

of S. 307, a bill to reduce the Federal budget deficit by closing big oil tax loopholes, and for other purposes.

S. 309

At the request of Mr. HARKIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 403

At the request of Mr. LEAHY, his name was added as a cosponsor of 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.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Vermont (Mr. LEAHY) 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. 500

At the request of Mr. SANDERS, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 500, a bill to amend the Internal Revenue Code of 1986 to apply payroll taxes to remuneration and earnings from self-employment up to the contribution and benefit base and to remuneration in excess of \$250,000.

S. 535

At the request of Mr. RUBIO, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 535, a bill to require a study and report by the Small Business Administration regarding the costs to small business concerns of Federal regulations.

S. 536

At the request of Mr. RUBIO, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 536, a bill to require a study and report by the Comptroller General of the United States regarding the costs of Federal regulations.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 576

At the request of Mr. JOHANNIS, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 576, a bill to reform laws relating to small public housing agencies, and for other purposes.

S. 646

At the request of Mr. WHITEHOUSE, the name of the Senator from West

Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 646, a bill to create the National Endowment for the Oceans to promote the protection and conservation of United States ocean, coastal, and Great Lakes ecosystems, and for other purposes.

S. 675

At the request of Ms. AYOTTE, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 675, a bill to prohibit contracting with the enemy.

S. 679

At the request of Mr. BROWN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 679, a bill to promote local and regional farm and food systems, and for other purposes.

S. 680

At the request of Ms. AYOTTE, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 680, a bill to rescind amounts appropriated for fiscal year 2013 for the Department of Defense for the Medium Extended Air Defense System, and for other purposes.

S. 687

At the request of Mr. MORAN, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Washington (Ms. CANTWELL) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 687, a bill to prohibit the closing of air traffic control towers, and for other purposes.

S. 695

At the request of Mr. BEGICH, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 695, a bill to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc., and for other purposes.

At the request of Mr. BOOZMAN, the name of the Senator from Nebraska (Mr. JOHANNIS) was added as a cosponsor of S. 695, *supra*.

S. 700

At the request of Mr. KAINE, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 700, a bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. HIRONO (for herself and Mr. HATCH):

S. 703. A bill to amend the Immigration and Nationality Act to provide for

the eligibility of the Hong Kong Special Administration Region for designation for participation in the visa waiver program for certain visitors to the United States; to the Committee on the Judiciary.

Ms. HIRONO. Mr. President, I rise today to introduce S. 703 with Senator HATCH to fix a technical problem that prevents Hong Kong from joining the Visa Waiver Program. Under current law, only "countries" are eligible for the program, and Hong Kong is not a sovereign country, so a special provision needs to be added to the law to make Hong Kong eligible.

On July 1, 1997, after over 150 years of British rule, Hong Kong became a Special Administrative Region of China, retaining its own currency, free market economy, political system, civil liberties, and immigration policies. This autonomy was recognized by the United States and affirmed by Congress in passing the United States-Hong Kong Policy Act.

Today we have a robust bilateral relationship with Hong Kong, a global financial and trading hub, which was our 10th largest export market last year and whose trade ties are significant for many States. The State Department considers Hong Kong an important law enforcement partner in combating money laundering and eliminating funding for terrorist networks.

Despite our visa policies treating it separate from Mainland China, because it is not a "country," Hong Kong is unable to be considered for the Visa Waiver Program. The Visa Waiver Program is an essential tool for promoting travel and tourism to America while protecting national security by allowing precleared business and leisure travelers from 37 countries to visit the U.S. for up to 90 days without obtaining a nonimmigrant visitor visa.

Hong Kong has secured visa waivers for its passport holders from over 140 countries and territories, including allies such as Canada, Australia, New Zealand, Japan, South Korea, and all member states of the European Union. Hong Kong has already extended visa waivers to American citizens. Our laws shouldn't be a barrier to do the same in the future.

As our largest industry, tourism is important to Hawaii, especially from Asia. Our largest source of foreign tourists comes from Japan, a visa waiver country since 1988. In 2011, domestic and international visitors to Hawaii spent \$16.9 billion which supported 160,800 jobs in the islands according to the U.S. Travel Association.

I urge my colleagues to cosponsor this bipartisan, commonsense legislation.

By Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. BLUMENTHAL, Ms. HEITKAMP, Ms. KLOBUCHAR, Mr. UDALL of New Mexico, and Mr. WYDEN):

S. 706. A bill to provide the Department of Justice with additional tools

to target extraterritorial drug trafficking activity, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Transnational Drug Trafficking Act of 2013 with my colleagues and friends, Senator CHARLES GRASSLEY, Senator RICHARD BLUMENTHAL, Senator HEIDI HEITKAMP, Senator AMY KLOBUCHAR, Senator TOM UDALL and Senator RON WYDEN.

This bill, which passed the Senate unanimously in the last Congress, will support the Obama administration's Strategy to Combat Transnational Organized Crime by providing the Department of Justice with crucial tools to help combat the international drug trade. As drug traffickers find new and innovative ways to avoid prosecution, we must keep up with them rather than allowing them to exploit loopholes as our laws lag behind.

This legislation has three main components. First, it puts in place penalties for extraterritorial drug trafficking activity when individuals have reasonable cause to believe that illegal drugs will be trafficked into the United States. Current law says that drug traffickers must know that illegal drugs will be trafficked into the United States and this legislation would lower the knowledge threshold to reasonable cause to believe.

The Department of Justice has informed my office that with increasing frequency, it sees drug traffickers from Colombia, Ecuador and Peru who produce cocaine in their countries but leave transit of cocaine to the United States in the hands of Mexican drug trafficking organizations such as the Zetas. Under current law, our ability to prosecute source-nation traffickers from Colombia, Ecuador and Peru is limited since there is often no direct evidence of their knowledge that illegal drugs were intended for the United States. But make no mistake, drugs produced in these countries fuel violent crime throughout the Western Hemisphere as well as addiction and death in the United States.

Second, this bill puts in place penalties for precursor chemical producers from other countries, such as those producing pseudoephedrine used for methamphetamine, who illegally ship precursor chemicals into the United States knowing that these chemicals will be used to make illegal drugs.

Third, this bill will make a technical fix to the Counterfeit Drug Penalty Enhancement Act which was signed into law last year and increases penalties for the trafficking of counterfeit drugs. The fix, requested by the Department of Justice, puts in place a "knowing" requirement which was unintentionally left out of the original bill. The original bill makes the mere sale of a drug that happens to be counterfeit a federal felony offense regardless of whether the seller knew the drug was counterfeit. Under the original bill, a pharmacist could be held criminally liable

if he or she unwittingly sold counterfeit drugs to a customer. Adding a "knowing" requirement corrects this problem.

As Chairman of the Senate Caucus on International Narcotics Control and as a public servant who has focused on law enforcement issues for many years, I know that we cannot sit idly by as drug traffickers find new ways to circumvent our laws. We must provide the Department of Justice with all of the tools it needs to prosecute drug kingpins both here at home and abroad.

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. 706

*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 "Transnational Drug Trafficking Act of 2013".

**SEC. 2. POSSESSION, MANUFACTURE OR DISTRIBUTION FOR PURPOSES OF UNLAWFUL IMPORTATIONS.**

Section 1009 of the Controlled Substances Import and Export Act (21 U.S.C. 959) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) in subsection (a), by striking "It shall" and all that follows and inserting the following: "It shall be unlawful for any person to manufacture or distribute a controlled substance in schedule I or II or flunitrazepam or a listed chemical intending, knowing, or having reasonable cause to believe that such substance or chemical will be unlawfully imported into the United States or into waters within a distance of 12 miles of the coast of the United States."

"(b) It shall be unlawful for any person to manufacture or distribute a listed chemical—

"(1) intending or knowing that the listed chemical will be used to manufacture a controlled substance; and

"(2) intending, knowing, or having reasonable cause to believe that the controlled substance will be unlawfully imported into the United States."

**SEC. 3. TRAFFICKING IN COUNTERFEIT GOODS OR SERVICES.**

Chapter 113 of title 18, United States Code, is amended—

(1) in section 2318(b)(2), by striking "section 2320(e)" and insertion "section 2320(f)"; and

(2) in section 2320—

(A) in subsection (a), by striking paragraph (4) and inserting the following:

"(4) traffics in a drug and knowingly uses a counterfeit mark on or in connection with such drug;"

(B) in subsection (b)(3), in the matter preceding subparagraph (A), by striking "counterfeit drug" and inserting "drug that uses a counterfeit mark on or in connection with the drug"; and

(C) in subsection (f), by striking paragraph (6) and inserting the following:

"(6) the term 'drug' means a drug, as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)."

By Mr. REED (for himself, Mr. FRANKEN, Ms. STABENOW, Mr. WHITEHOUSE, Mr. SANDERS, and Mr. BROWN):

S. 707. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, once again, on July 1, millions of college students will see the interest rate double on their student loans from 3.4 percent to 6.8 percent unless Congress takes action. Borrowers will pay an estimated \$1,000 more in interest on their loans each year of repayment if Congress fails to act.

Student loan debt is second only to mortgage debt for American families. Now is not the time to add to student loan debt by allowing the interest rate on need-based student loans to double. I am pleased to introduce the Student Loan Affordability Act with my colleagues Senator AL FRANKEN, Senator SHELDON WHITEHOUSE, Senator DEBBIE STABENOW, Senator SHERROD BROWN, and Senator BERNIE SANDERS to maintain the current 3.4 percent interest rate for the next 2 years, as we work towards a long-term solution in the reauthorization of the Higher Education Act.

Last Congress, we narrowly averted a doubling of the interest rate on need-based student loans. It took thousands of calls, letters, and rallies from students and parents across the country and our concerted effort to negotiate a bipartisan solution. However, we were only able to get a temporary, 1-year fix.

The budget passed by the House Republicans assumes a doubling of the interest rate. In stark contrast, the budget resolution we passed last month accommodates legislation to keep rates low.

We need to come together to develop long-term solutions to the growing burden of student loan debt, the rising cost of college, and the need to improve higher education outcomes so that students complete their degrees and get the full benefit of their investment in education. Everyone agrees that college costs are too high and climbing higher. Families will be priced out of a college education, even with grants and loans, if we do not take real action on curbing cost increases.

What we can do right now is reassure students and families that we will not allow the interest rate to double this July at a time when interest rates are at historic lows.

Student loan debt affects millions of Americans. Two-thirds of the class of 2011 graduated owing student loans, with an average debt of \$26,000. Student loan debt has passed the \$1 trillion mark—exceeding credit card debt. Moreover, the students and families we are trying to help with the Student Loan Affordability Act have demonstrated economic need. Indeed, approximately 60 percent of the dependent students who qualify for subsidized loans come from families with incomes of less than \$60,000.

The question before us is will we make the student loan debt burden worse by allowing interest rates to double or will we take action to protect low and moderate income students.

We need to act fast. July 1 is only 81 days away. I urge all our colleagues to join us in supporting the Student Loan Affordability Act.

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

S. 712. A bill to allow acceleration certificates awarded under the Patents for Humanity Program to be transferrable; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, the American intellectual property system is rightly held as the global standard for promoting innovation and driving economic growth. This is particularly true of our patent system, which was recently updated and strengthened for the 21st century by the Leahy-Smith America Invents Act. The fundamental truth that our Founders recognized more than 200 years ago—that limited exclusive rights for inventors incentivize research and development—continues to benefit consumers and the American economy at large.

These limited rights can also be applied to incentivize research and discoveries that advance humanitarian needs. In my time in the Senate, I have worked to promote policies that encourage intellectual property holders to apply their work to address global humanitarian challenges. Today, I am pleased to join with Senator COONS in reintroducing the Patents for Humanity Program Improvement Act to again advance such policies.

This legislation improves on a program created by the United States Patent and Trademark Office, PTO, last year. The PTO's Patents for Humanity Program provides rewards to selected patent holders who apply their technology to a humanitarian issue that significantly affects the public health or quality of life of an impoverished population. Those who receive the award are given a certificate to accelerate certain PTO processes.

This year, the innovations that received awards touched on critical areas that will help improve the quality of life for people throughout the world. Award winners worked to improve the treatment and diagnosis of devastating diseases, improve nutrition and the environment, and combat the spread of dangerous counterfeit drugs. These are innovations that will make a real difference in the lives of people in the developing world and elsewhere.

Following a Judiciary Committee hearing last year, I asked PTO Director Kappos whether the Patents for Humanity program would be more effective, and more attractive to innovators, if the acceleration certificates awarded were transferable to a third party. He responded that it would, and that it would be particu-

larly beneficial to small businesses. The Patents for Humanity Program Improvement Act makes these acceleration certificates transferrable. It is a straightforward, cost-neutral bill that will strengthen this useful program.

When Congress can establish policies that provide business incentives for humanitarian endeavors, it should not hesitate to act. I urge the Senate to work swiftly to pass this legislation.

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. 712

*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 "Patents for Humanity Program Improvement Act of 2013".

**SEC. 2. TRANSFERABILITY OF ACCELERATION CERTIFICATES.**

(a) **IN GENERAL.**—A holder of an acceleration certificate issued pursuant to the Patents for Humanity Program (established in the notice entitled "Humanitarian Awards Pilot Program", published at 77 Fed. Reg. 6544 (February 8, 2012)), or any successor thereto, of the United States Patent and Trademark Office, may transfer (including by sale) the entitlement to such acceleration certificate to another person.

(b) **REQUIREMENT.**—An acceleration certificate transferred under subsection (a) shall be subject to any other applicable limitations under the notice entitled "Humanitarian Awards Pilot Program", published at 77 Fed. Reg. 6544 (February 8, 2012), or any successor thereto.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 713. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add Rhode Island to the Mid-Atlantic Fishery Management Council; to the Committee on Commerce, Science, and Transportation.

Mr. REED. Mr. President, today, along with my colleague Senator WHITEHOUSE, I am introducing the Rhode Island Fishermen's Fairness Act of 2013.

For nearly a decade, I have worked to give the fishermen of my state full participation in the management of the fish stocks that they rely on for their livelihoods.

The Magnuson-Stevens Fishery Conservation and Management Act established eight regional fishery management councils to give fishermen and other stakeholders the leading role in developing the fishery management plans for federally-regulated species. As such, the councils have enormous significance on the lives and livelihoods of fishermen. To ensure equitable representation, the statute sets out the states from which appointees are to be drawn for each council.

Under the Magnuson-Stevens Act, the State of Rhode Island was granted

voting membership on the New England Fishery Management Council, NEFMC, as NEFMC-managed stocks represent a significant percentage of landings and revenue for the state. However, while Rhode Island's participation in the New England fishery remains important, its stake in the Mid-Atlantic fishery has become more critical. Yet, it does not have voting representation on the Mid-Atlantic Fishery Management Council, MAFMC, which currently consists of representatives from New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, and North Carolina.

Rhode Island's stake in the Mid-Atlantic fishery is hardly incidental. According to National Oceanic and Atmospheric Administration, NOAA, data, Rhode Island accounted for approximately 20 percent of the commercial catch from this fishery in 2012, and its landings are greater than the combined total of landings for the States of New York, Delaware, Pennsylvania, Maryland, Virginia, and North Carolina. In fact, New Jersey is the only state currently represented on the MAFMC that lands more MAFMC-regulated species than Rhode Island.

While Rhode Island is represented on some policy-setting committees on the MAFMC, its position on those committees is not guaranteed nor does the state have a vote on matters as they come before the full council. Having that representation can be critically important to Rhode Island as decisions are made on critical stocks like squid, which comprised 40 percent of the state's annual landings in 2012 according to NOAA data, and is a major part of our commercial fishing sector.

This legislation offers Rhode Island that voice. Following current practice, the Rhode Island Fishermen's Fairness Act would create two seats on the MAFMC for Rhode Island: one seat appointed by the Secretary of Commerce based on recommendations from the Governor of Rhode Island, and a second seat filled by Rhode Island's principal State official with marine fishery management responsibility. To accommodate these new members, the MAFMC would increase in size from 21 voting members to 23.

There is precedent for this type of change. North Carolina was added to the MAFMC through an amendment to the Sustainable Fisheries Act in 1996. Like Rhode Island, a significant proportion of North Carolina's landed fish species were managed by the MAFMC, yet the state had no vote on the council.

With mounting economic, ecological, and regulatory challenges, it is more important than ever that Rhode Island's fishermen have a voice in the management of the fisheries on which they depend. I look forward to working with Senator WHITEHOUSE and my other colleagues to restore a measure of equity to the fisheries management process by passing the Rhode Island Fishermen's Fairness Act.

By Mr. REID:

S. 716. A bill to modify the requirements under the STOCK Act regarding online access to certain financial disclosure statements and related forms; considered and passed.

Mr. REID. 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. 716

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. MODIFICATIONS OF ONLINE ACCESS TO CERTAIN FINANCIAL DISCLOSURE STATEMENTS AND RELATED FORMS.**

(a) PUBLIC, ONLINE DISCLOSURE OF FINANCIAL DISCLOSURE FORMS.—

(1) IN GENERAL.—Except with respect to financial disclosure forms filed by officers and employees referred to in paragraph (2), section 8(a) and section 11(a) of the STOCK Act (5 U.S.C. App. 105 note) shall not be effective.

(2) EXEMPTED OFFICERS AND EMPLOYEES.—The officer and employees referred to in paragraph (1) are the following:

- (A) The President.
- (B) The Vice President.
- (C) Any Member of Congress.
- (D) Any candidate for Congress.

(E) Any officer occupying a position listed in section 5312 or section 5313 of title 5, United States Code, having been nominated by the President and confirmed by the Senate to that position.

(3) CONFORMING AMENDMENT.—Section 1 of the Act entitled “An Act to change the effective date for the internet publication of certain information to prevent harm to the national security or endangering the military officers and civilian employees to whom the publication requirement applies, and for other purposes” is repealed.

(b) ELECTRONIC FILING AND ONLINE AVAILABILITY.—

(1) FOR MEMBERS OF CONGRESS AND CANDIDATES.—Section 8(b) of the STOCK Act (5 U.S.C. App. 105 note) is amended—

(A) in the heading, by striking “, OFFICERS OF THE HOUSE AND SENATE, AND CONGRESSIONAL STAFF”;

(B) in paragraph (1)—

(i) by striking “18 months after the date of enactment of this Act” and inserting “January 1, 2014”;

(ii) by amending subparagraph (B) to read as follows:

“(B) public access to—

“(i) financial disclosure reports filed by Members of Congress and candidates for Congress,

“(ii) reports filed by Members of Congress and candidates for Congress of a transaction disclosure required by section 103(1) of the Ethics in Government Act of 1978, and

“(iii) notices of extensions, amendments, and blind trusts, with respect to financial disclosure reports described in clauses (i) and (ii),

pursuant to title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.), through databases that are maintained on the official websites of the House of Representatives and the Senate.”;

(C) in paragraph (2)—

(i) by striking the first two sentences; and

(ii) in the last sentence, by striking “under this section” and inserting “under paragraph (1)(B)”;

(D) in paragraph (3), by striking “under this subsection” and inserting “under paragraph (1)(B)”;

(E) in paragraph (4), by inserting “be able to” after “shall”; and

(F) in paragraph (5), by striking “under this subsection” and inserting “under paragraph (1)(B)”.

(2) FOR EXECUTIVE BRANCH OFFICIALS.—Section 11(b) of the STOCK Act (5 U.S.C. App. 105 note) is amended—

(A) in the heading, by striking “EMPLOYEES” and inserting “OFFICIALS”;

(B) in paragraph (1)—

(i) by striking “18 months after the date of enactment of this Act” and inserting “January 1, 2014”;

(ii) by amending subparagraph (B) to read as follows:

“(B) public access to—

“(i) financial disclosure reports filed by the President, the Vice President, and any officer occupying a position listed in section 5312 or section 5313 of title 5, United States Code, having been nominated by the President and confirmed by the Senate to that position,

“(ii) reports filed by any individual described in clause (i) of a transaction disclosure required by section 103(1) of the Ethics in Government Act of 1978, and

“(iii) notices of extensions, amendments, and blind trusts, with respect to financial disclosure reports described in clauses (i) and (ii),

pursuant to title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.), through databases that are maintained on the official website of the Office of Government Ethics.”;

(C) in paragraph (2)—

(i) by striking the first two sentences; and

(ii) in the last sentence, by striking “under this section” and inserting “under paragraph (1)(B)”;

(D) in paragraph (3), by striking “under this subsection” and inserting “under paragraph (1)(B)”;

(E) in paragraph (4), by inserting “be able to” after “shall”; and

(F) in paragraph (5), by striking “under this subsection” and inserting “under paragraph (1)(B)”.

By Mr. DURBIN (for himself, Mr. BOOZMAN, Mr. COONS, Ms. LANDRIEU, and Mr. CARDIN):

S. 718. A bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes; to the Committee on Foreign Relations.

Mr. DURBIN. Mr. President, I rise to discuss the Increasing American Jobs through Greater Exports to Africa Act of 2013.

I am introducing this bill along with my partners from the last Congress. Senator CHRIS COONS from the State of Delaware is in the Chamber, the chair of the African Affairs Subcommittee of the Senate Foreign Relations Committee. Senators JOHN BOOZMAN, BEN CARDIN, and MARY LANDRIEU have joined us in this bipartisan effort. We expect Representatives CHRIS SMITH and KAREN BASS will soon introduce companion legislation in the House.

This is a very straightforward, commonsense piece of legislation.

It is about creating jobs, American jobs. Every \$1 billion in exports from America supports over 5,000 jobs. This bill seeks to expand U.S. exports specifically to Africa by 200 percent in real dollar value over the next 10 years. The

African market is ripe for greater American commercial engagement. In the past 10 years, people do not believe this, but they should take a look at the facts. In the past 10 years, six of the worlds fastest growing economies were located in Sub-Saharan Africa.

In the next decade, 7 of the top 10 will be in Sub-Saharan Africa. The mental image which most Americans have of Africa is completely out of date. Africa is growing, not only in population but in economic activity. The middle class of Africa is growing as well. Their appetite for goods and service puts an opportunity before us to export from America and to create good jobs in our country with exports to Africa.

In the last decade, the number of Africans with access to the Internet has doubled. From 1998 to today, the number of mobile phones on the continent has grown from 4 million to 500 million. Seventy-eight percent of Africa’s rural population now has access to clean water. Over the last 10 years, real income per person in Africa has increased by more than 30 percent. Positive health outcomes are increasing. Enrollment in school is growing.

These are signs of a growing middle class and what the World Bank has called the brink of an economic takeoff in Africa. As my colleague and friend Senator COONS has noted, in a report he recently released on the topic, economic growth in Africa has risen dramatically in recent years. But the continent’s vast economic potential has not yet been fully realized by the U.S. Government or the American people.

That report from Senator COONS could not have been more timely and accurate as far as I am concerned. I can tell you, American companies are eager to get into the African market. They should be. But they often face a private finance system that is stuck, thinking about Africa through the prism of the past: wars, famine, strongmen dictators.

I have met with these company leaders, large and small companies alike. They tell me the same thing: The U.S. does not have a coordinated strategy for Africa. Others do. China and others are gaining a foothold in Africa at the expense of our workers. Yesterday, the Ambassador from Algeria came to see me. It is a country that has a fascinating background, colonized like most of the countries in Africa. It went through a storied period of independence in the 1960s and has French roots. The Ambassador said: We pride ourselves, we believe we speak better French than the people living in France. That is their past.

I asked them about their future. I said: What is the presence of China in Algeria today? He said: It is a growing presence. When it comes to the infrastructure of Algeria, it is China that is playing a major role. It is China that is loaning the money to Algeria to build the roads and the bridges and the airports. But there is a catch. You want

to borrow the money from China? There will be Chinese architects, Chinese engineers, Chinese contractors, and half the workforce will be Chinese.

Pretty soon they will have become part of Algeria. The next time there is a decision, whether it is for a telecommunications system, whatever it might be, you can bet the Chinese, with a history of working with the Algerian Government, will be first in line.

They know what is happening there. Africa is developing its economy and they are part of it. They see Africa from two or three different perspectives. First, obviously, it is an opportunity to sell things. It is a market. Second, it can provide basic resources and energy needed by the Chinese. Third, as the middle class grows in each of these countries, the appetite for more and more economic activity will grow.

There was a time when America knew that too. There was a time when we visited the four corners of the world looking for those same opportunities. We are sitting back now and watching. As we watch, China is moving. As I have said many times, the U.S. system of export, promotion, and finance is so poorly coordinated that it is a shame we are losing so many opportunities.

We have dozens of government agencies that are supposed to be working on this problem. I called many of them in my office. It was the first time some of them had met one another. They are supposed to be working together. This bill we are introducing will fix it. It would require a coordinated government strategy to help increase U.S. exports to Africa.

Responsibility for overseeing the implementation of this strategy would be vested in a single position, one coordinator. No more agencies tripping over one another. No more competing priorities. Every day we delay, China and, I might add, India and others will fill the void if America does not step forward.

Since 2009, China has been Africa's largest trading partner. It has flooded the continent with billions of dollars building high-profile construction projects. Often the assistance comes in the form of concessional loans, loans that, frankly, suggest you can borrow \$100 million, you only have to pay back \$70 million. That practice distorts markets, puts our companies in America at a disadvantage.

Between 2008 and 2010, China provided more to the developing world than the World Bank, to the tune of \$110 billion. Currently, China's exports to Africa outnumber America's three to one. The Chinese get it. Should America not get it? Through this engagement, the Chinese are becoming major players all over Africa. I defy you to find a country in Africa where the Chinese are not already a part of the economy and part of the economic conversation.

Recently, Senegal's President Macky Sall told President Obama exactly that in a meeting at the White House, argu-

ing the West should pay as much attention to Africa as China does. I have heard the same thing firsthand, not just from the Algerian Ambassador but from the former President of Ethiopia. Across the continent, it is the same question: Where is the United States?

This bill answers the question. No longer would Africans wonder why American companies were not doing business there. The bill bolsters U.S. Government ability to support these companies, maintains a solid presence of U.S. commercial Foreign Service officers. It is going to help small and medium businesses in the United States compete in Africa. It will increase the focus of the Export-Import Bank, giving it greater incentive to aggressively counter those concessional loans. It will help the Export-Import Bank and the Overseas Private Investment Corporation more quickly process applications so we can be competitive.

Last Congress we almost passed this bill. One would almost think that it is a no-brainer. But, unfortunately, we did not. One Senator objected. He had the courage to come to the floor and voice his objections. I appreciate that very much. But at the same time, on the other side of the aisle, Senators JOHNSON, COBURN, and CORKER were working with me to pass the bill. So we have not given up on making this a successful bipartisan effort.

I think the United States cannot stand by the sidelines just to say we believe in a market economy, get the government out of the picture is to overlook the obvious. The Chinese Government is in the picture, and they are running circles around American companies because of it. In thinking about the issue, we must also not ignore the interests of the Africans themselves—something sometimes our competitors do not focus on.

Chinese engagement comes with a price. China gobbles up natural resources that are needed many times for that growing domestic economy. The infrastructure projects, as I mentioned, often come with Chinese professionals: architects and engineers and workers. When local labor is used, African workers often suffer poor labor standards, if the Chinese are in charge. Environmental standards are ignored. They should be a priority all over the world. We also have to factor in the cost of having to replace products and goods much sooner because, sadly, the Chinese workmanship as well as the quality of their goods does not match what the United States can bring.

I also wish to mention a growing problem that stems from China's presence in Africa; that is, the resurgence of elephant poaching and ivory trafficking. Several recent New York Times articles have highlighted tens of thousands of elephants have been slaughtered.

One may say: I thought we solved this a few years ago with a worldwide ivory ban. It turns out ivory is so popular in the Chinese culture in part of

its burgeoning population, one item is sought as an ultimate status symbol in China: Ivory. Reports are that as much as 70 percent of the ivory harvested from slaughtered elephants is smuggled to China. In fact, there is growing evidence that ivory poaching actually increases in elephant-rich areas where the Chinese construction workers are building roads.

Even more troubling, the Chinese demand for ivory funds some of the most despicable actors in Africa. Much of the proceeds from the illegal ivory trade ended up in the hands of Joseph Kony and his murderous group the Lord's Resistance Army. I recently went to Uganda and met two of the victims of Joseph Kony. He is a madman. He has used his beatific visions to generate an Army of slaves, literally soldier slaves. I met one of them, a young man who was dragged out of his African village in Uganda.

Everybody was lined up at the village as Kony and his soldiers stood around with their automatic weapons. They said to this young man: You are going to join our army here or we are going to kill you. Before you join the army, though, there is one thing we have to ask you: Who would you spare among the members of your family here? We are going to kill the rest of them. Which one would you spare?

The young man said, after some hesitation: My father. They walked over and killed his father first. That is the kind of ruthless madman we are dealing with in Joseph Kony. Believe me, President Obama has recently put a target on his back. We are going after this man. We have driven him out of Uganda. We believe he is in the Central African Republic. I saw firsthand while visiting there what we are doing to make sure his reign of terror comes to an end very quickly.

It turns out Kony's reign of terror has been fed and financed by the Chinese demand for ivory. He is poaching ivory from the elephants, slaughtering them in the area and using this ivory to keep his men in arms and for their reign of terror to continue.

The Increasing American Jobs Through Greater Exports to Africa Act has something for everyone to support. It is good for the American economy, helps U.S. businesses create jobs, it is good for U.S. foreign policy, keeps America in a position of global leadership. It is good for the people of Africa by making superior American products and services the standard in their future.

I urge my colleagues to sign on to support this important effort. While we wait and do nothing, the Chinese are acting every single day and America is falling further and further behind.

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. 718

*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 “Increasing American Jobs Through Greater Exports to Africa Act of 2013”.

**SEC. 2. FINDINGS; PURPOSE.**

(a) FINDINGS.—Congress makes the following findings:

(1) Export growth helps United States businesses grow and create American jobs. In 2011, United States exports supported 9,700,000 jobs and 97.8 percent of United States exports came from small- and medium-sized businesses in 2010.

(2) The more than 20 Federal agencies that are involved in export promotion and financing are not sufficiently coordinated to adequately expand United States commercial exports to Africa.

(3) The President has taken steps to improve how the United States Government supports American businesses by mandating an executive review across agencies and a new Doing Business in Africa initiative, but a substantially greater high-level focus on Africa is needed.

(4) Many other countries have trade promotion programs that aggressively compete against United States exports in Africa and around the world. For example, in 2010, medium- and long-term official export credit general volumes from the Group of 7 countries (Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States) totaled \$65,400,000,000. Germany provided the largest level of support at \$22,500,000,000, followed by France at \$17,400,000,000 and the United States at \$13,000,000,000. Official export credit support by emerging market economies such as Brazil, China, and India are significant as well.

(5) Between 2008 and 2010, China alone provided more than \$110,000,000,000 in loans to the developing world, and, in 2009, China surpassed the United States as the leading trade partner of African countries. In the last 10 years, African trade with China has increased from \$11,000,000,000 to \$166,000,000,000.

(6) The Export-Import Bank of the United States substantially increased lending to United States businesses focused on Africa from \$400,000,000 in 2009 to \$1,400,000,000 in 2011, but the Export-Import Bank of China dwarfed this effort with an estimated \$12,000,000,000 worth of financing. Overall, China is outpacing the United States in selling goods to Africa at a rate of 3 to 1.

(7) Other countries such as India, Turkey, Russia, and Brazil are also aggressively seeking markets in Africa using their national export banks to provide concessional assistance.

(8) The Chinese practice of concessional financing runs contrary to the principles of the Organization of Economic Co-operation and Development related to open market rates, undermines naturally competitive rates, and can allow governments in Africa to overlook the troubling record on labor practices, human rights, and environmental impact.

(9) As stated in a recent report entitled “Embracing Africa’s Economic Potential” by Senator Chris Coons, “Economic growth in Africa has risen dramatically, but the continent’s vast economic potential has not yet been fully realized by the U.S. Government or the American private sector.”

(10) The African continent is undergoing a period of rapid growth and middle class development, as seen from major indicators such as Internet use, clean water access, and real income growth. In the last decade alone,

the percentage of the population with access to the Internet has doubled. Seventy-eight percent of Africa’s rural population now has access to clean water. Over the past 10 years, real income per person in Africa has grown by more than 30 percent.

(11) Economists have designated Africa as the “next frontier market”, with profitability of many African firms and growth rates of African countries exceeding global averages in recent years. Countries in Africa have a collective spending power of almost \$9,000,000,000,000 and a gross domestic product of \$1,600,000,000,000, which are projected to double in the next 10 years.

(12) In the past 10 years, Africa has been home to 6 of the 10 fastest growing economies in the world. Sub-Saharan Africa is projected to have the fastest growing economies in the world over the next 10 years, with 7 of the 10 fastest growing economies located in sub-Saharan Africa.

(13) When countries such as China assist with large-scale government projects, they also gain an upper hand in relations with African leaders and access to valuable commodities such as oil and copper, typically without regard to environmental, human rights, labor, or governance standards.

(14) Unless the United States can offer competitive financing for its firms in Africa, it will be deprived of opportunities to participate in African efforts to close the continent’s significant infrastructure gap that amounts to an estimated \$100,000,000,000.

(b) PURPOSE.—The purpose of this Act is to create jobs in the United States by expanding programs that will result in increasing United States exports to Africa by 200 percent in real dollar value within 10 years.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) AFRICA.—The term “Africa” refers to the entire continent of Africa and its 54 countries, including the Republic of South Sudan.

(2) AFRICAN DIASPORA.—The term “African diaspora” means the people of African origin living in the United States, irrespective of their citizenship and nationality, who are willing to contribute to the development of Africa.

(3) AGOA.—The term “AGOA” means the African Growth and Opportunity Act (19 U.S.C. 3701 et seq.).

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Finance of the Senate; and

(B) the Committee on Appropriations, the Committee on Energy and Commerce, the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on Ways and Means of the House of Representatives.

(5) DEVELOPMENT AGENCIES.—The term “development agencies” includes the Department of State, the United States Agency for International Development (USAID), the Millennium Challenge Corporation (MCC), the Overseas Private Investment Corporation (OPIC), the United States Trade and Development Agency (USTDA), the United States Department of Agriculture (USDA), and relevant multilateral development banks.

(6) TRADE POLICY STAFF COMMITTEE.—The term “Trade Policy Staff Committee” means the Trade Policy Staff Committee established pursuant to section 2002.2 of title 15, Code of Federal Regulations, and is composed of representatives of Federal agencies in charge of developing and coordinating

United States positions on international trade and trade-related investment issues.

(7) MULTILATERAL DEVELOPMENT BANKS.—The term “multilateral development banks” has the meaning given that term in section 1701(c)(4) of the International Financial Institutions Act (22 U.S.C. 262r(c)(4)) and includes the African Development Foundation.

(8) SUB-SAHARAN REGION.—The term “sub-Saharan region” refers to the 49 countries listed in section 107 of the African Growth and Opportunity Act (19 U.S.C. 3706) and includes the Republic of South Sudan.

(9) TRADE PROMOTION COORDINATING COMMITTEE.—The term “Trade Promotion Coordinating Committee” means the Trade Promotion Coordinating Committee established by Executive Order 12870 (58 Fed. Reg. 51753).

(10) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—The term “United States and Foreign Commercial Service” means the United States and Foreign Commercial Service established by section 2301 of the Export Enhancement Act of 1988 (15 U.S.C. 4721).

**SEC. 4. STRATEGY.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall establish a comprehensive United States strategy for public and private investment, trade, and development in Africa.

(b) FOCUS OF STRATEGY.—The strategy required by subsection (a) shall focus on—

(1) increasing exports of United States goods and services to Africa by 200 percent in real dollar value within 10 years from the date of the enactment of this Act;

(2) promoting the alignment of United States commercial interests with development priorities in Africa;

(3) developing relationships between the governments of countries in Africa and United States businesses that have an expertise in such issues as infrastructure development, technology, telecommunications, energy, and agriculture;

(4) improving the competitiveness of United States businesses in Africa, including the role the African diaspora can play in enhancing such competitiveness;

(5) exploring ways that African diaspora remittances can help communities in Africa tackle economic, development, and infrastructure financing needs;

(6) promoting economic integration in Africa through working with the subregional economic communities, supporting efforts for deeper integration through the development of customs unions within western and central Africa and within eastern and southern Africa, eliminating time-consuming border formalities into and within these areas, and supporting regionally based infrastructure projects;

(7) encouraging a greater understanding among United States business and financial communities of the opportunities Africa holds for United States exports;

(8) fostering partnership opportunities between United States and African small- and medium-sized enterprises; and

(9) monitoring—

(A) market loan rates and the availability of capital for United States business investment in Africa;

(B) loan rates offered by the governments of other countries for investment in Africa; and

(C) the policies of other countries with respect to export financing for investment in Africa that are predatory or distort markets.

(c) CONSULTATIONS.—In developing the strategy required by subsection (a), the President shall consult with—

(1) Congress;

(2) each agency that is a member of the Trade Promotion Coordinating Committee;



(3) the relevant multilateral development banks, in coordination with the Secretary of the Treasury and the respective United States Executive Directors of such banks;

(4) each agency that participates in the Trade Policy Staff Committee;

(5) the President's National Export Council;

(6) each of the development agencies;

(7) any other Federal agencies with responsibility for export promotion or financing and development; and

(8) the private sector, including businesses, nongovernmental organizations, and African diaspora groups.

(d) SUBMISSION TO CONGRESS.—

(1) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress the strategy required by subsection (a).

(2) PROGRESS REPORT.—Not later than 3 years after the date of the enactment of this Act, the President shall submit to Congress a report on the implementation of the strategy required by subsection (a).

(3) CONTENT OF REPORT.—The report required by paragraph (2) shall include an assessment of the extent to which the strategy required by subsection (a)—

(A) has been successful in developing critical analyses of policies to increase exports to Africa;

(B) has been successful in increasing the competitiveness of United States businesses in Africa;

(C) has been successful in creating jobs in the United States, including the nature and sustainability of such jobs;

(D) has provided sufficient United States Government support to meet third country competition in the region;

(E) has been successful in helping the African diaspora in the United States participate in economic growth in Africa;

(F) has been successful in promoting economic integration in Africa; and

(G) has made a meaningful contribution to the transformation of Africa and its full integration into the 21st century world economy, not only as a supplier of primary products but also as full participant in international supply and distribution chains and as a consumer of international goods and services.

#### SEC. 5. SPECIAL AFRICA STRATEGY COORDINATOR.

The President shall designate an individual to serve as Special Africa Export Strategy Coordinator—

(1) to oversee the development and implementation of the strategy required by section 4; and

(2) to coordinate with the Trade Promotion Coordinating Committee, (the interagency AGOA committees), and development agencies with respect to developing and implementing the strategy.

#### SEC. 6. TRADE MISSION TO AFRICA.

It is the sense of Congress that, not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce and other high-level officials of the United States Government with responsibility for export promotion, financing, and development should conduct a joint trade mission to Africa.

#### SEC. 7. PERSONNEL.

(a) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—

(1) IN GENERAL.—The Secretary of Commerce shall ensure that not less than 10 total United States and Foreign Commercial Service officers are assigned to Africa for each of the first 5 fiscal years beginning after the date of the enactment of this Act.

(2) ASSIGNMENT.—The Secretary shall, in consultation with the Trade Promotion Co-

ordinating Committee and the Special Africa Export Strategy Coordinator, assign the United States and Foreign Commercial Service officers described in paragraph (1) to United States embassies in Africa after conducting a timely resource allocation analysis that represents a forward-looking assessment of future United States trade opportunities in Africa.

(3) MULTILATERAL DEVELOPMENT BANKS.—

(A) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary of Commerce shall, using existing staff, assign not less than 1 full-time United States and Foreign Commercial Service officer to the office of the United States Executive Director at the World Bank and the African Development Bank.

(B) RESPONSIBILITIES.—Each United States and Foreign Commercial Service officer assigned under subparagraph (A) shall be responsible for—

(i) increasing the access of United States businesses to procurement contracts with the multilateral development bank to which the officer is assigned; and

(ii) facilitating the access of United States businesses to risk insurance, equity investments, consulting services, and lending provided by that bank.

(b) EXPORT-IMPORT BANK OF THE UNITED STATES.—Of the amounts collected by the Export-Import Bank that remain after paying the expenses the Bank is authorized to pay from such amounts for administrative expenses, the Bank shall use sufficient funds to do the following:

(1) Increase the number of staff dedicated to expanding business development for Africa, including increasing the number of business development trips the Bank conducts to Africa and the amount of time staff spends in Africa to meet the goals set forth in section 9 and paragraph (4) of section 6(a) of the Export-Import Bank of 1945, as added by section 9(a)(2).

(2) Maintain an appropriate number of employees of the Bank assigned to United States field offices of the Bank to be distributed as geographically appropriate through the United States. Such offices shall coordinate with the related export efforts undertaken by the Small Business Administration regional field offices.

(3) Upgrade the Bank's equipment and software to more expeditiously, effectively, and efficiently process and track applications for financing received by the Bank.

(c) OVERSEAS PRIVATE INVESTMENT CORPORATION.—

(1) STAFFING.—Of the net offsetting collections collected by the Overseas Private Investment Corporation used for administrative expenses, the Corporation shall use sufficient funds to increase by not more than 5 the staff needed to promote stable and sustainable economic growth and development in Africa, to strengthen and expand the private sector in Africa, and to facilitate the general economic development of Africa, with a particular focus on helping United States businesses expand into African markets.

(2) REPORT.—The Corporation shall report to the appropriate congressional committees on whether recent technology upgrades have resulted in more effective and efficient processing and tracking of applications for financing received by the Corporation.

(3) CERTAIN COSTS NOT CONSIDERED ADMINISTRATIVE EXPENSES.—For purposes of this subsection, systems infrastructure costs associated with activities authorized by title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 231 et seq.) shall not be considered administrative expenses.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as permitting

the reduction of Department of Commerce, Department of State, Export Import Bank, or Overseas Private Investment Corporation personnel or the alteration of planned personnel increases in other regions, except where a personnel decrease was previously anticipated or where decreased export opportunities justify personnel reductions.

#### SEC. 8. TRAINING.

The President shall develop a plan—

(1) to standardize the training received by United States and Foreign Commercial Service officers, economic officers of the Department of State, and economic officers of the United States Agency for International Development with respect to the programs and procedures of the Export-Import Bank of the United States, the Overseas Private Investment Corporation, the Small Business Administration, and the United States Trade and Development Agency; and

(2) to ensure that, not later than 1 year after the date of the enactment of this Act—

(A) all United States and Foreign Commercial Service officers that are stationed overseas receive the training described in paragraph (1); and

(B) in the case of a country to which no United States and Foreign Commercial Service officer is assigned, any economic officer of the Department of State stationed in that country shall receive that training.

#### SEC. 9. EXPORT-IMPORT BANK FINANCING.

(a) FINANCING FOR PROJECTS IN AFRICA.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that foreign export credit agencies are providing non-OECD arrangement compliant financing in Africa, which is trade distorting and threatens United States jobs.

(2) IN GENERAL.—Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended by adding at the end the following:

“(4) PERCENT OF FINANCING TO BE USED FOR PROJECTS IN AFRICA.—The Bank shall, to the extent that there are acceptable final applications, increase the amount it finances to Africa over the prior year's financing for each of the first five fiscal years beginning after the date of the enactment of the Increasing American Jobs Through Greater Exports to Africa Act of 2013.”

(3) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for 5 years, the Export-Import Bank shall report to the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate and the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives if the Bank has not used at least 10 percent of its lending capabilities for projects in Africa as described in paragraph (4) of section 6(a) of the Export-Import Bank of 1945, as added by paragraph (2). The report shall include the reasons why the Bank failed to reach this goal and a description of all final applications for projects in Africa that were deemed unworthy of Bank support.

(b) AVAILABILITY OF PORTION OF CAPITALIZATION TO COMPETE AGAINST FOREIGN CONCESSIONAL LOANS.—

(1) IN GENERAL.—The Bank shall make available annually such amounts as are necessary for loans that counter trade distorting non-OECD arrangement compliant financing or preferential, tied aid, or other related non-market loans offered by other nations for which United States companies are also competing or interested in competing.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for 5 years, the Export-Import Bank shall submit to the Committee on Banking, Housing, and Urban Affairs, the

Committee on Foreign Relations, and the Committee on Appropriations of the Senate and the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives a report on all loans made or rejected that were considered to counter non-OECD arrangement compliant financing offered by other nations to its firms. The report shall not disclose any information that is confidential or business proprietary, or that would violate section 1905 of title 18, United States Code (commonly referred to as the "Trade Secrets Act"). The report shall include a description of trade distorting non-OECD arrangement compliant financing loans made by other countries during that fiscal year to firms that competed against the United States firms.

**SEC. 10. SMALL BUSINESS ADMINISTRATION.**

Section 22(b) of the Small Business Act (15 U.S.C. 649(b)) is amended—

(1) in the matter preceding paragraph (1), by inserting "the Trade Promotion Coordinating Committee," after "Director of the United States Trade and Development Agency,"; and

(2) in paragraph (3), by inserting "regional offices of the Export-Import Bank," after "Retired Executives,".

**SEC. 11. BILATERAL, SUBREGIONAL AND REGIONAL, AND MULTILATERAL AGREEMENTS.**

Where applicable, the President shall explore opportunities to negotiate bilateral, subregional, and regional agreements that encourage trade and eliminate nontariff barriers to trade between countries, such as negotiating investor friendly double-taxation treaties and investment promotion agreements. United States negotiators in multilateral forum should take into account the objectives of this Act. To the extent any such agreements exist between the United States and an African country, the President shall ensure that the agreement is being implemented in a manner that maximizes the positive effects for United States trade, export, and labor interests as well as the economic development of the countries in Africa.

Mr. COONS. I rise to thank Senator DURBIN of Illinois for his leadership on these vital issues. You just heard in the comments he made the reach and scope of his vision. I am so impressed with the breadth and depth of his engagement first on behalf of American workers.

The Senator recognizes so clearly that 95 percent of the world's consumers live outside our country, and we have to have a coordinated, capable, competent export strategy in order to continue to access the most promising, most rapidly growing markets in Africa. The 54 countries of the continent of Africa provide enormous opportunity as their growing middle class, increasing access to their human and mineral and natural resources create opportunities for us to grow jobs in the United States.

Nearly 10 million new jobs are supported in the United States by exports to the rest of the world. But as Senator DURBIN has wisely seen and pointed out, our competitors are beating us in the race to access these great opportunities. The Chinese, the Brazilians, the Russians, the Indians, in every country on the continent they are present, they are investing, and they are growing.

Senator DURBIN rightly recognized that China has eclipsed the United States as the leading trading partner for Africa. There are real consequences for Africans and for African countries because, sadly, often Chinese investments bring with them Chinese contractors, workers, and a different approach to values: priority in terms of development, a lack of focus on transparency, on human rights, on the environment. As Senator DURBIN detailed in his comments, the consequences can even be so far-reaching as conservation and the impact on wildlife and the ultimate consequences of supporting the worst actors on the continent, folks such as Joseph Kony.

But let me turn, if I might briefly, to the bill which I am proud to cosponsor with Senator DURBIN, which focuses on trying to ensure that more than 10 U.S. Government agencies responsible for export promotion have a coordinated strategy. One of the principal points of Senator DURBIN's bill, which I am proud to cosponsor, challenges the executive branch to sustain and increase our investment in the Foreign Commercial Service, to sustain and increase our resources through entities such as OPIC and Ex-Im and ask the executive branch to create a coordinator to ensure that all of this is done responsibly and in a cost-effective way.

Other things I mentioned in the trade report, which Senator DURBIN was kind enough to quote and to reference, are that in the United States we have an enormous African community which can be strategically vital as American businesses seek to access these growing opportunities across the continent of Africa.

We also look to bolster support for agencies that finance U.S. commercial engagement overseas. Our competitors—in particular, the Chinese—have a very different approach to financing exports. The United States needs to better coordinate and align to act as one Nation.

The goal that is set in this legislation—a 200-percent increase—is an ambitious goal. The goal is to increase U.S. exports to Africa in the next 10 years. If we were to accomplish this goal in a cost-effective way—through more responsibly coordinating the investments we are already making in these Federal agencies to better coordinate the private sector efforts of the United States—think of how many jobs we might create, how many countries we might better connect to the United States. Think of how many towns and workplaces across this country would benefit.

I thank Senator DURBIN today for his leadership, the clarity of his vision, and the breadth of his engagement and investment of time. Someone in his position has so many other issues on which he could be investing his time. Over his entire service here in the Senate of the United States, he has been passionate about clean water for the continent of Africa and passionate

about high-quality jobs for the workers of the United States. In this bill he finds a way to make good on both of those passions, improving the lives of Africans across a growing continent and improving the lives of workers across our Nation.

I thank the Senator for his leadership, and I am proud to join him today in cosponsoring this reintroduced bipartisan, soon-to-be bicameral, commonsense bill. Let's hope all of our colleagues will help to take it up and pass it in this Congress.

Mr. BOOZMAN. Mr. President, I would like to thank the Senator from Illinois not only for the chance to help with this effort, but more importantly for his steadfast work to strengthen our bond with the countries of Africa.

We were on the floor last year talking about the importance of this bill—the importance of creating a comprehensive trade strategy with Africa. I know the Senator from Illinois made a valiant effort to get our bill through at the end of the last Congress, but he ran into some resistance. It is my hope that as we re-introduce this bill, we can assuage any outstanding concerns and get this bill passed early in this session.

As the Senator from Illinois stated, Africa is home to many of the few emerging bright spots in a tough global economy. In fact, an article from *The Economist* this week called it the "hottest frontier." They are right. Within the next decade, Africa will be home to 7 of the 10 fastest growing economies in the world—Nigeria, Ethiopia, Chad, Rwanda, Mozambique and Angola. The *Economist* article pointed out that by 2020, more than half of African households will have enough income to spend some on non-essentials and that within three decades, the continent will have a larger working age population than China.

When I served in the House, I was on the Africa Subcommittee and traveled often to the continent. I still make trips there to visit with their leaders and the top issue on every meeting agenda continues to be trade. Many African leaders are very concerned about China's increasing footprint in Africa and want the U.S. to be more engaged and involved in their economies.

So, the eagerness and willingness to be good trade partners on the part of African nations is there. They want our goods and services because Africans know they are high quality. The desire for American products, along with our ideals, is strong. The only thing missing is a cohesive strategy on our end. That is what we are aiming to create with this legislation.

This bill will develop a comprehensive strategy to create American jobs by increasing exports of U.S. goods and services to Africa by at least 200 percent in real dollar value over the next 10 years. It increases our ability to help U.S. companies expand into African markets without adding to our debt. So it is a win-win for our economy. It will create jobs here at home



and bring in additional income instead of increasing our debt.

When we talk about job creation, free and fair trade is a vital component to a successful plan. Sixty percent of American exports came from small and medium size businesses. That is huge. Small business is the backbone of our economy. The bottom line is that trade equals jobs.

As I already mentioned, China is bullish on Africa. We need to be too. China is outpacing us in exports to Africa by an alarming 3 to 1 pace. By 2009, China had surpassed us as the African continent's largest trading partner. This bill lets us establish a plan that will allow us to compete with nations like China that are already extremely active in the African market. And that will help our small companies create jobs.

My home State, Arkansas, stands to benefit greatly through the creation of a comprehensive trade plan with Africa. Free and fair trade is an important component to our State's economy. Arkansas exported \$5.6 billion in merchandise overseas in 2011, up 7 percent from the previous year. In 2008, over 1,500 companies exported goods from Arkansas. Over 1/3 of exports were from small and medium-sized businesses with fewer than 500 employees. An effective trade strategy with African nations will help us build on that significantly.

So again, increased trade equals increased jobs at home. America needs jobs. That is what this bill is about. That is why we need to move it quickly in this session.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 96—RECOGNIZING THE CELEBRATION OF NATIONAL STUDENT EMPLOYMENT WEEK AT THE UNIVERSITY OF MINNESOTA DULUTH

Ms. KLOBUCHAR submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 96

Whereas National Student Employment Week offers the University of Minnesota Duluth the opportunity to recognize students who work while attending college;

Whereas the University of Minnesota Duluth is committed to increasing awareness of student employment as an educational experience for students and as an alternative to financial aid;

Whereas there are nearly 1,500 student employees at the University of Minnesota Duluth;

Whereas the University of Minnesota Duluth recognizes the importance of student employees to their employers; and

Whereas National Student Employment Week is celebrated the week of April 8 through 12, 2013; Now, therefore, be it

*Resolved*, That the Senate recognizes the celebration of National Student Employment Week at the University of Minnesota Duluth.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 711. Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. DURBIN, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. LEVIN, Mr. HARKIN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mrs. BOXER, Mr. REED, Mr. CARPER, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. CARDIN, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. MURPHY, Ms. HIRONO, Ms. WARREN, and Mr. COWAN) submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table.

SA 712. Mrs. FEINSTEIN (for herself, Mr. WHITEHOUSE, Mr. MENENDEZ, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill S. 649, supra; which was ordered to lie on the table.

SA 713. Mr. LEAHY (for himself, Ms. COLLINS, and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 714. Mr. BLUMENTHAL (for Mr. LAUTENBERG (for himself, Mrs. FEINSTEIN, Mr. BLUMENTHAL, Mr. MURPHY, Mr. WHITEHOUSE, Mr. COWAN, Ms. HIRONO, Mr. KAINE, Mr. ROCKEFELLER, Mr. MERKLEY, Mrs. BOXER, Mr. CARPER, Ms. WARREN, Mr. LEVIN, Mr. DURBIN, Ms. KLOBUCHAR, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. CARDIN, Mr. SCHUMER, and Mr. HARKIN)) submitted an amendment intended to be proposed by Mr. BLUMENTHAL to the bill S. 649, supra; which was ordered to lie on the table.

SA 715. Mr. MANCHIN (for himself, Mr. TOOMEY, Mr. KIRK, and Mr. SCHUMER) proposed an amendment to the bill S. 649, supra.

#### TEXT OF AMENDMENTS

**SA 711.** Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. DURBIN, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. LEVIN, Mr. HARKIN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mrs. BOXER, Mr. REED, Mr. CARPER, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. CARDIN, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. MURPHY, Ms. HIRONO, Ms. WARREN, and Mr. COWAN) submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### TITLE IV—ASSAULT WEAPONS BAN

##### SEC. 401. SHORT TITLE.

This title may be cited as the "Assault Weapons Ban of 2013".

##### SEC. 402. DEFINITIONS.

(a) IN GENERAL.—Section 921(a) of title 18, United States Code, is amended—

(1) by inserting after paragraph (29) the following:

"(30) The term 'semiautomatic pistol' means any repeating pistol that—

"(A) utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round; and

"(B) requires a separate pull of the trigger to fire each cartridge.

"(31) The term 'semiautomatic shotgun' means any repeating shotgun that—

"(A) utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round; and

"(B) requires a separate pull of the trigger to fire each cartridge.";

(2) by adding at the end the following:

"(36) The term 'semiautomatic assault weapon' means any of the following, regardless of country of manufacture or caliber of ammunition accepted:

"(A) A semiautomatic rifle that has the capacity to accept a detachable magazine and any 1 of the following:

"(i) A pistol grip.

"(ii) A forward grip.

"(iii) A folding, telescoping, or detachable stock.

"(iv) A grenade launcher or rocket launcher.

"(v) A barrel shroud.

"(vi) A threaded barrel.

"(B) A semiautomatic rifle that has a fixed magazine with the capacity to accept more than 10 rounds, except for an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

"(C) Any part, combination of parts, component, device, attachment, or accessory that is designed or functions to accelerate the rate of fire of a semiautomatic rifle but not convert the semiautomatic rifle into a machinegun.

"(D) A semiautomatic pistol that has the capacity to accept a detachable magazine and any 1 of the following:

"(i) A threaded barrel.

"(ii) A second pistol grip.

"(iii) A barrel shroud.

"(iv) The capacity to accept a detachable magazine at some location outside of the pistol grip.

"(v) A semiautomatic version of an automatic firearm.

"(E) A semiautomatic pistol with a fixed magazine that has the capacity to accept more than 10 rounds.

"(F) A semiautomatic shotgun that has any 1 of the following:

"(i) A folding, telescoping, or detachable stock.

"(ii) A pistol grip.

"(iii) A fixed magazine with the capacity to accept more than 5 rounds.

"(iv) The ability to accept a detachable magazine.

"(v) A forward grip.

"(vi) A grenade launcher or rocket launcher.

"(G) Any shotgun with a revolving cylinder.

"(H) All of the following rifles, copies, duplicates, variants, or altered facsimiles with the capability of any such weapon thereof:

"(i) All AK types, including the following:  
 "(I) AK, AK47, AK47S, AK-74, AKM, AKS, ARM, MAK90, MISR, NHM90, NHM91, Rock River Arms LAR-47, SA85, SA93, Vector Arms AK-47, VEPR, WASR-10, and WUM.

"(II) IZHMAISH Saiga AK.

"(III) MAADI AK47 and ARM.

"(IV) Norinco 56S, 56S2, 84S, and 86S.

"(V) Poly Technologies AK47 and AKS.

"(ii) All AR types, including the following:

"(I) AR-10.

"(II) AR-15.

"(III) Armalite M15 22LR Carbine.

"(IV) Armalite M15-T.

"(V) Barrett REC7.

"(VI) Beretta AR-70.

"(VII) Bushmaster ACR.

"(VIII) Bushmaster Carbon 15.

"(IX) Bushmaster MOE series.

"(X) Bushmaster XM15.

"(XI) Colt Match Target Rifles.

"(XII) DoubleStar AR rifles.