(Mr. GRAHAM) was added as a cosponsor of S. 336, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 344

At the request of Mr. WICKER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 344, a bill to prohibit the Administrator of the Environmental Protection Agency from approving the introduction into commerce of gasoline that contains greater than 10-volume-percent ethanol, and for other purposes.

S. 357

At the request of Mr. CARDIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 357, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 370

At the request of Mr. COCHRAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 395

At the request of Mr. DURBIN, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Washington (Mrs. MURRAY), the Senator from Vermont (Mr. SANDERS) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 395, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 419

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 419, a bill to limit the use of cluster munitions.

S. 427

At the request of Mr. HOEVEN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of 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.

S. 470

At the request of Mr. TESTER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 470, a bill to amend title 10, United States Code, to require that the Purple Heart occupy a position of precedence above the new Distinguished Warfare Medal.

S. 554

At the request of Mr. ISAKSON, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Ohio (Mr. PORTMAN) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 554, 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.

S. 579

At the request of Mr. MENENDEZ, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 582

At the request of Mr. HOEVEN, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Mississippi (Mr. WICKER), the Senator from Utah (Mr. HATCH) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 582, a bill to approve the Keystone XL Pipeline.

S. 597

At the request of Mr. LEAHY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 597, a bill to ensure the effective administration of criminal justice.

S. CON. RES. 6

At the request of Mr. BARRASSO, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. CON. RES. 7

At the request of Mr. MORAN, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress regarding conditions for the United States becoming a signatory to the United Nations Arms Trade Treaty, or to any similar agreement on the arms trade.

S. RES. 60

At the request of Mrs. BOXER, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. Res. 60, a resolution supporting women's reproductive health.

S. RES. 65

At the request of Mr. GRAHAM, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

AMENDMENT NO. 55

At the request of Mr. MORAN, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of amendment No. 55 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 74

At the request of Mr. HEINRICH, his name was added as a cosponsor of amendment No. 74 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 82

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 82 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

At the request of Mr. MORAN, his name was added as a cosponsor of amendment No. 82 intended to be proposed to H.R. 933, supra.

At the request of Mr. HOEVEN, his name was added as a cosponsor of amendment No. 82 intended to be proposed to H.R. 933, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself and Mr. LEE):

S. 607. A bill to improve the provisions relating to the privacy of electronic communications; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am pleased to introduce the Electronic Communications Privacy Act Amendments Act of 2013—a bill to strengthen the privacy protections for email and other electronic communications. Last year, the Judiciary Committee favorably reported substantially similar legislation with strong bipartisan support. I thank Republican Senator MIKE LEE for cosponsoring this important privacy bill. Senator LEE and I understand that protecting Americans' privacy rights is something that is important to all Americans, regardless of political party or ideology. I hope that all Senators will support this bill and that

the Senate will pass this privacy legislation this year.

Like many Americans, I am concerned about growing and unwelcome intrusions into our private lives in cyberspace. I also understand that we must update our digital privacy laws to keep pace with these threats and the rapid advances in technology.

When I led the effort to write ECPA 27 years ago, email was a novelty. No one could have imagined the way the Internet and mobile technologies would transform how we communicate and exchange information today. Three decades later, we must update this law to reflect the realities of our time, so that our Federal privacy laws keep pace with American innovation and the changing mission of our law enforcement agencies.

My bill takes several important steps to improve Americans' digital privacy rights, while also promoting new technologies, like cloud computing, and accommodating the legitimate needs of law enforcement. First, the bill requires that the government obtain a search warrant based on probable cause to obtain the content of Americans' email and other electronic communications, when those communications are requested from a third-party service provider. There are balanced exceptions to the warrant requirement to address emergency circumstances and to protect national security under current law.

Second, the bill requires that the government promptly notify any individual whose email content has been accessed via a third-party service provider, and provide that individual with a copy of the search warrant and other details about the information obtained. The bill permits the government to seek a court order temporarily delaying such notice in order to protect the integrity of ongoing government investigations. In addition, the bill permits the government to ask a court to temporarily preclude a service provider from notifying a customer about the disclosure.

The bill contains several important provisions to ensure that the reforms to ECPA do not hinder law enforcement. The bill adds a new notice requirement to the law that requires service providers to notify the government of their intent to inform a customer about a disclosure of electronic communications information at least three business days before giving such notice. Furthermore, to help law enforcement investigate and prosecute corporate wrongdoing, the bill adds civil discovery subpoenas to the existing tools that the government may use to obtain non-content information under ECPA.

In addition, the bill makes clear that the government may also continue to use administrative, civil discovery and grand jury subpoena to obtain corporate email and other electronic communications directly from a corporate entity, when those communications are contained on an internal email system. Lastly, the bill also provides that the search warrant requirement in the bill does not apply to other Federal criminal or national security laws, including Title III of the Omnibus Crime Control and Safe Streets Act of 1986, commonly known as the Wiretap Act, and the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. § 1801, et seq., commonly known as FISA.

Since I first put forward proposals to update ECPA in early 2011, I have worked to make sure that these updates carefully balance privacy interests, the needs of law enforcement and the interests of our thriving American tech sector. During the past 2 years, I have consulted with many stakeholders from the Federal, state and local law enforcement communities, including—the Department of Justice, the Federal Trade Commission, the Securities and Exchange Commission, the International Association of Chiefs of Police, the Federal Law Enforcement Officers Association, the Association of State Criminal Investigative Agencies, and the National Sheriffs Association. I have also consulted closely with many leaders in the privacy, civil liberties, civil rights and technology communities who support these reforms.

The 113th Congress has an important opportunity to address the digital privacy challenges that Americans face today. We should do so by enacting the commonsense privacy reforms contained in this bill.

When the Senate Judiciary Committee favorably reported the Electronic Communications Privacy Act on September 19, 1986, it did so with the unanimous support of all Democratic and Republican Senators. At the time, the Committee recognized that protecting Americans' privacy rights should not be a partisan issue.

In that bipartisan spirit, I am pleased to join with Senator LEE in urging the Congress to enact these important privacy reforms without delay. Senator LEE and I are joined in this effort by a broad coalition of more than 50 privacy, civil liberties, civil rights and tech industry leaders from across the political spectrum that have also endorsed the ECPA reform effort. I thank the Digital Due Process Coalition, the Digital 4th Coalition and the many other individuals and organizations that have advocated for ECPA reform for their support. I hope that all Members of the Senate will follow their example, so that we can enact this digital privacy bill with strong, bipartisan support.

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. 607

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 ''Electronic Communications Privacy Act Amendments Act of 2013''.

SEC. 2. CONFIDENTIALITY OF ELECTRONIC COMMUNICATIONS.

Section 2702(a)(3) of title 18, United States Code, is amended to read as follows:

''(3) a provider of remote computing service or electronic communication service to the public shall not knowingly divulge to any governmental entity the contents of any communication described in section 2703(a), or any record or other information pertaining to a subscriber or customer of such service.''.

SEC. 3. ELIMINATION OF 180-DAY RULE; SEARCH WARRANT REQUIREMENT; REQUIRED DISCLOSURE OF CUSTOMER RECORDS.

(a) IN GENERAL.—Section 2703 of title 18, United States Code, is amended—

(1) by striking subsections (a), (b), and (c) and inserting the following:

''(a) CONTENTS OF WIRE OR ELECTRONIC COMMUNICATIONS.—A governmental entity may require the disclosure by a provider of electronic communication service or remote computing service of the contents of a wire or electronic communication that is in electronic storage with or otherwise stored, held, or maintained by the provider only if the governmental entity obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that is issued by a court of competent jurisdiction directing the disclosure.

''(b) NOTICE.—Except as provided in section 2705, not later than 10 business days in the case of a law enforcement agency, or not later than 3 business days in the case of any other governmental entity, after a governmental entity receives the contents of a wire or electronic communication of a subscriber or customer from a provider of electronic communication service or remote computing service under subsection (a), the governmental entity shall serve upon, or deliver to by registered or first-class mail, electronic mail, or other means reasonably calculated to be effective, as specified by the court issuing the warrant, the subscriber or customer—

''(1) a copy of the warrant; and

''(2) a notice that includes the information referred to in clauses (i) and (ii) of section 2705(a)(4)(B).

''(c) RECORDS CONCERNING ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE.—

''(1) IN GENERAL.—Subject to paragraph (2), a governmental entity may require a provider of electronic communication service or remote computing service to disclose a record or other information pertaining to a subscriber or customer of the provider or service (not including the contents of communications), only if the governmental entity—

''(A) obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that is issued by a court of competent jurisdiction directing the disclosure;

''(B) obtains a court order directing the disclosure under subsection (d);

''(C) has the consent of the subscriber or customer to the disclosure; or

''(D) submits a formal written request relevant to a law enforcement investigation concerning telemarketing fraud for the name, address, and place of business of a subscriber or customer of the provider or service that is engaged in telemarketing (as defined in section 2325).

''(2) INFORMATION TO BE DISCLOSED.—A provider of electronic communication service or remote computing service shall, in response to an administrative subpoena authorized by Federal or State statute, a grand jury, trial, or civil discovery subpoena, or any means authorized under paragraph (1), disclose to a governmental entity the—

''(A) name;

''(B) address;

''(C) local and long distance telephone connection records, or records of session times and durations;

''(D) length of service (including start date) and types of service used;

''(E) telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and

''(F) means and source of payment for such service (including any credit card or bank account number), of a subscriber or customer of such service.

''(3) NOTICE NOT REQUIRED.—A governmental entity that receives records or information under this subsection is not required to provide notice to a subscriber or customer.''; and

(2) by adding at the end the following:

''(h) RULE OF CONSTRUCTION.—Nothing in this section or in section 2702 shall be construed to limit the authority of a governmental entity to use an administrative subpoena authorized under a Federal or State statute or to use a Federal or State grand jury, trial, or civil discovery subpoena to—

''(1) require an originator, addressee, or intended recipient of an electronic communication to disclose the contents of the electronic communication to the governmental entity; or

''(2) require an entity that provides electronic communication services to the officers, directors, employees, or agents of the entity (for the purpose of carrying out their duties) to disclose the contents of an electronic communication to or from an officer, director, employee, or agent of the entity to a governmental entity, if the electronic communication is held, stored, or maintained on an electronic communications system owned or operated by the entity.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 2703(d) of title 18, United States Code, is amended—

(1) by striking ''A court order for disclosure under subsection (b) or (c)'' and inserting ''A court order for disclosure under subsection (c)''; and

(2) by striking ''the contents of a wire or electronic communication, or''.

SEC. 4. DELAYED NOTICE.

Section 2705 of title 18, United States Code, is amended to read as follows:

''SEC. 2705. DELAYED NOTICE.

''(a) DELAY OF NOTIFICATION.—

''(1) IN GENERAL.—A governmental entity that is seeking a warrant under section 2703(a) may include in the application for the warrant a request for an order delaying the notification required under section 2703(b) for a period of not more than 180 days in the case of a law enforcement agency, or not more than 90 days in the case of any other governmental entity.

''(2) DETERMINATION.—A court shall grant a request for delayed notification made under paragraph (1) if the court determines that there is reason to believe that notification of the existence of the warrant may result in—

''(A) endangering the life or physical safety of an individual;

''(B) flight from prosecution;

''(C) destruction of or tampering with evidence;

''(D) intimidation of potential witnesses; or

''(E) otherwise seriously jeopardizing an investigation or unduly delaying a trial.

''(3) EXTENSION.—Upon request by a governmental entity, a court may grant 1 or more extensions of the delay of notification granted under paragraph (2) of not more than 180 days in the case of a law enforcement agency, or not more than 90 days in the case of any other governmental entity.

''(4) EXPIRATION OF THE DELAY OF NOTIFICATION.—Upon expiration of the period of delay of notification under paragraph (2) or (3), the governmental entity shall serve upon, or deliver to by registered or first-class mail, electronic mail, or other means reasonably calculated to be effective as specified by the court approving the search warrant, the customer or subscriber—

''(A) a copy of the warrant; and

''(B) notice that informs the customer or subscriber—

''(i) of the nature of the law enforcement inquiry with reasonable specificity;

''(ii) that information maintained for the customer or subscriber by the provider of electronic communication service or remote computing service named in the process or request was supplied to, or requested by, the governmental entity;

''(iii) of the date on which the warrant was served on the provider and the date on which the information was provided by the provider to the governmental entity;

''(iv) that notification of the customer or subscriber was delayed;

''(v) the identity of the court authorizing the delay; and

''(vi) of the provision of this chapter under which the delay was authorized.

''(b) PRECLUSION OF NOTICE TO SUBJECT OF GOVERNMENTAL ACCESS.—

''(1) IN GENERAL.—A governmental entity that is obtaining the contents of a communication or information or records under section 2703 may apply to a court for an order directing a provider of electronic communication service or remote computing service to which a warrant, order, subpoena, or other directive under section 2703 is directed not to notify any other person of the existence of the warrant, order, subpoena, or other directive for a period of not more than 180 days in the case of a law enforcement agency, or not more than 90 days in the case of any other governmental entity.

''(2) DETERMINATION.—A court shall grant a request for an order made under paragraph (1) if the court determines that there is reason to believe that notification of the existence of the warrant, order, subpoena, or other directive may result in—

''(A) endangering the life or physical safety of an individual;

''(B) flight from prosecution;

''(C) destruction of or tampering with evidence;

''(D) intimidation of potential witnesses; or

''(E) otherwise seriously jeopardizing an investigation or unduly delaying a trial.

''(3) EXTENSION.—Upon request by a governmental entity, a court may grant 1 or more extensions of an order granted under paragraph (2) of not more than 180 days in the case of a law enforcement agency, or not more than 90 days in the case of any other governmental entity.

''(4) PRIOR NOTICE TO LAW ENFORCEMENT.—Upon expiration of the period of delay of notice under this section, and not later than 3 business days before providing notice to a customer or subscriber, a provider of electronic communication service or remote computing service shall notify the governmental entity that obtained the contents of a communication or information or records under section 2703 of the intent of the provider of electronic communication service or remote computing service to notify the customer or subscriber of the existence of the warrant, order, or subpoena seeking that information.

''(c) DEFINITION.—In this section and section 2703, the term 'law enforcement agency' means an agency of the United States, a State, or a political subdivision of a State, authorized by law or by a government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law, or any other Federal or State agency conducting a criminal investigation.''.

SEC. 5. RULE OF CONSTRUCTION.

Nothing in this Act or an amendment made by this Act shall be construed to apply the warrant requirement for contents of a wire or electronic communication authorized under this Act or an amendment made by this Act to any other section of title 18, United States Code (including chapter 119 of such title (commonly known as the ''Wiretap Act'')), the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), or any other provision of Federal law.

By Mr. CARDIN:

S. 608. A bill to amend title XVIII of the Social Security Act and title XXVII of the Public Health Service Act to improve coverage for colorectal screening tests under Medicare and private health insurance coverage, and for other purposes; to the Committee on Finance.

Mr. CARDIN. Mr. President, I rise today to introduce the Supporting Colorectal Examination and Education Now, SCREEN, Act. This legislation promotes access to colon cancer screenings in an effort to help prevent colorectal cancer, save lives, and reduce costs for families, the Medicare program, and the health care system. I strongly urge my colleagues to support this critical piece of legislation.

Colorectal cancer affects far too many Americans. The rate of colon cancer deaths is shocking—taking the lives of over 50,000 people this year alone, according to the American Cancer Society.

Fortunately, colorectal cancer is highly preventable with screening, and colon cancer screening tests rank among the most effective preventive screenings available. A recent study in the New England Journal of Medicine found that removal of precancerous polyps during a screening colonoscopy may reduce colon cancer deaths by over 50 percent. Early detection and intervention are key to preventing colon cancer. Colonoscopy screenings are different from other types of preventive or screening services because pre-cancerous polyps found during a screening are removed during the same visit, thus preventing a potential cancer from developing and helping to ensure detection, intervention, and prevention.

Congress recognized the value of colon cancer screenings and, through bipartisan legislation that I authored in 1998, established a Medicate benefit for screening. The problem is that only half of individuals coveted by the Medicare program receive a screening colonoscopy, even though a Medicate

colorectal cancer screening benefit is available. According to the Centers for Medicare & Medicaid Services, CMS, Medicare claims show that only 52 percent of beneficiaries have had a colorectal cancer screening test. Many barriers account for this, including patient education on screenings and operational issues within the Medicare program, but colorectal cancer has become too widespread and we have reached the time to take action to promote prevention and save lives. Ensuring that individuals receive colorectal cancer screening tests is critical to this goal.

In addition, detection and intervention through proper colonoscopy screening should reduce costs to the Medicare program and health care system overall. Once colon cancer develops, the direct costs of treating colon cancer are starting—reaching $4 billion in 2010. A recent study published in the New England Journal of Medicine concluded that colorectal cancer screening has been shown to reduce Medicare long-term costs.

Congress must help promote access to colorectal cancer screenings and help increase the number of persons receiving these life-saving screening tests. The SCREEN Act takes many steps to increase the rate of colorectal cancer screenings and help prevent colon cancer, while also reducing Medicare costs.

The SCREEN Act first waives cost sharing for Medicare beneficiaries receiving colorectal cancer screenings where precancerous polyps are removed during the visit. Currently, Medicare waives cost-sharing for any colorectal cancer screening recommended by the U.S. Preventive Services Task Force, USPSTF. Colorectal cancer screens have a grade ''A'' recommendation by USPSTF. However, if the doctor finds and removes a precancerous polyp during the visit, the procedure is no longer considered a ''screening'' for Medicare purposes—and the beneficiary would be forced to pay the Medicare coinsurance. In February 2013, the Administration announced that private insurers participating in State-based health insurance exchanges must waive all cost sharing for colon cancers screenings where a polyp is removed. This bill promotes a similar policy by waiving Medicare cost sharing for diagnostic and screening colorectal cancer tests.

Additionally, the SCREEN Act extends Medicare coverage to include an office visit or consultation so that a Medicare beneficiary may sit down and discuss the screening with a doctor prior to the colonoscopy procedures. One of the major barriers to increasing colorectal cancer screening rates is a patient's lack of knowledge and the ''fear of the procedure.'' This pre-procedure visit is not only good clinical practice but also would help increase patient utilization of colorectal cancer screening. This visit allows the individual to ask questions about the procedure, assures selection of the proper screening test, and increases beneficiary education and test preparation. There is no reason for a Medicare beneficiary to be seeing his or her physician for the first time only just before being sedated for the procedure.

The SCREEN Act also provides incentives for Medicare providers to participate in nationally recognized quality improvement registries so that our Medicare beneficiaries are receiving the quality screening they deserve. Congress and other organizations can look to the SCREEN Act as a model for Medicare reimbursement reform as the bill reimburses providers in a budget neutral manner based on the quality of the procedure and not volume of services.

Promoting access to colorectal cancer screening will help ensure detection and intervention of this highly preventable disease and reduce costs to the health care system. I ask my colleagues to join in support of this fight to end colorectal cancer by cosponsoring this important legislation.

By Mr. DURBIN (for himself and Mrs. GILLIBRAND):

S. 612. A bill to require the Secretary of Health and Human Services to remove social security account numbers from Medicare identification cards and communications provided to Medicare beneficiaries in order to protect Medicare beneficiaries from identity theft; to the Committee on Finance.

Mr. DURBIN. Mr. President, today I join my colleague, Senator KIRSTEN GILLIBRAND, to introduce the Social Security Number Protection Act of 2013, a bill that would remove Social Security numbers from Medicare cards to address a leading cause of identity theft among our Nation's seniors.

It is estimated that 11.6 million Americans were victims of identity theft in 2011, up from 10.2 million in 2010. We know that the misuse of Social Security numbers is one of the primary drivers of this crime. In many of these cases, identity thieves obtain them from Medicare cards.

Today, over 49 million beneficiaries carry their Medicare cards with them in their purses and in their wallets. These cards display a Medicare identification number, which consists of their Social Security number with a one- or two-digit code at the end, leaving beneficiaries particularly vulnerable to identity theft should a card be lost, stolen, or left in plain sight.

With identity theft on the rise, we can't make it this easy for thieves. Unfortunately, the Centers for Medicare and Medicaid Service, CMS, has fallen behind many other public and private organizations in better protecting seniors from identity theft by continuing to display Social Security numbers on Medicare cards. The Department of Defense, the Veterans Administration, and private insurers have all figured out how to transition to individual identification cards that don't include Social Security numbers.

In 2005, I offered an amendment to the Fiscal Year 2006 Labor-HHS-Education appropriations bill to require CMS to remove Social Security numbers from Medicare cards. Although my amendment was adopted with a rollcall vote of 98 to 0, the final bill directed CMS to report to Congress on the steps necessary to remove the numbers. CMS provided that report in October 2006.

Six and a half years have passed since CMS first explored taking steps to remove Social Security numbers from Medicare cards. The Inspector General of the Social Security Administration took CMS to task in 2008 for its inaction and confirmed the risk that display of the numbers on Medicare cards poses to seniors. The Social Security inspector concluded that ''immediate action is needed to address this significant vulnerability.'' CMS has since issued another report, but it has failed to take action.

The Social Security Number Protection Act of 2013 establishes a reasonable timetable—3 years—for CMS to begin removing Social Security numbers from Medicare cards. It also gives CMS flexibility in determining the method by which it makes this change, enabling it to pursue an option that minimizes burdens while maximizing cost effectiveness. The bill also prohibits CMS from displaying Social Security numbers on all written and electronic communications to Medicare beneficiaries.

I urge my colleagues to cosponsor this important legislation and work with me to advance this long overdue change. CMS already requires that beneficiaries receiving benefits through Medicare Part C and Part D do not display individuals' Social Security numbers. Further, it has 6 years' worth of reports and cost data that it can use as tools to make these changes happen. We should extend this protection to all beneficiaries and help safeguard our Nation's seniors from becoming victims of identity theft in the future as quickly as possible.

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

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

S. 612

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 ''Social Security Number Protection Act of 2011''.

SEC. 2. REQUIRING THE SECRETARY OF HEALTH AND HUMAN SERVICES TO PROHIBIT THE DISPLAY OF SOCIAL SECURITY ACCOUNT NUMBERS ON MEDICARE IDENTIFICATION CARDS AND COMMUNICATIONS PROVIDED TO MEDICARE BENEFICIARIES.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall establish and begin to implement procedures to eliminate the unnecessary collection, use, and display of social security account numbers of Medicare beneficiaries.

(b) MEDICARE CARDS AND COMMUNICATIONS PROVIDED TO BENEFICIARIES.—

(1) CARDS.—

(A) NEW CARDS.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall ensure that each newly issued Medicare identification card meets the requirements described in subparagraph (C).

(B) REPLACEMENT OF EXISTING CARDS.—Not later than 5 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall ensure that all Medicare beneficiaries have been issued a Medicare identification card that meets the requirements of subparagraph (C).

(C) REQUIREMENTS.—The requirements described in this subparagraph are, with respect to a Medicare identification card, that the card does not display or electronically store (in an unencrypted format) a Medicare beneficiary's social security account number.

(2) COMMUNICATIONS PROVIDED TO BENEFICIARIES.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall prohibit the display of a Medicare beneficiary's social security account number on written or electronic communication provided to the beneficiary unless the Secretary determines that inclusion of social security account numbers on such communications is essential for the operation of the Medicare program.

(c) MEDICARE BENEFICIARY DEFINED.—In this section, the term ''Medicare beneficiary'' means an individual who is entitled to, or enrolled for, benefits under part A of title XVIII of the Social Security Act or enrolled under part B of such title.

(d) CONFORMING REFERENCE IN THE SOCIAL SECURITY ACT.—Section 205(c)(2)(C) of the Social Security Act (42 U.S.C. 405(c)(2)(C)) is amended by adding at the end the following new clause:

''(xii) For provisions relating to requiring the Secretary of Health and Human Services to prohibit the display of social security account numbers on Medicare identification cards and communications provided to Medicare beneficiaries, see section 2 of the Social Security Number Protection Act of 2011.''.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 80—EXPRESSING SUPPORT FOR THE DESIGNATION OF MARCH 2013 AS ''NATIONAL MIDDLE LEVEL EDUCATION MONTH''

Mr. WHITEHOUSE (for himself and Mrs. MURRAY) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 80

Whereas the National Association of Secondary School Principals, the Association for Middle Level Education, the National Forum to Accelerate Middle Grades Reform, and the National Association of Elementary School Principals have declared March 2013 to be ''National Middle Level Education Month'';

Whereas schools that educate middle level students are responsible for educating nearly 24,000,000 young adolescents between the ages of 10 and 15, in grades 5 through 9, who are undergoing rapid and dramatic changes in their physical, intellectual, social, emotional, and moral development;

Whereas those young adolescents deserve challenging and engaging instruction, knowledgeable teachers and administrators who are prepared to provide young adolescents with a safe, challenging, and supportive learning environment, and organizational structures that banish anonymity and promote personalization, collaboration, and social equity;

Whereas the habits and values established during early adolescence have a lifelong influence that directly affects the future health and welfare of the United States;

Whereas research indicates that the academic achievement of a student in eighth grade has a larger impact on the readiness of that student for college at the end of high school than any academic achievement of that student in high school; and

Whereas, in order to improve graduation rates and prepare students to be lifelong learners who are ready for college, a career, and civic participation, it is necessary for the people of the United States to have a deeper understanding of the distinctive mission of middle level education: Now, therefore, be it

Resolved, That the Senate—

(1) honors and recognizes the importance of middle level education and the contributions of the individuals who educate middle level students; and

(2) encourages the people of the United States to observe National Middle Level Education Month by visiting and celebrating schools that are responsible for educating young adolescents in the United States.

SENATE RESOLUTION 81—COMMEMORATING MARCH 19, 2013, AS THE 40TH ANNIVERSARY OF NATIONAL AG DAY

Mr. JOHANNS (for himself, Ms. STABENOW, Mr. COCHRAN, Mr. BAUCUS, Mr. ROBERTS, Mr. BROWN, Mrs. GILLIBRAND, Mr. CHAMBLISS, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. BENNET, Mr. DONNELLY, Mrs. FISCHER, Mr. THUNE, and Mr. COONS) submitted the following resolution; which was considered and agreed to:

S. RES. 81

Whereas, in 1973, the National Ag Day program was established to increase public awareness of the vital role of agriculture in the United States;

Whereas the agriculture industry is part of the very fabric of the United States, driving the economy, fostering ingenuity, and preserving the deepest values of the people of the United States;

Whereas the average farmer in the United States today feeds nearly 150 people, a dramatic increase from just 25 people per farmer in the 1960s;

Whereas the agriculture industry in the United States produces an incredible variety of meats, grains, fruits, vegetables, dairy, beans, nuts, seeds, and other important foods;

Whereas more than 2,000,000 farmers and ranchers contribute more than $300,000,000,000 to the United States economy every year; and

Whereas farmers comprise less than 2 percent of the population of the United States, yet produce more than enough food for the people of the United States and hundreds of millions of people around the world: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the National Ag Day program for its annual celebration of agriculture in the United States;

(2) honors the researchers, entrepreneurs, businesses, and innovators who support farm families in the United States and help drive the agriculture economy; and

(3) celebrates family farmers and ranchers, who are the backbone of food production in the United States and produce the safest, most abundant, and most affordable food supply in the world.

SENATE CONCURRENT RESOLUTION 9—RECOMMENDING THE POSTHUMOUS AWARD OF THE MEDAL OF HONOR TO SERGEANT RAFAEL PERALTA

Mrs. FEINSTEIN (for herself and Mr. RUBIO) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 9

Whereas, in November 2004, the Marine Corps led combat operations to retake the insurgent stronghold of Fallujah, Iraq, as part of Operation Phantom Fury;

Whereas Marine Corps Sergeant Rafael Peralta and thousands of other Marines entered the city of Fallujah, coming into immediate contact with the enemy and engaging in some of the most intense combat in the entire Iraq war;

Whereas Sergeant Peralta, serving with 1st Battalion, 3rd Marines, cleared scores of houses for days, and on November 14, 2004, asked to join an under-strength squad;

Whereas, the following morning, a close-quarter fight erupted as Sergeant Peralta and his squad of Marines cleared their seventh house of the day;

Whereas Sergeant Peralta, attempting to move out of the line of fire, was hit in the back of the head by a fragment from a ricocheted bullet;

Whereas the insurgents, in the process of fleeing the house, threw a fragmentation grenade through a window, landing directly near the head of Sergeant Peralta;

Whereas Sergeant Peralta reached for the grenade and pulled it to his body, absorbing the blast and shielding the other Marines who were only feet away;

Whereas, on November 15, 2004, Sergeant Peralta made the ultimate sacrifice to save the lives of his fellow Marines;

Whereas Sergeant Peralta was posthumously recommended by the Marine Corps and the Department of the Navy for the Medal of Honor;

Whereas 7 eyewitnesses confirmed that Sergeant Peralta smothered the grenade with his body, with 4 of the accounts, taken independently, stating that Sergeant Peralta gathered the grenade with his right arm;

Whereas the historical standard for awarding the Medal of Honor is 2 eyewitness accounts;

Whereas, in 2008, the nomination of Sergeant Peralta for the Medal of Honor was downgraded to the Navy Cross after an independent panel determined that Sergeant Peralta could not deliberately have pulled the grenade to his body due to his head wound, despite 7 eyewitness accounts to the contrary;

Whereas, in 2012, new and previously unconsidered evidence, consisting of combat video and an independent pathology report, was submitted to the Department of the Navy;

Whereas based on the new evidence, a review of the case was initiated;

Whereas, in December 2012, the upgrade from the Navy Cross to the Medal of Honor