of symptoms that may reemerge as flares throughout their lives.

It is estimated that over 1.5 million Americans have lupus, including 100,000 people in my home state of Florida. The worldwide total is now over 5 million. It is important that we continue to support research to develop better treatments and find a cure, educate our friends, families, and health care professionals to improve diagnosis and treatment, and promote awareness of this disease and advocate on behalf of those who are affected by it.

I am especially proud of the many Floridians who have contributed to this effort. In particular, I would like to recognize my good friend and the district director for Florida’s 21st Congressional District, Wendi Lipsich. Wendi was diagnosed with lupus 25 years ago. While she is well-known for her energetic advocacy on behalf of seniors and families throughout our community, she deserves special recognition today for her contribution to the Alliance for Lupus Research.

Ten years ago, with the help of her friends Allison Rubin and Randy Neiko, Wendi launched the first annual Walk With Us To Cure Lupus event in South Florida. Eight hundred people attended the first walk in 2004 and raised $200,000. Each year since, hundreds of thousands of dollars have been raised exclusively for the purpose of research into curing lupus. In total, the Alliance for Lupus Research has committed $81 million to develop a greater understanding of this disease and find a cure.

This weekend on March 3, 2013, hundreds of participants will join together at Florida Atlantic University in Boca Raton, Florida to walk together in support of lupus research. I commend all of the participants and donors that will make the tenth annual Walk With Us To Cure Lupus a success. Congratulations to Wendi, Allison, and the other organizers of this year’s walk. Together, you are providing hope to the millions of families touched by lupus and bringing our nation closer to finally discovering a cure.

INTRODUCING THE EVERGLADES FOR THE NEXT GENERATION ACT

HON. ALCEE L. HASTINGS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce the Everglades for the Next Generation Act.

Everglades restoration is unfortunately at a standoff. All of the projects that can be start- ed are already underway and nearing completion. It has been six years since the last Comprehensive Everglades Restoration Projects (CERP) were authorized. The Water Resources Development Act (WRDA) is supposed to be the vehicle for these authorizations, but clearly is not sufficient. In the 12 years since CERP was signed into law, Congress has passed only one WRDA bill. An awkward state of limbo is not the future Congress had in mind for the Everglades when it passed CERP, and it is not the future that the American people deserve. Congressional inaction has persevered for far too long despite bipartisan support for restoration.

Regardless of the real progress, restoration efforts will not succeed without the next generation of projects, which cannot begin without further Congressional authorizations. That is exactly what this bill does: authorizes the shovel-ready projects which have been awaiting another WRDA. Additionally, this legislation will make it easier for the Army Corps of
Restoration is not a theoretical exercise. CERP has demonstrable successes and biennial reports from the National Academy of Sciences. We know that the federal and state governments can successfully work together with private businesses and landowners to reach mutually beneficial agreements that restore the health of this unique, beautiful, wild, and wonderful resource that is absolutely essential for Florida.

I urge my colleagues to support critically important legislation.

STATEMENT ON SEQUESTRATION

HON. YVETTE D. CLARKE
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. CLARKE. Mr. Speaker, I rise today to express my disappointment with the budget sequester that seems almost certain to occur. These automatic budget cuts will become effective tomorrow, Friday, March 1, 2013 unless Congress acts immediately. Many of my Democratic colleagues have proposed serious alternatives to the cuts, which I fully support.

Since the start of the 113th Congress, House Republicans have failed to bring a single bill to the floor that would prevent the cuts. The sequester will harm every American, especially the constituents of my district.

Estimates from the Center on Budget and Policy Priorities demonstrate that the Women, Infant and Children nutrition program will be unable to assist between 600,000 and 775,000 individuals. Low income families depend on food assistance programs. Too many children in my district come to school hungry, which leads to the inability to focus on their schoolwork.

Sequestration will also undermine federally-funded programs that provide low income, underinsured, and uninsured women access to breast and cervical cancer screening and diagnostic testing. The women in my community need these programs to receive proper treatment.

Layoffs and furloughs to the Social Security Administration will slow the processing of Social Security applications. Many of my constituents who are retired or have disabilities depend on Social Security. Americans have worked for their Social Security benefits, and have the right to expect support.

As a member of the Homeland Security Committee, I am concerned about cuts to airport security. This issue has enormous importance to me and my fellow New Yorkers, many of whom work in airport security at JFK and LaGuardia airports. The cuts present serious risks to the workers at these airports and to our national security. These men and women have dedicated their lives to serving this country to keep it safe. A reduction in security workers will increase complications in air travel and increase the possibility of danger to this nation and its people.

The sequester will also harm small businesses, by reducing support for loan programs administered by the Small Business Administration as well as government contracts, and training program for small businesses. I am extremely sensitive to the plight of small businesses, as a member of the Small Business Committee.

I urge my colleagues to prevent these cuts to important programs. Our constituents want us to compromise to prevent these drastic cuts. In the words of Mohandas Gandhi, "The best way to find yourself is to lose yourself in the service of others." We swore an oath to defend, protect and serve this country. Americans are depending on us to make the right decision. We should not delay a vote. We need to come together, make a decision and protect the interests of the people we represent.

VOICING SEQUESTER CONCERNS

HON. JOHN K. DELANEY
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DELANEY. Mr. Speaker, the sequester is bad way to deal with deficit reduction and will likely have a negative effect on our economy, particularly Maryland's economy, which I have been saying for years is unusually vulnerable to reductions in government spending.

We are faced with the sequester because our government has failed to act in a bi-partisan way for the good of the country. The cost of doing nothing is not nothing. Because we failed to take the necessary steps to deal with our deficit in a balanced way—and because special interests were uncompromising in the face of any proposals that affected them—we find ourselves facing a mini-doomsday machine in the sequester.

Unless Congress acts, sequestration would have a serious and disproportionate impact on job creation and economic growth in Maryland. The 60 non-military federal facilities and 17 military facilities in Maryland would see their ability to conduct operations significantly erode; nearly 140,000 federal civilian employees who work in Maryland would face furloughs and potential pay cuts; and thousands of jobs in Maryland would be put at risk. Our students, small businesses, families, and first responders would also be affected by devastating cuts to investments in education, law enforcement, infrastructure, innovation, research, and other areas that are critical to building a strong middle class.

Our focus should be on avoiding the sequester and passing a grand budget deal along the lines of Simpson-Bowles that reduces the deficit in a balanced way. We should do our job, which is to come together, negotiate in good faith, and find a solution.

THE 52ND ANNIVERSARY OF THE PEACE CORPS

HON. CHRIS VAN HOLLEN
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. VAN HOLLEN. Mr. Speaker, I rise regarding the 52nd anniversary of the Peace Corps to recognize the service, sacrifice and commitment of the men and women who devote a portion of their lives to the task of helping to strengthen the ties of friendship and understanding between the people of United States and others around the world. These cultural ambassadors embody the legacy of service that is the foundation of this nation's image abroad. Since 1961, more than 210,000 volunteers have served in 193 countries around the world. Their efforts in Africa, Asia, Central and South America, Europe, the Middle East and elsewhere have made significant and lasting contributions in the areas of agriculture, business development, education, health, and youth development among others.

I know firsthand of the long-lasting benefits of the good work of the Peace Corps. My father served in the Navy and then went on to become a United States Foreign Service officer, proudly representing America in places like Turkey and India and Pakistan, where I was born. I learned a lot about the world as a child in those places, but I also learned a lot about America.

One memory of those years stands out. It was in the early 1970s, and I had just turned 14. One day, I traveled with my parents to a tiny remote village in Sri Lanka. There, I walked into a family's small hut and as my eyes adjusted to the light, I noticed, hanging on the wall, a portrait of President John F. Kennedy. It was 10 years after he had been in the White House and half a world away from our country, but for these villagers it represented the America that had sent Peace Corps volunteers to help them. It represented the America they looked to as a land of opportunity and as a force for good and justice around the world. That portrait of our president represented an America that was a beacon of hope.

As we celebrate the fifty-second anniversary of the Peace Corps, let us salute the men and women who helped bring the best of America to the people of the world.
Chamber Action

Routine Proceedings, pages S959–S1073

Measures Introduced: Thirty-five bills and four resolutions were introduced, as follows: S. 399–433, and S. Res. 63–66. Pages S1011–12

Measures Reported:

S. Res. 64, authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013. Page S1011

Measures Considered:

American Family Economic Protection Act: Senate resumed consideration of the motion to proceed to consideration of S. 388, to appropriately limit sequestration, to eliminate tax loopholes. Pages S970–91

During consideration of this measure today, Senate also took the following action:

By 51 yeas to 49 nays (Vote No. 27), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to proceed to consideration of the bill.

Subsequently, Senator Reid entered a motion to reconsider the vote by which cloture was not invoked on the motion to proceed to consideration of the bill. Page S991

Sequester Replacement: Senate continued consideration of the motion to proceed to consideration of S. 16, to provide for a sequester replacement. Pages S990–91

During consideration of this measure today, Senate also took the following action:

By 38 yeas to 62 nays (Vote No. 26), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to proceed to consideration of the bill.

Subsequently, the motion to proceed to consideration of the bill was withdrawn. Page S991

Appointments:

Commission on Security and Cooperation in Europe: The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appointed the following Senator as a member of the Commission on Security and Cooperation in Europe (Helsinki) during the 113th Congress: Senator Wicker. Page S1071

Committee Expenditure Authorization—Agreement: A unanimous-consent-time agreement was reached providing that on Tuesday, March 5, 2013, at a time to be determined by the Majority Leader, after consultation with the Republican Leader, Senate begin consideration of S. Res. 64, authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013; that the only amendment in order to the resolution be a Paul amendment striking provisions relative to the National Security Working Group; that there be up to 30 minutes of debate equally divided in the usual form on the Paul amendment; that upon the use or yielding back of time, Senate vote on or in relation to the Paul amendment; and that upon disposition of the Paul amendment, Senate vote on adoption of the resolution, as amended, if amended. Page S1071

Chen and Failla Nominations—Agreement: A unanimous-consent-time agreement was reached providing that at 5:00 p.m., on Monday, March 4, 2013, Senate begin consideration of the nominations of Pamela Ki Mai Chen, to be United States District Judge for the Eastern District of New York, and Katherine Polk Failla, to be United States District Judge for the Southern District of New York; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, Senate vote, without intervening action or debate, on the confirmation of the nominations, in the order listed; and that no further motions be in order. Page S1071

Messages from the House:

Executive Communications: Pages S1009–11

Executive Reports of Committees: Pages S1011

Additional Co-sponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Pages S1013–30

Pages S1008–09
Amendments Submitted: Pages S1030–70
Authorities for Committees to Meet: Pages S1070–71
Record Votes: Two record votes were taken today. (Total—27) Page S991
Adjournment: Senate convened at 10 a.m. and adjourned at 6:31 p.m., until 2 p.m. on Monday, March 4, 2013. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S1071.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS
Committee on Armed Services: Committee concluded a hearing to examine the nominations of Alan F. Estevez, of the District of Columbia, to be Principal Deputy Under Secretary for Acquisition, Technology, and Logistics, Frederick Vollrath, of Virginia, to be Assistant Secretary for Readiness and Force Management, and Eric K. Fanning, of the District of Columbia, to be Under Secretary of the Air Force, all of the Department of Defense, after the nominees testified and answered questions in their own behalf.

FEDERAL HOUSING ADMINISTRATION
Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the Federal Housing Administration’s financial condition and program challenges, after receiving testimony from Gary Thomas, National Association of Realtors, Mission Viejo, California; Peter H. Bell, National Reverse Mortgage Lenders Association, Sarah Rosen Wartell, Urban Institute, and David H. Stevens, Mortgage Bankers Association, all of Washington, DC; Phillip L. Swagel, University of Maryland School of Public Policy, Chevy Chase; and Teresa Bryce Bazemore, Radian Guaranty, Inc., Philadelphia, Pennsylvania.

DELIVERY SYSTEM REFORM
Committee on Finance: Committee concluded a hearing to examine delivery system reform, focusing on a progress report from the Centers for Medicare and Medicaid Services (CMS), after receiving testimony from Jonathan Blum, Acting Principal Deputy Administrator and Director, Center for Medicare, Centers for Medicare and Medicaid Services, Department of Health and Human Services.

BUSINESS MEETING
Committee on the Judiciary: Committee ordered favorably reported the nominations of David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board, Shelly Deckert Dick, to be United States District Judge for the Middle District of Louisiana, William H. Orrick, III, of the District of Columbia, to be United States District Judge for the Northern District of California, and Nelson Stephen Roman, to be United States District Judge for the Southern District of New York.

BUSINESS MEETING
Committee on Rules and Administration: Committee ordered favorably reported an original resolution authorizing expenditures by committees of the Senate for the periods March 1, 2013, through September 30, 2013.

LEGISLATIVE PRESENTATIONS
Committee on Veterans’ Affairs: Committee concluded a joint hearing with the House Committee on Veterans’ Affairs to examine a legislative presentation from Military Officer Association of America, Retired Enlisted Association, Non Commissioned Officers Association, Blinded Veterans Association, Military Order of the Purple Heart, Wounded Warrior Project, Iraq and Afghanistan Veterans of America, and American Ex-Prisoners of War, after receiving testimony from Colonel Robert F. Norton, USA (Ret.), Military Officers Association of America, Master Sergeant Richard J. Delaney, USAF (Ret.), The Retired Enlisted Association, and H. Gene Overstreet, Non Commissioned Officers Association of the United States of America, all of Alexandria, Virginia; Tom Tarantino, Iraq and Afghanistan Veterans of America, Dawn Halfaker, Wounded Warrior Project, and Sam Huhn, Blinded Veterans Association, all of Washington, D.C.; Bruce G. McKenty, Military Order of the Purple Heart, Lakewood, Washington; and Charles Susino, Jr., American Ex-Prisoners of War, Arlington, Texas.

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: 54 public bills, H.R. 879–932; and 6 resolutions, H. Res. 89–94 were introduced. Pages H813–16

Additional Cosponsors: Pages H817–18

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Ros-Lehtinen to act as Speaker pro tempore for today. Page H705


Rejected:

McMorris Rodgers amendment in the nature of a substitute (printed in H. Rept. 113–10) consisting of the text of Rules Committee Print 113–2 (by a yea-and-nay vote of 166 yeas to 257 nays, Roll No. 54). Pages H753–H800

The House agreed to H. Res. 83, the rule that is providing for consideration of the bill, was agreed to yesterday, February 27th.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12 noon on Monday, March 4th for morning hour debate and 2 p.m. for legislative business. Page H804

Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise—Appointment: The Chair announced the Speaker’s appointment of the following individual on the part of the House to the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise: Ms. Heather Wilson of Albuquerque, NM. Page H806

British-American Interparliamentary Group—Appointment: The Chair announced the Speaker’s appointment of the following Members on the part of the House to the British-American Interparliamentary Group: Representatives Petri, Crenshaw, Latta, Aderholt, and Whitfield. Page H806

Congressional-Executive Commission on the People’s Republic of China—Appointment: The Chair announced the Speaker’s appointment of the following Member on the part of the House to the Congressional-Executive Commission on the People’s Republic of China: Representative Smith (N.J.), Co-Chairman. Page H806

Senate Message: Message received from the Senate today appears on page H801.

Quorum Calls—Votes: One yea-and-nay vote and one recorded vote developed during the proceedings of today and appear on pages H799–H800, H800–01. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 2:07 p.m.

Committee Meetings

ASSURING VIABILITY OF THE SUSTAINMENT INDUSTRIAL BASE

Committee on Armed Services: Subcommittee on Readiness held a hearing on assuring viability of the sustainment industrial base. Testimony was heard from John Johns, Deputy Assistant Secretary of Defense for Maintenance Policy and Programs, Department of Defense; and public witnesses.

NUCLEAR SECURITY: ACTIONS, ACCOUNTABILITY AND REFORM

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on Nuclear Security: Actions, Accountability and Reform. Testimony was heard from Brigadier General Sandra E. Finan, USAF, Commander, Air Force Nuclear Weapons Center, Former Principal Assistant Deputy Administrator for Military Applications, National Nuclear Security Administration; Gregory H. Friedman, Inspector General, Department of Energy; Neile L. Miller, Acting Administrator and Principal Deputy Administrator, National Nuclear Security Administration; Daniel B. Poneman, Deputy Secretary, Department of Energy; and a public witness.

IMPACTS OF A CONTINUING RESOLUTION AND SEQUESTRATION ON ACQUISITION, PROGRAMMING, AND THE INDUSTRIAL BASE

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on impacts of a continuing resolution and sequestration on acquisition, programming, and the industrial base. Testimony was heard from Lieutenant General James O. Barclay III, USA, Deputy Chief of Staff, G–8, U.S. Army; Lieutenant General Charles R. Davis, USAF, Military Deputy, Office of the Assistant Secretary of the Air Force for Acquisition, U.S. Air Force; Lieutenant General Michael R. Moeller, USAF, Deputy Chief of Staff for Strategic Plans and Programs, U.S. Air Force; Vice Admiral Allen G. Myers, USN, Deputy Chief of Naval Operations, Integration of Capabilities and Resources (N8), U.S. Navy; Heidi Shyu, Assistant Secretary of the Army
for Acquisition, Logistics and Technology, U.S. Department of the Army; Sean Stackley, Assistant Secretary of the Navy, Assistant Secretary of the Navy Research, Development and Acquisition, U.S. Department of the Navy; Lieutenant General John E. Wissler, USMC, Deputy Commandant for Programs and Resources, U.S. Marine Corps.

HOW ARE SCHOOLS MEASURING TEACHER PERFORMANCE

Committee on Education and the Workforce: Subcommittee on Early Childhood, Elementary, and Secondary Education held a hearing entitled “Raising the Bar: How are Schools Measuring Teacher Performance?”. Testimony was heard from public witnesses.

NUCLEAR REGULATORY COMMISSION: POLICY AND GOVERNANCE CHALLENGES

Committee on Energy and Commerce: Subcommittee on Energy and Power; and Subcommittee on Environment and the Economy held a joint hearing entitled “The Nuclear Regulatory Commission: Policy and Governance Challenges”. Testimony was heard from the following officials of the Nuclear Regulatory Commission: Allison Macfarlane, Chairman; George Apostolakis, Commissioner; William Magwood, Commissioner; William Ostendorff, Commissioner; Kristine Svinicki, Commissioner.

U.S. INTERESTS IN THE WESTERN HEMISPHERE: OPPORTUNITIES AND CHALLENGES

Committee on Foreign Affairs: Subcommittee on Western Hemisphere held a hearing entitled “Overview of U.S. Interests in the Western Hemisphere: Opportunities and Challenges”. Testimony was heard from Roberta S. Jacobson, Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; and Mark Feierstein, Assistant Administrator, Bureau for Latin America and the Caribbean, U.S. Agency for International Development.

OBAMA ADMINISTRATION’S REGULATORY WAR ON JOBS, THE ECONOMY, AND AMERICA’S GLOBAL COMPETITIVENESS

Committee on the Judiciary: Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing entitled “Obama Administration’s Regulatory War on Jobs, the Economy, and America’s Global Competitiveness”. Testimony was heard from Rob James, Avon Lake City Council; and public witnesses.

TOP CHALLENGES FOR SCIENCE AGENCIES: REPORTS FROM THE INSPECTORS GENERAL—PART 1


SMALL BUSINESS TRADE AGENDA

Committee on Small Business: Subcommittee on Agriculture, Energy and Trade held a hearing entitled “Small Business Trade Agenda: Opportunities in the 113th Congress”. Testimony was heard from public witnesses.

BUDGET VIEWS AND ESTIMATES; CONCURRENT RESOLUTIONS; AND GSA CAPITAL INVESTMENT AND LEASING PROGRAM RESOLUTIONS

Committee on Transportation and Infrastructure: Full Committee held a meeting on the Fiscal Year 2014 Budget Views and Estimates of the Committee; a hearing on General Services Administration Capital Investment and Leasing Program Resolutions; House Concurrent Resolution 18, the National Peace Officers’ Memorial; and House Concurrent Resolution 19, the Greater Washington Soap Box Derby. The Concurrent Resolutions and the General Services Administration Capital Investment and Leasing Program Resolutions were ordered reported, without amendment. The Budget Views and Estimates were approved by the Committee.

PROPOSED WAIVER OF WORK REQUIREMENTS IN THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM

Committee on Ways and Means: Subcommittee on Human Resources held a hearing entitled “The Proposed Waiver of Work Requirements in the Temporary Assistance for Needy Families (TANF) Program”. Testimony was heard from Senator Orrin Hatch; Kay E. Brown, Director, Education, Workforce, and Income Security, Government Accountability Office; and public witnesses.
Joint Meetings
STATE OF THE UNITED STATES ECONOMY

Joint Economic Committee: Committee concluded a hearing to examine the state of the United States economy, focusing on economic growth and job creation, and what Congress can do to boost them, after receiving testimony from Michael J. Boskin, Stanford University, Stanford, California; and Austan Goolsbee, University of Chicago Booth School of Business, Chicago, Illinois.

COMMITTEE MEETINGS FOR FRIDAY,
MARCH 1, 2013
(Committee meetings are open unless otherwise indicated)

Senate
No meetings/hearings scheduled.

House
No hearings are scheduled.
Next Meeting of the SENATE
2 p.m., Monday, March 4

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 5 p.m.), Senate will begin consideration of the nominations of Pamela Ki Mai Chen, to be United States District Judge for the Eastern District of New York, and Katherine Polk Failla, to be United States District Judge for the Southern District of New York, with votes on confirmation of the nominations at approximately 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES
12 p.m., Monday, March 4

House Chamber

Program for Monday: To be announced.

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