

Whereas the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 affirmed and expanded the "One Call" program by eliminating the exemptions from notifying "One Call" centers before digging that were formerly given to local and State government agencies and their contractors; and

Whereas the Common Ground Alliance has designated April as "National Safe Digging Month" to increase awareness of safe digging practices across the United States and to celebrate the anniversary of 811, the national "Call Before You Dig" number:

Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of National Safe Digging Month; and

(2) encourages all homeowners and excavators throughout the United States to call 811 before digging.

**SENATE RESOLUTION 112—COMMENDING EMPLOYEES OF THE SENATE POST OFFICE, EMPLOYEES OF THE SERGEANT AT ARMS OF THE SENATE, MEMBERS OF THE CAPITOL POLICE, AND MEMBERS OF THE CAPITOL HILL COMMUNITY FOR THEIR COURAGE AND PROFESSIONALISM FOLLOWING THE BIOCHEMICAL ATTACK AGAINST THE SENATE ON APRIL 16, 2013**

Mr. WICKER (for himself, Mr. REID, Mr. MCCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COWAN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED of Rhode Island, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 112

Whereas approximately 30,000 legislative branch employees work in the United States Capitol Complex, including approximately 6,200 employees of the Senate, 11,500 employ-

ees of the House of Representatives, and 12,800 employees of other entities;

Whereas the Sergeant at Arms of the Senate implemented enhanced mail screening procedures following the opening of a letter containing anthrax spores that was delivered to the Senate on October 15, 2001;

Whereas employees of the Senate Post Office mail screening facility in Landover, Maryland, serve as the first line of defense of the Senate against biochemical threats delivered through the mail;

Whereas employees of the Senate Post Office mail screening facility in Landover, Maryland, successfully intercepted an envelope that tested positive for the deadly poison ricin on April 16, 2013;

Whereas employees of the Senate Post Office mail screening facility in Landover, Maryland, immediately implemented emergency protocols and contacted the Capitol Police and medical emergency response teams; and

Whereas the Capitol Police, other law enforcement agencies, and medical professionals responded expeditiously to the mail screening facility in Landover, Maryland, and performed their duties with courage and professionalism in spite of the threat of toxic exposure: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends employees of the Senate Post Office, employees of the Sergeant at Arms of the Senate, members of the Capitol Police, and members of the Capitol Hill community for their courage, professionalism, and dedication to serving the public in response to the biochemical attack against the Senate on April 16, 2013;

(2) recognizes the congressional leadership, congressional employees, the Capitol Police, and the Office of the Attending Physician for establishing effective screening methods and response plans that prevented injury and death within the United States Capitol Complex; and

(3) requests that the President recognize the courage and professionalism of the employees of the Senate Post Office, employees of the Sergeant at Arms of the Senate, members of the Capitol Police, and members of the Capitol Hill community for their steadfast service to the public in defiance of those who seek to disrupt the constitutional duties of the legislative branch.

**SENATE RESOLUTION 113—DESIGNATING APRIL 23, 2013 AS "NATIONAL ADOPT A LIBRARY DAY"**

Mr. KAINE (for himself and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. RES. 113

Whereas libraries are an essential part of the communities and the national education system of the United States;

Whereas the availability of books and services provided by libraries are vital to the happiness, livelihood, and prosperity of the families and communities of the United States;

Whereas the people of the United States benefit significantly from libraries that serve as an open place for people of all ages and backgrounds to use books and other resources that offer pathways to learning, self-discovery, and the pursuit of knowledge;

Whereas libraries in the United States depend on the generous donations and support of individuals and groups to ensure that people who are unable to purchase books still have access to a wide variety of resources;

Whereas certain nonprofit organizations facilitate the donation of books to schools

and libraries across the United States to extend the joy of reading to millions of people in the United States and to prevent used books from being thrown away;

Whereas libraries in the United States have provided valuable resources to people who are affected by the economic crisis by encouraging continued education and job training;

Whereas libraries are increasingly being used as a resource for people seeking the tools and information necessary to enter or reenter the workforce; and

Whereas several States that recognize the importance of libraries and reading have adopted resolutions commemorating April 23 as "Adopt a Library Day": Now, therefore, be it

*Resolved*, That the Senate—

(1) designates April 23, 2013 as "National Adopt a Library Day";

(2) honors the organizations that facilitate donations to schools and libraries;

(3) urges all people of the United States who own unused books to donate the books to local libraries;

(4) strongly supports children and families who take advantage of the resources provided by schools and libraries; and

(5) encourages the people of the United States to observe National Adopt A Library Day with appropriate ceremonies and activities.

**SENATE RESOLUTION 114—TO AUTHORIZE TESTIMONY, DOCUMENTS, AND REPRESENTATIONS IN UNITED STATES V. RENZI, ET AL**

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 114

Whereas, in the case of United States v. Renzi, et al., Case No. 08-212, pending in Arizona Federal district court, the prosecution and defense have requested the production of documents and employee testimony from the offices of Senator John McCain and former Senator Jon Kyl;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That the Office of Senator John McCain and the former Office of Senator Jon Kyl are authorized to produce relevant documents and employee testimony in the case of United States v. Renzi, et al., except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent current and former employees of the offices of Senators McCain and Kyl in connection with the production of evidence authorized in section one of this resolution.

SENATE CONCURRENT RESOLUTION 15—EXPRESSING THE SENSE OF CONGRESS THAT THE CHAINED CONSUMER PRICE INDEX SHOULD NOT BE USED TO CALCULATE COST-OF-LIVING ADJUSTMENTS FOR SOCIAL SECURITY OR VETERANS BENEFITS, OR TO INCREASE THE TAX BURDEN ON LOW- AND MIDDLE-INCOME TAXPAYERS

Mr. HARKIN (for himself, Mr. WHITEHOUSE, Mr. SANDERS, Ms. WARREN, Ms. MIKULSKI, Mr. BROWN, Mr. LAUTENBERG, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HIRONO, Mrs. HAGAN, Mr. SCHATZ, Mr. MERKLEY, Mr. REED of Rhode Island, and Mr. BEGICH) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 15

Whereas the Social Security program was established more than 77 years before the date of agreement to this resolution and has provided economic security to generations of Americans through benefits earned based on contributions made over the lifetime of the worker;

Whereas the Social Security program continues to provide modest benefits, averaging approximately \$1,156 per month, to more than 57,000,000 individuals, including 37,000,000 retired workers in March 2013;

Whereas the Social Security program has no borrowing authority, has accumulated assets of \$2,700,000,000,000, and, therefore, does not contribute to the Federal budget deficit;

Whereas the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund projects that the Trust Fund can pay full benefits through 2032;

Whereas the Social Security program is designed to ensure that benefits keep pace with inflation through cost-of-living adjustments (referred to in this preamble as "COLAs") that are based upon the measured changes in prices of goods and services purchased by consumers that is currently published by the Bureau of Labor Statistics as the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W);

Whereas the Bureau of Labor Statistics publishes a supplemental measure of inflation, the Chained Consumer Price Index for all Urban Consumers (C-CPI-U), or "Chained CPI", which adjusts for projected changes in consumer behavior resulting from price fluctuations known as the "substitution effect";

Whereas the substitution effect occurs when consumers buy more goods and services with prices that are rising slower than average and fewer goods and services with prices that are rising faster than average;

Whereas studies indicate that typical Social Security beneficiaries spend a significantly higher percentage of their budget than other consumers on health care, health care prices have increased at higher than average rates, and consumers, including seniors, may not be able to substitute health care easily;

Whereas the current COLAs, based on the CPI-W, fail to reflect that Social Security beneficiaries spend more of their income proportionally on expenses such as health care as compared to a regular wage earner, and therefore underestimate increases in the cost of living of Social Security beneficiaries;

Whereas the Congressional Budget Office has estimated that using the Chained CPI to calculate Social Security COLAs would reduce Social Security benefits by 0.25 percent per year, resulting in a reduction in outlays of \$127,000,000,000 over the first decade;

Whereas reductions in Social Security benefits from using the Chained CPI to calculate Social Security COLAs would continue to compound over time, and the AARP Public Policy Institute estimates that the reductions would grow to 3 percent after 10 years and 8.5 percent after 30 years;

Whereas Social Security Works estimates that using the Chained CPI to calculate Social Security COLAs would reduce annual Social Security benefits of the average earner by \$658 at age 75, \$1,147 at age 85, and \$1,622 at age 95;

Whereas reductions in Social Security benefits would harm some of the most vulnerable populations in the United States;

Whereas adopting the Chained CPI would cause tax brackets and the standard deduction to rise more slowly, disproportionately raising the tax burden on low- and middle-income taxpayers;

Mr. HARKIN. Mr. President, I come to the floor today along with my colleague from Vermont to introduce a concurrent resolution expressing the sense of Congress that the so-called chained CPI should not be used for the purpose of calculating Social Security benefits or benefits for disabled veterans.

As we work to reduce the deficit in a balanced and responsible manner, many have discussed changing the measure of inflation used to calculate the cost-of-living allowances to a measure of inflation called the chained CPI.

Now, some claim that the chained CPI is a more accurate measure of inflation because it takes into account the fact that consumers may change their spending behavior and substitute items with lower priced increases for items with higher priced increases. As a result of this feature, the chained CPI results in a lower measure of inflation.

All of this may seem very technical, but the impact of requiring Social Security or veterans disability COLAs—cost-of-living adjustments—to be based on the chained CPI is anything but technical. It will have real and negative impacts on our seniors and those who become disabled as a result of service in the Armed Forces. In fact, the most adversely impacted would be the oldest and the poorest. I do not think anything could be more unfair or inappropriate or unnecessary.

As this first chart shows, the chained CPI is a real cut in Social Security benefits. According to Social Security Works, this policy would reduce annual Social Security benefits for the average worker at age 75 by \$658 a year, by age 85 by \$1,147 a year, and by age 95 by \$1,622 a year. Over on this side of the chart we see the cumulative cut; in other words, what would happen over the years. From age 65 to 75 people would lose about \$4,600, by age 85 they would lose \$13,900, and by age 95 they would lose \$28,000.

I think a couple things this chart shows is that people are penalized for living longer—the longer they live, the more they are penalized.

Now, one might say: Well, \$658 a year by the time you are age 75, that does

not sound like a lot. Yes, not to some of us, not to us with our incomes. Look at the kind of retirement programs we have. If you are in the upper quintile, of course, that does not seem like much. But, again, if we look at a second chart I have, we will see who really kind of gets hurt, and it is the poorer you are.

Let's put it this way: Let's say you are 65, and your total income is less than \$12,554 a year. That puts you below the poverty line. The total amount of your income that comes from Social Security is 84.3 percent. Well, you might think, if you are making less than that, wouldn't all your money come from Social Security? Well, the answer is yes, but—and I question people about this—if you are making that little amount of money, and you are over 65, you are probably working at some part-time job. Maybe you are baby-sitting, maybe you are cleaning houses, maybe you are a greeter at a store. You are probably doing something to add to your income, but it would only amount to about 16 percent. Most of it comes from Social Security.

We can see from this chart, even after you get up to \$20,000 a year, it is about the same. About 84 percent of your money comes from Social Security. So if you take a cut in Social Security, and you are lower income, that is where you get whacked the most.

Of course, when you get up here to the fifth quintile, you are making more than \$57,957 a year. Only 17 percent of your income comes from Social Security. So you say, well, if you took \$600-some a year from that, yes, you can probably afford it. But even if you look at up to \$57,000 a year in the fourth quintile, almost half—43.5 percent—of your total income comes from Social Security. So even if you are making \$30,000, \$35,000 a year, after age 65 half of your income comes from Social Security.

So, again, when you start making these kinds of cuts in the chained CPI, you might say: Well, it is only \$658 a year. For someone in the lower quintiles, that is like a month's worth of food, perhaps 6 weeks' worth of food. Tell me that does not have an effect. Of course it has an effect.

If you are in the upper income, you probably do not have that much to worry about. That is why the pernicious effect of chained CPI is that the longer you live, the more you are penalized; and the lower your income, the bigger whack you are taking out of your total income. So, again, as people get older, they are more likely to have depleted all their sources of retirement income, assuming they have any to begin with.

So a couple of facts I think are pertinent: First, today only one in five Americans has a defined benefit pension that will last until the day they die—one in five. When I first came to Congress it was one in two. One out of every two Americans had a defined