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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. POE of Texas).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 18, 2013.

I hereby appoint the Honorable TED POE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

THE WOMEN'S PREVENTATIVE HEALTH AWARENESS CAMPAIGN ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. BERA) for 5 minutes.

Mr. BERA of California. Mr. Speaker, I rise today to talk about core American values—values of liberty, values of freedom, values of individual rights.

Today, a bill is going to come before this body that is a blatant attempt to take away those individual rights, those individual freedoms—freedoms that are core to who we are. This bill aims to take away individual decisions from America's mothers, America's sisters, and America's daughters. This bill is a travesty and a slap in the face of those core values of individual liberty and individual freedom, and this bill criminalizes doctors for doing our jobs.

Now, I'm a doctor. Core to the oath that I took was to sit with my patients, answer their questions and empower them to make the decisions that best fit their faith circumstances, their individual circumstances, their family circumstances. That's core to the oath every doctor in the United States of America has taken. That's core to my job. The bill that's coming to the floor today takes those values and slaps them in the face. They put the government right in the middle of my exam room, but the government has no place between the doctor and the patient.

What we should be debating is how we empower our patients, how we promote women's health, how we try to keep women healthy and help them plan their pregnancies, how we empower families. As a husband and as the father of a daughter, keeping women healthy is extremely important to me, and helping empower parents and families to plan those pregnancies is not only smart; it's good medicine.

The legislation I am introducing later this week, the Women's Preventative Health Awareness Campaign Act, will direct the Department of Health and Human Services to educate women about the importance of the preventative wellness exam. This is a piece of legislation that will help address the issue of planning families, of planning when you want to be pregnant. It will help address the issues of undiagnosed heart disease. It will help us diagnose cancer, and it will save thousands of lives.

I would urge my colleagues in this body on both sides of the aisle to join us in this bill. It's not only smart medicine; it will get to the core of empowering patients, of empowering women and of empowering families to make the decisions that best fit within the context of their lives.

That's the oath that I took as a doctor; that's the promise that I make to all of my patients; and that's the oath that we take in this body—to protect those individual freedoms and the individual rights of all Americans and of all America's women.

PROTECTING LIFE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Indiana (Mrs. WALORSKI) for 5 minutes.

Mrs. WALORSKI. I rise today to address the importance of protecting life.

While I am home in Indiana, spending time in our communities, the importance of strong values and Hoosier common sense continues to rule the foundations of our families.

I believe it is critical for Congress to act today to protect human life and to treat women and the unborn children with the protection they deserve from the dangers of late-term abortions. We are talking about the next generation of moms and grandmothers, of aunts and sisters and of our loved ones. There is not a price that can be put on the value of an innocent human life. I have been a strong supporter of life and of defending the unborn, and I feel that it's our responsibility to protect the most vulnerable who cannot protect themselves.

I urge my colleagues to join me in the support of H.R. 1797 for the sake of protecting the unborn from late-term abortions.

IMMIGRATION REFORM

The SPEAKER pro tempore (Mr. AMODEI). The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, later today, the Judiciary Committee will mark up the first immigration reform

bill offered by the Republicans in the 113th Congress. Since election day, no Member of Congress has done more to highlight and praise the Republicans for their new spirit of bipartisanship on immigration than I. I praise our committee and subcommittee chairmen for their new tone in the Republican-led immigration hearings.

When the Republican Party chairman said Republicans have to stop pushing Latino voters away, I said, ''Right on, Reince.''

When young Republicans warned the GOP to change its tune in order to remain viable, I said, ''I think you're right.''

When your former candidate for Vice President and Budget Committee chairman came to Chicago to talk about immigration reform, I brought him to the barrio so that the Latino community could see him and applaud his commitment to immigration reform.

Judge CARTER, the gentleman from Texas, and I shared the stage in San Antonio to discuss immigration reform deep in the heart of Texas, where we agreed on more things than we disagreed. He and I have met almost every day since January with a small bipartisan group of colleagues to fashion a bill that both parties can embrace.

And it's hard work for both parties.

On the other side of the aisle, it is hard to talk about immigrants in a new way when your party, its platform, its candidates, its talk radio, and its TV personalities have spoken disparagingly about immigrants for years. When you reference gangbangers and drunk drivers and rapists every time you talk about immigrants, it is hard to switch gears quickly; but most Republicans in this body, up until last week, were singing from a new and more harmonious hymnal.

Bipartisan work on immigration reform has been difficult on my side of the aisle, too. I have always fought for universal health care coverage, but discussing health care coverage for undocumented immigrants and their families—even in the context of a legalization program where they pay their full taxes, submit fingerprints, and pay huge fines—is a nonstarter not only for Republicans but for Democrats, unfortunately, alike. I have advocated for LGBT rights from my days as a Chicago alderman, but to work in a bipartisan manner, it's off the table.

To keep discussions going with Republicans, I am told that the Diversity Visa Program, which brings in immigrants from Africa and Ireland and around the world who diversify our immigrant pool, is eliminated—no discussion in the name of bipartisanship. Siblings—brothers and sisters of U.S. citizens—will no longer be able to be sponsored by their family members to come to America, and the fees and fines we charge—billions upon billions—on immigrants so that they can be here legally, that will fund more drones, fences, border guards, and more enforcement on the border, a border that is as secure as I've seen in American history—but we'll do it.

□ 1010

I ask my Republican colleagues when is it enough?

But I want to keep things moving forward, so I hold my tongue, work within the bipartisan process and stay with the group. I speak well of Republicans who have partnered with Democrats on a serious bipartisan bill this year.

A tough, but fair bipartisan bill is moving towards passage, and our tough but fair bipartisan House bill is nearly complete. We're putting aside partisan bickering to solve a difficult policy issue for the American people.

In this moment, just in time for the Fourth of July, we get red meat politics for the barbecue and partisan fireworks on immigration.

The Arizona S.B. 1070 law was substantially struck down by the Supreme Court. No matter. Now your side of the aisle wants to nationalize it.

Sheriff Joe Arpaio is slapped by the Federal courts for systematically denying the civil rights of U.S. citizens and legal immigrants. No matter. Let's canonize him.

Police and local governments want immigrants in their communities to be able to call the police if they're a victim of crime or witnesses to crime. Too bad. Republicans in Washington know better than your cops, prosecutors and mayors at home. They will cut your Federal funding unless you commit to a full-frontal deportation and local immigration enforcement.

When 500,000 Latino citizens turn 18 every year and become potential voters, Republicans seem hell-bent on lining up and jumping off the demographic cliff.

While our country demands solutions and leadership, Republicans are feeding the partisan monster red meat as if their calendars already read 2014.

As a Democrat, I could probably stand back and watch. If you want to hang yourself on the immigration issue, who am I to stop you? But as an American, I have to tell you what I really feel. Your country needs you to step away from the partisan red meat and fearmongering that has defined your party on immigration. Come back to your senses. Do not push forward a bill that criminalizes every immigrant family and makes everyone think twice before they call 911.

You are better than this. America needs you to be.

OUR NATION'S WAKE-UP CALL

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, in the early 1760s, the Royal Governor of Massachusetts began issuing writs of assistance as general warrants to search for contraband. They empowered officials to search indiscriminately for evidence of smuggling.

These warrants were challenged in February 1761 by James Otis, who argued forcefully that they violated the natural rights of Englishmen and were, in fact, ''instruments of slavery.''

A 25-year-old attorney who attended the trial later wrote:

> Every man of a crowded audience appeared to me to go away as I did, ready to take arms against writs of assistance. Then and there the child independence was born.

That young lawyer was John Adams. To him, that's the moment the American Revolution began. The general warrants were the first warning that his king had become a tyrant.

The Founders specifically wrote the Fourth Amendment to assure that indiscriminate government searches never happened again in America. In America, in order for the government to invade your privacy or to go through your personal records or effects, it must first present some evidence that justifies its suspicion against you and then specify what records or things it's searching for.

Last week, we learned the Federal Government is today returning to those general warrants on a scale unimaginable in colonial times by seizing the phone and Internet records of virtually every American.

We're told that this is perfectly permissible under past Supreme Court rulings because the government is not monitoring content, but only the records held by a third party. But if phone records are outside the protection of the Fourth Amendment because they're held by a third party, then so too are all of our records or effects held by third parties. That means the property you keep in storage or with a family member, the private medical records held by your physician, the backup files on your computer maintained on another server, all are subject to indiscriminate search. In fact, many of the general warrants served long ago in Boston were on warehouses owned by third parties.

Even if we were to accept this rationale, then that third party, for example, the phone company, ought itself to be safe from general warrants like those that have apparently scooped up the phone and Internet records of every American. It's argued with Orwellian logic that it's permissible to seize these records indiscriminately since they aren't actually searched until a legal warrant is issued by a secret FISA court. But if general warrants can produce the evidence for specific warrants, isn't the Fourth Amendment prohibition against general warrants then rendered meaningless? And all we know of the secret FISA court and its deliberations is that out of 34,000 warrants requested by the government, it has rejected only 11—hardly a testament to judicial prudence or independence.

We're told that the information will be used only to search for terrorists.

Does anyone actually believe that? Just a few months ago, the Director of National Intelligence brazenly lied to Congress when he denied the program existed at all. Just a few weeks ago, we learned that this administration has taken confidential tax information belonging to its political opponents and leaked it to its political supporters. Is there anyone so naive as to believe the same thing won't be done with phone and Internet records if it suits the designs of powerful officials?

A free society does not depend on a police state that tracks the behavior of every citizen for its security. A free society depends instead on principles of law that protect liberty while meting out stern punishment to those who abuse it. It doesn't mean we catch every criminal or terrorist. It means that those we do catch are brought to justice as a warning to others. This is true whether we are enforcing the laws of our Nation or the Law of Nations.

Indeed, if we had responded to the attack on September 11 with the same seriousness as we responded to Pearl Harbor, terrorism would not be the threat that it is today.

Ours is not the first civilization to be seduced by the siren song of a benevolent all-powerful government. But without a single exception, every civilization that has succumbed to this lie has awakened one morning to find that the benevolence is gone and the all-powerful government is still there.

Mr. Speaker, this is our generation's wake-up call, and we ignore it at extreme peril to our liberty.

ARLETA HIGH SCHOOL, SUN VALLEY HIGH SCHOOL, AND SAN FERNANDO HIGH SCHOOL

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. CÁRDENAS) for 5 minutes.

Mr. CÁRDENAS. Mr. Speaker, it's with great pride today that I rise to recognize the great achievements of three high schools in my district, District 29 in California.

I want to begin by congratulating Arleta High School for achieving a 92 percent graduation rate and setting the gold standard for the Los Angeles Unified School District.

Opening in 2006, this school achieved this enormous feat in just 7 years. The Arleta Mustangs have the highest graduation rate of any traditional high school in all of LA Unified School District. This is a testament to all the hard work and support this community has invested in its children and their future.

I would also like to recognize departing Principal Dr. Linda Calvo for her unrelenting vision. She will be dearly missed, and I hope that her successor will continue the tremendous strides made on this campus and the surrounding neighborhoods.

I would also like to recognize LA Unified School District board member Nury Martinez, who actually went to one of the high schools that I'm going to recognize in just a minute. She's been a strong and tireless advocate for this community as a school board member for the last 4 years.

I commend the teachers for their commitment and dedication to their students; the parents for their love, support and involvement in their children's lives; and the students who have risen to the challenge and proved it is possible to reach your dreams.

Bragging rights are not limited to just Arleta High School. Located less than 4 miles away, the Sun Valley High School Wildcats can also be proud. I'd like to congratulate and commend the Sun Valley High School Robotics Team for being named the national champions of the 2013 Mini-Urban Challenge Competition. Sponsored by the United States Air Force Research Laboratory, this challenge requires high school students to design and operate a robotic car to autonomously navigate a model city. One June 1, the Sun Valley Robotics Team competed against nine regional champions in Washington, D.C., and became the national champions.

I want to recognize also Principal Paul Del Rosario for his leadership and continuous support of the team; Mr. Hicks and Ms. Yamagata for guiding and assisting the team through the project and to the victory; the volunteers who invested their own time and money to help the teams, as well; and the students for their perseverance and creativity.

The success of California's 29th District high schools doesn't end there, and it doesn't end just in the classroom.

□ 1020

I would also like to congratulate San Fernando High School's baseball team on winning their second city championship in 3 years. On June 1, San Fernando defeated Cleveland High School 2–1 in Dodger Stadium to claim their championship for a second year in a row.

Under the leadership of Coach Armando Gomez, the Tigers have done a phenomenal job of playing as a team and putting in the extra work to build a successful program at San Fernando High School.

All of these students are a great source of pride to our community, and prove that hard work, sacrifice, and commitment pay off. They are the future of our country and also of the San Fernando Valley.

I think it is important for us to understand that today I stand not only to congratulate the young people, but to congratulate all of the adults that surround them who've given of themselves and gone the extra mile to make sure we bring out the best in our children.

I also would like to take a point of personal privilege to welcome our little ambassador who's here to talk to me and other Members about children's hospitals. You might know him as Lil Vader, as he was in a commercial during the Super Bowl game. He's with me today as a young ambassador, showing leadership at his young age. I think it's important for us to recognize at moments like this that our young people, our young Americans, our teenagers, or maybe they're little kids, but you too can be a leader at any age. You don't have to wait until you're a little older, like us.

FLAWS IDENTIFIED IN CMS COMPETITIVE BIDDING PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, at a time when bipartisanship is rare in Washington, this past week a bipartisan majority of Members of the United States House of Representatives together called upon the Centers for Medicare and Medicaid Services (CMS) to delay further implementation of the competitive bidding program for Durable Medical Equipment, Prosthetics, Orthotics and Supplies.

A growing number of flaws have been identified in the bidding program, which is being used to procure these goods and services for those facing life-changing disease and disability. We do not oppose competitive bidding. In fact, we want to ensure that true competition takes place and Medicare plays by the rules they set for the program.

Today, I stand beside 226 of my colleagues here in the people's House and urge the administrator of CMS to do the right thing and use her authority under current law to delay implementation in order to fix these abuses before moving forward in 100 areas nationwide on July 1.

Mr. Speaker, Administrator Tavenner has to know the clock is ticking, and if unchecked, the failure of this program will be on her watch.

TRIBUTE TO HONORABLE RUDOLPH ''RUDY'' CLAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DANNY K. DAVIS) for 5 minutes.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to pay tribute to a man and a friend of mine who spent most of his adult life being actively engaged in the processes of social advocacy and public policy decisionmaking, and who ultimately became the mayor of Gary, Indiana, and a national progressive political leader.

Rudy Clay was born in Alabama, and after the death of his mother was brought to Gary, Indiana, where he was raised by his two aunts, Ms. Lucy Hunter and Ms. Daisy Washington, who started him attending church, which he did for the rest of his life. He graduated from the Gary Roosevelt High School

and attended the University of Indiana at Bloomington, married his wife, Ms. Christine Swan, was drafted into the Army, served his time, was honorably discharged, went into the insurance business, worked for Prudential and State Farm insurance companies, and ultimately opened his own company, the Rudolph Clay Insurance Agency, of which he was greatly proud.

Rudy, like many people of his era, became actively involved in the civil rights movement of the sixties and seventies, which led him to electoral politics. He was elected to practically everything that one could be elected to in Lake County, Indiana, from precinct committeeman to mayor of Gary. In 1971, Rudy was elected to become the first African American State senator in the State of Indiana. In the Senate, he was the deciding vote that made it possible for an African American to be elected a Lake County commissioner. He was the first African American to be elected county recorder in the State of Indiana. He was county chairman of the Lake County Democratic Party. He served as a Lake County commissioner. He was the chairman of the Gary precinct committeemen's organization, and mayor of his beloved city. And he played a key role in the Obama victory in Indiana in 2008.

Rudy was a great family man, loved by his neighbors and friends, loved by the members of his church and all of those with whom he came into contact. He was loved by his associates in his lodge. The average person in Gary, Indiana, and any place around it knew Rudy Clay, and loved him for his great work.

I convey condolences to his wife, Mrs. Christine Clay; his son, Rudy, Jr.; his brothers and sisters and other members of his family. When one sums up his presence on Earth, they can simply say of Rudy: a job well done, a life well lived.

We salute you, Mayor Rudolph ''Rudy'' Clay. I thank you for being my friend. May your soul rest in peace.

VOCA: CRIMINALS PAY THE RENT IN THE COURTHOUSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, every day throughout the United States, criminals commit crimes against good people. Some of those cases make the news. The news usually spends a lot of time talking about the defendant. There is a trial, justice occurs, and the world moves on.

But many times, unfortunately, in our culture, there is a victim in that crime. And the victim after the trial is just ignored in some cases. Some of those victims are sexual assault victims. Back in the day when I spent 30 years at the courthouse in Houston as a prosecutor and a judge, I saw a lot of them. In fact, I keep up with some of them today. The crime affects them a lot of ways. Some of them lose their jobs. Some of them are hurt physically and emotionally, and they don't have any money.

And this is not a new concept. Years ago under the Reagan administration, Congress recognized this problem, this issue about the fact that many victims, after the crime and after the trial, they just disappear into lives of quiet desperation, and culture and community doesn't keep up with those people. So during the Reagan administration, Congress decided here's what we're going to do: We're going to make criminals who are convicted in Federal court pay into a fund, and that fund is used to help crime victims. What a great concept—make criminals pay the rent on the courthouse. Make them literally pay for their crime by putting money into a fund that goes to crime victims. And that's the Victims of Crime Act that passed—VOCA as it is called.

And the Federal judges, God bless them, they are nailing those criminals. They are taking a lot of their money away from them and putting in about $2 billion a year into that fund. Today, we have a situation where the fund is over $11 billion, money criminals paid to help crime victims.

But here's the problem: that money isn't going to crime victims. Crime victims only get about $700 million a year out of that fund of $11 billion, with $2 billion coming in every year. And then the government gets an 8 percent cut, that makes it even less. And there's a cap, and government sets the cap on that money. Remember, this is not taxpayer money. It doesn't belong to anybody except to the victims of crime. That money is used and offset for other purposes. It goes to other programs in commerce, science and justice—probably good programs.

And now with sequestration, we hear that that fund may be completely cut off this year for crime victims because of some squirrelly math somebody's using saying sequestration should apply to the crime victims' fund. That's nonsense.

Meanwhile, throughout the country, victims organizations, shelters, groups like CASA, who represent kids in the courtroom when their parents are not doing the right thing by their kids, and many programs are barely keeping the lights on because they don't get enough money from VOCA even though money is available and it's just sitting there, or being offset for other programs.

□ 1030

So what needs to happen is this: one, raise the cap every year. Two billion dollars is coming in every year. We ought to at least allow the victims to have a billion of that, maybe $2 billion of it because it keeps coming in.

And more importantly, what we ought to do is take that money and put it in a lockbox concept. It's a very simple concept; that the criminals pay into the fund, and the funds should go only to crime victims and crime victims' programs. It shouldn't go to other programs in the Federal Government, even if they're good programs, because it was designed by Congress, approved by the administration, to go to those silent, quiet victims who are still, today, hurting because of crimes that are being committed against them. And it just seems nonsense to me.

We have the money available. It's not taxpayer money. We can help victims of crime get their lives back together, and it's not happening because somebody else wants crime victims' money. So let's put this in a lockbox.

Mr. COSTA from California and I have sponsored legislation to say, look, it's not the government's money. It's victims' money, and it ought to all be spent to help victims and victims' programs throughout the country, groups that are doing a great job to help rescue crime victims because of crimes that have occurred against them in the past.

That is justice. And, Mr. Speaker, justice is what we do in this country.

And that's just the way it is.

IMPROVING THE FARRM BILL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, the House is in the process this week of dealing with the most important bill that almost no one has paid any attention to. I'm talking about the FARRM Bill. It goes far beyond dealing with needs of rural and small town America.

It's going to involve, with all likelihood, given the way the past farm bills have exceeded their budget estimates, it's very likely to be over $1 trillion.

The FARRM Bill is actually getting better, slowly but surely, but it has a long way to go to get the most value out of this bill for America's farmers and ranchers, for the people who eat and for protection of the environment.

Mr. Speaker, this week I will be offering some amendments that I hope will be made in order that will try and coax more value out of this process. The first and foremost, based on legislation I've introduced, the Balancing Food, Farm, and Environment Act, would strengthen the environmental quality incentives program to have stricter payments, so we're not putting too much money into any one project, and would disallow spending for large factory farms, but provide additional support for farmers who want to transition to production techniques that use fewer pesticides or antibiotics and stretch those conservation dollars further.

I also have an amendment that would reform the Conservation Reserve Program to direct more money to conservation enhancement and continuous conservation reserve subprograms to

target the most environmentally sensitive areas and reenroll higher priority lands, providing more stability for farmers, better results for the taxpayers, and more flexibility at the State level.

Third, and perhaps most important, an amendment I'm cosponsoring, along with Mr. CHAFFETZ, would apply reasonable limits for means testing crop insurance. The crop insurance program needs greater scrutiny by Congress. It is an area where the Federal Government provides huge subsidies to insurance companies to sell and service the policies. It pays most of the indemnities when there are losses and generous subsidies to make the premiums cheaper for farmers.

Today, in The New York Times, there was an article that talks about the fraud and waste in the program that, really, we haven't zeroed in. There are clear areas of abuse that need more attention.

My friend Mr. MCGOVERN had an amendment that said before you slash nutrition, at least have the rate of fraud and abuse down to the same level as food stamps. I think that's a good proposal.

The amendment that I have introduced with Mr. CHAFFETZ, it would put a limit of $750,000, beyond which we would no longer subsidize the crop insurance for the large agribusinesses. It's not that they couldn't have crop insurance; it's just the taxpayer will not be on the hook.

It's important for us to start paying attention to the crop insurance program. As we, theoretically, get rid of direct payments, although we still are going to have direct payments for cotton, and I have an amendment on that as well, it's important to look at the overall structure of this program. We don't want to be in a situation where, actually, we're going to end up paying more for crop insurance than the cost of traditional commodity programs proposed by the House and the Senate, and that there are not incentives to be able to use it efficiently and to root out fraud and abuse.

I would strongly urge my colleagues to look at amendments like I have proposed, and others. Look at how the FARRM Bill, the most important environmental nutrition and economic development for small towns and rural America, can be done better.

It's past time to have a farm bill that is environmentally sound, that is cost effective and targets areas that need the help the most. This ought to be an area where we can follow through on the desire to get more value out of tax dollars while we help more people.

I look forward to the debate this week. I hope it is robust, and I do hope that we'll be able to debate the wide range of these issues that would make this FARRM Bill much better.

CUTS TO THE SNAP PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Minnesota (Ms. MCCOLLUM) for 5 minutes.

Ms. MCCOLLUM. Mr. Speaker, this week, the House debates a FARRM Bill that eliminates SNAP benefits for 38,000 Minnesotans and nearly 2 million Americans.

Last week, I hosted a listening session with Congressman ELLISON on how this would impact our State. We heard from faith leaders, service providers, State and county officials, SNAP recipients, young and old.

Evelyn, a senior, told us she was terrified she'd lose her SNAP eligibility under the House bill, and I quote from her: ''Without the help from SNAP, I wouldn't be able to buy the healthy foods, fresh fruits and vegetables I need to keep my diabetes in check. Without SNAP,'' she said, ''I don't know what I would do.''

For millions of seniors like Evelyn, SNAP is a lifeline. It ensures that they don't have to choose between medicine or buying food. And for America's children, they should be able to attend school and be able to solidly concentrate on their studies because they had something to eat.

I urge my colleagues to reject this immoral cut and to remember the words of Patricia Lull, director of St. Paul Council of Churches: ''No more hungry neighbors.''

THE IMPENDING STUDENT LOAN INTEREST RATE HIKE

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. REED) for 5 minutes.

Mr. REED. Mr. Speaker, I rise today to talk about an issue I deeply care about, and that issue is the affordability and ability of students across America to get a college degree.

Mr. Speaker, as we face this impending student interest loan cliff on July 1, I want to share with you and with the American public a personal story.

I'm the youngest of 12. I have eight older sisters, three older brothers, and my mother and father made a commitment to each other that each and every one of us would get some sort of college degree or advanced degree.

My father passed when I was 2, and there were six of us left in our household that my mother had to raise on her own. I went to college, went to law school, and I watched in her eyes the fulfillment of that promise that she and my dad made to each and every one of us.

□ 1040

Now, not all of my siblings went to law school. One got a vocational degree cutting hair, who now works in Arizona. I have the law degree, and there's a whole mix in between.

As we deal with the issue of student loan interest, we need to make sure that we stand for the students and that we stand for the next generation, because a college degree and a higher educational pursuit will arm those young men and women for generations and empower them to control their own destiny in their own hands.

So I come today on my side of the aisle and say to my colleagues, thank you for joining us in passing a bill in the House that would avert the interest rate spike that will be coming up on July 1. I ask my colleagues to join me and to demand that the Senate take action.

As you see, Mr. Speaker, the Senate has failed to pass a piece of legislation in the Senate to avert this fiscal cliff to our students across America. To me, Mr. Speaker, that's just not right. That's just not fair. We need to do better. And what we need to do is to pass a reform out of this body and out of this Congress that takes the student out of this political theater that has become the student loan interest spike every year that we have to deal with.

The proposal in the House, to me, makes sense. It's a commonsense, market-based approach that will lower interest rates on 70 percent of the loans that students receive in going to college and advanced degrees.

I ask the Senate and I ask my colleagues to continue to join us to put pressure on the Senate to say enough is enough. We care about students. Let's address this issue so that they don't see that interest rate spike that is coming over the horizon and say to the White House, Sign this legislation once and for all that removes the students from the political debate that this issue has become.

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. WILSON) for 5 minutes.

Ms. WILSON of Florida. Mr. Speaker, as the House begins consideration of H.R. 1797, I rise in solidarity with the women of the world. I rise in outrage at yet another attempt to control our bodies and make choices for us instead of allowing women to make their own choice with their doctors and their families.

First of all, it's the woman's body, not yours. She alone bears the burden, the pain and joy that it brings. Please stop trying to regulate our reproductive organs. They belong to us.

To the men who feel so inclined to tell women what to do, I ask: Have you ever had a menstrual period? Have you ever felt unbearable pain in every bone of your body during childbirth? Will you be there for a mother when she needs prenatal care, formula, and diapers? Will you support Head Start programs? Will you focus on creating good public schools? Will you reform foster care and stop greasing the prison pipeline with unwanted children?

There are grandmothers living in trailer parks and public housing singlehandedly raising millions of grandchildren. Where are you when Grandma is trying to feed Jerome, Shaquita,

Pedro, Heather, and John? The only time I see you is on the floor of the House trying to take away Grandma's Social Security and attacking her Medicare and food stamps. Grandma doesn't have a car, so she has no ID so she can vote you out of office.

For some reason, you care about a baby right until the minute it is born into the world, and then you disappear and desert the children you claim to protect and love. Shame on you. Stop the cradle-to-grave neglect and abuse. Stop the shenanigans and bring to the floor bills that will create jobs, jobs, jobs for the American people. And mind your own business and regulate your own body.

ALL-OF-THE-ABOVE ENERGY POLICY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. SHIMKUS) for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, it is great to come down on the floor to just take a few minutes to talk about energy policy in this country. Republicans on this side and many of my friends across the aisle, we do believe and speak about an all-of-the-above energy strategy. That means ''all of the above.''

First, and the Speaker would not be surprised that I would come down and talk about nuclear power and how that, in the whole line of the processing of the fuel to the electricity production, they are good-paying jobs. There are challenges we have to overcome, which is the high level of nuclear waste, the spent nuclear fuel, and the location for that, because that is a cost burden on the industry until we get that solved as we promised.

Another major important energy production for us is coal. I come from southern Illinois. There are a lot of coal mines there, and electricity is generated by coal. It is low-cost fuel, and it provides great jobs for our coal miners, and it also creates high-paying jobs in rural America for the power plants in remote locations.

The Governor of the State of Illinois just signed what they're claiming to be the most intense and precise fracking bill in the Nation, which will allow us to look for, locate, and recover, through the fracking process, we believe, crude oil to the extent of which we haven't seen since World War II, which also will ease our reliance on imported crude oil.

Also part of this debate is the renewal portfolio debate, and some of that would be wind and solar. But don't forget the agriculture input through the RFS, which would be biodiesel, whether that is by soybeans or by reformulated cooking oil or beef tallow, or the ethanol debate, whether that is a cellulosic, the future generation of ethanol production, or the corn-based ethanol production as it is.

It's a great time in the energy debate in this country because we're now at a point where we are demanding less and producing more, which would allow us then to at least stabilize and hopefully lower our prices while we then continue to become, now, an energy exporter.

We're in a hearing today in the Energy and Power Subcommittee to talk about exporting coal and exporting liquified natural gas. That will be revenue and jobs to this great country. For many of us, we haven't seen times like this in a long time, and it's up to us in the public policy arena to make sure that we don't mess it up by increasing regulatory demands and other hurdles which will inhibit the entrepreneurs and the risk-takers from taking advantage of this great opportunity.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 47 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Brad Hales, Reformation Lutheran Church, Culpeper, Virginia, offered the following prayer:

Lord God, maker of Heaven and Earth, I thank You and praise You for the blessing of this day. I thank You for our country. I thank You for the laws and government which You instituted for order and honor, and I thank you for our active military and veterans who have sacrificed over and over to make us free.

Father, as a Nation, as individuals, and as a government, we must repent and always come back to You for truth, wisdom, forgiveness, and hope. Let us follow Your words from the Prophet Joel: ''Return to the Lord Your God, for He is gracious and merciful, slow to anger, and abounding in steadfast love.''

I pray all these things in the powerful and the authority-filled name of Jesus Christ of Nazareth.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Oregon (Ms. BONAMICI) come forward and lead the House in the Pledge of Allegiance.

Ms. BONAMICI led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND BRADLEY HALES

The SPEAKER. Without objection, the gentleman from Virginia (Mr. CANTOR), the distinguished majority leader, is recognized for 1 minute.

There was no objection.

Mr. CANTOR. Mr. Speaker, I rise today to welcome Pastor Bradley Hales of the Reformation Lutheran Church of Culpeper, Virginia, to the House floor.

For the past 19 years, Pastor Hales has been focusing on the renewal and revitalization of churches for greater growth and involvement in their communities. As the leader of his church in Culpeper, he has overseen the expansion of a congregation that was once only several dozen members strong to over 240 today.

With a great passion and caring for our senior citizens, Pastor Hales was very influential in starting The Place, a gathering center within the church for seniors who wish to meet others and stay involved with their community.

Pastor Hales' civic engagement and enthusiasm for improving the lives of others is not limited to the house of worship. Pastor Hales also serves as a member of the Culpeper Human Services Board and teaches Civil War history at the Culpeper Christian School.

His energy and compassion have a positive effect on so many, the Culpeper Times named him Citizen of the Year in 2012.

Pastor Hales, I'd like to thank you for being with us here today and offering this morning's prayer. Your leadership and willingness to help others is an inspiration to us all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. YODER). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

REGULATIONS ON THE FREE MARKET FOR SUGAR

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

Mr. FLEISCHMANN. Mr. Speaker, I rise today to speak about sugar. As conservatives, we have a duty to speak out against programs that use regulations to stifle the free market, protect special interests, and have outlived their purpose. There are few programs that better fit this than the current system of price supports, import restrictions, and production quotas that make up our sugar program.

Under this system, the government sets price supports, ensuring that producers have a guaranteed income, no matter what world prices are. Sugar imports are also kept to a minimum, preventing real competition.

But this is not the end of the meddling. Sugar producers have strict sales quotas. Any excess sugar gets bought by the government and then is sold to ethanol producers, usually at a loss to the taxpayer.

This means many things. It means consumers pay billions in higher sugar costs, thousands of jobs are lost in the food industry, and government continues to pick winners and losers in the marketplace.

This week, we will have a chance to vote on an amendment to the FARRM Bill that makes substantial reforms to the program and is estimated by the CBO to save taxpayers $73 million. I urge my colleagues to support this amendment and free our sugar from government's heavy hand.

VOTE ''NO'' ON THE PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

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

Mr. QUIGLEY. Mr. Speaker, I rise today in strong opposition to H.R. 1797 because we have been here before. Not less than a year ago, this body took up a very similar measure, and it failed. I hope my colleagues will join me in rejecting this attempt.

We cannot ban abortions after 20 weeks, first, because it's unconstitutional, and, second, because we cannot know the individual situation of every woman.

What if a woman gets cancer during her pregnancy?

What if she gets pre-eclampsia, which could cause seizures and kidney damage?

What if a woman's fetus is diagnosed with a severe fetal abnormality, making it unable to survive pregnancy or delivery?

Women and their families are often faced with impossibly difficult decisions, but they are their decisions to make, not ours.

Please vote ''no'' on this thoughtless bill.

THOMASVILLE, NORTH CAROLINA—A 2013 ALL-AMERICA CITY

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

Mr. HUDSON. Mr. Speaker, I rise today to honor the city of Thomasville, North Carolina, for being named a 2013 ''All-America City.''

Thomasville, built on a foundation of furniture manufacturing and textiles, was hit hard over the last 25 years by job losses and plant closings. Instead of folding during trying economic times, the city took the challenge head-on and rallied together, as a community, to rebuild and bounce back.

The leadership of the entire community, including Mayor Joe Bennett and Chamber of Commerce President Doug Croft, were instrumental in advancing new projects that made Thomasville stand out as an All-America City.

Initiatives such as Envision 2020, a 20-year development plan for the city; Children At Play, a program to redevelop the city's parks to reduce crime; and Project Divine Interruption, which helps homeless students in the city, are just a few examples of the city's resolve to succeed.

Through the fortitude of its citizens, Thomasville stands as a shining example of what can happen when an entire community collaborates for the betterment of its citizens.

I'm proud to represent Thomasville, North Carolina, and I congratulate them on truly practicing the values that make America great.

THE SEQUESTER AND NATURAL DISASTERS

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

Mr. HUFFMAN. Mr. Speaker, because of climate change, we're facing stronger and more destructive storms and natural disasters than at any other time in American history. And at the same time, the sequester is slashing funding for the agencies that are critical to helping our communities protect, adapt, and rebuild.

NOAA will lose $271 million in funding this year, and that includes $50 million for the geostationary weather satellite program. That's the program that provides continuous monitoring for severe weather.

So less than a year after Hurricane Sandy, a month after the devastating tornadoes in Oklahoma, we're cutting the agency responsible for forecasting and monitoring severe weather.

But it's not just severe weather disasters on our shores that threaten American communities. My congressional district has seen debris from the 2011 Japanese tsunami wash up on our shores, and our regional economy is inextricably linked to the health of our oceans, which are jeopardized by climate change.

Our planet is warming. We're beginning to feel major impacts, and it will only get worse unless we act to protect our climate.

□ 1210

CELEBRATING THE WORK OF TENNESSEE'S FOURTH DISTRICT

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

Mr. DESJARLAIS. Mr. Speaker, I rise today to celebrate and promote the work that is being done in Tennessee's Fourth District by Bridgestone North America, Motlow State Community College, members of the local manufacturing community, and local and State governments.

Our economy is hindered by a skills gap that hurts both the businesses that need well-trained workers and those workers looking to better themselves and their families.

Seeing this problem 5 years ago, Motlow Community College's president, Mary Lou Apple, set out to erase this skills gap. A mechatronics program was brought to Rutherford County which combined mechanical, electrical, and computerized curricula to allow local high school students the opportunity to gain high-demand skills in manufacturing, health care, and the financial industries.

I recently toured the Bridgestone North America facility to see how these students are graduating from high school not only with college credit and technical credentials, but, most importantly, real world experience.

I look forward to the great work this program and its students will continue to accomplish in the future, and certainly we need more like them.

STUDENT LOAN RATES

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

Mr. HIGGINS. Mr. Speaker, unless Congress takes action, student loan rates will double on July 1. This is unacceptable. Access to affordable education is one of the most important issues to young people today, yet many graduates find themselves tens of thousands of dollars in debt as they leave school and try to enter the workforce. In New York State, 60 percent of college students graduate with some debt, averaging $27,000.

Mr. Speaker, I was pleased to sign the discharge petition by Representative JOE COURTNEY, H.R. 1595, the Student Loan Relief Act, along with over 180 of my colleagues. This legislation would freeze the interest rate at its current 3.4 percent for the next 2 years.

It's time for Republican leadership to acknowledge the urgency of this legislation and bring it to the floor. All Americans deserve a fair shot at a good and affordable education.

STUDENT LOAN RATE HIKES

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

Ms. FOXX. Mr. Speaker, I appreciate my colleague from New York bringing up the issue of student loan rates. As he very well knows, the House has passed a bill to do this, and our problem is with the Senate and the President.

''Don't double my rate.'' Every day, students are tweeting those exact words to their Representatives. Like

these students, House Republicans see that July 1 is coming, and with it the automatic doubling of some Federal student loan interest rates.

House Republicans don't believe that that rate should double or that politicians should be in charge of setting them. Weeks ago, Republicans and a few Democrats in the House passed the Smarter Solutions for Students Act, which will not only keep student loan interest rates from doubling on July 1 but will also remove politics from the equation, as well.

But the House can't do it alone. The Senate must act, and the President must lead. Right now, both are failing. In fact, it appears President Obama has completely backed down from defending his original proposal which, like our House bill, offered a permanent solution to the problem. The President is letting the opportunity to build on common ground slip by. Concerned students should ask him why.

20-WEEK ABORTION BAN

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

Ms. BONAMICI. Today, I rise in opposition to H.R. 1797, legislation that would throw doctors in jail for providing constitutionally protected health care. Many of my colleagues talk about less government. Well, here's a place where I agree. This bill takes away the ability of women to make their own health care decisions and attempts to replace the informed judgment of doctors with the opinions of politicians.

Often, there are unexpected complications. Danielle Deaver's amniotic fluid ruptured at 22 weeks, leaving the pregnancy without adequate fluid to continue to develop. Jennifer Peterson was pregnant when she was diagnosed with invasive breast cancer. Danielle, Jennifer, and women like them should be able to face these difficult situations by consulting with their doctors. They should not have to worry about whether they're violating an unconstitutional law.

When abortion is made illegal, it does not go away; it becomes unsafe. Let's not play politics with women's health care. Let's focus on prevention and making sure that women have access to safe and legal abortions. I urge my colleagues to vote ''no'' on this unconstitutional bill.

HONORING AND CONGRATULATING U.S. MARINE CORPORAL ZACKERY WALLICK OF DUNDEE, OHIO

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

Mr. GIBBS. Mr. Speaker, I rise today to honor and congratulate Zackery Wallick of Dundee, Ohio, who is the recipient of the Navy and Marine Corps Commendation Medal with the V, the fifth-highest award for his service.

Zackery received this medal for putting himself in great danger in order to protect a fellow wounded marine in Afghanistan in August of 2010. He was serving as a first team leader of a regimental combat team when a grenade was thrown at him and a fellow marine by Taliban forces. Without hesitation, Zackery threw himself on the marine closest to the explosion, shielding him from the blast.

Thankfully, neither of the marines were injured. Zackery's display of heroism deserves the utmost respect, and I'm proud to honor him today. Zackery has been honorably discharged from the Marine Corps and is now considering attending college. He hopes to pursue a career in law enforcement as a parole officer.

PEPFAR 10-YEAR ANNIVERSARY

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

Ms. LEE of California. Mr. Speaker, this morning, I had the honor of joining Secretary Kerry and hundreds of advocates to mark the 10th anniversary of our global aids program known as PEPFAR. Ten years ago, when the AIDS pandemic was ravaging many African countries, Democrats, Republicans, and Independents put aside our differences and came together to create the largest, most effective foreign aid program to date.

I'm very humbled to have played a small role in the creation of PEPFAR and proud about the leadership of the Congressional Black Caucus and our chair at that time, Congresswoman EDDIE BERNICE JOHNSON—even before the world knew about this initiative. And I'm so proud of the role my staff played over the years, including the late, beloved Michael Riggs, whose memory and leadership Secretary Kerry recognized this morning.

To quote from a 2002 letter to President Bush, the Congressional Black Caucus called for ''an expanded United States initiative'' to ''respond to the greatest plague in recorded history.'' The next month, in his State of the Union speech, President Bush boldly embraced our call to action.

Now, a decade later, PEPFAR's success isn't just measured in terms of dollars spent but in lives saved and communities transformed.

THE PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, today we are going to move one step closer to banning late-term abortions by supporting H.R. 1797, called the Pain-Capable Unborn Child Protection Act.

Late-term abortion isn't rare. I was dismayed and disheartened to hear of the horrors from the Kermit Gosnell trial. Worse, this past month, in my home State of Texas, former employees of the abortionist Douglas Karpen alleged he killed babies born alive.

These acts are inexcusable, immoral and unjustifiable. It's time we got rid of this gruesome and barbaric procedure to prevent future cases like Gosnell's and Karpen's once and for all. The procedure is not only unethical but unessential. There's extensive evidence that unborn babies aborted in this manner are alive until the end of the procedure and fully experience the pain associated with the procedure.

We've got to do the right thing. We must ban late-term abortion. I urge my colleagues to support H.R. 1797 and protect the value of life, women and unborn babies.

SMALL BUSINESS WEEK

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

Ms. KELLY of Illinois. Mr. Speaker, today I rise to honor the many mom-and-pop shops and small businesses across the country as we celebrate National Small Business Week. I know firsthand the difference that small businesses make in our communities. Almost 70 years ago, my grandmother purchased a little neighborhood store and proclaimed to my grandfather, ''We're in the grocery business now.''

Like most small business families, we took pride in what we did. We shared in the trials and triumphs of small business ownership. It was challenging, but it was rewarding. Our grocery store was our family taking a shot at the American Dream and sharing that success with others.

According to the U.S. Small Business Administration, more than half of Americans either own or work for a small business, and they create about two out of every three new jobs in the United States each year. Small businesses are the backbone of our communities—opening new storefronts, training American workers, and manufacturing and selling goods in our neighborhoods. This may be National Small Business Week, but our Nation wouldn't be what it is today without every day being a small business day.

□ 1220

HONORING THE HARDING FAMILY FOR THEIR MISSIONARY WORK

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

Mr. PITTENGER. Mr. Speaker, I rise today with great honor to pay respect to Bill Harding and his family, who have served for the last 60 years as missionaries in Ethiopia. In our increasingly self-serving society, their sacrifice on behalf of others is truly remarkable.

Bill Harding left Charlotte in 1954 with his pregnant wife and three boys under the age of 3 and moved to Ethiopia, where he trained pastors and worked with local churches. He loved the people of Ethiopia sacrificially, even enduring house arrest during the Communist revolution.

Since that time, one son, Bill IV, has managed 500 projects, bringing clean water to over 300 villages. Son David runs a separate nonprofit, also providing clean water to thirsty villagers. Son Joe works with American churches to provide desperately needed resources to a major youth development program in Ethiopia. Bill's grandson and granddaughter live in Africa, working for nonprofits and continuing the legacy.

Mr. Speaker, their ministry has impacted millions of people as they have honored the Lord with their lives. Thanks, Bill and your wonderful family, for all that you've done. God bless you.

COMPREHENSIVE IMMIGRATION REFORM

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

Mr. CARTWRIGHT. Mr. Speaker, I rise today in support of comprehensive immigration reform.

In the Bible, it couldn't be more clear:

When the Son of Man returns in all his glory, escorted by the angels, then He will take His seat on the thrown of glory. All the nations will be assembled before Him, and He will separate the people one from another, like sheep from goats. On the right hand, He will place the sheep; on the left, the goats. And to those on His right, he will say: Come accept the inheritance that is yours, that has been prepared for you since the foundation of the world, for when I was hungry, you gave me food; when I was thirsty, you gave me drink; when I was a stranger, you made me welcome.

My fellow Members of this House, comprehensive immigration reform is not just the right thing to do; it is the righteous thing to do.

LEGACY OF SALLY RIDE

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

Mr. FITZPATRICK. Mr. Speaker, 30 years ago today, on June 18, 1983, Dr. Sally Ride became the first American woman in space aboard the space shuttle Challenger, the first of her two flights as a mission specialist.

This former astronaut, physicist, educator, and space advocate left behind a legacy of accomplishments when she died last year at the age of 61. Her legacy continues to inspire and motivate young women with an interest in science, technology, math, and engineering, while the company she founded advances those interests.

We acknowledge Dr. Ride's advocacy for young women in the fields of science, technology, engineering, and math, a precursor for the STEM programs we know are so important today.

As a strong proponent of STEM education and allied programs, I will continue to applaud Dr. Ride's effort to encourage interest in space, science, and the technical fields by blazing a path for other women to follow.

REJECT PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

(Ms. CASTOR of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CASTOR of Florida. Mr. Speaker, America faces so many challenges today: How do we create more jobs? How do we boost economic growth? How do we support middle class families and small businesses, build things in America again, improve our schools, and invest in our infrastructure?

So is Congress considering any of these important matters today? No. In fact, here in the middle of June, the Republican-controlled Congress has not scheduled any legislation on any of those important matters. Instead, their priority today is H.R. 1797, where the all-male House Judiciary Committee and the House Republican leadership intends to interject themselves into the private medical decisions of women and their doctors. They discount the health of the woman. They run counter to what medical professionals, including the American College of Obstetricians and Gynecologists, say is appropriate.

So I urge my colleagues to reject H.R. 1797. Do not obliterate our constitutional right to privacy. Do not take such personal decisions out of the hands of women and their doctors. Reject this extreme bill.

NATIONAL SMALL BUSINESS WEEK

(Mr. COLLINS of New York asked and was given permission to address the House for 1 minute.)

Mr. COLLINS of New York. Mr. Speaker, this week marks National Small Business Week.

America's small businesses are the engines of job creation. According to the Small Business Administration, small businesses employ almost half of all private sector employees. And depending on the year, small businesses can account for 80 percent of all new jobs created.

As a small business owner myself, I understand firsthand the challenges and hurdles business owners face on a day-to-day basis. As a Member of Congress, one of my top goals is to continue to push hard for commonsense policies that create the right kind of economic environment for small businesses to grow and hire more people—the exact policies the GOP-led House continues to advocate and advance.

This week, I am asking all small business owners in my district to complete an online survey about the economy and other issues impacting the small business sector by visiting my Web site, chriscollins.house.gov.

I want to salute small business owners as we take time this week to acknowledge your hard work and contributions.

ATTACK ON WOMEN'S REPRODUCTIVE RIGHTS

(Ms. TITUS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TITUS. I rise today in opposition to H.R. 1797. This bill is not only a direct challenge to the Supreme Court ruling in Roe v. Wade, but it's a dangerous new attack on women's reproductive rights.

The proposed ban in this bill does not include an exception for the physical or emotional health of a woman; it fails to provide sufficient protections for victims of rape and incest; and it has a very narrow exception in cases when a woman's life is in danger.

H.R. 1797 would significantly reduce the safe, legal options that women have and would prevent doctors from providing the most medically appropriate care for their patients.

Republicans have repeatedly demonstrated a lack—a lack—of understanding about basic women's health care, and this bill is just one more example of their continuing attack on women's rights. It is a step backward for women's health and a distraction from the critical work we should be doing to pass legislation regarding immigration reform, strengthening our economy, and creating jobs.

I urge you to vote ''no'' on this unconstitutional legislation.

OPPOSITION TO THE PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FRANKEL of Florida. Mr. Speaker, my, my, my; talk about pain. There's lots of pain in our country—mothers and fathers are out of work, losing homes, bills piling up—but here we go again: another day in Congress being squandered as we fight once more about women having access to the medical care we need, free from the long, invasive arm of government. And again, there's a cruel unconstitutional twist. Under the newly minted H.R. 1797, a woman in desperate need of a physician must instead call the police.

Mr. Speaker, the American people know that there's a better way to protect life. Allow women to have access to the health care that we require to live full lives, and let's work together in a bipartisan manner to get people back to work in this country.

HONORING LARRY HELM

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

Ms. GABBARD. Mr. Speaker, I rise very proudly today to honor one of our Nation's heroes, a man named Larry Helm, who served honorably as a combat veteran in Vietnam, who now serves as commander of the Molokai Veterans Caring for Veterans Center, and who is very fondly known, to those of us who know him, as ''Uncle Larry.''

He is the epitome of a servant leader, who has been active all across the State of Hawaii fighting for his family, his friends, his neighbors, his community, for veterans and all those who've served in the armed services, taking him all the way to the U.S. Senate, testifying and fighting for benefits.

No matter the challenge, whether in combat in Vietnam, as a community leader, or now as he battles cancer, Uncle Larry has always stood for what is right. He has dedicated three decades of his life to opening a vet center to those veterans on Molokai to make sure that valuable resources are available to these veterans and their families who very often have access to none.

Uncle Larry, we love you, we honor you, and we stand with you in your righteous battles; and we will work to make your vision a reality.

□ 1230

PEPFAR's 10TH ANNIVERSARY

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

Mr. ENGEL. Mr. Speaker, it is hard to believe that only 10 years ago, an HIV diagnosis was a death sentence for those living all over the world, but especially in Africa. It was downright disgraceful that even though lifesaving therapy existed, millions of people were dying of AIDS because treatment was unaffordable. There are few votes I have taken in the course of my career that have made as significant a positive impact on this world than the votes I have cast in favor of PEPFAR.

As of September 2012, the United States is supporting lifesaving antiretroviral treatment for more than 5.1 million people. More than 11 million pregnant women received HIV testing and counseling last year; and as a result of adequate treatment, this month the one-millionth baby will be born HIV-free, thanks to PEPFAR.

The fact an AIDS-free generation is on the horizon is a true testament to the willingness of President Bush, President Obama, and Congress to take on this immense challenge and do the hard work necessary to turn the tide against HIV/AIDS. We must continue to do that, Mr. Speaker.

PAIN-CAPABLE UNBORN CHILDREN PROTECTION ACT

(Ms. EDWARDS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDWARDS. Mr. Speaker, I rise in strong opposition to H.R. 1797, which the House will consider later today. It is another in a long, long line of assaults on women's health; and it is blatantly unconstitutional.

Reproductive health, including abortion care, is a private medical decision between a woman and her health care provider—period. A woman's right to choose is a fundamental freedom, and there is no place for dark-suited politicians to impose their personal beliefs on a woman's private medical decisions.

H.R. 1797 doesn't even include an adequate life exception that takes a woman's health into account. It is patently unconstitutional and is completely inconsistent with the Supreme Court's decision in Roe v. Wade.

Mr. Speaker, once again it is clear that my Republican colleagues are unable or unwilling to put forth ideas to create jobs, strengthen the economy, or invest in America's future. Instead, here we go with another ideological battle. American women have one unified message for Republicans: stay out of our doctors' offices, stay out of our health care, and leave us alone.

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

(Ms. CLARKE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CLARKE. Mr. Speaker, today I rise in opposition to H.R. 1797. This act is both dangerous and unconstitutional and violates the rights of women who are in need of an abortion. It is blatantly unconstitutional and in clear violation of more than 40 years of Supreme Court precedent that protect women's access to abortion prior to viability, that is, prior to 24 not 20 weeks. This precedent was first established in Roe v. Wade and affirmed in Planned Parenthood v. Casey.

Make no mistake, pregnancy due to violent and unfortunate circumstances such as rape and incest happens to thousands of women every year, not to mention medical complications that imperil the life of the mother. Women impacted by rape and incest must not be further victimized by this misguided legislation.

We must not allow our Nation's right to choose to be infringed upon by a minority of people in this Nation. We cannot let them bully the rest of the country into accepting their world view. That is why I will continue to support a woman's right to choose and stand in opposition to H.R. 1797, and I stand up for women's right to self-determination.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 18, 2013.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 18, 2013 at 9:48 a.m.:

That the Senate passed S. 330.

Appointment:

Health Information Technology Policy Committee.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

INTERNATIONAL CHILD SUPPORT RECOVERY IMPROVEMENT ACT OF 2013

Mr. REICHERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1896) to amend part D of title IV of the Social Security Act to ensure that the United States can comply fully with the obligations of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1896

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

SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the ''International Child Support Recovery Improvement Act of 2013''.

(b) REFERENCES.—Except as otherwise expressly provided in this Act, wherever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the amendment shall be considered to be made to a section or other provision of the Social Security Act.

SEC. 2. AMENDMENTS TO ENSURE ACCESS TO CHILD SUPPORT SERVICES FOR INTERNATIONAL CHILD SUPPORT CASES.

(a) AUTHORITY OF THE SECRETARY OF HHS TO ENSURE COMPLIANCE WITH MULTILATERAL CHILD SUPPORT CONVENTIONS.—

(1) IN GENERAL.—Section 452 (42 U.S.C. 652) is amended—

(A) by redesignating the second subsection (l) (as added by section 7306 of the Deficit Reduction Act of 2005) as subsection (m); and

(B) by adding at the end the following:

''(n) The Secretary shall use the authorities otherwise provided by law to ensure the compliance of the United States with any multilateral child support convention to which the United States is a party.''.

(2) CONFORMING AMENDMENT.—Section 453(k)(3) (42 U.S.C. 653(k)(3)) is amended by striking ''452(l)'' and inserting ''452(m)''.

(b) ACCESS TO THE FEDERAL PARENT LOCATOR SERVICE.—Section 453(c) (42 U.S.C. 653(c)) is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(3) by adding at the end the following:

''(5) an entity designated as a Central Authority for child support enforcement in a foreign reciprocating country or a foreign treaty country for purposes specified in section 459A(c)(2).''.

(c) STATE OPTION TO REQUIRE INDIVIDUALS IN FOREIGN COUNTRIES TO APPLY THROUGH THEIR COUNTRY'S APPROPRIATE CENTRAL AUTHORITY.—Section 454 (42 U.S.C. 654) is amended—

(1) in paragraph (4)(A)(ii), by inserting before the semicolon ''(except that, if the individual applying for the services resides in a foreign reciprocating country or foreign treaty country, the State may opt to require the individual to request the services through the Central Authority for child support enforcement in the foreign reciprocating country or the foreign treaty country, and if the individual resides in a foreign country that is not a foreign reciprocating country or a foreign treaty country, a State may accept or reject the application)''; and

(2) in paragraph (32)—

(A) in subparagraph (A), by inserting '', a foreign treaty country,'' after ''a foreign reciprocating country''; and

(B) in subparagraph (C), by striking ''or foreign obligee'' and inserting '', foreign treaty country, or foreign individual''.

(d) AMENDMENTS TO INTERNATIONAL SUPPORT ENFORCEMENT PROVISIONS.—Section 459A (42 U.S.C. 659a) is amended—

(1) by adding at the end the following:

''(e) REFERENCES.—In this part:

''(1) FOREIGN RECIPROCATING COUNTRY.—The term 'foreign reciprocating country' means a foreign country (or political subdivision thereof) with respect to which the Secretary has made a declaration pursuant to subsection (a).

''(2) FOREIGN TREATY COUNTRY.—The term 'foreign treaty country' means a foreign country for which the 2007 Family Maintenance Convention is in force.

''(3) 2007 FAMILY MAINTENANCE CONVENTION.—The term '2007 Family Maintenance Convention' means the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance.'';

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''foreign countries that are the subject of a declaration under this section'' and inserting ''foreign reciprocating countries or foreign treaty countries''; and

(B) in paragraph (2), by inserting ''and foreign treaty countries'' after ''foreign reciprocating countries''; and

(3) in subsection (d), by striking ''the subject of a declaration pursuant to subsection (a)'' and inserting ''foreign reciprocating countries or foreign treaty countries''.

(e) COLLECTION OF PAST-DUE SUPPORT FROM FEDERAL TAX REFUNDS.—Section 464(a)(2)(A) (42 U.S.C. 664(a)(2)(A)) is amended by striking ''under section 454(4)(A)(ii)'' and inserting ''under paragraph (4)(A)(ii) or (32) of section 454''.

(f) STATE LAW REQUIREMENT CONCERNING THE UNIFORM INTERSTATE FAMILY SUPPORT ACT (UIFSA).—

(1) IN GENERAL.—Section 466(f) (42 U.S.C. 666(f)) is amended—

(A) by striking ''on and after January 1, 1998,'';

(B) by striking ''and as in effect on August 22, 1996,''; and

(C) by striking ''adopted as of such date'' and inserting ''adopted as of September 30, 2008''.

(2) CONFORMING AMENDMENTS TO TITLE 28, UNITED STATES CODE.—Section 1738B of title 28, United States Code, is amended—

(A) in subsection (d), by striking ''individual contestant'' and inserting ''individual contestant or the parties have consented in a record or open court that the tribunal of the State may continue to exercise jurisdiction to modify its order,'';

(B) in subsection (e)(2)(A), by striking ''individual contestant'' and inserting ''individual contestant and the parties have not consented in a record or open court that the tribunal of the other State may continue to exercise jurisdiction to modify its order''; and

(C) in subsection (b)—

(i) by striking '' 'child' means'' and inserting ''(1) The term 'child' means'';

(ii) by striking '' 'child's State' means'' and inserting ''(2) The term 'child's State' means'';

(iii) by striking '' 'child's home State' means'' and inserting ''(3) The term 'child's home State' means'';

(iv) by striking '' 'child support' means'' and inserting ''(4) The term 'child support' means'';

(v) by striking '' 'child support order' '' and inserting ''(5) The term 'child support order' '';

(vi) by striking '' 'contestant' means'' and inserting ''(6) The term 'contestant' means'';

(vii) by striking '' 'court' means'' and inserting ''(7) The term 'court' means'';

(viii) by striking '' 'modification' means'' and inserting ''(8) The term 'modification' means''; and

(ix) by striking '' 'State' means'' and inserting ''(9) The term 'State' means''.

(3) EFFECTIVE DATE; GRACE PERIOD FOR STATE LAW CHANGES.—

(A) PARAGRAPH (1).—(i) The amendments made by paragraph (1) shall take effect with respect to a State no later than the effective date of laws enacted by the legislature of the State implementing such paragraph, but in no event later than the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act.

(ii) For purposes of clause (i), in the case of a State that has a 2-year legislative session, each year of the session shall be deemed to be a separate regular session of the State legislature.

(B) PARAGRAPH (2).—(i) The amendments made by subparagraphs (A) and (B) of paragraph (2) shall take effect on the date on which the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance enters into force for the United States.

(ii) The amendments made by subparagraph (C) of paragraph (2) shall take effect on the date of the enactment of this Act.

SEC. 3. DATA EXCHANGE STANDARDIZATION FOR IMPROVED INTEROPERABILITY.

(a) IN GENERAL.—Section 452 (42 U.S.C. 652), as amended by section 2(a)(1) of this Act, is amended by adding at the end the following:

''(o) DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.—

''(1) DESIGNATION.—The Secretary shall, in consultation with an interagency work group established by the Office of Management and Budget and considering State government perspectives, by rule, designate data exchange standards to govern, under this part—

''(A) necessary categories of information that State agencies operating programs under State plans approved under this part are required under applicable law to electronically exchange with another State agency; and

''(B) Federal reporting and data exchange required under applicable law.

''(2) REQUIREMENTS.—The data exchange standards required by paragraph (1) shall, to the extent practicable—

''(A) incorporate a widely accepted, nonproprietary, searchable, computer-readable format, such as the eXtensible Markup Language;

''(B) contain interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model;

''(C) incorporate interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance;

''(D) be consistent with and implement applicable accounting principles;

''(E) be implemented in a manner that is cost-effective and improves program efficiency and effectiveness; and

''(F) be capable of being continually upgraded as necessary.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require a change to existing data exchange standards found to be effective and efficient.''.

(b) EFFECTIVE DATE.—The Secretary of Health and Human Services shall issue a proposed rule within 24 months after the date of the enactment of this section. The rule shall identify federally-required data exchanges, include specification and timing of exchanges to be standardized, and address the factors used in determining whether and when to standardize data exchanges. It should also specify State implementation options and describe future milestones.

SEC. 4. EFFICIENT USE OF THE NATIONAL DIRECTORY OF NEW HIRES DATABASE FOR FEDERALLY SPONSORED RESEARCH ASSESSING THE EFFECTIVENESS OF FEDERAL POLICIES AND PROGRAMS IN ACHIEVING POSITIVE LABOR MARKET OUTCOMES.

Section 453 (42 U.S.C. 653) is amended—

(1) in subsection (i)(2)(A), by striking ''24'' and inserting ''48''; and

(2) in subsection (j), by striking paragraph (5) and inserting the following:

''(5) RESEARCH.—

''(A) IN GENERAL.—Subject to subparagraph (B) of this paragraph, the Secretary may provide access to data in each component of the Federal Parent Locator Service maintained under this section and to information reported by employers pursuant to section 453A(b), for—

''(i) research undertaken by a State or Federal agency (including through grant or contract) for purposes found by the Secretary to be likely to contribute to achieving the purposes of part A or this part; or

''(ii) an evaluation or statistical analysis undertaken to assess the effectiveness of a Federal program in achieving positive labor market outcomes (including through grant or contract), by—

''(I) the Department of Health and Human Services;

''(II) the Social Security Administration;

''(III) the Department of Labor;

''(IV) the Department of Education;

''(V) the Department of Housing and Urban Development;

''(VI) the Department of Justice;
''(VII) the Department of Veterans Affairs;
''(VIII) the Bureau of the Census;
''(IX) the Department of Agriculture; or
''(X) the National Science Foundation.

''(B) PERSONAL IDENTIFIERS.—Data or information provided under this paragraph may include a personal identifier only if, in addition to meeting the requirements of subsections (l) and (m)—

''(i) the State or Federal agency conducting the research described in subparagraph (A)(i), or the Federal department or agency undertaking the evaluation or statistical analysis described in subparagraph (A)(ii), as applicable, enters into an agreement with the Secretary regarding the security and use of the data or information;

''(ii) the agreement includes such restrictions or conditions with respect to the use, safeguarding, disclosure, or redisclosure of the data or information (including by contractors or grantees) as the Secretary deems appropriate;

''(iii) the data or information is used exclusively for the purposes defined in the agreement; and

''(iv) the Secretary determines that the provision of data or information under this paragraph is the minimum amount needed to conduct the research, evaluation, or statistical analysis, as applicable, and will not interfere with the effective operation of the program under this part.

''(C) PENALTIES FOR UNAUTHORIZED DISCLOSURE OF DATA.—Any individual who willfully discloses a personal identifier (such as a name or social security number) provided under this paragraph, in any manner to an entity not entitled to receive the data or information, shall be fined under title 18, United States Code, imprisoned not more than 5 years, or both.''.

SEC. 5. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. REICHERT) and the gentleman from Texas (Mr. DOGGETT) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. REICHERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. REICHERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today with my colleague from Texas (Mr. DOGGETT) to urge support of H.R. 1896, the International Child Support Recovery Improvement Act of 2013.

This bill provides the implementing legislation for The Hague Convention on International Recovery of Child Support and other forms of family maintenance, ensuring that law enforcement authorities will be able to enforce child support orders even when a child or parent lives overseas.

Mr. Speaker, as a former sheriff in King County, which is in Seattle, Washington—for those in the Chamber who may not know, I worked there for 33 years—I had the opportunity of putting together a unit that was devoted to finding parents who weren't taking on their financial responsibility for their children and providing those financial needs.

What we learned was not only is it important for the parents to be a part of their child's life when they leave financially—to give them the health care benefits they need, the education that they might need, any other financial needs that the child might need—but it also provides a social benefit, a real benefit of involvement by that parent. Once that parent gets financially involved, that parent is intimately involved with that child's life.

Usually it is the father—sad to say just a couple of days after Father's Day. Ninety-five to 98 percent of the parents who leave and don't continue to support their child financially, it is usually the father.

When that father and that parent gets involved financially, they all of a sudden realize they've missed out on that child's life. They've missed soccer games, baseball games. They've missed their theatrical performances, their participation in every school support, and the rest of their lives.

This also reduces crime in my experience—again, going back as the sheriff—if these kids have both parents involved. It keeps them involved with the family and not in other activities that we would really prefer them not to be involved in.

Currently, States have the option to recognize child support orders from other countries—and many of them do. However, States have found that other countries are less cooperative in recognizing our orders.

The Hague Convention seeks to address this issue by establishing a standardized process so more countries cooperate in collecting child support. Negotiation of this treaty began in 2003, and it was signed eventually in 2007. The Senate acted on this in 2010. They gave their consent. The treaty provides many protections for our children, but States cannot take advantage of the benefits until Congress moves forward.

Enforcement of child support orders should not end at the water's edge. Children, regardless of where they or their parents live, should receive financial support from their parents.

□ 1240

The United States cannot ratify The Hague Convention until all States make the necessary changes, so the time to act is now.

This bill also includes a continuation of our subcommittee's bipartisan efforts to standardize and improve the exchange of data within human services programs. While the child support system already relies heavily on data exchanges, it is important for those exchange efforts to be consistent with the provisions we've recently enacted in the child welfare, TANF, and unemployment programs. The goal is simple: improve government efficiency, provide benefits to those who are eligible, and drive out waste, fraud, and abuse.

Finally, this bill expands researcher access to a database maintained by the Office of Child Support Enforcement. The National Directory of New Hires collects employment outcome information for individuals working in most jobs in the United States. Expanding access to earnings data in the Directory will improve our ability to determine whether Federal education, training, and social service programs help people find and keep their jobs.

According to the administration, most Federal agencies do not currently have reliable access to data that can show the impact of their programs on participants' employment or their earnings. In an era of tighter resources, it is crucial that we have reliable data to conduct rigorous evaluations to make sure that Federal programs are getting results.

Mr. Speaker, I would like to insert into the RECORD letters of support for this legislation from MDRC and the National Child Support Enforcement Association.

In addition, key parts of this legislation are supported by respected organizations like the Conference of State Court Administrators, the Conference of Chief Justices, the Department of Health and Human Services, the Department of Labor, the Office of Management and Budget, and from the research community, Abt Associates, Mathematica Policy Research, RAND, Social Policy Research, and the Urban Institute.

I want to thank the subcommittee's ranking member, Mr. DOGGETT, who joins me on the floor today, and other members of the subcommittee for their support as original cosponsors.

I invite all Members to join us in supporting this important bipartisan legislation. It will move us a step closer to ratifying The Hague Convention on the International Recovery of Child Support and will ensure that more children living in the U.S. receive the financial support they deserve.

I urge all of my colleagues to support this bill, and I reserve the balance of my time.

NATIONAL CHILD SUPPORT
ENDANGERMENT ASSOCIATION,
May 3, 2013.

Hon. DAVID REICHERT, *Chairman,*
Hon. LLOYD DOGGETT, *Ranking Member,*
Ways and Means Subcommittee on Human Resources, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN REICHERT AND RANKING MEMBER DOGGETT: The National Child Support Enforcement Association (NCSEA) supports the bipartisan International Child Support Recovery Improvement Act of 2013 (H.R.

1896) and urges the Committee to consider it as soon as possible.

NCSEA members helped craft the language in the 2007 Hague Convention Treaty on the International Recovery of Child Support and Other Forms of Family Maintenance. The provisions in Section 2 of the bill provide the language necessary to implement it. The Treaty contains procedures for processing international child support cases that are uniform, simple, efficient, accessible, and cost-free to U.S. citizens seeking support in other countries. It is founded on the agreement of countries ratifying the Convention to recognize and enforce each other's support orders.

This bill will assist state and county child support staff who encounter challenging and time-consuming international cases. Presently, there are no agreed upon standards of proof, forms or methods of communication. As more parents cross international borders leaving children behind, international child support enforcement is more important than ever. Ratification of the Convention by the United States will mean that more children will receive financial support from their parents residing in countries that are also signatories to the Convention.

NCSEA has long sought congressional action on this issue, and welcomed last year's bipartisan action by the full House which adopted a nearly identical bill. This measure will help to ensure our nation's children receive the financial support to which they are entitled.

Thank you again for your leadership on this bill.

Sincerely,

COLLEEN DELANEY EUBANKS,
Executive Director.

MDRC,
New York, NY, June 11, 2013.

Hon. DAVID REICHERT,
Longworth House Office Building, Washington, DC.

Hon. LLOYD DOGGETT,
Cannon House Office Building, Washington, DC.

DEAR CONGRESSMEN REICHERT AND DOGGETT, I am writing to congratulate you on advancing H.R. 1896, The International Child Support Recovery Improvement Act of 2013, to the House floor.

Last year, I was invited to testify before the Subcommittee on Human Resources regarding this bill. During my testimony, I pointed out that the bill includes an important technical provision that enables researchers to more easily access the National Directory of New Hires (NDNH) database, which contains earnings and employment data collected by states from employers. Removing this barrier in the law will result in more accurate, cost-effective assessments of the employment effects of federal programs.

Independent research firms like MDRC are contracted by the government to evaluate the extent to which federal programs work; in many cases, a key measure of effectiveness is the programs' long-term impact on participants' employment and earnings. The NDNH database, maintained by the federal Office of Child Support Enforcement, houses employment and earnings data reported by the states for child support enforcement purposes. However, research contractors are generally unable to access this essential database. Instead they are forced to get the very same data directly from the states, at great cost to the federal government and at considerable burden in duplicative reporting for the states.

In this time of severe budget constraints, Congress must have credible, nonpartisan information to understand whether federally supported programs actually help people find work and increase their earnings. The technical provision in this bill would ensure the availability of data necessary for researchers to examine the effectiveness of these programs.

This provision expands researchers' access to NDNH data and also maintains strong privacy protections. Since personally identifiable information is contained in the NDNH database, the provision requires research firms to continue to uphold strict rules governing the data's confidentiality and provides severe penalties for unauthorized disclosure of this data.

Thank you for recognizing the importance of giving researchers greater access to NDNH data. Attached is my testimony from last year for further reference.

Sincerely,

GORDON L. BERLIN.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,T
Washington, DC, May 24, 2013.

Discharge Statement.

Hon. JOHN A. BOEHNER,
Speaker, Office of the Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I am writing to request that the Committee on the Budget be discharged from the consideration of H.R. 1896, the International Child Support Recovery Improvement Act of 2013. The bill was referred respectively to the Committee on Ways and Means, the Committee on the Judiciary, and in addition to the Committee on the Budget.

The bill contains provisions that fall within the exclusive jurisdiction of the Committee on the Budget. In order to expedite the passage of this Act, the Committee requests that it be discharged from consideration of the bill, but continue to receive referrals in the future pertaining to legislation that falls within its purview. The Committee on the Budget does not intend to mark up this bill.

Sincerely,

PAUL RYAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, June 17, 2013.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN GOODLATTE, Thank you for your letter regarding H.R. 1896, the ''International Child Support Recovery Improvement Act of 2013,'' which the Committee on Ways and Means anticipates may soon receive consideration by the full House.

As introduced, H.R. 1896 contained two provisions (sections 2 and 4) that formed the basis of an additional referral of the bill to your committee. I am most appreciative of your decision to discharge the Committee on the Judiciary from further consideration of H.R. 1896 so that it may proceed to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on the Judiciary is by no way waiving its jurisdiction over the subject matter contained in those provisions of the bill, including sections 2 and 4 of the bill, which fall within your Rule X jurisdiction. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I will be pleased to include this letter and your letter dated June 10, 2013 in the Congressional Record during floor consideration of H.R. 1896.

Sincerely,

DAVE CAMP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 10, 2013.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN CAMP, I write regarding H.R. 1896, the ''International Child Support Recovery Improvement Act of 2013,'' on which the Committee on the Judiciary received a referral. I understand that the bill may soon proceed to consideration by the full House. As a result of your having consulted with the Judiciary Committee concerning provisions of the bill that fall within our Rule X jurisdiction, I agree to discharge the Committee on the Judiciary from further consideration of the bill so that the bill may proceed expeditiously to the House Floor.

The Judiciary Committee takes this action with our mutual understanding that, by foregoing consideration of H.R. 1896 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding with respect to H.R. 1896, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

BOB GOODLATTE,
Chairman.

CBO ON THE INTERNATIONAL CHILD SUPPORT RECOVERY IMPROVEMENT ACT OF 2013 (H.R. 1896)

The Congressional Budget Office has reviewed H.R. 1896, the International Child Support Recovery Improvement Act of 2013. According to a preliminary estimate of the introduced legislation with amendment, the bill has insignificant direct savings each year and slightly significant savings (approximately $500,000) over 10 years.

Mr. DOGGETT. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to join the gentleman from Washington (Mr. REICHERT) in support of the International Child Support Recovery Improvement Act.

We tried to do this just about a year ago. In the last Congress, I coauthored very similar legislation that was bipartisan here on the floor. Though we acted here, the Senate was slow to act, and we are hopeful that now, with the leadership of Chairman REICHERT and, again, with broad bipartisan support, we can get this measure passed not only here in the House but see prompt action in the Senate.

International borders should never be barriers to children receiving the financial support that their parents are obligated to provide nor should a parent be able to shirk his responsibility to his child by just leaving America, but the complexity and difficulty in enforcing child support obligations when a child and the noncustodial parent live in one country and when the other parent lives in another sometimes lets a parent off the hook.

The bill before us today would reduce many of the challenges in collecting child support across international borders by fully implementing The Hague Convention on the International Recovery of Child Support. The Senate adopted that Hague Convention as a treaty in 2010, and this legislation will bring us into full compliance and will encourage the State child support agencies to have uniform methods for processing international child support orders.

Here in the United States, many of our State child support agencies already recognize and enforce foreign child support obligations. Whether or not the United States has a reciprocal agreement, this just ensures that all 50 States do. Many foreign nations are not enforcing a U.S. child support order in the absence of a treaty or other agreement. While our Nation does have reciprocal child support agreements with some countries, it does not have arrangements with many of those around the globe, hence the need for this single treaty that establishes a uniform, efficient, and accessible procedure for processing international child support cases.

Some desperate families are today asking for help through the Federal Office of Child Support Enforcement, and that office is not able to provide the help. We have an estimated 160,000 international child support cases that currently involve children or parents here in the United States, and with the very nature of our global economy—with more goods and services and people moving across national boundaries—this number is likely to only grow.

As with other effective child support measures, it's taxpayers who benefit by not being saddled with the costs of supporting children when a parent should be doing that. The Congressional Budget Office concludes that this bill would result in some modest debt savings to the child support program.

In addition to improving the international collection of child support, the legislation includes a provision that is new, under Mr. REICHERT's leadership, concerning data standardization within the child support enforcement system. We've worked diligently to incorporate the same requirement into other human resources programs to improve the ability to share data—a step that will make them more efficient, less susceptible to fraud, and better able to reach those who really need assistance.

Finally, this measure would also allow certain researchers access to wage information in a child support database, known as the National Directory of New Hires, in order to determine the effectiveness of employment-related programs.

Mr. Speaker, this bill is truly bipartisan, and it doesn't cost taxpayers money. In fact, it will save taxpayers money. Most importantly, it will help more children get the financial help that they deserve. The House passed nearly identical legislation last year at about this time. After we pass the bill today, I urge my Senate colleagues to act promptly to ensure that leaving the country doesn't mean leaving your child support obligation behind.

I thank the gentleman from Washington for his leadership, and I yield back the balance of my time.

Mr. REICHERT. Mr. Speaker, in closing, I think it's very clear that this is a very bipartisan piece of legislation which is really focused on strengthening the family, protecting children, and, for parents who have left their homes, reengaging them with their families, getting them involved in their children's activities and providing for them financially.

One statistic that I recall when I first became sheriff in 1997 is that we began this program at the State level. Since 72 percent of juvenile males were without fathers, 72 percent of those committed homicide. It's just a stark figure, a stark statistic, that really highlights the need for parents to be involved in their children's lives.

So, Mr. Speaker, once again, I wholeheartedly, of course, endorse this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. REICHERT) that the House suspend the rules and pass the bill, H.R. 1896.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. REICHERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1250

ADDITION OF VACCINES AGAINST SEASONAL INFLUENZA TO LIST OF TAXABLE VACCINES

Mr. GERLACH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 475) to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 475

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

SECTION 1. ADDITION OF VACCINES AGAINST SEASONAL INFLUENZA TO LIST OF TAXABLE VACCINES.

(a) IN GENERAL.—Subparagraph (N) of section 4132(a)(1) of the Internal Revenue Code of 1986 is amended by inserting ''or any other vaccine against seasonal influenza'' before the period.

(b) EFFECTIVE DATE.—

(1) SALES, ETC.—The amendment made by this section shall apply to sales and uses on or after the later of—

(A) the first day of the first month which begins more than 4 weeks after the date of the enactment of this Act, or

(B) the date on which the Secretary of Health and Human Services lists any vaccine against seasonal influenza (other than any vaccine against seasonal influenza listed by the Secretary prior to the date of the enactment of this Act) for purposes of compensation for any vaccine-related injury or death through the Vaccine Injury Compensation Trust Fund.

(2) DELIVERIES.—For purposes of paragraph (1) and section 4131 of the Internal Revenue Code of 1986, in the case of sales on or before the effective date described in such paragraph for which delivery is made after such date, the delivery date shall be considered the sale date.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. GERLACH) and the gentleman from Massachusetts (Mr. NEAL) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. GERLACH. I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GERLACH. Mr. Speaker, I yield myself such time as I may consume.

I rise to urge my colleagues to support this bipartisan legislation that my colleague from Massachusetts (Mr. NEAL) and I believe will help make the upcoming flu season less miserable for millions of Americans and avoid expensive hospital stays for those suffering with the flu.

Last December, in the midst of a flu season in which the Centers for Disease Control and Prevention reported more than 12,000 people hospitalized with flu complications and 149 deaths among children under the age of 18, the Food and Drug Administration approved a new vaccine developed to fight the four-strain flu virus. But despite this development, it is imperative that we pass this legislation if we want to guarantee the most up-to-date four-strain flu vaccine is available to patients who need it.

That's because under the current law, the Vaccine Injury Compensation Program—a no-fault system for compensating injuries or death caused by vaccines—covers flu vaccines that only protect against three viral strains.

This bill would add vaccines that protect against four viral strains to the program and ensure that the most up-to-date and effective flu vaccines are available in time for the start of the flu season this fall. Without the liability protections of the compensation program, civil litigation from the use of this vaccine could explode and disincentivize vaccine producers from making this new medicine available.

The Vaccine Injury Compensation Program was created in 1986 because at

the time fears of frivolous lawsuits that could wipe out businesses and bankrupt health care providers were causing vaccine manufacturers to leave the market, thereby leaving the general public without access to the best medicines available. So getting this new vaccine on the program list is essential.

One other note: it's important to understand that this bill is not, as some media have inaccurately reported, a ''flu tax.'' This legislation does not create any new taxes. The bill before us does not raise tax rates. And there's absolutely no evidence that flu shots will cost one penny more if this bipartisan bill becomes law.

In fact, the nonpartisan Joint Committee on Taxation analyzed the legislation and concluded there would be no new taxes or windfall to the Federal Government. That's because under the current law, 75 cents goes into the Vaccine Injury Compensation Program every time someone gets a flu shot or any number of other vaccines used to protect the public against all kinds of diseases.

The truth is that every one of the estimated 135 million Americans who received a flu shot during this past flu season paid 75 cents into the fund, and that 75 cents charged today would also apply to this new vaccine. If you think 75 cents is an exorbitant amount to pay, consider that in my home State of Pennsylvania the average cost of a hospital stay ranges from $649 per day to $1,921 per day, according to the Kaiser Family Foundation. Without this legislation, taxpayers would be picking up the tab for flu-related hospitalizations for seniors and others enrolled in Medicaid and Medicare.

The only way the Federal Government will collect more money next flu season is if a greater number of people voluntarily get flu shots. And most medical professionals will tell you getting a flu shot improves public health and lowers the risk of racking up expensive medical bills, especially for children and seniors.

Vanderbilt University Medical Center, in collaboration with the Centers for Disease Control and Prevention, found that flu vaccine reduced the risk of flu-related hospitalization by 71.4 percent among adults of all ages and by 76.8 percent in study participants 50 years of age or older during the 2011–2012 flu season.

In closing, I would ask my colleagues to support this legislation so that our doctors and hospitals can offer the public the very best and latest protection against constantly evolving strains of the flu virus this fall.

Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 475, a bill to update the excise tax on vaccines against seasonal influenza.

Year after year, the flu poses a threat to millions of Americans, causing between 24,000 and 49,000 deaths and 226,000 hospitalizations each year. In fact, my home State of Massachusetts had over 28,000 confirmed cases of flu this past season. The flu is particularly life-threatening for our Nation's most vulnerable, the elderly and children. During the most recent flu season, there were 150 pediatric deaths across the Nation, and it is estimated that 90 percent of those children were not vaccinated.

America must prepare for the next flu season. Public health and medical professionals, hospitals and vaccine manufacturers are moving quickly to prepare for the upcoming season by manufacturing new vaccines and educating the public about the importance of preventing the flu. One critical step in this preparation is to make certain that the newest and most effective flu vaccine will be available to the public.

To do that, I introduced this legislation that we're acting upon today with my friend, Congressman GERLACH, to update our law to ensure access to new flu vaccines.

The National Vaccine Injury Compensation Program was established in 1986 to ensure an adequate supply of vaccines, stabilize vaccine costs, and establish and maintain an accessible and efficient forum for individuals found to be injured by certain vaccines to be compensated. These awards are funded by a 75 cent per dose excise tax on vaccines that are widely used and recommended by the Centers for Disease Control and Prevention for routine administration to children.

The program requires congressional action from time to time because unless the excise tax is assessed on a particular vaccine, it is not covered by the program, and therefore, those injured can't be compensated under the program.

Currently, the excise tax on seasonal influenza vaccine applies only to three-strain vaccines and excludes any non-three-strain vaccines. But for the flu season, three new advanced influenza vaccines will be available. These vaccines will provide broader protection against the flu because they can combat more strains of the virus. Therefore, we must amend the excise tax law to include the advanced flu vaccine.

To ensure access to the new vaccine, our bill would apply the excise tax to all vaccines against seasonal influenza just as it has in the past.

It is very important to note this will not increase the tax or change the Vaccine Injury Compensation Program. Let me repeat. It is very important to note that this will not increase the tax or change the Vaccine Injury Compensation Program.

It's also important to note that this legislation does not affect in any way the FDA approval process. Vaccines for children, adolescents, and adults are approved and recommended through a rigorous, multiyear process. Vaccines must be approved by the FDA and then must also be evaluated and formally recommended by the Centers for Disease Control and Prevention before they are administered by health care providers or covered by health insurance programs.

Before concluding, I'd like to note that this legislation has broad support, including AARP, Every Child by Two, Families Fighting Flu, Immunization Action Coalition, Infectious Diseases Society of America, and MassBio.

Our legislation brings the excise tax into alignment with the most recent developments in medicine. The quick enactment of H.R. 475 is critical to making the newest seasonal flu vaccines available for the 2013–2014 season.

I urge the House to pass this legislation as quickly as possible, and I reserve the balance of my time.

Mr. GERLACH. Mr. Speaker, in closing, I yield myself such time as I may consume.

H.R. 475 is a great bipartisan, bicameral bill that will help protect our Nation's children and seniors from flu.

I want to thank my friend from Massachusetts (Mr. NEAL) for his cooperation and work on this legislation. I also would like to thank Dave Olander and the Ways and Means staff, Anne Dutton, my chief of staff, and especially Lori Prater, my Ways and Means counsel for their great work on this legislation. I also thank Senator HATCH and Senator BAUCUS on the Senate side for their work in moving this legislation in that Chamber.

□ 1300

With the 2013 flu season on the horizon, I urge my colleagues to support H.R. 475 to ensure that the public has access to the newest four-strain flu vaccine.

I yield back the balance of my time.

Mr. NEAL. Mr. Speaker, I thank Mr. GERLACH, and thanks to our very capable staffers for having assembled parts of the argument here, and point out that in the Senate, this was done by unanimous consent. That's an important consideration.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. GERLACH) that the House suspend the rules and pass the bill, H.R. 475.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONCERNING THE PARTICIPATION OF TAIWAN IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1151) to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1151

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

SECTION 1. CONCERNING THE PARTICIPATION OF TAIWAN IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.

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

(1) Safe, secure, and economical international air navigation and transport is important to every citizen of the world, and safe skies are ensured through uniform aviation standards, harmonization of security protocols, and expeditious dissemination of information regarding new regulations and other relevant matters.

(2) Direct and unobstructed participation in international civil aviation forums and programs is beneficial for all nations and their civil aviation authorities. Civil aviation is vital to all due to the international transit and commerce it makes possible, but must also be closely regulated due to the possible use of aircraft as weapons of mass destruction or to transport biological, chemical, and nuclear weapons or other dangerous materials.

(3) The Convention on International Civil Aviation, signed in Chicago, Illinois, on December 7, 1944, and entered into force April 4, 1947, established the International Civil Aviation Organization (ICAO), stating ''The aims and objectives of the Organization are to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport so as to . . . meet the needs of the peoples of the world for safe, regular, efficient and economical air transport.''.

(4) The terrorist attacks of September 11, 2001, demonstrated that the global civil aviation network is subject to vulnerabilities that can be exploited in one country to harm another. The ability of civil aviation authorities to coordinate, preempt and act swiftly and in unison is an essential element of crisis prevention and response.

(5) Following the terrorist attacks of September 11, 2001, the ICAO convened a high-level Ministerial Conference on Aviation Security that endorsed a global strategy for strengthening aviation security worldwide and issued a public declaration that ''a uniform approach in a global system is essential to ensure aviation security throughout the world and that deficiencies in any part of the system constitute a threat to the entire global system,'' and that there should be a commitment to ''foster international cooperation in the field of aviation security and harmonize the implementation of security measures''.

(6) The Taipei Flight Information Region, under the jurisdiction of Taiwan, covers 180,000 square nautical miles of airspace and provides air traffic control services to over 1.2 million flights annually, with the Taiwan Taoyuan International Airport recognized as the 10th and 19th largest airport by international cargo volume and number of international passengers, respectively in 2011.

(7) Despite the established international consensus regarding a uniform approach to aviation security that fosters international cooperation, exclusion from the ICAO since 1971 has impeded the efforts of the Government of Taiwan to maintain civil aviation practices that comport with evolving international standards, due to its inability to contact the ICAO for up-to-date information on aviation standards and norms, secure amendments to the organization's regulations in a timely manner, obtain sufficient and timely information needed to prepare for the implementation of new systems and procedures set forth by the ICAO, receive technical assistance in implementing new regulations, and participate in technical and academic seminars hosted by the ICAO.

(8) On October 8, 2010, the Department of State praised the 37th ICAO Assembly on its adoption of a Declaration on Aviation Security, but noted that ''because every airport offers a potential entry point into this global system, every nation faces the threat from gaps in aviation security throughout the world—and all nations must share the responsibility for securing that system''.

(9) On October 2, 2012, Taiwan became the 37th participant to join the United States Visa Waiver program, which is expected to stimulate tourism and commerce that will rely increasingly on international commercial aviation.

(10) The Government of Taiwan's exclusion from the ICAO constitutes a serious gap in global standards that should be addressed at the earliest opportunity in advance of the 38th ICAO Assembly in September 2013.

(11) The Federal Aviation Administration and its counterpart agencies in Taiwan have enjoyed close collaboration on a wide range of issues related to innovation and technology, civil engineering, safety and security, and navigation.

(12) The ICAO has allowed a wide range of observers to participate in the activities of the organization.

(13) The United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations and has consistently reiterated that support.

(14) Senate Concurrent Resolution 17, agreed to on September 11, 2012, affirmed the sense of Congress that—

(A) meaningful participation by the Government of Taiwan as an observer in the meetings and activities of the ICAO will contribute both to the fulfillment of the ICAO's overarching mission and to the success of a global strategy to address aviation security threats based on effective international cooperation; and

(B) the United States Government should take a leading role in garnering international support for the granting of observer status to Taiwan in the ICAO.

(15) Following the enactment of Public Law 108–235, a law authorizing the Secretary of State to initiate and implement a plan to endorse and obtain observer status for Taiwan at the annual summit of the World Health Assembly and subsequent advocacy by the United States, Taiwan was granted observer status to the World Health Assembly for four consecutive years since 2009. Both prior to and in its capacity as an observer, Taiwan has contributed significantly to the international community's collective efforts in pandemic control, monitoring, early warning, and other related matters.

(16) ICAO rules and existing practices allow for the meaningful participation of non-contracting countries as well as other bodies in its meetings and activities through granting of observer status.

(b) TAIWAN'S PARTICIPATION AT ICAO.—The Secretary of State shall—

(1) develop a strategy to obtain observer status for Taiwan at the triennial ICAO Assembly—next held in September 2013 in Montreal, Canada—and other related meetings, activities, and mechanisms thereafter; and

(2) instruct the United States Mission to the ICAO to officially request observer status for Taiwan at the triennial ICAO Assembly and other related meetings, activities, and mechanisms thereafter and to actively urge ICAO member states to support such observer status and participation for Taiwan.

(c) REPORT CONCERNING OBSERVER STATUS FOR TAIWAN AT THE ICAO ASSEMBLY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report, in unclassified form, describing the United States strategy to endorse and obtain observer status for Taiwan at the triennial ICAO Assembly and at subsequent ICAO Assemblies and at other related meetings, activities, and mechanisms thereafter. The report shall include the following:

(1) A description of the efforts the Secretary of State has made to encourage ICAO member states to promote Taiwan's bid to obtain observer status.

(2) The steps the Secretary of State will take to endorse and obtain observer status for Taiwan in ICAO and at other related meetings, activities, and mechanisms thereafter.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of bipartisan legislation that I authored to help secure observer status for Taiwan at the International Civil Aviation Organization. This legislation requires the Secretary of State to develop and execute a strategy to ensure that Taiwan has a seat at the table for ICAO's upcoming September plenary meeting.

It has been over 40 years since Taiwan was last a member of ICAO. Indeed, a lot has changed in those 40 years. As it stands now, all communications between Taiwan and the U.S. on aviation safety must be channeled through the American Institute in Taiwan, which is our Nation's de facto embassy in Taiwan. The fact that Taiwan can't speak directly to the Federal Aviation Administration without this added layer of bureaucracy makes no sense. After all, we are talking about air safety information that is otherwise readily available to all of ICAO's members.

Taiwan's entry into the U.S. Visa Waiver Program last year has dramatically increased both the frequency of flights between our airports and the real number of travelers coming here to the United States. For my home State of California, the increase in visitors from Taiwan has resulted in a significant boost for the local economy, especially for the travel industry, the leisure industry, for restaurants,

for example, and shops. I'm proud to have worked on Taiwan's entry into the Visa Waiver Program because I know that, as a result of this agreement, Taiwanese Americans in Southern California have a much easier time staying connected to their families.

Mr. Speaker, as the number of visitors from Taiwan has grown exponentially, there is an urgent need to ensure that Taiwan has real-time access to air safety information. Strengthening air safety benefits American citizens as much as it does the Taiwanese. Every year, tens of thousands of Americans fly through Taiwan's air space, which must be as safe as it can be, and this bill will certainly help.

Just as Taiwan was allowed to join the World Health Organization as a result of the SARS outbreak, so, too, should Taiwan be afforded the opportunity to observe the proceedings of the ICAO. We all share the responsibility to ensure that international air travel is safe. Taiwan's unique political status has thus far hindered its inclusion in ICAO. With this piece of legislation, we're sending a clear message that air safety is a priority and not a geopolitical issue.

Earlier this year, my good friend Eliot Engel of New York and I traveled to Taiwan to see firsthand the immense progress that the people of Taiwan have made over such a short period of time. Taiwan is indeed a beacon of freedom in the Asia-Pacific region. We share many values with Taiwan, including an unwavering commitment to democracy, to human rights, to free markets, and to the rule of law. Helping Taiwan gain entry as an observer into the ICAO is the right thing to do, and I urge my colleagues to vote in favor of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of H.R. 1151. I would certainly like to thank personally the chief sponsor of this proposed bill, the distinguished chairman of the Foreign Affairs Committee, the gentleman from California (Mr. ROYCE), for his leadership on this issue, and also our senior ranking member, the gentleman from New York (Mr. ENGEL), for his support as well. And I am happy to say that I'm a proud cosponsor of this bill as well.

This legislation directs the Secretary of State to develop a strategy to gain observer status for Taiwan at the triennial assembly of the International Civil Aviation Organization (ICAO). Taiwan has made significant progress in its economic and political development. Today, Taiwan is a leading trade partner of the United States and stands as a beacon of democracy throughout Asia. However, Taiwan has been shut out of participating in international organizations like ICAO.

Founded in 1947, ICAO's main goal is to ensure safe and efficient air transportation around the globe. Taiwan deserves to be brought into the ICAO as an observer. It has jurisdiction over an airspace of approximately 180,000 square nautical miles and provides air traffic control services to more than 1.2 million flights a year. In my recent visit to Taiwan as well, it was interesting to learn that there are approximately 600 weekly flights in existence between China and Taiwan alone. Taiwan's international airport is the world's 19th largest in terms of passenger volume, and the number of travelers between Taiwan and the United States is likely to increase with Taiwan's entry into the Visa Waiver Program last year, as mentioned earlier by my distinguished chairman, Mr. ROYCE.

Taiwan's exclusion from ICAO has impeded Taiwan's efforts to maintain civil aviation practices that keep up with rapidly evolving international standards. It is unable to even contact ICAO for up-to-date information on aviation standards and norms. Nor can it receive ICAO's technical assistance in implementing new regulations or participate in ICAO technical and academic seminars.

Taiwan has made every effort to comply with ICAO's standards, but their continued exclusion not only hurts Taiwan, but it puts the rest of us in the entire world at risk, especially when you're talking about safety and hazardous conditions when it deals with air travel. With such a heavy volume of flights, Taiwan's exclusion has prevented ICAO from developing a truly global strategy to address security threats based on effective international cooperation.

ICAO's own rules and practices allow for the meaningful participation of noncontracting countries as well as other organizations in its meetings and activities through the granting of observer status.

The United States, in a review of Taiwan policy conducted in 1994, declared its intention to support Taiwan's participation in appropriate international organizations and has consistently reiterated that support.

Mr. Speaker, with this bill today, Congress is calling on the United States Government to take a leading role at ICAO to assist Taiwan in gaining observer status, and we look forward to working with our administration officials to track the development of these efforts.

Again, I thank the gentleman from California for his leadership on this bill, and I urge my colleagues to support this legislation.

I reserve the balance of my time.

□ 1310

Mr. ROYCE. I thank the gentleman from American Samoa, and I'd like to yield 3 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), chairman emeritus of the Foreign Affairs Committee and chairman of the Subcommittee on the Middle East and North Africa. She is also a cosponsor of this measure.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the chairman of our committee for introducing this excellent piece of legislation and for his leadership in our committee.

I am very pleased to speak in favor of this legislation which assists Taiwan, one of our most valued allies, in obtaining observer status at the ICAO, or the International Civil Aviation Organization.

Taiwan is a major hub for international air travel; and, particularly, it serves as the link between Northeast and Southeast Asia and to Europe and the United States. And now that Taiwan has joined the Visa Waiver Program, travel between our two nations will undoubtedly increase.

Almost 1.3 million flights pass over the region each year; but due to the ill advised appeasement of China at the United Nations, Taiwan must receive its international aviation safety and security information secondhand.

Taiwan's exclusion from international organizations like ICAO is a short-sighted and dangerous practice. It ends up hurting the international community as much as it does the Taiwanese people themselves.

Preventing a significant player in aviation like Taiwan from participating in ICAO threatens the entire international community which depends on the application of universal aviation standards.

Unfortunately, attempts to placate China at the feeble United Nations are nothing new and are a reminder that that organization lacks seriousness. China's threat that foreign interference will hurt negotiations with Taiwan to allow its participation in ICAO should be ignored by the U.N.

The U.N. must do what is right for the entire international community, and I urge the organization to put aside its petty politics and work on behalf of the safety of all of the world's citizens.

Mr. Speaker, the Taiwan Relations Act continues to be the cornerstone of U.S. foreign policy with our democratic ally, Taiwan; and we must always keep it as the guiding beacon. The next meeting of ICAO is this September, and I expect to see our State Department have a strategy that they will implement to make sure that Taiwan will be at the table this fall.

The friendship between the people of the United States and Taiwan has cemented into one of our most cherished partnerships, and I look forward to the United States Government demonstrating its continued commitment to the people of Taiwan with the passage of this most excellent bill.

I thank the chairman for the time, and I thank him for his leadership on Taiwan through the years.

Mr. FALEOMAVAEGA. Mr. Speaker, I want to associate myself and certainly commend the gentlelady from

Florida for her most eloquent statement and historical outline of what has happened in terms of our special relationship with the people and the leaders of Taiwan. And she could not have said it better.

You know the old saying, If you're not at the table, you're going to be on the menu. I think Taiwan has been on the menu for too long. They need to be at the table and especially playing such a strong and important economic role as a democracy in Asia and as a beacon of light to all the people of Asia as to what it means to live under democratic conditions.

With that, Mr. Speaker, again I thank my good friend, the chairman, for his leadership in bringing this bill. I have no further speakers, so I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, it has been over 40 years since Taiwan last had a seat at the International Civil Aviation Organization. The volume of air traffic in and out of Taiwan's airports back then cannot be compared with that incredible volume of traffic, millions of planes a year, that come in and out of modern-day Taiwan.

Under the Visa Waiver Program, airlines have added even more flights in order to take advantage of greater demand for tourists and business travel from Taiwan into the United States. This number is only going to grow as more and more Taiwanese take advantage of the Visa Waiver Program.

It is time that we readmit Taiwan into ICAO so that everyone who boards a plane can have the utmost confidence about the safety of their trip. Aviation technology has progressed by leaps and bounds, and the idea that Taiwan cannot directly communicate with the United States or any other nation engaging in issues regarding air safety is not in anyone's interest. That's not in the interest of any nation.

I urge my colleagues to join in supporting H.R. 1151. Taiwan is one of America's closest friends in the world. We share so much in common, including a steadfast dedication to democracy and the rule of law and human rights; and it is time that we fixed this problem.

Mr. Speaker, I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of H.R. 1151, a resolution in support of one of our nation's closest friends in the Asia-Pacific Region, Taiwan.

This resolution directs the State Department to develop a strategy to obtain observer status for Taiwan at the upcoming International Civil Aviation Organization Assembly.

The United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations and has consistently reiterated that support.

In 2004, this Chamber voted, with my support, legislation in support of Taiwan's efforts to gain observer status to the World Health Organization. Those efforts finally succeeded in 2009 when Taiwan was included in the International Health Regulations (IHR).

For decades, Taiwan has been a key security, economic, and political partner for the American people.

Taiwan has been one of America's biggest trading partners for many years—the 11th largest in 2012—purchasing nearly $25 billion worth of American goods that year.

Taiwan is also a global leader in information technology, telecommunications, and other knowledge-based industries.

Most significantly, Taiwan is becoming a beacon of democracy for the Chinese people after their successful, open elections in 2008 and 2012.

It is important for this Chamber to continue its support of the Taiwanese people and enhance Taiwan's standing in international bodies.

I ask my colleagues on both sides of the aisle to join me and vote in support of America's partner in peace and prosperity, Taiwan.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 1151.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 1947, FEDERAL AGRICULTURE REFORM AND RISK MANAGEMENT ACT OF 2013; AND PROVIDING FOR CONSIDERATION OF H.R. 1797, PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 266 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 266

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Agriculture. After general debate, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1797) to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-15 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit with or without instructions.

□ 1320

POINT OF ORDER

Ms. EDWARDS. Mr. Speaker, I raise a point of order against H. Res. 266 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver of all points of order against consideration of the bill, H.R. 1797, which includes a waiver of section 425 of the Congressional Budget Act, which causes a violation of section 426(a).

The SPEAKER pro tempore. The gentlewoman from Maryland makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentlewoman has met the threshold burden under the rule and the gentlewoman from Maryland and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentlewoman from Maryland.

Ms. EDWARDS. Mr. Speaker, when the majority began this Congress, it began with the idea, in their language, that they would adhere to fiscal responsibility and to constitutionality—in fact, we read the Constitution on the floor of this body—and that they had learned the lessons from the election slaughtering in 2012, and that is to stop the assault on women's health care. But, oh, no. Here we are today with a bill, H.R. 1797, that violates the Congressional Budget Act, that violates the Constitution, and that violates the doctor-patient relationship that a woman has with her doctor, and we haven't focused on jobs.

So, when you look at H.R. 1797, the Pain-Capable Unborn Child Protection Act, it would impose a ban across the country on abortion after 20 weeks. Aside from ignoring medical realities and placing the lives of mothers with serious medical conditions at risk through governmental interference with the doctor-patient relationship, the underlying bill also includes reporting requirements that, according to the Congressional Budget Act, which it would violate, would add costs to local law enforcement.

With a total of 25 States introducing 64 similar abortion-ban measures in the

last 3 years, this bill is yet another assault on women's reproductive rights and is blatantly unconstitutional.

Abortion care in this country is a private, medical decision that's made between a woman and her health care provider. Those are the only people who should be in the room. And yet here in this legislation they've created just a narrow exception that doesn't even take into account the risk to a woman's health and would subject physicians to criminal penalties for caring for their patients.

H.R. 1797 contains unreasonable, unjustified penalties for doctors, including 5 years in jail, and would have a negative impact on abortion care and reproductive health care all across the country. By jeopardizing and criminalizing abortion care, we limit the options women have to receive comprehensive reproductive health care. And these limitations could lead women to access abortion care that is both unsafe and dangerous to their health.

I'd like to yield 15 seconds to the other side if they would care to address the question of whether this closed rule means that there will not be a single amendment or alternative offered to this bill, which has a profound effect on women's health and reproductive rights. I yield 15 seconds to the gentlewoman from North Carolina if she cares to answer that question.

Ms. FOXX. Mr. Speaker, this is a dilatory tactic and has nothing to do with our bill.

Ms. EDWARDS. Well, reclaiming my time, under the rule, it's the case that the bill I believe that we'll vote on today for final passage has not followed regular order, and it has been rewritten after its adoption in the Judiciary Committee. The American College of Obstetricians and Gynecologists, the Nation's leading medical experts on women's health, strongly opposes a 20-week ban citing the threats these laws pose to women's health.

With that, I would like to yield 1 minute to my colleague from California (Mr. PETERS).

Mr. PETERS of California. Mr. Speaker, today we're discussing a bill that's divisive, will never become law, and is an affront to women's health.

As a longtime advocate for a woman's right to choose and the idea that women and their doctors should be making personal health decisions, not politicians, I stand in strong opposition.

This 20-week abortion ban is a harmful measure that jeopardizes a woman's health and her ability to have a family in the future by denying her access to an abortion even if she experiences severe, dangerous health complications as a result of a pregnancy.

In a potentially life-threatening situation, a woman and her doctor deserve to have every medical option available to them. This bill is clearly unconstitutional and an attempt to substitute politicians' judgment for that of doctors and their patients as they make their difficult, personal medical decisions.

Instead of bringing bills to the floor that address the major issues facing our country right now, the Speaker and majority leader have brought another bill to a vote that is much more about political posturing than helping America's economy or students.

I ask the leadership of the House, how many jobs does this bill create? Does this bill help balance our budget? How many student loans will be kept at a low rate by passing this bill?

Ms. EDWARDS. I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I rise to claim time in opposition to the point of order and in favor of consideration of the resolution.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 10 minutes.

Ms. FOXX. Mr. Speaker, the question before the House is: Should the House now consider H. Res. 266? While the resolution waives all points of order against consideration of the bill, the Committee on Rules is not aware of any violation of the Unfunded Mandates Reform Act. This is a dilatory tactic.

In order to allow the House to continue its scheduled business for the day, I urge Members to vote ''yes'' on the question of consideration of the resolution, and I reserve the balance of my time.

Ms. EDWARDS. Mr. Speaker, it's very clear to me that the underlying bill, in fact, does violate the Congressional Budget Act. It imposes an unfunded mandate on local police departments for the work that they do.

Now, it's this crowd on the other side of the aisle, Mr. Speaker, who is opposed to unfunded mandates. Nevertheless, it's also true that, in fact, the decision to receive an abortion in this country, particularly late in a pregnancy, is an intensely personal decision, and yet it's the suits on the other side of the aisle who've decided that it's their decision to interfere with a woman's right to make those choices between herself and her doctor. It's a decision that none of us wants to face and one that legislators, particularly Members of Congress, should not interfere with.

The bill also cites the Constitution as its authority in order to qualify under the rules of the House. And yet it is blatantly—blatantly—unconstitutional, completely inconsistent with the Supreme Court's decision in Roe v. Wade.

And so I'd like to yield 15 seconds, again, to the gentlewoman from the other side to ask her whether, under the definitions in this bill, what does it mean to not have protection of the life of the mother include psychological or emotional condition?

Well, the gentlewoman can't answer that, and so I suppose I could ask her, as well, if the Speaker would allow, I yield, again, 15 seconds to the gentlewoman, if this bill cites the Constitution as its authority in order to qualify under the rules of the House, and yet it's blatantly unconstitutional, do House rules allow it to be considered, allow H.R. 1797 even to be considered on the floor of this House if it's unconstitutional?

I yield 15 seconds to the gentlewoman.

Ms. FOXX. Mr. Speaker, I will repeat what I said before. This is a dilatory tactic, and we should be moving on to the resolution.

□ 1330

Ms. EDWARDS. Mr. Speaker, reclaiming my time, I know that the gentlewoman from North Carolina and the other side would prefer to yield and move on with a bill that violates the Budget Control Act, violates the Constitution, and violates the relationship between a doctor and a patient; and yet the decision to receive an abortion is a woman's, and a woman's alone.

In addition, H.R. 1797 infringes on the right of the District of Columbia to make decisions about the way in which it cares for its residents. I mean, the majority is all over the place—interfering with the District of Columbia, interfering with women's rights to make the decision by themselves, and actually stepping on the toes of local law enforcement to impose costs on them to enforce an unconstitutional bill. Thank goodness it won't become law.

The sponsor of this bill is certainly entitled to his beliefs—and it was a ''his,'' because on the Judiciary Committee that considered this, there's not a single Republican woman who had the chance to consider this on the Judiciary Committee. And yet the role of the government should not be to limit access to health care or to limit the freedom and liberties of the public. We should recognize that this decision is one best left to a woman, in consultation with her doctor, her family, and her faith.

Women across this country don't rely on Congress and politicians to advise them on mammograms, cervical cancer screenings, or maternal health needs; and abortion is no different. As with these other procedures, we should make comprehensive health care available to all women and allow them, with the consult of their health provider and loved ones, to decide when, how, and why they take care of their health.

Americans, including women, sent a clear message last November at the polls. They're tired of Congress meddling in their business and taking extreme and divisive legislation targeted at assaulting women's health.

And so with that, I'd actually yield another 15 seconds to the gentlewoman from North Carolina if she would care to respond: Whether today, given that 40 percent of women are primary breadwinners in their household, but women continue to face workplace challenges,

pay inequity, and other barriers to fully contribute to our economy, would you agree that this bill does not address those economic challenges for women, or create jobs, and is an exercise in political theater at best?

With that, I yield 10 seconds to the gentlewoman to respond.

Ms. FOXX. I thank the gentlewoman for asking the question.

What I think most Americans would wonder, Mr. Speaker, is where is the due process for the millions of babies who are murdered every year in this country by these unconscionable tactics of abortion.

Ms. EDWARDS. Reclaiming my time, I'd like to yield 15 seconds to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Yes, I would just like to ask a question:

Are there any Republican women on the House Judiciary Committee, which reported this legislation? And do you think it's fair or proper for a body of men to solely determine one of the most important and private decisions a woman can make in regard to her own health and body?

Ms. EDWARDS. I reserve the balance of my time.

Ms. FOXX. I reserve the balance of my time.

The SPEAKER pro tempore. The gentlewoman from Maryland has 1¼ minutes remaining.

Ms. EDWARDS. Mr. Speaker, I guess I just have a few questions that I will put out there on the table.

The American people want us to work to address the Nation's most urgent priorities, like creating jobs and strengthening the economy. I wonder if the Speaker at all can inform us what jobs this particular bill creates.

Under the new reporting requirements in this bill for rape and incest victims, would they have to report even if their life is in danger from the perpetrator? Curious question. Does this bill disqualify more than half of all rape victims, since 54 percent of these rape victims do not report rape due to intimidation and embarrassment? Under the definitions in this bill, what does it mean not to have protection of the life of the mother included in psychological and emotional conditions? Does the bill disqualify, again, rape victims? Is it the case that the bill redefines what qualifies as incest by only applying it to a minor? So an adult, who has been victimized by a relative since childhood and who gets pregnant, is not allowed to have an abortion or a pregnancy with that relative? We have a lot of questions.

Mr. Speaker, I have to tell you, women across America are tired of having their rights assaulted. They're tired of having their health care decisions taken from them. We need to vote down H.R. 1797.

I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, in order to allow the House to continue its scheduled business for the day, I urge Members to vote ''yes'' on the question of consideration of the resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlelady from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. Mr. Speaker, House Resolution 266 provides for a closed rule providing for consideration of H.R. 1797, the Pain-Capable Unborn Child Protection Act, and general debate for H.R. 1947, the Federal Agriculture Reform and Risk Management Act.

Mr. Speaker, the rule before us today provides for general debate of H.R. 1947, the Federal Agriculture Reform and Risk Management Act, also known as the FARRM Bill. This legislation provides for a 5-year authorization of Federal agriculture and nutrition policy.

H.R. 1947 makes necessary reforms and updates to the Supplemental Nutrition Assistance Program, previously known as food stamps, as well as Federal agriculture policy. It is important to make commonsense changes to these programs to ensure their viability and that they remain targeted to those most in need of assistance. This year's version of the farm bill has gone through regular order, including numerous hearings at the Agriculture Committee, a full committee markup and amendment process.

Additionally, the Rules Committee has received hundreds of amendments from Members seeking to further improve the bill during floor consideration. House Republicans remain committed to an open, transparent process; and I am pleased to say we're continuing that commitment with the consideration and process for the FARRM Bill.

With that, Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentlelady for yielding me the customary 30 minutes and yield myself such time as I may consume.

Mr. Speaker, for 40 years I've been marching for this women's choice bill, but we seem never to finish with it. It's something that people like to drag up and bring out.

In that regard, I want to ask the women of America to think of two things. First, I want you to remember the panel that Chairman ISSA put together last year to discuss contraception and whether or not women should have access to it. If you recall, that panel was made up entirely of men. There was a young woman, a graduate of law school, who wanted to speak that day; but she was found to be unworthy, unable to speak. Indeed, her virtue, her character, everything else about her was assailed because she had tried to do what many of us know we can do here, and that is speak.

Think about another thing now. Think about the Judiciary Committee; 22—now 23—all white guys turning down every amendment to try to preserve women's health, to try to preserve women's psyche, and do anything in the world to do this—and to try to discuss that this bill, as my colleague vainly tried to do, that this is unconstitutional. Everybody knows it. Everybody knows the Senate's not going to take this up. This is purely window dressing.

And as I do here often, I want to remind everybody that it costs $24 million a week to run the House of Representatives. We've spent over $54 billion almost already now just trying to repeal the health care bill.

□ 1340

When in the world are we going to get to work? 2½ weeks from now, the interest rate on college loans will double. Are we doing anything about that? Not a thing on Earth. Do we care about the people who are out of work? Do we care about the people who are facing loss of their food stamps? No. We care more about war on women. Women of America, keep those two panels before your mind forever. Those are the deciders—the men on ISSA's panel, the men on the Judiciary Committee.

Now, in State Houses all over this country, and in Governors' mansions and Halls of Congress, the majority's antichoice agenda is driven by men in blue suits and red ties who seem to believe that once they get elected to something, they have a right to play doctor. I would like to think about what they have done over the last years to remind my fellow American women.

Already, because of the majority's efforts, women in eight States are required to undergo an ultrasound before they can exercise their constitutionally protected right to a safe and legal abortion—an ultrasound that is not medically necessary, an ultrasound that is medically contradicted, and an ultrasound for which they are required themselves to pay. As we speak, the legislators in the State of Wisconsin have passed a similar measure through the State House and are awaiting the enactment into law.

Most telling is right now more States have a waiting period for abortions

than a waiting period to buy a gun. Let me say that again. More States have a waiting period for abortions—a constitutionally protected procedure—than have a waiting period to buy a gun.

Now, here in Congress, the majority conducted a hearing at the Oversight and Government Reform Committee last year that I have already spoken of. There were five men and zero women. As you know, they talked about Sandra Fluke and all the vituperation and hatred that was poured down on her because she wanted to speak.

But just last week—I think this past week—the majority took it a whole lot further. For the first time, during the committee, after it was all passed and gone, before it goes to the Rules Committee, the sponsor of this bill made one of those comments like Todd Akin had made. And I think if you scratch an awful lot of guys on that committee, they all feel the same way because it keeps coming up over and over. You can't get pregnant, they say, if you're raped. They believe that in the bottom of their heart, and some of them were doctors. But during the committee amendments to include the exceptions for the health of the mother and victims of rape and incest, they were rejected along party lines.

Mr. FRANKS has been taken off the bill, and for the first time, in my recollection, unanimous consent has to be given here to ask a woman—they have found a Republican woman who would take this bill—off a completely other committee and allow her to manage the bill. If that is not a first, I don't know what is. And if that is not PR, I don't know what is. And if that is not simply trying to fool you, I don't know what else that is.

As Mr. FRANKS' remark and the extreme nature of his bill became clear, they realized they were about to anger the American women even more than they had last fall, and you know how that turned out at the election. Instead of abandoning the legislation and respecting a woman's right to choose, they decided to try to make changes to the underlying bill, after it had already passed through committee, and assign a woman outside the committee to manage a bill on the floor.

Such a cowardly move is an insult to the intelligence of women in America. You are supposed to believe this was all done well and properly. No amount of window dressing is going to change the fact that you are severely trying to restrict a woman's right to choose with today's bill. I don't think anybody makes any bones about that.

The majority has argued the legislation is in response to new science, even though if there has ever been a House of Representatives that cared not a whit for science, I can't imagine they would come even close to this one. When a fetus feels pain is the new idea. As my colleague, Mr. NADLER, has previously made clear, their so-called ''new findings'' are nothing more than the marginal views that fly in the face of established science. In fact, one of the experts upon which the majority relies has testified that science for and against fetal pain is most uncertain.

The fact of the matter is that today's legislation is unconstitutional and contains a narrow and adequate exception for the life of a woman and a victim of rape and incest. No man on any of those committees, no man on any of those panels, is ever going to have to face that problem himself of rape and incest. How strange it is that they know the precise answer for people who are victimized by it.

Many serious health conditions actually materialize or worsen after the 20-week mark in a pregnancy and can seriously compromise the health of the mother. A physician has to be able to provide the best care for their patients; and in cases where a woman's health is exacerbated by pregnancy, politicians have no right in intruding in the doctor-patient relationship and criminalizing those trying to protect their patients' lives and safety.

Furthermore, the majority's requirement that a victim of rape or incest report the crime to authorities before receiving an abortion effectively prevents many victims from exercising the right to choose. More than half of all rape victims, as we know, don't report, and that is a sad thing.

The requirement in today's bill ensures that a woman who has been a victim of rape or incest faces massive barriers to exercising her right to safe and legal reproductive health care. Mr. Speaker, from requiring women to undergo mandatory ultrasounds to applying police reporting requirements for victims of rape, the majority has made it very clear that they don't trust women. In fact, it came up at the Judiciary Committee that one of the reasons they needed to report it to police is because women would lie. I think they make an exception in that case for their sisters, their daughters, their mothers, perhaps. It is just the rest of us who can't be trusted.

Try as he might, no man will ever understand the choice that faces a young woman who is told that she suffers from severe valvular heart disease and that, if she carries a child to term, her life and the life of that child are at risk, or the choice of a woman who is violently raped and would be reminded of the crime against her every moment of every day if she is forced to carry the pregnancy to term.

I urge my colleagues to respect the established science on this issue and the constitutional right of every American woman. Reject today's rule and the underlying legislation.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I suspect that my colleague from New York knows this, but I will make sure it gets into the RECORD.

In the 2007 case of Gonzales v Carhart, the Supreme Court made clear that there is a ''legitimate interest of the government in protecting the life of the fetus that may become a child.'' The Supreme Court has also made clear that ''the government may use its voice and its regulatory authority to show its profound respect for the life within the woman,'' and that Congress may show such respect for the unborn through ''specific regulation because it implicates additional ethical and moral concerns that justify a special prohibition.''

Mr. Speaker, I am really troubled by the fact that so many of my colleagues simply refuse to acknowledge that we're dealing with human life in this situation, in the situation of abortion. My heart goes out to any woman who is facing a situation where they're considering abortion. I think every member of our conference feels that way—men and women. Nobody takes the issue of abortion lightly. Unfortunately, not enough attention is being paid to the unborn child.

Mr. Speaker, I would like to yield, now, 3 minutes to the distinguished gentleman from Louisiana, Dr.—Congressman—FLEMING.

Mr. FLEMING. Mr. Speaker, I want to thank the gentlelady from North Carolina for all of the great work she has done on this.

I rise today, Mr. Speaker, to support the rule and the underlying bill, the Pain-Capable Unborn Child Protection Act, that is so vital.

My background: I'm a physician who has delivered hundreds of babies during my career. In addition to that, I'm a husband of 35 years, a father of four—two boys, two girls—a grandfather of two boys, and soon, in 6 weeks, grandfather of a little girl, a little granddaughter, and I'm so proud.

□ 1350

Let me tell you for a moment about what I witnessed.

At about the time of the 20 weeks, midterm, the 4–D ultrasound now gives such an amazing view into the window of that womb. What did I see? I could see that that little girl looks just like her big brother. Number two, in another frame, she is sucking her thumb. Then in another frame, she is holding up two fingers as though to say, Be patient. I'll be out soon.

We have such wonderful technology, such technology that, today, we can actually do surgery on a fetus at 20 weeks in order to fix a heart ailment or some other condition that may kill the baby in the womb or soon thereafter. What have we learned from this technology? We have learned that they feel pain. We have to provide anesthesia.

Mr. Speaker, our friends on the other side of the aisle, when it comes to animals, are all about the Humane Society and about the humane treatment of animals, and I have a high regard for that. When it comes to the issue of torture or even of discomfort for prisoners of war, they are all about supporting that.

But what happens in a midterm or later pregnancy when there is an abortion? What happens is just absolute

torture. You realize that, in Washington, D.C., today, a woman can go for an abortion while she is in labor at term. And how would you do the abortion? How is it done? How did Dr. Gosnell do it? You stick a trocar into the skull, suck the brain out, literally dismember the baby limb from limb. What torture and what pain.

Is that really the kind of people we are, Mr. Speaker? I think not.

We understand that at least at 20 weeks, maybe sooner, the baby feels pain. So I would just submit to you today, Mr. Speaker, that this bill is not just about abortion—this is about pain; it's about torture to that young life. We can't say that this is like an amputation of a limb. That baby inside the womb has a distinct DNA that you will never see again either in history or in the future. It is a different human being. It's living there inside of its mother. So I am in support of this bill.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I rise in strong opposition to this rule and to the blatantly unconstitutional underlying legislation, which threatens the health and basic rights of women all over America.

Right now, we should be working to create jobs and grow the economy. Instead, here we are again with the majority's trying to insert their extreme and divisive ideological preferences into law. Yet again, they are trying to impose their traditional view of a woman's role on everyone else—force women back into these traditional roles with limited opportunities.

This legislation, which attempts to ban virtually all abortions after 20 weeks, is a clear violation of the law of the land, and it has already been struck down in its sponsor's home State of Arizona, but they don't give much regard for the law of the land. Witness the number of times that they have voted to repeal the Affordable Care Act—37 times. This bill is anti-choice, anti-Constitution, anti-science, and it is, yes, anti-woman.

There is no exception in this bill for women whose health is threatened by carrying the fetus to term. Yes, why should we worry about women's health or whether they live or whether they die? Instead, this bill puts the Federal Government squarely between a woman and her doctor. It threatens doctors with 5 years in jail if they perform a legal, constitutional and sometimes medically necessary procedure.

I ask my colleagues on the other side of the aisle:

Does the bill disqualify more than half of all rape victims since 54 percent of these victims do not report a rape due to intimidation or embarrassment?

Or under the new reporting requirements in this bill for rape and incest victims, would they have to report even if their lives are in danger from the perpetrators?

And yes, is it the case that this bill redefines what qualifies as ''incest'' by only applying it to a minor? Therefore, an adult who has been victimized by a relative since childhood and who gets pregnant is not allowed to have an abortion from pregnancy with that relative?

Simply put, this proposed ban is antithetical to our laws and is an affront to women's health, and I urge my colleagues to oppose it.

Ms. FOXX. Mr. Speaker, I now yield 2 minutes to the distinguished gentleman from Oklahoma (Mr. BRIDENSTINE).

Mr. BRIDENSTINE. Mr. Speaker, I rise today in strong support of the Pain-Capable Unborn Child Protection Act.

In a report commissioned by the Department of Justice, Dr. Anand, a fetal pain expert, wrote:

> It is my opinion that the human fetus possesses the ability to experience pain from 20 weeks of gestation, and the pain perceived by a fetus is possibly more intense than that perceived by term newborns or older children.

The reality of Dr. Anand's statement is seen in the fact that surgeons routinely administer anesthesia to unborn children before performing neonatal surgery. The truth is that at 20 weeks these unborn children feel every bit of pain inflicted on them in the name of ''choice'' and in the name of ''convenience.''

Mr. Speaker, what we do with this knowledge says a lot about us. If we turn a blind eye to the agony and suffering of our most vulnerable, can we say that we are still a Nation that pursues life, liberty and the pursuit of happiness? If we willingly embrace cruelty in the name of ''choice,'' then can we say with integrity that we continue to secure the blessings of liberty not only for ourselves but for our posterity?

The good news is that, for those who have been affected by the pain of abortion, there is one who chose, who made a real choice, to endure pain on behalf of all of us, and by His stripes we are healed.

Mr. Speaker, as Members of Congress, let us remember that even though we may not be able to hear their cries we are not absolved from the guilt of ignoring their pain.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. First, let me thank the gentlelady for yielding, but more importantly, I just want to thank Congresswoman SLAUGHTER, our ranking member on the Rules Committee, for fighting for women's health and for the rights of women, really, all of her life.

Thank you so much.

I rise in strong opposition to this rule and the underlying bill. Once again, the Republicans have decided to make women's health a battleground as part of their, yes, ongoing war on women.

The bill on the floor this week is nothing more than a direct challenge to Roe v. Wade and a vehicle for yet another ideological attack against women's reproductive rights. In fact, this is the 10th time that the Republicans have forced a vote on this topic since taking control of the House in 2011. The bill is a direct threat to the privacy rights and health of every woman living in this country and especially to women of color, who already face an increased stigma and other barriers to reproductive health due to the terrible Hyde amendment. Now, I remember the days of back alley abortions. Many women died and were permanently injured before Roe v. Wade. With this bill, Republicans have decided to try to take us back there—to threaten physicians, for instance, with criminal prosecution.

Can you imagine a criminal prosecution for attempting to provide the medically accurate information and care that is best for their patients? Why in the world should Members of Congress or any legislator interfere with women's personal health choices?

These private decisions should always be between a woman, her family, her doctor, or whomever else she chooses to help in making these very difficult decisions. We should not be making it—not you nor I. We should let women make their own decisions. Congress has no business in the personal lives of women—no business.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SLAUGHTER. I yield the gentlelady an additional 10 seconds.

Ms. LEE of California. We need to vote ''no'' on this rule and this bill. We need to get back to the real business—like creating jobs—that we should be doing, like creating economic opportunities we should be doing. We should be trying to figure out how to reduce poverty. We should be trying to figure out how to ensure our young people have the best quality public education. There are many issues this Congress needs to take on. Why don't you stay out of the personal lives of women. It has no place on this floor.

□ 1400

Ms. FOXX. Mr. Speaker, contrary to what our colleagues on the other side of the aisle are accusing us of, we're talking about the beginning of the 6th month of pregnancy. Nothing in this bill has any impact on abortion during the first 20 weeks.

With that, Mr. Speaker, I now yield 2 minutes to my distinguished colleague from Montana (Mr. DAINES).

Mr. DAINES. Mr. Speaker, as a person of conscience, I believe we are called to protect the most vulnerable in our society.

The Pain-Capable Unborn Child Protection Act is an important measure to do exactly that: protect unborn children who can feel pain. And as parents of four children, two boys and two girls, Cindy and I instinctively do all

we can as parents to protect our children from pain.

During the Gosnell trial, we all learned of the gruesome methods of ending the life of just-born children, some of whom were a little over 20 weeks old. If Gosnell aborted these children moments before they were removed from the womb in the method similar to the dismemberment which occurs in several clinics throughout our country and science tells us causes pain to the baby, would the loss of life have been any less tragic, any less appalling? We cannot stand idly by and allow such painful terminations of human life to continue.

I urge passage of this bill, and I look forward to casting my vote in support of the rule.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 2 minutes to the gentlelady from Hawaii (Ms. HANABUSA).

Ms. HANABUSA. Madam Speaker, I rise in strong opposition to this rule.

I stand here on behalf of the women in Hawaii and across the Nation to continue to protect the fundamental right of women to have access to safe and legal abortion care. I strongly oppose the underlying bill, H.R. 1797, and encourage my colleagues to do the same.

The bill is like a leap backwards for women in our Nation. The very premise of this bill is contrary to credible scientific evidence and does not have the widespread support of our leading experts.

H.R. 1797 goes against a decades-old Supreme Court ruling, Roe v. Wade, that gave women a fundamental right to choose, a protection provided in the United States Constitution. And remember, States were given the ability to regulate those laws. These proposed Federal restrictions are unconstitutional, inappropriate, and unnecessary.

Abortion is one of the safest medical procedures available in this country, due in large part to the expertise and skill of our Nation's trained medical professionals who offer high quality care to women.

This bill would threaten our doctors with 5-year prison terms for doing their jobs, even those that are caring for women who are facing serious health concerns with their pregnancies. It is critically important that our laws protect and support the woman's health, not deny access to care.

Abortion care is a private medical decision between a woman and her health care provider. It is not the responsibility of Congress to infringe upon that right. That is why the American Congress of OB–GYNs, American Nurses Association, and 46 other organizations, in addition to 15 religious groups, stand in strong opposition to this bill.

For these reasons, I urge my colleagues to stand strongly in opposition to this harmful and misleading bill and soundly vote ''no'' on the rule.

Ms. FOXX. Madam Speaker, there's a lot of talk about rights here today and very little talk about the right to life for the babies that are being aborted.

Madam Speaker, I now yield 2 minutes to the gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. Madam Speaker, I would like to thank the gentlewoman from North Carolina for allowing me to be here as well.

I rise today in support of the rule for H.R. 1797, the Pain-Capable Unborn Child Protection Act, and to urge my colleagues to support this important and long overdue piece of legislation.

This bill will help to protect those in our society who are least able to defend themselves—the unborn. The Pain-Capable Unborn Child Protection Act will prohibit late-term abortions after the 20th week of a pregnancy for the simple reason that by 20 weeks of development, unborn children are able to feel and react to pain. This time period is based on extensive scientific research, and the majority of the American people are in favor of banning late-term abortions when they know that the unborn child is able to feel pain.

As a doctor, I was horrified to hear the stories of gross misconduct and negligence that came to light in the trial of the Philadelphia abortionist Kermit Gosnell. The callous disregard for innocent human life that was displayed in the Gosnell clinic extended beyond unborn children to adult patients, and I believe that there is bipartisan agreement that this was terrible. The Pain-Capable Unborn Child Protection Act will help to prevent some of the worst abuses that were perpetrated by Kermit Gosnell and protect patients nationwide.

As the overwhelming majority of my constituents in northern Michigan believe, life inside the womb is just as precious as life outside the womb, and it must be protected.

I urge my colleagues to support this rule and the underlying legislation.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. I thank the ranking member.

Madam Speaker, I rise today to voice my strong opposition to H.R. 1797, which would callously and cavalierly limit access to abortion for women across the country.

Boy, I tell you, the House GOP has truly pushed the limits this time by offering this unconstitutional bill.

Madam Speaker, this week, the much-maligned Miss USA contestant, Miss Utah, alluding to the power dynamics between men and women in the workplace, was lampooned for a flubbed answer when she said, and I quote:

> I think especially the men are seen as the leaders of this, and so we need to try to figure out how to create education better so that we can solve this problem.

However inarticulate, I think Miss Utah was on to something.

When you consider the subject at hand, women's right to a medically safe abortion, we once again see men taking leadership roles and invading the privacy and medical decisions of women so that now we have before us a bill that is borne of ignorance and disregard for medical science in every way, shape, and form. There is no concern for the biology, physiology, sociology of the woman.

Perhaps, if we could create education better of the importance of women's lives, we would not be here with this bill before us. This bill is an abomination, plain and simple, at its foundation, its heart, its utter disrespect for the dignity and health of women. It also has other harmful effects.

Now, I am sympathetic for those women, as well, who face an abortion at 20 weeks. Often these women are facing complications that endanger their health or they have found out about a severe fetal anomaly. Others are victims of rape or incest. These are the most difficult decisions in their lives.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The time of the gentlewoman has expired.

Ms. SLAUGHTER. I yield the gentlewoman an additional 1 minute.

Ms. MOORE. Medical providers have told us of harrowing tales of women who have developed life-threatening pre-eclampsia with impaired kidney functions, seizures, dangerously high blood pressure that threatens their health. They also tell us of the women who receive an aggressive cancer diagnosis right in the middle of their pregnancy and have to make the difficult choice between their pregnancy and their own life.

In situations like these, women need to be able to consult their families and their doctors and no one else. Perhaps their own priest or rabbi or imam, but most certainly not their politician denying the care they need. It is hazardous, cruel, and simply the wrong thing to do.

I thank the gentlelady for yielding time.

□ 1410

Ms. FOXX. Madam Speaker, this bill is not borne of ignorance but of extremely deep-felt concern for unborn children who suffer pain as they are being murdered.

Madam Speaker, I fear for the conscience of our Nation because the termination of unborn children for any reason is tolerated in some parts of our country throughout pregnancy, even though scientific conclusions show infants feel pain by at least 20 weeks' gestation. That means literally that a baby at the halfway point of a pregnancy will experience pain during the violence of a dismemberment abortion, the most common second-trimester abortion wherein a steel tool severs limbs from the infant and its skull is crushed.

Madam Speaker, it's even difficult for me to describe this procedure without getting emotional. These procedures are horrific, and in terms of pain, like torture to their infant subjects. As

a country, we should leave this practice behind. That's why I'm a cosponsor of the underlying legislation to prohibit elective abortions in the United States past 20 weeks. Since 1973, approximately 52 million—52 million, Madam Speaker—children's lives have been tragically aborted in the United States. It is unconscionable that in America, where we fight for life, liberty, and the pursuit of happiness, we tolerate the systemic extermination of an entire generation of the most vulnerable among us.

H.R. 1797 rejects that hypocrisy and provides commonsense protections for unborn children who feel pain, just as you and I do. My colleague and friend from Arizona, Representative TRENT FRANKS, is a champion for the unborn, and I commend him for authoring this legislation, which prohibits an abortion of an unborn child that has surpassed 20 weeks after fertilization.

In light of the recent conviction of Philadelphia-based, late-term abortionist Kermit Gosnell, who was found guilty of first-degree murder in the case of three babies born alive in his clinic and then killed through a procedure he called ''snipping,'' which involved Gosnell inserting a pair of scissors into the baby's neck and cutting its spinal cord, a procedure that was reportedly routine in his clinic, we cannot stand idly by.

Madam Speaker, some would have us think that Gosnell is an anomaly or an outlier. However, after his conviction, more individuals have stepped forward to expose similar practices in other States. Americans should be asking how different are these snipping procedures from abortions performed throughout clinics in the country. Unfortunately, there is little difference between these procedures. The practice of murdering viable, unborn children who can feel pain must end. I urge my colleagues to join me in speaking for those who cannot speak for themselves and vote in favor of this rule and the underlying bill.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Illinois (Mr. SCHNEIDER).

Mr. SCHNEIDER. Madam Speaker, I rise today in strong opposition to the rule and the underlying bill, H.R. 1797. When debating the issue before us, it is important to understand that this is not strictly a matter of conscience but an issue with very real and potentially life-altering implications for women and families across the Nation.

It is my fundamental belief that the right to choose is and must remain a personal health decision that a woman makes in consultation with her doctor, without government intervention. Additionally, we should also be promoting policies that strive to reduce the number of unwanted pregnancies through improved access to family planning and contraception, as well as effective sex education.

Sadly, rather than coming together to address our fiscal challenges and help stimulate job creation, the majority continues to doggedly pursue a radical ideological agenda. This legislation, like other attempts to restrict women's access to comprehensive health care, is unacceptable and could seriously endanger the health and safety of women across the country. As such, I firmly oppose the underlying bill and urge all of my colleagues to do the same.

Ms. FOXX. Madam Speaker, I now yield 5 minutes to the distinguished gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Madam Speaker, I thank my good friend and colleague for yielding.

Madam Speaker, pain, we all dread it. We avoid it. We even fear it. And we all go to extraordinary lengths to mitigate its severity and its duration.

Madam Speaker, today, there are Kermit Gosnells all over America inflicting not only violence, cruelty, and death on very young children, but excruciating pain as well.

Many Americans, including some who self-identified as pro-choice—were shocked and dismayed by the Gosnell expose' and trial. Perhaps the decades-long culture of denial and deceptive marketing has made it difficult to see and understand a disturbing reality. Even after 40 years of abortion on demand and over 55 million dead babies and millions of wounded moms, many—until Gosnell—somehow construed abortion as victimless and painless. That has changed.

The brutality of severing the spines of defenseless babies—euphemistically called ''snipping'' by Gosnell—has finally peeled away the benign facade of a billion-dollar abortion industry.

I note parenthetically, and it may come as a shock to many, but according to the Americans United for Life Legal Defense Fund, the U.S. is among only four nations in the world that allows for abortions for any reason after viability, and one of only nine nations that allows abortions after 14 weeks. We're in some pretty bad company, Madam Speaker, because that includes China and North Korea. We are far outside the global mainstream.

I would note, Madam Speaker, that like Gosnell, abortionists all over America decapitate, they dismember, and they chemically poison babies to death each and every day. That's what they do. Americans are connecting the dots and asking whether what Gosnell did is really different than what other abortionists do. I would note to my colleagues that a D&E abortion, a common method after 14 weeks, is a gruesome, pain-filled act that literally rips and tears to pieces the body parts of a child.

The Pain-Capable Unborn Child Protection Act is a modest but necessary attempt to at least protect babies who are 20 weeks old—and pain capable—from having to suffer and die from abortion.

I would note to my colleagues that a majority of Americans are with us trying to protect lives. According to a recent Gallup poll, 64 percent of Americans believe that abortion should not be permitted in the second 3 months of pregnancy; 80 percent say abortion should not be permitted in the last 3 months of pregnancy. The polling company found that 63 percent of women believe that abortion should not be permitted after the point where substantial medical evidence says that the unborn child can feel pain. The women get it, and they have so polled when asked if they are against this kind of pain for babies.

The Pain-Capable Unborn Child Protection Act recognizes the medical evidence that unborn children feel pain. We are not living in the Dark Ages. One leading expert in the field of fetal pain, Dr. Anand, at the University of Tennessee stated in his expert report, commissioned by the U.S. Department of Justice:

> It is my opinion that the human fetus possesses the ability to experience pain from 20 weeks of gestation, if not earlier, and the pain perceived by a fetus is possibly more intense than that perceived by term newborns or older children.

Surgeons today entering the womb to perform corrective procedures, Madam Speaker, on unborn children, have seen those babies flinch, jerk, and recoil from sharp objects and incisions.

□ 1420

Surgeons routinely administer anesthesia to unborn children in the womb. We now know that the child ought to be treated as a patient, and there are many anomalies, many sicknesses that can be treated while the child is still in utero. When those interventions are done, anesthesia is given.

Dr. Colleen Malloy, assistant professor, Division of Neonatology at the Northwestern University, in her testimony before the House Judiciary Committee in May of 2012 said:

> When we speak of infants at 20 weeks post-fertilization we no longer have to rely on inferences or ultrasound imagery, because such premature patients are kicking, moving and reacting and developing right before our eyes in the neonatal intensive care unit.

In other words, there are children the same age who, in utero, can be killed by abortion who have been born and are now being given lifesaving assistance.

She went on to say:

> In today's medical arena, we resuscitate patients at this age and are able to witness their ex-utero growth.

She says:

> I could never imagine subjecting my tiny patients to horrific procedures such as those that involve limb detachment or cardiac injection.

Ms. SLAUGHTER. I am pleased to yield 2 minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Madam Speaker, I join my many colleagues today who have spoken out against this outrageous bill.

I also want to object to the way that my colleagues on the other side of the aisle have brought up H.R. 1797 for consideration.

When a bill that affects the lives and the health of women all across our country is coming up for this consideration, we deserve to have an open process. But, instead, the majority is taking a rather undemocratic approach, blocking all amendments to this harmful bill.

Beyond the fact that the bill is unconstitutional, it endangers the lives of women across our country. It places a ban on abortions with the narrowest of rape and incest exceptions, and it forces a woman who has been raped to report the attack to law enforcement before seeking an abortion.

So I have to ask these questions: Do the sponsors of this legislation understand the trauma that a rape survivor endures?

And do they understand what a cruel message that is to send to a woman in her time of greatest need?

Madam Speaker, those of us who are here in the Congress, I believe we all came here to solve the problems of the day. As we address our national priorities, is this issue high on their list?

Is this the issue that gives people confidence that Congress understands the challenges that people throughout America face today?

I know what those challenges are, I think. I've listened to my constituents. They worry about putting food on the table, a roof over their heads, and sending their kids to college.

So here we are, with a very narrow agenda, with an issue that is being used to strike at the heart of women's health issues.

I urge my colleagues, please reject this rule and the underlying bill.

Ms. FOXX. Madam Speaker, even Kermit Gosnell's own defense attorney, having gone through all the evidence at trial, said:

> I've come out of this case realizing that 24 weeks is a bad determiner. It should be more like 16, 17 weeks. That would be a far better thing, and I think the law should be changed to that. I think pro-choice would have still the right to choose, but they've got to choose quicker.

We are talking here, Madam Speaker, about the beginning of the 6th month of pregnancy. Nothing in this bill has any impact on abortion during the first 20 weeks.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, may I inquire if my colleague has other requests for time.

Ms. FOXX. Madam Speaker, we will use the balance of our time.

Ms. SLAUGHTER. Well, that sort of leaves me uninformed. But I want to introduce the previous question before I do my closing. And I'm hoping you are prepared to close. Is that correct?

Ms. FOXX. No, Madam Speaker. I'm not just yet ready to close, but if my colleague is ready to close—

Ms. SLAUGHTER. No, I'll reserve the balance of my time.

Ms. FOXX. Is the gentlewoman from New York ready to close? I thought that was the question she was asking.

Ms. SLAUGHTER. That was the question I had asked you. I am prepared to. Mr. CONNOLLY is my last speaker.

The SPEAKER pro tempore. Would the gentlelady from New York like to recognize the gentleman?

Ms. SLAUGHTER. Not until I find out if we're prepared to close.

Ms. FOXX. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, as advances in medical science result in improved treatments and personalized medicine, the development of unborn children is further understood. Doctors can perform lifesaving surgeries on babies still in the womb at earlier points in the pregnancy than ever before.

When a baby is born prematurely, medical innovation is increasing the likelihood of that baby's survival. Babies born as early as 20 weeks post-fertilization are being cared for in neonatal units across the country.

By 8 weeks after fertilization, the unborn child reacts to touch. By 20 weeks post-fertilization, the unborn child reacts to stimuli that would be recognized as painful if applied to an adult human. The baby responds the same way you and I respond to pain, by recoiling from it.

As Dr. Anand, at the University of Tennessee, who is considered the leading expert in the field of fetal pain, stated in a report accepted by a Federal judge as expert testimony:

> It is my opinion that the human fetus possesses the ability to experience pain from 20 weeks of gestation, if not earlier, and the pain perceived by a fetus is possibly more intense than that perceived by term newborns or older children.

Surgeons entering the womb to perform corrective procedures on unborn children have seen those babies flinch, jerk, and recoil from sharp objects and injections. Recognizing this discomfort, surgeons routinely administer anesthesia to unborn children in the womb before performing surgeries.

According to Planned Parenthood, the largest abortion provider in America, babies aborted at 14 weeks or later are often subjected to a painful dismemberment abortion, which involves inserting a long steel tool into the woman and grabbing, usually an arm or a leg, tearing it from the baby's body and pulling it out of the mother. The procedure is repeated as the baby is torn, limb from limb, until his or her entire body has been removed and the head is finally crushed and removed. The dismemberment abortion is the most common method of abortion in the second trimester.

Another abortion procedure involves injecting digoxin and/or potassium chloride into the baby's heart, which induces cardiac arrest, and the baby's killed.

Madam Speaker, it's important that the American people understand exactly what happens when they hear the word ''abortion.'' It is a heart-wrenching, painful procedure that tears a baby limb from limb before crushing his or her head, or it is a poisonous chemical injection.

A March 2013 poll conducted by a polling company found that 64 percent of the public supports a law like the Pain-Capable Unborn Child Protection Act, prohibiting an abortion after 20 weeks when an unborn baby can feel pain, unless the life of the mother is in danger.

Supporters included 47 percent of those who identified themselves as pro-choice in the poll. The poll also found that 63 percent of women believe that abortion should not be permitted after the point where substantial medical evidence says that the unborn child can feel pain.

□ 1430

Madam Speaker, Congress cannot sit idly by while this grotesque and brutal procedure which rips the tiny baby apart limb by limb in the womb is performed in our country. That is why it is necessary for Congress to pass H.R. 1797 and protect the lives of these unborn children from this excruciating pain.

Madam Speaker, I would like to submit for the RECORD a summary of the evidence of the unborn pain research.

Madam Speaker, I now reserve the balance of my time.

FETAL PAIN: THE EVIDENCE

[From www.doctorsonfetalpain.org, Mar. 14, 2011]

The eleven points below summarize the substantial medical and scientific evidence that unborn children can feel pain by 20 weeks after fertilization.

1: Pain receptors (nociceptors) are present throughout the unborn child's entire body by no later than 20 weeks after fertilization and nerves link these receptors to the brain's thalamus and subcortical plate by no later than 20 weeks after fertilization.

DOCUMENTATION

a. Pain receptors (nociceptors) are present throughout the unborn child's entire body by no later than 20 weeks.

1. Myers, 2004, p.241, para.2, ''The first essential requirement for pain is the presence of sensory receptors, which first develop in the perioral area at approximately 7 weeks gestation and are diffusely located throughout the body by 14 weeks.[95]''

Myers LB, Bulich LA, Hess, P, Miller NM. Fetal endoscopic surgery: indications and anaesthetic management. Best Practice & Research Clinical Anaesthesiology. 18:2 (2004) 231–258.

[95]Smith S. Commission of Inquiry into Fetal Sentience. London: CARE, 1996.

2. Derbyshire, 2010, p.7, para.2, ''For the foetus, an existence of 'pain' rests upon the existence of a stimulus that poses a threat to tissue, being detected by a nervous system capable of preferentially responding to stimuli that pose a threat to tissue. The entire experience is completely bounded by the limits of the sensory system and the relationship between that system and the stimulus. If pain is conceived of in this manner then it becomes possible to talk of foetal pain anytime between 10 and 17 weeks GA [gestational age] when nociceptors develop and

mature, and there is evidence of behavioural responses to touch.''

Note: Derbyshire's other published works indicate that he believes pain requires subjective human experience, not possible until after birth; nonetheless, he acknowledges this finding.

Derbyshire SW, Foetal pain? *Best Practice & Research Clinical Obstetrics and Gynaecology* 24:5 (2010) 647–655.

3. Anand, 1987, p.2, para.2, ''Cutaneous sensory receptors appear in the perioral area of the human fetus in the 7th week of gestation; they spread to the rest of the face, the palms of the hands, and the soles of the feet by the 11th week, to the trunk and proximal parts of the arms and legs by the 15th week, and to all cutaneous and mucous surfaces by the 20th week.[25,26]''

Anand KJS, Hickey PR. Pain and its effects in the human neonate and fetus. *New England Journal of Medicine*. 317:21 (1987) 1321–1329.

[25]Humphrey T. Some correlations between the appearance of human fetal reflexes and the development of the nervous system. *Progress in Brain Research*. 4 (1964) 93–135.

[26]Valnaan HB, Pearson JP. What the fetus feels. British Medical Journal. 280 (1980) 233–234.

4. Vanhatalo, 2000, p.146, col.2, para.2, ''First nociceptors appear around the mouth as early as the seventh gestational week; by the 20th week these are present all over the body.''

Vanhatalo S, van Nieuwenhuizen O. Fetal Pain? *Brain & Development*. 22 (2000) 145–150.

5. Brusseau, 2008, p.14, para.3, ''The first essential requirement for nociception is the presence of sensory receptors, which develop first in the perioral area at around 7 weeks gestation. From here, they develop in the rest of the face and in the palmar surfaces of the hands and soles of the feet from 11 weeks. By 20 weeks, they are present throughout all of the skin and mucosal surfaces.[19]

Brusseau R. Developmental Perpectives: is the Fetus Conscious? International Anesthesiology Clinics. 46:3 (2008) 11–23.

[19]Simons SH, Tibboel D. Pain perception development and maturation. Seminars on Fetal and Neonatal Medicine. 11 (2006) 227–231.

6. Rollins, 2012, p.465, ''Immature skin nociceptors are probably present by 10 weeks and definitely present by 17 weeks. Nociceptors develop slightly later in internal organs. Peripheral nerve fibers that control movement first grow into the spinal cord at about 8 weeks of gestation.''

Mark D. Rollins, Mark A. Rosen, ''Anesthesia for Fetal Intervention and Surgery'', in *Gregory's Pediatric Anesthesia*, ed. George A. Gregory & Dean B. Adropoulos (West Sussex: Wiley-Blackwell, 2012), 444–474, 465.

b. nerves link these receptors to the brain's thalamus and subcortical plate by no later than 20 weeks after fertilization.

1. Van Scheltema 2008, p.313, para.1—''The connection between the spinal cord and the thalamus (an obligatory station through which nearly all sensory information must pass before reaching the cortex) starts to develop from 14 weeks onwards and is finished at 20 weeks.''

Van Scheltema PNA, Bakker S, Vandenbussche FPHA, Oepkes, D. Fetal Pain. *Fetal and Maternal Medicine Review*. 19:4 (2008) 311–324.

2. Glover, 1999, p.882, col.1, para.1, ''Most incoming pathways, including nociceptive ones, are routed through the thalamus and, as stated above, penetrates the subplate zone from about 17 weeks... These monoamine fibres start to invade the subplate zone at 13 weeks and reach the cortex at about 16 weeks. This puts an early limit on when it is likely that the fetus might be aware of anything that is going on in its body or elsewhere.''

Glover V. Fetal pain: implications for research and practice. *British Journal of Obstetrics and Gynaecology*. 106 (1999) 881–886.

3. Lee, 2005, p.950, col.1, ''In contrast to direct thalamocortical fibers, which are not visible until almost the third trimester, thalamic afferents begin to reach the somatosensory subplate at 18 weeks' developmental age (20 weeks' gestational age)[16] and the visual subplate at 20 to 22 weeks' gestational age. These afferents appear morphologically mature enough to synapse with subplate neurons.[17]''

Note: Lee et al. believe that pain requires conscious cortical processing, which they deem unlikely until 29 or 30 weeks; nonetheless, they acknowledge this finding.

Lee SJ, Ralston HJP, Drey EA, Partridge, JC, Rosen, MA. A Systematic Multidisciplinary Review of the Evidence. *Journal of the American Medical Association*. 294:8 (2005) 947–954.

[16]Kostovic I, Rakic P. Developmental history of the transient subplate zone in the visual and somatosensory cortex of the macaque monkey and human brain. *Journal of Comparative Neurology*. 297 (1990) 441–470.

[17]Hevner RF. Development of connections in the human visual system during fetal midgestation: a Diltracing study. *Journal of Experimental Neuropathology & Experimental Neurology*. 59 (2000) 385–392.

4. Gupta, 2008, p.74, col.2, para.1, '' Peripheral nerve receptors develop between 7 and 20 weeks gestation . . . Spinothalamic fibres (responsible for transmission of pain) develop between 16 and 20 weeks gestation, and thalamocortical fibres between 17 and 24 weeks gestation.''

Gupta R, Kilby M, Cooper G. Fetal surgery and anaesthetic implications. *Continuing Education in Anaesthesia, Critical Care & Pain*. 8:2 (2008) 71–75.

5. Van de Velde, 2012, p 206, para.3, ''To experience pain an intact system of pain transmission from the peripheral receptor to the cerebral cortex must be available. Peripheral receptors develop from the seventh gestational week. From 20 weeks' gestation [= 20 weeks post-fertilization] peripheral receptors are present on the whole body. From 13 weeks' gestation the afferent system located in the substantia gelatinosa of the dorsal horn of the spinal cord starts developing. Development of afferent fibers connecting peripheral receptors with the dorsal horn starts at 8 weeks' gestation. Spinothalamic connections start to develop from 14 weeks' and are complete at 20 weeks' gestation, whilst thalamocortical connections are present from 17 weeks' and completely developed at 26–30 weeks' gestation. From 16 weeks' gestation pain transmission from a peripheral receptor to the cortex is possible and completely developed from 26 weeks' gestation.''

Marc Van de Velde & Frederik De Buck, Fetal and Maternal Analgesia/Anesthesia for Fetal Procedures. Fetal Diagn Ther 31(4) (2012) 201–9.

2: By 8 weeks after fertilization, the unborn child reacts to touch. After 20 weeks, the unborn child reacts to stimuli that would be recognized as painful if applied to an adult human, for example by recoiling.

DOCUMENTATION

a. By 8 weeks after fertilization, the unborn child reacts to touch.

1. Gupta, 2008, p.74, col.2, para.2, ''Movement of the fetus in response to external stimuli occurs as early as 8 weeks gestation. . .''

Gupta R, Kilby M, Cooper G. Fetal surgery and anaesthetic implications. Continuing Education in Anaesthesia, Critical Care & Pain. 8:2 (2008) 71–75.

2. Glover, 2004, p.36, para.4, ''The fetus starts to make movements in response to being touched from eight weeks, and more complex movements build up, as detected by real time ultrasound, over the next few weeks.''

Glover V. The fetus may feel pain from 20 weeks; The Fetal Pain Controversy. Conscience. 25:3 (2004) 35–37.

3. Myers 2004, p.241, para.6, ''A motor response can first be seen as a whole body movement away from a stimulus and observed on ultrasound from as early as 7.5 weeks' gestational age. The perioral area is the first part of the body to respond to touch at approximately 8 weeks, but by 14 weeks most of the body is responsive to touch.''

Myers LB, Bulich LA, Hess, P, Miller, NM. Fetal endoscopic surgery: indications and anaesthetic management. Best Practice & Research Clinical Anaesthesiology. 18:2 (2004) 231–258.

4. Derbyshire, 2008, p.119, col.2, para.4, ''Responses to touch begin at 7–8 weeks gestation when touching the peri-oral region results in a contralateral bending of the head. The palms of the hands become sensitive to stroking at 10–11 weeks gestation and the rest of the body becomes sensitive around 13–14 weeks gestation.[35]''

Note: Derbyshire's other published works indicate that he believes pain requires subjective human experience, not possible until after birth; nonetheless, he acknowledges this finding.

Derbyshire SW. Fetal Pain: Do We Know Enough to Do the Right Thing? Reproductive Health Matters. 16: 31Supp. (2008) 117–126.

[35] Fitzgerald M. Neurobiology of fetal and neonatalpain. In:Wall P, Melzack R, editors. Textbook of Pain. Oxford Churchill Livingstone, 1994. p.153–63.

5. Kadić, 2012, page 3, ''The earliest reactions to painful stimuli motor reflexes can be detected at 7.5 weeks of gestation (Table 2).''

Salihagić Kadić, A., Predojević, M., Fetal neurophysiology according to gestational age, Seminars in Fetal & Neonatal Medicine. 17:5 (2012) 1–5, 3.

b. After 20 weeks following fertilization, the unborn child reacts to stimuli that would be recognized as painful if applied to an adult human, for example by recoiling.

1. Gupta, 2008, p. p.74, col.2, para.2, ''Behavioural responses. . . Response to painful stimuli occurs from 22 weeks gestation [= 20 weeks post-fertilization].''

Gupta R, Kilby M, Cooper G. Fetal surgery and anaesthetic implications. Continuing Education in Anaesthesia, Critical Care & Pain. 8:2 (2008) 71–75.

2. Giannakoulopoulos, 1994, p.77, col.2, para.3, ''We have observed that the fetus reacts to intrahepatic vein needling with vigorous body and breathing movements, which are not present during placental cord insertion needling.''

Giannakoulopoulos X, Sepulveda W, Kourtis P, Glover V, Fisk NM. Fetal plasma cortisol and β-endorphin response to intrauterine needling. Lancet. 344 (1994) 77–81.

3. Lowery, 2007, p.276, col.2, para1, ''Fetuses undergoing intrauterine invasive procedures, definitely illustrative of pain signaling, were reported to show coordinated responses signaling the avoidance of tissue injury.[15]''

Lowery CL, Hardman MP, Manning N, Clancy B, Hall RW, Anand KJS. Neurodevelopmental Changes of Fetal Pain. Seminars in Pernatology. 31 (2007) 275–282.

[15] Williams C. Framing the fetus in medical work: rituals and practices. Social Science & Medicine. 60 (2005) 2085–2095.

4. Mellor, 2005, p.457, col.1, para.2, ''For instance, the human fetus responds to intrahepatic needling (versus umbilical cord sampling) by moving away and with an increase in the levels of circulating stress hormones. . .[71,72,74,75]''

Note: Mellor et al. believe that the unborn child is kept 'asleep' in utero, and therefore does not perceive pain; nonetheless, they recognize this finding.

Mellor DJ, Diesch TJ, Gunn AJ, Bennet L. The importance of 'awareness' for understanding fetal pain. Brain Research Reviews. 49 (2005) 455–471.

[71] Giannakoulopoulos X, Sepulveda W, Kourtis P, Glover V, Fisk NM. Fetal plasma cortisol and β -endorphin response to intrauterine needling. Lancet. 344 (1994) 77–81.

[72] Giannakoulopoulos X, Teixeira J, Fisk N. Human fetal and maternal noradrenaline responses to invasive procedures. Pediatric Research. 45 (1999) 494–499.

[74] Gitau R, Fisk NM, Teixeira JM, Cameron A, Glover V. Fetal hypothalamic-pituitary-adrenal stress responses to invasive procedures are independent of maternal responses. Journal of Clinical Endocrinology and Metabolism. 86 (2001) 104–109.

[75] Gitau R, Fisk NM, Glover V. Human fetal and maternal corticotrophin releaseing hormone responses to acute stress. Archives of Disease in Childhood—Fetal Neonatal Edition. 89 (2004) F29–F32.

5. Bocci, 2007, page 31–32, ''By week 14, the repertoire of movements is complete. Fetal movements may be spontaneous, reflecting individual needs of the fetus, or may be evoked, reflecting fetal sensitivity to its environment.''

C. Bocchi et al, Ultrasound and Fetal Stress: Study of the Fetal Blink-Startle Reflex Evoked by Acoustic Stimuli. Neonatal Pain, ed. Giuseppe Buonocore & Carlo V. Bellieni (Milan: Springer, 2007), 31–32.

3: In the unborn child, application of such painful stimuli is associated with significant increases in stress hormones known as the stress response.

DOCUMENTATION

1. Tran, 2010, p.44, col.1, para.7, ''Invasive fetal procedures clearly elicit a stress response . . .''

Tran, KM. Anesthesia for fetal surgery. Seminars in Fetal & Neonatal Medicine. 15 (2010) 40–45.

2. Myers, 2004, p.242, para.2, ''Human fetal endocrine responses to stress have been demonstrated from as early as 18 weeks' gestation. Giannakoulopoulos et al[99] first demonstrated increases in fetal plasma concentrations of cortisol and β-endorphin in response to prolonged needling of the intrahepatic vein (IHV) for intrauterine transfusion. The magnitude of these stress responses directly correlated with the duration of the procedure. Fetuses having the same procedure of transfusion, but via the non-innervated placental cord insertion, failed to show these hormonal responses. Gitau et al[100] observed a rise in β-endorphin during intrahepatic transfusion from 18 weeks' gestation, which was seen throughout pregnancy independent both of gestation and the maternal response. The fetal cortisol response, again independent of the mother's, was observed from 20 weeks' gestation.[100] Fetal intravenous administration of the opioid receptor agonist, fentanyl, ablated the β-endorphin response and partially ablated the cortisol response to the stress of IHV needling, suggesting an analgesic effect.[101] A similar, but faster, response is seen in fetal production of noradrenalin to IHV needling. This too is observed in fetuses as early as 18 weeks, is independent to the maternal response and increases to some extent with gestational age.[102] Thus, from these studies one can conclude that the human fetal hypothalamic-pituitary-adrenal axis is functionally mature enough to produce a β-endorphin response by 18 weeks and to produce cortisol and noradrenalin responses from 20 weeks' gestation.''

Myers LB, Bulich LA, Hess, P, Miller, NM. Fetal endoscopic surgery: indications and anaesthetic management. Best Practice & Research Clinical Anaesthesiology. 18:2 (2004) 231–258.

[99] Giannakoulopoulos X, Sepulveda W, Kourtis P, Glover V, Fisk NM. Fetal plasma cortisol and β-endorphin response to intrauterine needling. Lancet. 344 (1994) 77–81.

[100] Gitau R, Fisk NM, Teixeira JM, Cameron A, Glover V. Fetal hypothalamic-pituitary-adrenal stress responses to invasive procedures are independent of maternal responses. Journal of Clinical Endocrinology and Metabolism. 86 (2001) 104–109.

[101] Fisk NM, Gitau R, Teixeira MD, Giannakoulopoulos, X, Cameron, AD, Glover VA. Effect of Direct Fetal Opioid Analgesia on Fetal Hormonal and Hemodynamic Stress Response to Intrauterine Needling. Anesthesiology. 95 (2001) 828–835.

[102] Giannakoulopoulos X, Teixeira J, Fisk N, Glover V. Human fetal and maternal noradrenaline responses to invasive procedures. Pediatric Research. 45(1999) 494–499.

3. Derbyshire, June 2008, p.4, col.1, para.5, ''Another stage of advancing neural development takes place at 18 weeks, when it has been demonstrated that the fetus will launch a hormonal stress response to direct noxious stimulation.''

Note: Derbyshire believes that pain requires subjective human experience, not possible until after birth; nonetheless, he acknowledges this finding.

Derbyshire SW. Fetal Pain: Do We Know Enough to Do the Right Thing? Reproductive Health Matters. 16: 31Supp. (2008) 117–126.

4. Gupta, 2008, p.74, col.2, para.3, ''Fetal stress in response to painful stimuli is shown by increased cortisol and β-endorphin concentrations, and vigorous movements and breathing efforts.[7,9] There is no correlation between maternal and fetal norepinephrine levels, suggesting a lack of placental transfer of norepinephrine. This independent stress response in the fetus occurs from 18 weeks gestation.[10]''

Gupta R, Kilby M, Cooper G. Fetal surgery and anaesthetic implications. Continuing Education in Anaesthesia, Critical Care & Pain. 8:2 (2008) 71–75.

[7] Boris P, Cox PBW, Gogarten W, Strumper D, Marcus MAE. Fetal surgery, anaesthesiological considerations. Current Opinion in Anaesthesiology.17 (2004) 235–240.

[9] Giannakoulopoulos X, Teixeira J, Fisk N. Human fetal and maternal noradrenaline responses to invasive procedures. Pediatric Research. 45 (1999) 494–499.

[10] Marcus M, Gogarten W, Louwen F. Remifentanil for fetal intrauterine microendoscopic procedures. Anesthesia & Analgesia. 88 (1999) S257.

5. Fisk, 2001, p.828, col.2, para.3, ''Our group has shown that the human fetus from 18–20 weeks elaborates pituitary-adrenal, sympatho-adrenal, and circulatory stress responses to physical insults.'' p.834, col.2, para.2, ''This study confirms that invasive procedures produce stress responses. . .''

Fisk NM, Gitau R, Teixeira MD, Giannakoulopoulos, X, Cameron, AD, Glover VA. Effect of Direct Fetal Opioid Analgesia on Fetal Hormonal and Hemodynamic Stress Response to Intrauterine Needling. Anesthesiology. 95 (2001) 828–835.

6. Kadić, 2012, page 3, ''As early as 16–18 weeks, fetal cerebral blood flow increases during invasive procedures.[26,27] An elevation of noradrenaline, cortisol, and beta-endorphin plasma levels, in response to needle pricking of the innervated hepatic vein for intrauterine transfusion, was registered in a 23-week-old fetus [= 21 weeks post-fertilization].'' (Table 2).''

Salihagić Kadić, A., Predojević, M., Fetal neurophysiology according to gestational age, SEMINARS IN FETAL & NEONATAL MEDICINE (2012) 1–5, 3, doi:10.1016/j.siny.2012.05.007.

[26] Teixeira JM, Glover V, Fisk NM. Acute cerebral redistribution in response to invasive procedures in the human fetus. Am J Obstet Gynecol 1999;181:1018e25.

[27] Smith RP, Gitau R, Glover V, et al. Pain and stress in the human fetus. Eur J Obstet Gynecol Reprod Biol 2000;92:161e5.

4: Subjection to such painful stimuli is associated with long-term harmful neurodevelopmental effects, such as altered pain sensitivity and, possibly, emotional, behavioral, and learning disabilities later in life.

DOCUMENTATION

1. Van de Velde, 2006, p.234, col.1, para.3, ''It is becoming increasingly clear that experiences of pain will be 'remembered' by the developing nervous system, perhaps for the entire life of the individual.[22,33]. These findings should focus the attention of clinicians on the long-term impact of early painful experiences, and highlight the urgent need for developing therapeutic strategies for the management of neonatal and fetal pain.''

Van de Velde M, Jani J, De Buck F, Deprest J. Fetal pain perception and pain management. Seminars in Fetal & Neonatal Medicine. 11 (2006) 232–236.

[22] Vanhalto S, van Nieuwenhuizen O. Fetal Pain? Brain & Development. 22 (2000) 145–150. [33] Anand KJS. Pain, plasticity, and premature birth: a prescription for permanent suffering? Nature Medicine. 6 (2000) 971–973.

2. Vanhatalo, 2000, p.148, col.2, para.4, ''All these data suggest that a repetitive, or sometimes even strong acute pain experience is associated with long-term changes in a large number of pain-related physiological functions, and pain or its concomitant stress increase the incidence of later complications in neurological and/or psychological development.''

Note: Vanhalto & Niewenhuizen believe that pain requires cortical processing; nevertheless, they acknowledge that, ''noxious stimuli may have adverse effects on the developing individual regardless of the quality or the level of processing in the brain . . . after the development of the spinal cord afferents around the gestational week 10, there may be no age limit at which one can be sure noxae are harmless.'' (p.149, col.1, para.2).

Vanhalto S, van Nieuwenhuizen O. Fetal Pain? Brain & Development. 22 (2000) 145–150.

3. Gupta, 2008, p.74, col.2, para.3, '' There may be long-term implications of not providing adequate fetal analgesia such as hyperalgesia, and possibly increased morbidity and mortality.''

Gupta R, Kilby M, Cooper G. Fetal surgery and anaesthetic implications. Continuing Education in Anaesthesia, Critical Care & Pain. 8:2 (2008) 71–75.

4. Lee, 2005, p.951, col.1, para.3, ''When long-term fetal well-being is a central consideration, evidence of fetal pain is unnecessary to justify fetal anaesthesia and analgesia because they serve other purposes unrelated to pain reduction, including . . . (3) preventing hormonal stress responses associated with poor surgical outcomes in neonates[71,72]; and (4) preventing possible adverse effects on long-term neurodevelopment and behavioral responses to pain.[73–75].''

Note: Lee et al. believe that pain requires conscious cortical processing, which they deem unlikely until 29 or 30 weeks; nonetheless, they acknowledges this finding.

Ms. SLAUGHTER. I yield myself 30 seconds.

Congress should not be standing around while this is going on. Congress should also not be standing around

while college loan rates are doubling and we have so many people out of work.

I'm delighted to yield 2 minutes to my friend, the gentlewoman from New York, CAROLYN MALONEY.

Mrs. CAROLYN B. MALONEY of New York. I thank my fellow New Yorker and good friend for yielding and for her outstanding leadership in this body on so many, many issues, particularly in the area of health.

My colleagues, once again, we need to ask ourselves where were the women when the Judiciary Committee produced this outrageous assault on women's health and women's reproductive rights? The answer is very clear. On this panel, there is not one female face participating in this crucial issue in their health care, absolutely nowhere. This is a photo of the members of the Judiciary Subcommittee that held a hearing on this legislation before us, and not one Republican on that panel is a woman.

The bill that was produced is evidence that women did not participate in this decision-making. For example, it was not until the chair of that subcommittee made a comment not worthy of this House that the majority added an insulting and narrow exception for pregnancies resulting from rape.

Last November, women came out in droves to say, Keep your laws off our bodies, out of our personal lives, and out from between women and their doctor.

This bill that a man sponsored and that an all-male panel has approved jeopardizes the health and well-being of women, and only women; it is indifferent to the rights of women, and only women; and it is callous to the concerns of women, and only women.

I can promise you that women will long remember this. They will remember it today, they will remember it tomorrow, and they will remember it at the polls when they select their Representatives.

Ms. SLAUGHTER. Madam Speaker, if we can defeat the previous question, I will offer an amendment to the rule that would allow the House to hold a vote on the Student Loan Relief Act. If Congress doesn't act next month, the undergraduate students across this country will see a doubling of their student loan interest rates.

To discuss our proposal, I am pleased to yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Madam Speaker, I rise to oppose the previous question so that the House can take up the Student Loan Relief Act, H.R. 1595, which is a bill that the American people are truly concerned about and watching Congress to see whether or not we do the right thing. In 12 days, as this chart shows, the subsidized Stafford student loan rate will double from 3.4 percent to 6.8 percent. This will add to the debt burden of the average college student with a Stafford student loan portfolio of about approximately $5,000.

Today, the average student is leaving college with an average debt level of about $25,000 to $26,000. We know the big numbers: $1.1 trillion in student loan debt now in the U.S. economy, more than credit cards and more than used cars. Yet we are standing here 12 days before the doubling of this rate and we are debating a bill which is right in the middle of the polarized gridlock politics that the American voters rejected soundly in the last election rather than dealing with the bread-and-butter issues that really matter to young Americans and to middle class families all across this country.

The fact of the matter is we know young people in this country need to get a post-high school degree, whether it's a 2-year degree or a 4-year degree. The Stafford student loan program is the workhorse of providing affordable loans for millions of students, and 7.5 million students use the Stafford subsidized loan program. Yet, if we don't act in 12 days, those 7.5 million are going to see their interest rates double to 6.8 percent.

Now, we may hear from the other side, well, we took up a bill on May 23, H.R. 1911, a bill with a variable rate that we now know from the Congressional Budget Office who issued a report this past Monday will be, in fact, worse than if we did nothing and allowed the rate to go to 6.8 percent. That's been not only verified by the Congressional Budget Office but also by the Education Trust and The Institute for College Access and Success, a nonpartisan group funded by the Bill and Melinda Gates Foundation, the Walton Family Trust, and it states very clearly:

> If passed, it will lead to higher rates on all types of Federal student and parent loans than if Congress did nothing at all.

We need to act on H.R. 1595. 187 Members have signed a discharge petition, and it is time to act to protect America's college students.

Ms. FOXX. Madam Speaker, as our colleagues on the other side of the aisle know full well and as our colleague from Connecticut has acknowledged, the House has passed a bill to take care of the issue of student loan rates doubling on July 1; however, the Senate has refused to act on the bill. What we passed was what the President asked for in his budget, and he has suddenly flip-flopped on the issue and doesn't support it anymore.

The House has done its job. We're now waiting for the Senate and the President to acknowledge that they have a responsibility in this area. We've not been frivolous about this. We are not ignoring the issue.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, on July 1, young women in college face a doubling of Federal student loan interest rates; but instead of legislating the rights of our daughters and granddaughters to access safe and legal reproductive care, we should be ensuring that the cost of college doesn't skyrocket at the end of the month.

When it comes to the most personal and important decisions a woman will ever make, we deserve the privacy and freedom to make the decision that's right for us. No matter how many women the majority trots out to advance their agenda, their attempt to take away our reproductive rights will not stand.

Madam Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. I urge my colleagues to vote ''no'' to defeat the previous question and urge a ''no'' vote on the rule.

I yield back the balance of my time.

Ms. FOXX. Madam Speaker, I yield myself such time as I may consume.

I would like to point out that none of the Members on the other side of the aisle have even acknowledged the pain that unborn children feel or the fact that half of those babies that are being murdered are little girls.

Madam Speaker, life is the most fundamental of all rights. It's sacred and God-given. But millions of babies have been robbed of that right in this, the freest country in the world. This is a tragedy beyond words and a betrayal of what we, as a Nation, stand for.

Before liberty, equality, free speech, freedom of conscience, pursuit of happiness, and justice for all, there has to be life. And yet, for millions of aborted infants—many pain-capable and many discriminated against because of gender or disability—life is exactly what they've been denied. An affront to life for some is an affront to life for every one of us.

One day, we hope it will be different. We hope life will cease to be valued on a sliding scale. We hope the era of elective abortions, ushered in by an unelected court, will be closed and collectively deemed one of the darkest chapters in America's history. But until that day, it remains a solemn duty to stand up for life.

□ 1440

Regardless of the length of this journey, we will continue to speak for those who cannot, and we will continue to pray to the One who can change the hearts of those in desperation and those in power who equally hold the lives of the innocent in their hands.

May we, in love, defend the unborn. May we, in humility, confront this national sin. And may we mourn what abortion reveals about the conscience of our Nation.

Madam Speaker, we go to extraordinary lengths to save not only human beings, but even animals because we value life so much. However, there are

many who do not hold the unborn in the same esteem, and that is tragic for more than 1 million unborn babies every year.

There is nothing more important than protecting voiceless, unborn children and their families from the travesty of abortion. Therefore, I urge my colleagues to vote for life by voting in favor of this rule and the underlying bill.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 266 OFFERED BY MS. SLAUGHTER OF NEW YORK

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1595) to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1595 as specified in section 3 of this resolution.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. FOXX. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 266, if ordered, and the motion to suspend the rules on H.R. 1151.

The vote was taken by electronic device, and there were—yeas 229, nays 196, not voting 9, as follows:

[Roll No. 248]

YEAS—229

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—196

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman

Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)

NOT VOTING—9

Bonner
Campbell
Hunter
Larsen (WA)
Markey
McCarthy (NY)
Pascrell
Rogers (KY)
Yarmuth

□ 1507

Messrs. SHERMAN and PAYNE changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 232, nays 193, not voting 9, as follows:

[Roll No. 249]

YEAS—232

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—193

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huelskamp
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)

NOT VOTING—9

Bonner
Campbell
Hunter
Larsen (WA)
Markey
McCarthy (NY)
Pascrell
Rogers (KY)
Yarmuth

□ 1516

Mr. GINGREY of Georgia changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONCERNING THE PARTICIPATION OF TAIWAN IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1151) to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 424, nays 0, not voting 10, as follows:

[Roll No. 250]

YEAS—424

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers

Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Bonner
Campbell
Hunter
Larsen (WA)
Markey
McCarthy (NY)
Miller, George
Pascrell
Rogers (KY)
Yarmuth

□ 1524

Mrs. NAPOLITANO changed her vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FEDERAL AGRICULTURE REFORM AND RISK MANAGEMENT ACT OF 2013

The SPEAKER pro tempore (Mr. AMODEI). Pursuant to House Resolution 266 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1947.

The Chair appoints the gentlewoman from Michigan (Mrs. MILLER) to preside over the Committee of the Whole.

□ 1528

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes, with Mrs. MILLER of Michigan in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Oklahoma (Mr. LUCAS) and the gentleman from Minnesota (Mr. PETERSON) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. LUCAS. Madam Chair, I yield myself such time as I may consume.

I rise today in strong support of H.R. 1947, the Federal Agriculture Reform and Risk Management Act of 2013.

□ 1530

This bipartisan bill is 4 years in the making, and I could not have had a better partner than my friend from Minnesota (Mr. PETERSON).

He began this process 4 years ago when he led us into the countryside to have eight field hearings across this great Nation. We followed up those field hearings with a series of 11 audit hearings on every single policy under the jurisdiction of the House Committee on Agriculture.

In all, we held 40 hearings on every aspect of this FARRM Bill. The result is legislation that calls for reduced spending, smaller government, and commonsense reform.

The committee has held two markups of this essential bill, the first, last Congress, and one last month. Both of those markups lasted for more than 12 hours each. We considered over 200 amendments in total. In the end, we achieved a large bipartisan margin of support. The vote tally this year was 36–10, with 23 out of 25 Republicans and 13 out of 21 Democrats supporting it.

Some of my colleagues were amazed by the duration of the markup; but I came to Congress to legislate, and an important part of the legislative process is an open and fair debate. The Speaker shares that sentiment, and I hope during the debate of the amendments to the FARRM Act, we'll let the body work its will, then we'll vote for final passage.

The FARRM Act is different for many reasons. There is a reason that we put reform in the title. This is the most reform-minded bill in decades. It repeals outdated policies, while reforming, streamlining, and consolidating over 100 government programs.

It reforms the SNAP Act, also known as the food stamp program, for the first time since the welfare reforms of 1996; and it makes tremendous reforms to the farm programs.

The Agriculture Committee and the agriculture community have voluntarily worked together to make these reforms and to contribute to deficit reduction. Every part of this bill is a part of the solution to Washington's spending problems. We save the American taxpayer nearly $40 billion, which is almost seven times the amount of cuts to these programs under sequestration.

Regarding reforms to traditional farm programs, first of all, we eliminate direct payments. They cost taxpayers $5 billion a year. They were payments that people received every year, regardless of the market conditions and whether or not they farmed.

Instead, we take a more market-oriented approach to policy, where there is no support when market prices are high. We encourage responsible risk management where farmers are able to plan for catastrophic events.

In addition to eliminating direct payments, we repeal the ACRE Act, the disaster program for crops, and the countercyclical program. My philosophy from the beginning of the FARRM Bill process has been that these programs had to be based on market economies. They had to work for

all crops in all regions of the country. Our bill achieves this, while also saving $23 billion, which is a record 36 percent spending reduction.

In conservation, a subject near and dear to my heart, we streamline the delivery of these incredibly important programs. During our hearings, we learned that conservation programs had grown in number and complication, often acting as a deterrent for the adoption of these voluntary, incentive-based programs. Therefore, the FARRM Act eliminates and consolidates 23 duplicative and overlapping programs into 13, which saves nearly $7 billion.

We authorize and strengthen and fully pay for livestock disaster assistance that is incredibly important to our livestock producers during devastating droughts, such as the ones we're experiencing recently.

The bill invests in core specialty crop initiatives like Specialty Block Grants, Plant Pest and Disease Management programs; and the FARRM Act also maintains our investment in agricultural research.

You know, my friends, I've had a lot of my colleagues ask me, FRANK, why do you get so excited about these issues? Why do you get so stirred up? You're usually a pretty calm, laid-back fellow.

Well, let me tell you, I come from a part of the country that was the abyss of the Great Depression and the drought of the 1930s. Some of you may have seen Mr. Burns' documentary about the Dust Bowl. Those are my constituents. Those were my relatives in Roger Mills County, as well as the panhandle.

I was raised by a generation, my grandparents, who were young men and women during the Great Depression, who lived through that drought. They were scarred forever.

My maternal grandfather cosigned my first farm lease, cosigned my note at the bank so that I could start farming. But he was convinced, till the day he died, just as my other grandfather was, the Great Depression was coming back; it was coming back.

My parents were young men and women in the fifties, and they went through the drought of the fifties, far worse than the drought of the thirties. To the day he died, my father was convinced that it would never rain again.

And I came home from college in 1982 just in time to observe the collapse in agricultural land prices. I was raised by the generation that suffered through the thirties and the fifties.

I came home to watch the Vietnam generation be destroyed, farmers be destroyed by things beyond their control in the early 1980s. That's why I get so worked up on this policy.

The misery of the thirties, the misery of the eighties, economically, was not an accident. It was policy mistakes in the twenties and thirties that led to that agony. It was policy mistakes in the seventies and eighties that led to that agony.

Now, you say, FRANK, you're excited, you're getting worked up. Look at the 1930 census for Roger Mills County. There were 14,000 people living in my home county. By the 1940 census there were 7,000 people living in my home county. And we've just now made it back to the mid-3,000s.

You don't have that kind of economic devastation, depopulation, suffering by accident. And that's why I'm here; that's why I'm working with my colleague, the ranking member, Mr. PETERSON. That's why I've worked with Republicans, Democrats alike for years now to get to this point. That's why I want to work with all of you.

I cannot make it rain. There may be people in this town who say they can make it rain, but I cannot make it rain. But in my tenure as chairman of the House Agriculture Committee, I can make sure we pass a comprehensive FARRM Bill that does not repeat the mistakes of the 1920s and -30s, does not repeat the mistakes of the 1970s and -80s.

I will not be a part of inflicting on future generations what was inflicted on what I call that generation of Vietnam veterans who came home to farm and, instead, went to the bankruptcy auctions, or my grandparents' generation, whose young men and women were wiped out in the 1930s. I will not be a part of that.

So I will work with all of you to try and improve this draft that attempts to produce a safety net that is workable, that is efficient, both for rural America and producers, but also for consumers.

I ask you to work with me in that regard. I ask you to do the right thing. I ask you to avoid the mistakes of the past. I ask you to look at the language, to study the language, and be good, responsible legislators.

Madam Chairman, I reserve the balance of my time.

Mr. PETERSON. Madam Chair, I yield myself such time as I may consume.

I want to associate myself with the comments of the chairman, who, by the way, has done an outstanding job putting this bill together. And with the exception of maybe some differences on the SNAP title of the bill, I have to say that if I was still chairman, I wouldn't have a bill that's much different than what the chairman and I have put together. And maybe one of the reasons for that is that my family has a similar background to Mr. LUCAS' family. My grandfather went through the Depression.

□ 1540

My father almost got bankrupted by Ezra Taft Benson and some of the nonsense that went on during that period of time. So the chairman is right. Policy makes a big difference in agriculture, and I stand with him in never going back to a time where we don't give our farmers and ranchers the safety net they need to operate in a very risky and now capital intensive business.

So today we're debating a new 5-year farm bill. As the chairman said, the process has gone on long enough. We started the debate on this when I was still chairman, and it's time for us to pass a bill.

This farm bill gives farmers and ranchers the necessary tools to provide American consumers with the safest, most abundant and most affordable food supply in the world. The bill includes farm, conservation, trade, nutrition, credit, rural development, research, forestry, energy and specialty crop programs.

With roughly 16 million American jobs tied to agriculture, the farm bill is a jobs bill. The rural economy remained strong during our Nation's financial crisis, and in my part of the world it was agriculture that kind of kept us going through that process. This is why the farm bill is so important. Failing to pass a new 5-year farm bill could potentially devastate our rural economy. Why would we jeopardize the one part of our economy that has been, and continues to be, working?

I often tell people that the Agriculture Committee is probably the least partisan of all the committees in Congress. And that doesn't happen by accident. We listen to each other, we try to understand each other, work together, and at the end of the day, have the best interests of our constituents in mind.

The bill before us today is a compromise that reflects that tradition. It's a compromise between commodities and regions, urban and rural Members. I didn't get everything I wanted; Chairman LUCAS didn't get everything he wanted, but that's how the legislative process is supposed to work.

The bill makes major reforms to farm programs. Repealing direct payments saves taxpayers nearly $40 billion a year, and it ensures that farmers won't get a government subsidy for doing nothing. Instead, producers are given the choice between two countercyclical farm safety programs, addressing either price declines or revenue losses, which only support farmers during difficult times. The bill also sets new income requirements so individual millionaires won't receive farm payments and continues the no-cost sugar program.

H.R. 1947 also makes significant reforms to dairy programs, the result of more than 4 years of work that we've done on the committee and compromise within the dairy industry. The new dairy safety net will address the volatility of the dairy market, help consumers by making all milk prices more stable and hopefully eliminate the price spikes that have been normal in today's marketplace.

The 2008 farm bill was the first farm bill to address the growing demand for fresh fruits and vegetables, local foods and organics. The 2013 FARRM Bill

continues this investment by increasing funding for specialty crop block grants, providing support for the Farmers Market and Local Food Promotion programs and authorizing the very first organic check-off for research and promotion.

We also recognize the challenges facing many beginning farmers by including support for outreach and education to beginning, socially disadvantaged and military veteran farmers and ranchers. The bill also streamlines and reforms current conservation programs, better targeting resources to allow farmers and ranchers to continue to preserve our valuable natural resources.

Now, a lot of attention has been given to the bill's cuts to nutrition programs, more than $20 billion over 10 years in this bill. Personally, I would have preferred that we updated the income and asset limits in the current SNAP program so that we would have treated everybody in the country the same. We've looked at that, we weren't able to come to consensus, so we didn't move in that direction.

So we have cuts to nutrition spending in this bill, and they've received most of the attention in this regard, but we also like to point out that there's additional support for TEFAP, increased funding for Community Food Projects with a focus on low-income communities, and it provides more resources to help USDA's anti-trafficking efforts.

So, while I think it's ridiculous to cut hundreds of billions of dollars out of nutrition programs, as some Members have called for, I also don't think it's realistic to say that we can't cut one penny from these programs because clearly there isn't a government program that couldn't stand some reductions. So I think what we've done here at the end of the day is responsible reform that's a middle ground that will allow us to continue and to complete the work on this bill.

So I know we're going to have a lot of amendments I guess starting tomorrow, but it's my opinion, and it's the chairman's opinion, that in order for us to get a bill conferenced, we need to go through this process and stick together on the committee so we can have a bill that can be conferenced and get this bill signed before September 30 when the current law expires.

We need to keep this a bipartisan bill and not stray too far from what was approved in committee. I know that compromise is rare around here, but it's what is needed to finally get a new 5-year farm bill completed, and that is our objective.

So, Madam Chair, I reserve the balance of my time and yield back.

Mr. LUCAS. Madam Chair, I'd like to yield 1 minute to the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. Madam Chairman, I rise in strong support of the farm bill. The American people want Congress to cut wasteful spending and red tape. And I honestly believe the American people also want to have their food grown right here in America. It's my opinion this farm bill accomplishes both those goals. This farm bill also cuts spending for agriculture programs by over $40 billion—that's billion with a B.

The bill eliminates or consolidates more than 100 programs administered by USDA. It also ends the often criticized direct payments for farmers. The farm bill also cuts $20 billion in mandatory spending on food stamps over the next 10 years.

Many opponents of the bill have characterized this legislation as a bill to support the expansion of the food stamps. That couldn't be further from the truth. Like many of my colleagues here, I believe the food stamp program is wasteful and open to fraud. Food stamp spending has doubled since 2008, and it's tripled since 2002. Without reform, food stamp spending will continue to increase through loopholes the Obama administration has used to expand the program.

That's why we should pass this farm bill. I agree it's not perfect. But passage allows the House to join with the Senate in conference to pursue further reforms that are one step closer to signing this into law.

With that, Madam Chairman, I urge my colleagues to vote ''yes'' on the farm bill.

Mr. PETERSON. Madam Chair, I'm pleased to yield 2 minutes to the second-ranking member of the House Agriculture Committee, the gentleman from North Carolina (Mr. MCINTYRE.)

Mr. MCINTYRE. Madam Chairman, for decades, Congress has worked in a bipartisan fashion to craft farm bills that protect and support our farmers, strengthen rural economic development, encourage conservation and provide nutritional support for the most vulnerable in society. These bills have generally received wide bipartisan support.

This year I was pleased to, once again, work with my colleagues on the Agriculture Committee to advance a strong, reform-minded, fiscally responsible and bipartisan farm bill. This bill preserves the farm safety net and provides regional equity while consolidating over 100 programs and making targeted cuts to rein in Federal spending and move toward a balanced budget.

These reforms will save almost $40 billion. In fact, do you realize that less than 1 percent of our entire Federal budget is agriculture? Yet, by God's grace, it feeds us all.

The farm bill is critical not only to our Nation. I know in North Carolina agribusiness and farming are the number one industry. Each year, agribusiness brings millions of dollars in revenue to our State, supporting countless families. When we talk about economic opportunity for families in rural America, we are talking about the farm bill.

Last Congress, we brought a broad, bipartisan bill, but the committee was never able to get a vote on the floor. Now is our chance. Now is the critical time for rural America. People in our rural communities do count, and they ought to have the opportunity to have a farm bill voted upon. Now is the time that our farmers need to be able to plan for the future, and now we must have that opportunity to give them the chance to plan to help feed all of us.

This is the place, now is the time, now we have that opportunity to do something about it. Delay is serious, not only for our farmers, but for all of us. Short-term extensions only provide a band-aid. Uncertainty diminishes agriculture's ability to face the challenges associated with a growing population in our country and indeed a growing world population.

Yes, rural Americans are willing to do their part to cut the deficit and rein in spending, but we should not disproportionately put the burden upon the backs of families who live in small towns and communities across America. We hope that you will stand together and let's get the farm bill done for all Americans.

□ 1550

Mr. LUCAS. Madam Chairman, I yield 2 minutes to Subcommittee Chairman CONAWAY from the great State of Texas.

(Mr. CONAWAY asked and was given permission to revise and extend his remarks.)

Mr. CONAWAY. Madam Chairman, I want to thank Chairman LUCAS as well as Ranking Member PETERSON for the great work they've done in getting us to this point. It's been bipartisan, and it's been an honor to work with both these gentlemen.

This bill wasn't written overnight. This bill that we'll consider today or tomorrow or the next couple of days is the result of 4 years of debate, a 2-year audit of every single policy in the USDA, as well as 40 hearings and the second markup last month and now the floor debate. This landmark bill saves taxpayers billions over the next 10 years while making the greatest reforms in food policy since 1996.

There are many reasons why this balanced, equitable, and market-oriented farm bill is deserving of support. As we consider this legislation, I hope every Member of Congress will really think about how important it is to walk the walk rather than just talk the talk. This is a piece of legislation, not an opportunity for theatrics.

The difference between those who don't support this legislation and those who do is simple: the first group talks about cutting spending, talks about cutting the deficit, talks about making reforms, and talks about reducing the size of government, and the farm bill and its supporters actually do all of those things.

Failure to pass this farm bill means more of the same from Washington—

$40 billion in additional government spending; 100 programs that we on the committee believe have outlived their usefulness will continue on; and we will continue the runaway, abusive spending programs within the SNAP programs without the reforms that we've put in place for this bill.

Opposing this bill is a vote for the status quo in Washington. A vote against this bill is a vote for the status quo in Washington.

I could go back to my district and tell my constituents that I voted against this bill because I'm a fiscal conservative, knowing full well that what I really did was leave Washington with the spending spigot fully turned on, and I'm not going to do that. I hope my fellow Members won't do it either.

This bill helps to provide food safety for our national security. A nation that produces its own food is more secure.

In addition to the work on the Ag Committee, I also serve on the Armed Services Committee and the House Intelligence Committee, and I see the dangers that our country faces every day. It is not in our Nation's best interest to depend on other countries for our food supply like we do for energy and other areas.

This bill is supported by hundreds of farm associations, agribusinesses, and farmers and ranchers across the country, including more than 80 in my home State of Texas.

I urge my colleagues to support this bill. Let's pass this and move on.

While farmers and ranchers would rather not ask us for this farm bill, it's simple—they don't have a choice.

If they could buy insurance for their crops like you and I can on our home, they would do it in a heartbeat. But they cannot. Without federal crop insurance, farmers and ranchers would have no insurance on a crop that they will spend more money each year to produce than most Americans will spend in a lifetime.

If farmers and ranchers could freely market their crops around the world without foreign governments putting up barriers, high tariffs, and spending billions of dollars to subsidize their farmers and ranchers, they would gladly do it.

But while we are debating cutting farm policy to record low levels, foreign subsidies and tariffs are hitting record highs and just keep rising. There is nothing free market about selling out America's farmers and ranchers to the uncompetitive trade practices of foreign countries.

This farm bill represents a modest response to Mother Nature and foreign subsidies and tariffs. It represents just one-quarter of 1 percent of the total budget. If every committee in Congress and every facet of government contributed to deficit reduction as the Agriculture Committee has, we would have the deficit licked by now.

Great thinkers throughout history have drawn the connection between the people who produce our food and clothing and the good of a nation. We in Congress owe it to the American taxpayer to pass legislation that promotes the safest, most abundant and cheapest food and fiber supply in the world.

I urge my colleagues to pass this farm bill.

Mr. PETERSON. Madam Chair, I am pleased to yield 2 minutes to one of our subcommittee ranking members, the gentleman from California (Mr. COSTA).

Mr. COSTA. Madam Chairman, I rise today to highlight the important and positive reforms in this year's FARRM Bill, that includes the Dairy subtitle, as we try to improve and save money for the Federal Agriculture Reform and Risk Management Act, otherwise known as the 2013 FARRM Bill.

I first want to thank Chairman LUCAS and Ranking Member PETERSON for the terrific work that they've done in cobbling together this bipartisan effort. It's never easy.

I can tell you as a grandson of two generations of dairy farmers in California that what American farmers do every day is work as hard as they possibly can to provide the highest value food quality at the most cost-effective level to American consumers, and they've been doing it for generations.

The Dairy Security Act of this bill is the result of 4 years of hard work and compromise by dairy producers and other members of the dairy industry across the country. This program is intended to provide a strong, market-based safety net that will keep dairy producers afloat while providing stable consumer prices.

The dairy industry—and producers especially—has been a victim in recent years because of dramatic price volatility, and so have the consumers. At the same time, producers have been forced to deal with feed costs that have skyrocketed from $2 a bushel to $7 a bushel, and that has had a dramatic impact.

Dairy producers across the country have seen their overhead increase as their profits have remained stagnant. Current Federal dairy policy continues to foster outdated support programs which no longer provide a meaningful safety net or ensure any stability for our dairy farmers or our consumers.

In California, my home State, the leading dairy State in the Nation, we have lost 100 dairies as a result of bankruptcy in the last 18 months. Something needs to be done. We need to fix this broken system.

This title provides stability to the producers and benefits the consumers as well. It is time to bring meaningful reform, and this measure does this.

I ask my colleagues to support this effort as we move along this bipartisan compromise.

Mr. LUCAS. Madam Chairman, I yield 2 minutes to the subcommittee chairman, the gentleman from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. I thank the chairman and the ranking member for their outstanding work in crafting the 2013 FARRM Bill. I would especially like to thank the farmers and ranchers across rural America for their patience as we work through this long, difficult process.

Madam Chair, the bill before us today is the product of our extensive outreach to farmers, ranchers, and stakeholders across the entire country.

I believe that the most essential aspect of writing any farm bill is the critical input we receive from our rural constituents. The Agriculture Committee made this possible through holding a series of farm bill field hearings in nearly every region of the country, allowing producers to contribute to the farm bill process by having their voices heard.

Last year, I had the opportunity to host one of those field hearings in my hometown of Jonesboro, where all types of producers from Arkansas and around the Midsouth region had a chance to testify. They shared with the committee the challenges they face in the modern agricultural economy and provided suggestions about how the farm bill can be tailored to reflect their unique risk in the marketplace. This feedback was critical in helping us craft policy that meets the needs of producers not only in Arkansas, but around the country.

After hearing from stakeholders across the Nation, it was remarkable to me to hear time and time again that ag producers are willing to do their part to reduce the deficit. This willingness has allowed the Ag Committee to craft a farm bill that saves nearly $40 billion. This was no easy task, mind you, and the committee had to make some very tough choices. But I believe we were able to fairly balance the needs of our producers with the need to pay down the debt.

The final product is a bipartisan farm bill that saves taxpayers money, reduces deficit spending, and repeals outdated government programs while reforming, streamlining, and consolidating others. Whether it's through the elimination of direct payments, the consolidation of conservation programs, or eliminating abuse in the food stamp program, every part of this bill contributes fairly to deficit reduction.

I proudly support the 2013 FARRM Bill, and I encourage my colleagues to do the same.

Mr. PETERSON. Madam Chair, I am pleased to yield 2 minutes to another subcommittee ranking member, the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ. Madam Chairman, I, too, want to thank the chairman and the ranking member, who not only have worked unwaveringly to craft a great piece of legislation, but collaborating, shepherding this thing through, saving taxpayer money, supporting jobs, streamlining for efficiency, and eliminating burdensome programs. I'd also especially like to say they've done it with dignity, they've done it with grace, and they've done it with the respect and thoughtfulness for this institution. And I'll tell you, the American people need a lot of that.

Last week, we had a poll that showed us at a 10 percent approval rating. The North Koreans are at 17 percent. That ought to tell you something here. It would be funny if it wasn't so dang disappointing. The sacrifices that went

into us doing the basic needs, the American public did not believe we could fulfill the basic needs. Well, you know what, they're wrong on this count because we're going to do it in here with the leadership of these two gentlemen who have spoken before. We need to make sure that this piece of legislation goes through the process, it's amended by the Members of this House in an appropriate manner, and we move it forward.

I can tell you, for those who say we would be better off just doing an extension, that's not what my dairy folks are telling me when they've watched drought, flood, and winter kill. They're struggling day to day to try and feed their herds and facing liquidation. To them, no farm bill means no funding for livestock disaster programs. Tell that to my youth in my district, where the average age of a farmer is 58 years, where we lose all these good programs to put people on the land.

So I urge all my colleagues: take a look at this. Do what you're hearing people say. This is reform. This is savings. This is smart policy. And it also gives the American people food security.

It's a national security issue. We feed 316 million Americans—our farmers do—and billions worldwide. I ask my colleagues, look over our shoulder, in this quote by Daniel Webster. Let us try and develop something worth being remembered for.

I urge passage of this bill.

Mr. LUCAS. Madam Chairman, I yield 2 minutes to the subcommittee chairman from Georgia (Mr. SCOTT).

Mr. AUSTIN SCOTT of Georgia. Madam Chairman, I rise today in support of this FARRM Bill. I, along with many others in this room, have worked on drafting a farm bill that meets the needs of our agricultural producers and consumers.

We've taken part in audit hearings and met with producers, grocers, and consumers. We've debated agricultural policy through two midnight-hour markups on a bill that should pass every 5 years. Through all of this, I have gained knowledge of many unnecessary programs and the fraud and abuse that plagues these programs. I also have a newfound appreciation for the FARRM Bill and its value to American citizens.

My granddad always said the farm bill is for when times are bad, not when they are good.

□ 1600

Several of my colleagues on both sides of the aisle have reasons to vote against the bill. Some say it cuts too much. For others, it doesn't cut enough. Let me be clear. This bill is a good step in the right direction. It will reduce Federal spending. It reduces the fraud, abuse, and waste in many of the government programs that are in the government today.

I would like to share a few facts with you. If we don't pass this bill:

$40 billion is the amount of money that will be spent on outdated commodity programs that we have cut out of this bill;

11 million is the number of additional acres in conservation programs that would receive a government program that we have cut out of this bill.

We have also reduced SNAP payments for about 2 million people who should not qualify for them anyway.

Some of the reforms to the nutrition title include:

Restrictions in the use of the LIHEAP program;

Eliminating lottery winners from qualifying for SNAP benefits;

And eliminating State performance bonuses and advertising for the program.

As my friend from Texas (Mr. CONAWAY) has asked: ''Is this a legislative moment or a theater moment?''

Madam Chair, I submit that this is a true legislative moment. During this time, we need to act on the facts. Farmers and families need the certainty of long-term agricultural policies so they can continue to be the cornerstone of our Nation.

I urge my colleagues to support this bill.

Mr. PETERSON. Madam Chair, I am now pleased to yield 2 minutes to an outstanding member of our committee, the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Madam Chair, I want to begin by thanking the chairman of the Ag Committee, Mr. LUCAS, and the ranking member, Mr. PETERSON, for their hard work. There have been countless hours on this bill, and so have their staffs. I appreciate their dedication.

I very much want to support a farm bill, so it is with deep regret that I come to the floor to say that I cannot support this farm bill. The main reason is because of the $20.5 billion cut in the SNAP program. That is too much, that is too harsh. Two million people will lose their benefits. Over 200,000 kids will be knocked out of the free breakfast and lunch program. Those aren't my statistics or a liberal think tank's statistics; that's what CBO says, the Congressional Budget Office. What happens to these 2 million people? Where do they go? Where do they get food? The fact of the matter is food is not a luxury, it is a necessity.

There are some who have said that all we are doing is reforming SNAP and we are dealing with the rising costs. If we were truly reforming SNAP, I would feel better about it if we held at least one hearing on it in the subcommittee.

In terms of dealing with rising costs, the best way to deal with that is to invest in our economy and put people back to work. When more people go to work, the number of people on SNAP goes down. It's countercyclical. That's how you decrease spending on SNAP.

Madam Chair, we have 50 million people in this country who are hungry—17 million are kids. We all should be ashamed. We ought to be having a discussion on how to end hunger in America. SNAP is one tool in the antihunger toolbox to end hunger. We need to have a broader discussion. But I can say with certainty that cutting SNAP by $20.5 billion will not alleviate hunger in America. It will cause more pain, more suffering, and more misery.

I want a farm bill that not only helps our farmers but moves us toward a day where we no longer have hunger in America. Unfortunately, this bill as written will make hunger worse.

Mr. LUCAS. Madam Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. THOMPSON), a subcommittee chairman.

Mr. THOMPSON of Pennsylvania. Madam Chairman, I rise in support of the House Agriculture Committee's 2013 FARRM Bill.

This legislation is a product of 3 years of extensive hearings, research, and fact finding. The bill eliminates outdated farm programs, direct payments, countercyclical payments, the average crop revenue election program, and the supplemental revenue assistance payments, for example. These programs are part of an old system and need to be eliminated.

Regarding SNAP and food stamps, we have made significant reforms. Specifically, we have closed a number of loopholes and have eliminated categorical eligibility. While we have eliminated these loopholes, such as automatic enrollment, the bill still allows for eligibility, based on income, to ensure that those who truly need the assistance continue to have access.

For the second consecutive Congress, I have had the privilege to chair the Subcommittee on Conservation, Energy, and Forestry. At the subcommittee level, we were successful in consolidating and cleaning up a number of programs. The bill consolidates 23 conservation programs down to 13. I believe it achieves this without negatively impacting the effectiveness or the goals of these programs.

We have also included several provisions to promote the health of our Nation's forests. Agriculture is the number one industry in Pennsylvania, and I am pleased to see that we are bringing much-needed reform to the Commonwealth's top sector—dairy. First and foremost, this bill repeals all of the dairy price support system, and replaces that system with a free-market margin program.

Like many of my colleagues, I have significant concern with the supply management portion of the dairy title. However, we can address this matter in the amendment process.

This bill is not perfect. However, it does make significant changes to both farm and nutrition programs, and will save the taxpayer over $40 billion. Without passage of this bill, none of these reforms will be made, none of the savings will be realized, and we will continue these broken policies or, even worse, revert to the permanent law for the 1930s and the 1940s.

I strongly urge my colleagues to vote for this legislation, and I thank both the chairman and ranking member for their leadership.

Mr. PETERSON. Madam Chair, I am pleased to yield 1 minute to the gentleman from Texas (Mr. CUELLAR), a former member of the committee.

Mr. CUELLAR. Madam Chairman, I rise in support of the importance of passing the new 5-year farm bill into law.

I first want to thank Chairman LUCAS for all the good work that he has done, and my ranking member, Mr. PETERSON—I still call him my ranking member, Mr. PETERSON—for all the work that he and the other members of the Agriculture Committee, in a bipartisan way, have done, including the staff that worked so hard to make sure that we get this farm bill done.

As you know, we did pass an extension, which was not the right thing to do, but we did an extension. We need to provide some sort of continuity with a 5-year program. As you know, this is something that needs to be done in a bipartisan way, and this is what the committee has done after having numerous bill hearings, after making some changes that provide some reform, reform that will save the taxpayers over $40 billion in funding over the next 10 years through important reforms to our commodity, conservation, and nutrition agencies.

I don't like the cuts to the nutrition, but I do understand this is a process. We have to get into a conference committee and work with the Senate. Therefore, I'm asking the Members to support the process and get this bill to where we can support it as bipartisan.

Mr. LUCAS. Madam Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. HUDSON).

Mr. HUDSON. Madam Chairman, I rise today in strong support of the farm bill—a product of several years of hard work and patience from Chairman LUCAS, Ranking Member PETERSON, and their staffs at the Agriculture Committee.

Madam Chairman, I would like to call attention to the patience of our farming community across this Nation, the economic engine of rural America, and especially to the farming families in the Eighth District of North Carolina, which I call home. When I go home every weekend and travel across my district, I hear one resounding thing, and that is get a 5-year farm bill done to provide us the certainty we need.

Madam Chairman, this bill is not perfect. In my opinion, it does not contain enough cuts or reforms, but our alternative is the status quo. I would like to see more cuts and will offer and support amendments to do just that. Ultimately, I will support this bill because not supporting it, again, means the status quo. Not supporting this bill means not getting over $40 billion in mandatory cuts when we had the chance. Not supporting this bill means not having a 5-year bill to provide certainty that our farmers need.

From the important provisions found in the commodities title to ensuring the critical safety net of crop insurance remains intact to making responsible cuts and reforms to bloated programs, saving the taxpayers' money, this bill is a bill we need to support.

This a bill that provides the tools our farmers need to keep them producing food and fiber for our country and the world.

Like I said, this bill is not perfect and I look forward to the debate we will have in the coming days, and considering the amendments my colleagues and I will offer to make this the best bill we can for the Agriculture Community and the American taxpayer.

On behalf of the farmers and agribusiness community of North Carolina, I am eager to get this bill finished and providing long awaited certainty and reforms.

Mr. PETERSON. Madam Chairman, I am pleased to yield 2 minutes to a new member of our committee from Illinois (Mr. ENYART).

Mr. ENYART. Madam Chairman, I rise today in support of this important and long overdue legislation.

When I ran for Congress, I pledged to work for southern Illinois' agricultural industry. That's why I voted in committee to advance this bipartisan 5-year bill.

The inability of the House to pass a farm bill was among the biggest failings of the last Congress. This is by no means a perfect bill. It cuts far too deeply to the SNAP program. There are real people in my district and in yours who depend on this program, and while we must reduce the deficit we shouldn't be doing that on the backs of those who can't afford to put food on the table. However, I believe that funding will be bolstered here on the floor of the House and in conference.

□ 1610

Let's look at what the bill does right:

It funds infrastructure upgrades for Midwestern waterways so farmers can get their crops to market;

It increases energy access to rural America, improving efficiency and reducing input costs for farmers and small businesses;

It ensures farmers have the flexibility to grow a wide array of crops without penalty and without fear of losing their insurance;

It saves taxpayer dollars and conserves critical wildlife and hunting habitats while still allowing farmers to manage their lands as they see fit;

It makes the USDA more efficient by streamlining programs and by cutting down on unnecessary paperwork and burdensome regulation for farmers;

It eases access to lines of credit so that farmers who want to expand their businesses have the tools necessary to do so;

It strengthens crop insurance to protect taxpayers while also making sure that farmers don't lose the farm if disaster strikes.

It's time that we do what we were sent here to do. It's time to act on a bill that, although imperfect, should have been adopted a year ago. It's time to pass a comprehensive farm bill. I stand in support of this legislation, and I urge my colleagues to join with me.

Mr. LUCAS. Madam Chairman, I yield 1 minute to the gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. I rise today in support of H.R. 1947, better known to everyone simply as the farm bill.

Over the past 3 years, I've been talking to farmers all over northern Michigan. My district is home to a diverse group of farmers. These family-owned operations are a vital and growing part of northern Michigan's economy, and it has been a privilege getting to know them.

Earlier this month, I visited with farmers in Leelanau County. I spoke to farmers at the Bardenhagen Farm in Suttons Bay, Michigan. Jim Bardenhagen and his family have been working their farm for over a century, so they know a thing or two about agriculture. Their story is like that of a lot of farmers across the First District and this whole country. These farmers have been telling me about the need for a strong farm bill, and I believe that's just what we have here.

Look, I understand this farm bill is not an easy issue for everyone. I can fully understand. I'm a doctor, not a farmer, so I tend to talk and trust those who understand these complicated issues best—the farmers in my district. For those of you who don't have a lot of farmers, don't worry. You sure eat. I'd be happy to give you the numbers of lots of farmers in northern Michigan, and they'd be happy to talk to you.

I look forward to a robust debate.

Mr. PETERSON. Madam Chair, I am pleased to yield 1 minute to another new member of the committee, the gentlelady from Illinois (Mrs. BUSTOS).

Mrs. BUSTOS. I rise today to talk about an issue of critical importance to my district in Illinois, and that is passing a 5-year farm bill.

As anyone can tell as one drives across my district, from Rockford to the Quad Cities to Peoria and everywhere in between, agriculture is our number one industry. My district is home to thousands of farmers and to millions of acres of some of the best farmland in the world. It is also home to Caterpillar and John Deere—among the best farm implement manufacturers in the world. The entire western border of my congressional district is met by the Mississippi River, on which barge transportation of agricultural products is absolutely vital to commerce in the region, in the State, and even in the world.

Whenever I talk with farmers or those employed in the agricultural business, what I hear more than anything else is that they want—and they need—certainty. Unfortunately, last year, Congress failed to pass a 5-year farm bill and, instead, resorted to a short-term extension, which expires at the end of September.

The Acting CHAIR (Ms. ROS-LEHTINEN). The time of the gentlewoman has expired.

Mr. PETERSON. I yield the gentlelady an additional 1 minute.

Mrs. BUSTOS. Thank you, Mr. PETERSON.

As a member of the Agriculture Committee, it was an honor to be part of the farm bill markup last month. Unlike so much else in Washington, the markup was an exercise in bipartisanship. The entire committee was civil and accommodating toward one another. While the bill we passed is not perfect, it contains many worthwhile provisions.

Illinois farmers have endured some of the most extreme weather conditions in recent years, including record floods this year and the worst drought in a generation just a year ago. That is why we need to keep in place a strong and stable crop insurance program so that farmers, always at the mercy of Mother Nature, can continue to provide the food our Nation and our world depend on. The bill also contains an amendment that I sponsored that would help aid improvements to river transportation infrastructure, flood prevention and drought relief, including the aging locks and dam system along the Mississippi and Illinois Rivers.

The family farmers I talk with back home in Illinois want the security and the stability of a 5-year farm bill. That is how they can plan for future growth and investments and can continue to provide the world with a stable food supply. Let's give them the certainty by passing a 5-year farm bill.

Mr. LUCAS. Madam Chairman, I yield 2 minutes for the purpose of a colloquy to the gentleman from Washington State, DOC HASTINGS.

Mr. HASTINGS of Washington. Thank you, Mr. Chairman.

As you know, the central Washington growers whom I represent provide a variety of top-quality produce to people across the country and around the world, including the majority of apples, pears, and cherries grown in the United States. There is no question that both consumers and growers want to ensure that we have the safest food supply in the world. However, Mr. Chairman, I have serious concerns with the one-size-fits-all regulations that the Food and Drug Administration has proposed to govern the way that all fruits and vegetables are grown and harvested.

I think that we can all agree that lettuce and apples are grown in completely different ways. For one thing, lettuce is grown in the ground and apples in the trees. That's obvious. It only makes sense that these products should be evaluated based on how susceptible they may be to food safety risks and subjected to regulations that would reflect both the risk level and the way they are grown.

I am concerned that the current regulations, which subject all growers of fresh produce to the same requirements and restrictions, are nearly impossible to meet for tree fruit growers in my district. There has never been a known food safety problem with fresh apples; and yet if implemented, these regulations risk putting our growers out of business and pushing apple production overseas.

Would the chairman agree that the FDA should evaluate the risks of individual agricultural products based on the best available science and consider the growing methods and conditions of these products when developing regulations under the Food Safety Modernization Act for the safe production, harvesting, handling, and packing of fresh fruits and vegetables?

I yield to the chairman, the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. I recognize the gentleman from Washington's concerns about the one-size-fits-all approach of the FDA. In fact, this was among the several concerns we raised during debate in the House when the Food Safety Modernization Act was under consideration.

I share his belief that, if the FDA is going to be given the task of telling farmers how to farm, it should do so after a thorough examination of the risks of the different types of fruits and vegetables and then, based on the best available science, consider the growing methods and the conditions of individual commodities when developing regulations.

The Acting CHAIR. The time of the gentleman has expired.

Mr. LUCAS. I yield myself an additional 30 seconds.

I would encourage the FDA to reevaluate the proposed regulations, including docket No. FDA–2011–N–0921–0001, and make the necessary revisions to ensure that they meet this purpose.

I yield to the gentleman.

Mr. HASTINGS of Washington. I would like to thank the chairman for his words and his attention to this issue that is so important to the growers of my central Washington district. I look forward to continuing to work with him to ensure that the new food safety regulations recognize the diverse way that farms across the Nation grow our food and keep them safe for the public.

Mr. PETERSON. I am now pleased to yield 1 minute to another new member of the committee, the gentleman from California (Mr. VARGAS).

Mr. VARGAS. I thank the ranking member for yielding.

Madam Chairman, I would like to thank the chairman and the ranking member of the Agriculture Committee for their leadership and their hard work in bringing a farm bill to the floor this year.

I rise in support of many of the provisions in the FARRM Act, but with grave concerns about the cuts to the Supplemental Nutrition Assistance Program, SNAP.

I strongly support the provisions in the FARRM Act that expand funding for the Specialty Crop Block Grants, that restore funding for the Specialty Crop Research Initiative and that maintain funding for pest and disease control, market access programs and organic agriculture.

While the FARRM Act provides many positive provisions that support a strong agriculture safety net, the $20.5 billion in cuts to the SNAP program is unconscionable. If the FARRM Act is enacted, the CBO estimates that nearly 2 million low-income people will lose SNAP benefits and that another 1.8 million people live in households that would experience a benefit cut of $90 per month.

We cannot continue to balance the budget on the backs of our poor, our children, our seniors, and our veterans. I want to support a farm bill, but I cannot support these cuts to SNAP. I do, though, thank them very much for their hard work.

□ 1620

Mr. LUCAS. Madam Chairman, I yield 1 minute to the gentleman from California, a home of amazingly diverse agriculture, Mr. LAMALFA.

Mr. LAMALFA. Madam Chairman, I rise today in support of H.R. 1947.

Is this farm bill perfect? No. Would I like for it to have done more? Yes. Is this still a bill that modernizes and moves farm bill reform forward? Yes.

We've made many landmark improvements and modernized many programs within this bill. The farm bill provides logical reforms that would streamline our Federal Government and cut spending and protect our farmers, ranchers, and rural communities.

We indeed are reducing spending in the farm bill by $40 billion, including $6 million in sequestration. We're streamlining the conservation programs to the tune of $13.2 billion by repealing direct payments, also. We are also saving money in the food stamp area by $20.5 billion.

The farm bill offers the first reforms and savings to the SNAP law since the Clinton-era welfare reforms in 1996, modernizing SNAP programs while eliminating waste, fraud, and abuse.

In the House Agriculture Committee, I'm proud to say we added further reforms to SNAP by preventing the USDA and States from engaging in SNAP recruitment activities and prohibiting the USDA from advertising SNAP on TV, radio, and billboards.

This is a farm bill we need to pass to move in the right direction. I urge a ''yes'' vote.

Mr. PETERSON. Madam Chair, I'm now pleased to yield 3 minutes to the minority whip, the gentleman from Maryland (Mr. HOYER).

(Mr. HOYER asked and was given permission to revise and extend his remarks.)

Mr. HOYER. I thank the gentleman for yielding. I thank him for his work, and I thank Mr. LUCAS for his work.

We struggle in this Congress to try to bring bipartisan legislation to the floor. It's a shame.

I've normally voted for the farm bill for a reason I will express here. First of all, the farm bill is an important piece of legislation. It sets Federal policy in a range of areas that deeply affect the lives of farmers, their communities, and consumers. But it also makes a huge difference in the lives of those who rely on food assistance to avoid hunger, especially children.

It's a shame that we could not consider the farm bill on its merits without undermining its credibility with what we clearly believe are not reforms and not the elimination of waste, fraud, and abuse.

It's so simple to say that. I've heard that for all the time I've been here in Congress. Let's just cut out fraud, waste, and abuse. Everybody wants to cut out fraud, waste, and abuse; but cutting out assistance for hungry people is neither fraud, nor waste nor abuse. Well, it may be abuse.

The Supplemental Nutrition Assistance Program, or SNAP as it is called, protects over 46 million Americans who are at risk of going without sufficient food. Nearly half of those are children. Are there some reforms that are needed? Perhaps. And the Senate has made those reforms in a moderate, considered way.

The average monthly benefit per participant last year according to the USDA was $133.41. I challenge any Member of this House to live on $133.41 for food. That's $4.45 a day.

At a time when millions remain out of work struggling to support themselves and their family as they seek jobs, it would be irresponsible to make the kinds of cuts that are proposed in this bill. No one in the richest country on the face of the Earth should go hungry in this country.

Yet that's exactly what this bill would do, slashing $20.5 billion from the Supplemental Nutrition Assistance Program and putting 2 million of our fellow Americans at risk.

Feed the hungry; clothe the naked; give shelter to the homeless—that's not a political policy. That's a moral policy. Our faiths teach us that.

While we've cut millions in funding in this bill, this Congress has done nothing to advance legislation that will help create jobs or opportunities to help expand our middle class. While it's important that Congress provide certainty to the agricultural community, which I support, this unbalanced bill takes the wrong approach on these cuts to SNAP.

The Acting CHAIR. The time of the gentleman has expired.

Mr. PETERSON. I yield the gentleman an additional 1 minute.

Mr. HOYER. Madam Chair, I'm disappointed. This ought to be a bipartisan bill. Mr. PETERSon wants it to be a bipartisan bill and many of our people and, as a matter of fact, a majority of our people supported it in committee.

I think the chairman wants it to be a bipartisan bill. I understand he has to deal within the framework of his caucus like every chairman has to do on either side of the aisle. I understand that. But it is a shame.

A bill that ought to be bringing us together for people who provide this country with food and fiber and, indeed, provide a lot of the world with food and fiber, that we have put this almost poison pill—I don't know whether it's going to be a poison pill—but almost poison pill in it, I regret that. It's not worthy of our country. It's not worthy of the morals of this Nation.

But I thank the chairman and I thank the ranking member for their efforts to try to bring us together. Whether they've done so or not, we'll have to see.

Mr. LUCAS. Madam Chairman, I yield 1 minute to the gentlewoman from South Dakota (Mrs. NOEM).

Mrs. NOEM. I thank the chairman and the ranking member for their leadership on this issue.

Madam Chairman, today I rise, I stand, and at this point I'd even leap for joy, for a farm bill that's good for agriculture in this country.

This bill that we have today isn't a perfect bill, but it is a good bill. It is bipartisan, it saves nearly $40 billion, it reforms the food stamp program and farm programs, it eliminates direct payments, it consolidates conservation programs, it saves money, it gives us a safety net, and it is still accountable to taxpayers.

As we debate this bill, though, I don't want to lose sight of a big policy discussion. We decided decades ago that it was important for us to have a farm bill because it was important for us to grow our own food in this country. We didn't want to rely on another country to feed us because we recognized that the instant we did that, we would allow that country to control us.

That's why good farm policy is important to our national security. That's why when we go to the grocery store, we can count on buying safe food. We can know that there will be affordable food there at affordable prices. A farm bill is the reason that we all enjoy these benefits. We can't take our food supply for granted.

I urge my colleagues to pass this bill this week.

Mr. PETERSON. Madam Chair, I reserve the balance of my time.

Mr. LUCAS. Madam Chairman, I yield 1 minute to the gentleman from the great State of Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. I thank the chairman, and I rise in support of H.R. 1947, the FARRM Bill.

This is a win-win. This is a win for the American people because they're going to continue to get the safest and cheapest food in the world.

It's a win for farmers and ranchers all across the country because now they will have a 5-year farm bill that will give them policy to make the important decisions they need to make to run their businesses and their farms and ranches.

And more importantly it's a win-win for the American people because this brings $40 billion worth of savings at a time when we're running trillion-dollar deficits.

There's been a lot of discussion about what this bill does and doesn't do. This bill does bring reform, reforming over 100 different programs. What this bill doesn't do is take one benefit away from a SNAP recipient who's qualified for that.

What we find is there's been some gamesmanship in this program. What we owe the American people is to make sure that the people who are on these benefits that are very timely for some folks, but make sure that they qualify for it. So those people that want to say this takes money away or food away from families, that's just not true.

I urge you to support this reform bill. It's good for the American people.

Mr. PETERSON. Madam Chair, I continue to reserve the balance of my time.

Mr. LUCAS. Madam Chairman, I yield 1 minute to the gentleman from Iowa (Mr. KING).

□ 1630

Mr. KING of Iowa. Madam Chair, I thank the gentleman for yielding.

I come to the floor, first, to congratulate this bipartisan effort. I have been through other farm bills I guess a couple of times. I've seen it when we had a Republican chair, a Democrat chair, and a Republican chair. I've seen it as Ranking Member PETERSON worked hard with Republicans 6 years ago. And I've seen it as our chairman, FRANK LUCAS, has worked hard with Ranking Member PETERSON over the last year and a half. This is a very, very difficult balance to pull together.

But here's what we get with this: first of all, the end of direct payments by the agreement of our producers. Whoever, as a recipient of a government check, stepped forward and said: I'll give that up because economically we can do that. And at the same time, we get some reform in the SNAP side of this thing that says we're going to start holding some people accountable without taking a single calorie out of the mouths of those that are needy and those who we want to get those benefits.

And in the middle of all of that, if we don't pass a bill, we revert to the 1949 bill, which would be a calamity. And if we don't address the SNAP version of this, then what we end up with, Madam Chair, is a growing food stamp program. So I urge its adoption.

Mr. LUCAS. Madam Chair, I yield 1 minute to the gentleman from Montana (Mr. DAINES).

Mr. DAINES. Madam Chairman, one of the top requests that I hear from Montanans when I go back every weekend is Congress needs to pass a long-term farm bill.

One in five of Montana jobs rely on agriculture, and it's past time for passage of a 5-year farm bill that protects

and promotes Montana's number one industry. We need a farm bill that supports our rural communities and gives the ag community the certainty needed to plant the crops that feed our country and ensure a stable food supply. We need a farm bill that gives Montana farmers relief from burdensome regulations and encourages young people to remain active in their family farms.

This bill also contains important provisions for our timber community, and for the health of our forests. As we begin fire season, we've already seen the terrible consequences of the lack of active forest management. It's important we give the Forest Service the necessary regulatory relief in order to protect our communities.

In light of our Nation's escalating debt crisis, Congress must look to save taxpayer money wherever possible. I am pleased that the Ag Committee has made substantive, cost-saving changes to a wide variety of programs in the proposed farm bill, including reforms designed to reduce fraud and abuse in the distribution of food stamps. It's important to get the farm bill passed through the House, into conference, and on the President's desk before expiration. It's time to pass the farm bill.

Mr. PETERSON. I continue to reserve the balance of my time.

Mr. LUCAS. Madam Chair, I yield 1 minute to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Madam Chair, I rise to support this bill, and I certainly appreciate the persistent hard work and leadership of Chairman LUCAS and Ranking Member PETERSON, and I want to thank both for bringing this very important legislation to the floor for a House vote.

In 2012, Louisiana farmers and ranchers produced nearly $11.4 billion in commodities. It's a vital and growing sector of our State's economy, and we need a new farm bill now to provide the kind of certainty going forward for our farmers. Throughout south Louisiana, the agricultural economy is the lifeblood of our rural communities. This is a bipartisan bill containing truly significant reforms, with savings of up to $40 billion.

Given the immense diversity of American agriculture, it's important to have price-loss coverage, which is an important option for our Southern farmers, like our rice farmers. This is critical for their future security.

Additionally, an extension of the U.S. sugar program ensures a level playing field with other nations, which continue to heavily subsidize their sugar industry with unfair trade practices. I strongly urge my colleagues to support this bill.

Mr. LUCAS. Madam Chair, I yield 1 minute to the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Madam Chair, I rise today in support of H.R. 1947, the 2013 FARRM Bill. Agriculture is an inherently risky venture. But even in tough times, agriculture remains a bright spot in our economy, and we cannot afford to undermine this success. We should not use the notion of ag producers growing more and wasting less as an excuse to chip away at crop insurance. Thanks to crop insurance design, last year's losses, a result of the worst drought in decades, were not completely borne by taxpayers. Further cuts to this program could mean increased costs to consumers.

This farm bill also provides disaster assistance to livestock producers impacted by severe drought; continues investment into agriculture research, a crucial component of food safety; and builds upon conservation efforts already undertaken by landowners across America.

While this is not a perfect bill, we are here to allow the legislative process to work. I'm hopeful we can pass this bill, go to conference with the Senate, and ensure producers have the opportunity they need to continue to feed the world.

The Acting CHAIR. The gentleman from Oklahoma has 1 minute remaining, and the gentleman from Minnesota has 5½ minutes remaining.

Mr. LUCAS. Madam Chair, I would note that I am the last speaker and would conclude, and would ask if the gentleman would yield me an extra minute or two.

Mr. PETERSON. Madam Chair, I yield the balance of my time to the gentleman from Oklahoma.

The Acting CHAIR. Without objection, the gentleman from Minnesota yields 5½ minutes to the gentleman from Oklahoma to control.

There was no objection.

Mr. LUCAS. Madam Chair, I yield myself such time as I may consume.

Madam Chair, we've heard some very good debate this evening about the merits and the challenges that we face in putting this bipartisan bill together. I'd like to take just a moment to focus on the nutrition title and the spirit and the logic that went into crafting this.

The focus of the committee was that the savings should be achieved across all areas of the farm bill, and that $40 billion, approximately, we have saved does achieve savings in the commodity title, the conservation title, as well as the nutrition title. Everybody under the jurisdiction of the farm bill contributes to the reforms.

Now, in the nutrition title for just a moment, I just want to stress to my colleagues the committee tried to achieve savings in a way that would not deny an individual who was qualified under present law by income or assets from receiving help. We just simply say in the committee draft that things like automatic food stamps, categorical eligibility, something that's evolved out of the 1996 welfare reform, we simply say everybody needs to show they qualify, and we'll help you.

The LIHEAP program, where States in some cases give as little as $1 to help their citizens pay their home heating costs that triggers a whole month's worth of food stamps, we say in the bill: States, you've got to give $20 to trigger that.

The goal of the committee was never to work hardship on anyone. The goal of the committee, in a time of $16 trillion national debt, annual trillion-dollar deficits, was to achieve savings across the board. But it requires that the folks who need help come in and demonstrate they qualify. If you don't like the asset level or the income level, that's a different debate. We just simply say if you need the help, show us you qualify and we'll help you. That's a $20.5 billion savings, according to CBO. Will that be the way it's implemented? I don't know. But we operate by CBO scores, and there's almost $40 billion in overall savings in all areas of the farm bill.

I would challenge all my friends, if every other committee in every other jurisdiction would achieve these kinds of savings across the board, we'd be in a different situation with our operating annual deficit.

The Ag Committee has done its work, and we've done it in a thoughtful way. Help us over the course of the next few days with the amendment process. Don't, by affection, offer amendments simply to prevent the process from happening. Don't do things that are intended not to make the bill a better piece of legislation, but to prevent it. Be good legislators; be thoughtful legislators. Do what's right, whether it's to help the people raise the food, or that other part of our society that needs help on a month-to-month basis. Do them all right. I have faith in you. I believe through good debate and good discussion on good amendments, perfections will be made. A consensus will be achieved. We'll move forward. I have faith in you, my colleagues.

With that, Madam Chairman, I yield back the balance of my time.

□ 1640

The Acting CHAIR (Mrs. ROBY). All time for general debate has expired.

Pursuant to the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. ROS-LEHTINEN) having assumed the chair, Mrs. ROBY, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. LUCAS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 1947.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

Mr. GOODLATTE. Madam Speaker, pursuant to House Resolution 266, I call up the bill (H.R. 1797) to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 266, in lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–15 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1797

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

SEC. 1. SHORT TITLE.

This Act may be cited as the ''Pain-Capable Unborn Child Protection Act''.

SEC. 2. LEGISLATIVE FINDINGS AND DECLARATION OF CONSTITUTIONAL AUTHORITY FOR ENACTMENT.

Congress finds and declares the following:

(1) Pain receptors (nociceptors) are present throughout the unborn child's entire body and nerves link these receptors to the brain's thalamus and subcortical plate by no later than 20 weeks after fertilization.

(2) By 8 weeks after fertilization, the unborn child reacts to touch. After 20 weeks, the unborn child reacts to stimuli that would be recognized as painful if applied to an adult human, for example, by recoiling.

(3) In the unborn child, application of such painful stimuli is associated with significant increases in stress hormones known as the stress response.

(4) Subjection to such painful stimuli is associated with long-term harmful neurodevelopmental effects, such as altered pain sensitivity and, possibly, emotional, behavioral, and learning disabilities later in life.

(5) For the purposes of surgery on unborn children, fetal anesthesia is routinely administered and is associated with a decrease in stress hormones compared to their level when painful stimuli are applied without such anesthesia. In the United States, surgery of this type is being performed by 20 weeks after fertilization and earlier in specialized units affiliated with children's hospitals.

(6) The position, asserted by some physicians, that the unborn child is incapable of experiencing pain until a point later in pregnancy than 20 weeks after fertilization predominately rests on the assumption that the ability to experience pain depends on the cerebral cortex and requires nerve connections between the thalamus and the cortex. However, recent medical research and analysis, especially since 2007, provides strong evidence for the conclusion that a functioning cortex is not necessary to experience pain.

(7) Substantial evidence indicates that children born missing the bulk of the cerebral cortex, those with hydranencephaly, nevertheless experience pain.

(8) In adult humans and in animals, stimulation or ablation of the cerebral cortex does not alter pain perception, while stimulation or ablation of the thalamus does.

(9) Substantial evidence indicates that structures used for pain processing in early development differ from those of adults, using different neural elements available at specific times during development, such as the subcortical plate, to fulfill the role of pain processing.

(10) The position, asserted by some commentators, that the unborn child remains in a comalike sleep state that precludes the unborn child experiencing pain is inconsistent with the documented reaction of unborn children to painful stimuli and with the experience of fetal surgeons who have found it necessary to sedate the unborn child with anesthesia to prevent the unborn child from engaging in vigorous movement in reaction to invasive surgery.

(11) Consequently, there is substantial medical evidence that an unborn child is capable of experiencing pain at least by 20 weeks after fertilization, if not earlier.

(12) It is the purpose of the Congress to assert a compelling governmental interest in protecting the lives of unborn children from the stage at which substantial medical evidence indicates that they are capable of feeling pain.

(13) The compelling governmental interest in protecting the lives of unborn children from the stage at which substantial medical evidence indicates that they are capable of feeling pain is intended to be separate from and independent of the compelling governmental interest in protecting the lives of unborn children from the stage of viability, and neither governmental interest is intended to replace the other.

(14) Congress has authority to extend protection to pain-capable unborn children under the Supreme Court's Commerce Clause precedents and under the Constitution's grants of powers to Congress under the Equal Protection, Due Process, and Enforcement Clauses of the Fourteenth Amendment.

SEC. 3. PAIN-CAPABLE UNBORN CHILD PROTECTION.

(a) IN GENERAL.—Chapter 74 of title 18, United States Code, is amended by inserting after section 1531 the following:

''§ 1532. Pain-capable unborn child protection

''(a) UNLAWFUL CONDUCT.—Notwithstanding any other provision of law, it shall be unlawful for any person to perform an abortion or attempt to do so, unless in conformity with the requirements set forth in subsection (b).

''(b) REQUIREMENTS FOR ABORTIONS.—

''(1) The physician performing or attempting the abortion shall first make a determination of the probable post-fertilization age of the unborn child or reasonably rely upon such a determination made by another physician. In making such a determination, the physician shall make such inquiries of the pregnant woman and perform or cause to be performed such medical examinations and tests as a reasonably prudent physician, knowledgeable about the case and the medical conditions involved, would consider necessary to make an accurate determination of post-fertilization age.

''(2)(A) Except as provided in subparagraph (B), the abortion shall not be performed or attempted, if the probable post-fertilization age, as determined under paragraph (1), of the unborn child is 20 weeks or greater.

''(B) Subject to subparagraph (C), subparagraph (A) does not apply if—

''(i) in reasonable medical judgment, the abortion is necessary to save the life of a pregnant woman whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, but not including psychological or emotional conditions; or

''(ii) the pregnancy is the result of rape, or the result of incest against a minor, if the rape has been reported at any time prior to the abortion to an appropriate law enforcement agency, or if the incest against a minor has been reported at any time prior to the abortion to an appropriate law enforcement agency or to a government agency legally authorized to act on reports of child abuse or neglect.

''(C) Notwithstanding the definitions of 'abortion' and 'attempt an abortion' in this section, a physician terminating or attempting to terminate a pregnancy under an exception provided by subparagraph (B) may do so only in the manner which, in reasonable medical judgment, provides the best opportunity for the unborn child to survive, unless, in reasonable medical judgment, termination of the pregnancy in that manner would pose a greater risk of—

''(i) the death of the pregnant woman; or

''(ii) the substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions, of the pregnant woman;

than would other available methods.

''(c) CRIMINAL PENALTY.—Whoever violates subsection (a) shall be fined under this title or imprisoned for not more than 5 years, or both.

''(d) BAR TO PROSECUTION.—A woman upon whom an abortion in violation of subsection (a) is performed or attempted may not be prosecuted under, or for a conspiracy to violate, subsection (a), or for an offense under section 2, 3, or 4 of this title based on such a violation.

''(e) DEFINITIONS.—In this section the following definitions apply:

''(1) ABORTION.—The term 'abortion' means the use or prescription of any instrument, medicine, drug, or any other substance or device—

''(A) to intentionally kill the unborn child of a woman known to be pregnant; or

''(B) to intentionally terminate the pregnancy of a woman known to be pregnant, with an intention other than—

''(i) after viability to produce a live birth and preserve the life and health of the child born alive; or

''(ii) to remove a dead unborn child.

''(2) ATTEMPT AN ABORTION.—The term 'attempt', with respect to an abortion, means conduct that, under the circumstances as the actor believes them to be, constitutes a substantial step in a course of conduct planned to culminate in performing an abortion.

''(3) FERTILIZATION.—The term 'fertilization' means the fusion of human spermatozoon with a human ovum.

''(4) PERFORM.—The term 'perform', with respect to an abortion, includes induce an abortion through a medical or chemical intervention including writing a prescription for a drug or device intended to result in an abortion.

''(5) PHYSICIAN.—The term 'physician' means a person licensed to practice medicine and surgery or osteopathic medicine and surgery, or otherwise legally authorized to perform an abortion.

''(6) POST-FERTILIZATION AGE.—The term 'post-fertilization age' means the age of the unborn child as calculated from the fusion of a human spermatozoon with a human ovum.

''(7) PROBABLE POST-FERTILIZATION AGE OF THE UNBORN CHILD.—The term 'probable post-fertilization age of the unborn child' means what, in reasonable medical judgment, will with reasonable probability be the postfertilization age of the unborn child at the time the abortion is planned to be performed or induced.

''(8) REASONABLE MEDICAL JUDGMENT.—The term 'reasonable medical judgment' means a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

''(9) UNBORN CHILD.—The term 'unborn child' means an individual organism of the species homo sapiens, beginning at fertilization, until the point of being born alive as defined in section 8(b) of title 1.

''(10) WOMAN.—The term 'woman' means a female human being whether or not she has reached the age of majority.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of title 18,

United States Code, is amended by adding at the end the following new item:

''1532. Pain-capable unborn child protection.''.

(c) CHAPTER HEADING AMENDMENTS.—

(1) CHAPTER HEADING IN CHAPTER.—The chapter heading for chapter 74 of title 18, United States Code, is amended by striking ***''PARTIAL-BIRTH ABORTIONS''*** *and inserting* ***''ABORTIONS''****.*

(2) TABLE OF CHAPTERS FOR PART I.—The item relating to chapter 74 in the table of chapters at the beginning of part I of title 18, United States Code, is amended by striking ''Partial-Birth Abortions'' and inserting ''Abortions''.

The SPEAKER pro tempore. The gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from California (Ms. LOFGREN) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1797, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Madam Speaker, I ask unanimous consent that the gentlewoman from Tennessee (Mrs. BLACKBURN) be permitted to control the balance of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Ms. LOFGREN. Madam Speaker, reserving the right to object, I am wondering why a member of the Judiciary Committee is not managing on the part of the majority. The chairman is here. We recessed our markup so that all members of the Judiciary Committee could be present.

It is generally our practice for members of the committee of jurisdiction to manage on both sides, and so the inquiry is why are we departing from that practice?

Further reserving the right to object, I yield to the gentleman from Virginia.

Mr. GOODLATTE. It is the prerogative of the committee to choose the appropriate people to manage time. I notice that the ranking member is not managing on the Democratic side. We choose to ask someone who is not a member of the committee, and that's appropriate under the rules of the House.

Ms. LOFGREN. I will not object. I just thought it was an unusual procedure.

I withdraw my reservation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Tennessee is recognized.

Mrs. BLACKBURN. Madam Speaker, I yield myself such time as I may consume.

I have to tell you, Madam Speaker, so often we come to the floor and we will hear Members say, we are doing this for the children or that for the children, and I have to tell you, this is one of those days that we truly can stand and say, yes, indeed, we are taking an action that will enable so many children to enjoy that first guarantee, that guarantee to life. And indeed, that is the reason that we stand here.

The Unborn Child Protection Act is based in science. This is an area that has overwhelming public support, and it is, indeed, an appropriate response to Kermit Gosnell's house of horrors and the similar stories that we are hearing emanate from across the Nation about what is happening in these abortion clinics.

What this does is to limit abortion at the 6th month of pregnancy and includes exceptions so that we can send the clearest possible message to the American people that we do not support more Gosnell-like abortions.

It does nothing to ban abortion before the 6th month of pregnancy. It does not affect Roe v. Wade, and we know that it is a step that needs to be taken to protect life.

You know, scientific evidence tells us that unborn babies can feel touch as soon as 8 weeks into the pregnancy. They feel pain at 20 weeks. Indeed, some of these marvelous, marvelous fetal surgeries that are performed, they administer an anesthesia to these unborn babies.

And as I said, public opinion polling shows that 60 percent of all Americans, Madam Speaker, they support limiting abortion during the second trimester, and 80 percent during the third trimester. So we think that it is incumbent upon this body to take the step that we bring before the Chamber today and to recognize science, to bring the law in line with the majority of public opinion, and to stand against what has transpired in the Kermit Gosnell-like abortion clinics.

Indeed, I think it is so noteworthy that Mr. Gosnell's attorney, Jack McMahon, stated that he thought the law should be back to 16 or 17 weeks. He said that 24 weeks was not a good determiner, and that it would be a far better thing to have that ban at 16 or 17 weeks.

We're not pushing back that far. We're at 20 weeks. We think that this is an appropriate step.

At this time, I reserve the balance of my time.

Ms. LOFGREN. Madam Speaker, I yield myself 3 minutes.

I rise in opposition to this bill. This will be the 10th vote we've had to restrict women's access to health care since Republicans took control of the House in 2011, and there are plenty of other things we should be doing.

The bill imposes a nationwide 20-week abortion ban. It's unconstitutional, but it's also dangerous to the health and safety of American women. The narrow health exception in the bill only allows for abortions that are necessary to save the life of a pregnant woman. It's shortsighted at best and cruel at worst.

Many things can go wrong in pregnancy, and this bill would force a doctor to wait until a woman's condition was life-threatening before performing an abortion.

Nonlife-threatening conditions couldn't be treated if this bill were law, which could result in permanent health problems for some women, including infertility.

Severe or fatal conditions may also arise with a fetus later in pregnancy and, if enacted into law, this bill would require some women to carry a fetus to term, even in the situation where that fetus has been diagnosed with a lethal medical condition, a heartbreaking scenario.

The rape and incest exceptions are insulting and excessively narrow. The rape and incest exceptions that were added to the bill after the committee's markup are just incredibly disappointing. They require reporting the crime to law enforcement prior to seeking care. It shows a distrust of women and a lack of understanding of the reality of sexual assault.

Only 35 percent of women report sexual assaults, and there are many reasons for that that are complex, including fear of reprisal—78 percent of rape victims know their offender—shame, wanting to put the incident behind them.

Also, this bill is unconstitutional. It's a direct challenge to Roe v. Wade, where the Court held that, prior to viability, abortions may be banned only if there are meaningful exceptions to protect the woman's life and health. For over four decades these principles have been upheld, and this bill blatantly disregards them.

□ 1650

Finally, I want to urge my colleagues to oppose this bill. It's an attack on women's health, on our constitutional freedoms, and it seeks to take important medical decisions out of the hands of women, their doctors and their families and instead entrust those decisions to Congress. It's a misguided effort.

I oppose the bill, and I reserve the balance of my time.

Mrs. BLACKBURN. Madam Speaker, at this time, I yield 3 minutes to one of our great pro-life advocates, Mrs. BLACK from Tennessee.

Mrs. BLACK. I thank the gentlelady for yielding.

Madam Speaker, when I first became a nurse over 40 years ago, I took a vow to ''devote myself to the welfare of those committed to my care.'' And it is in this spirit of both protecting life and women's health that I'm proud to rise today in support of H.R. 1797, the Pain-Capable Unborn Child Protection Act.

Now, this bipartisan legislation would ban late-term abortion after 20 weeks. I want to say that again. It would ban late-term abortion after 20

weeks, with the exception provided for when the life of the mother is endangered.

H.R. 1797 is based on undisputed scientific evidence which tells us that unborn children at 20 weeks and older can feel pain—these are babies, they can feel pain—and that late-term abortions pose severe health risks also for the mother. For example, a woman seeking an abortion at 20 weeks is 35 times more likely to die from an abortion than she was in the first trimester. There are medical reasons for this. At 21 weeks or more, a woman is 91 times more likely to die from an abortion than she was in the first trimester.

Despite these undisputed facts about a baby's level of development and a woman's health, there is currently no Federal law to protect pain-capable unborn children or their mothers by restricting late-term abortions—even at a day and age when we're seeing premature babies that are born at 22 weeks that survive.

As a society, we celebrate the birth of babies whether it's prematurely born at 22 weeks or delivered at full term, and we hope and pray for good health of that baby and the mother.

Today, with that same spirit in mind, I urge my colleagues to join me in celebrating and protecting life of both the baby and the mother by passing H.R. 1797.

Ms. LOFGREN. Madam Speaker, I would yield 2 minutes to a former member of the Judiciary Committee, Representative DEBBIE WASSERMAN SCHULTZ.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I rise to strongly oppose the Pain-Capable Unborn Child Protection Act. It has been 40 years since Roe v. Wade, and yet women still have to fight for the right to keep decisions about our bodies between us and our doctors. We shouldn't have to worry that our government will try to intercede in our personal health care decisions.

This bill is extreme, and it's an unprecedented reach into women's lives—into women's personal lives. This is a clear indication that the well-being of women in this country is not something Republicans care to protect. It is clear that the Members who approved this bill, the all-male Republican members on the House Judiciary Committee, are not only disinterested in protecting the well-being of women but are also disinterested in the professional opinion of the medical community.

We have heard a lot of offensive and downright untrue assertions by Republicans throughout the discussion of this bill, including by the previous speaker. These assertions are baseless, completely devoid of medical fact or grounding in consensus among doctors. No evidence has been presented. They just throw statistics out without any citation or reference at all. Just because you say it out loud in the House Chamber doesn't make it true.

The Republican men who brought this bill to the floor—despite the parade of our women colleagues on the House floor today—do not represent the voices of women in America. Every time we let their voices get louder than ours, we are inching back to the truly Dark Ages—where a world of barriers, from physical to legal to financial, stood between women and their constitutional rights. We have worked too hard and come too far to let it all slip away now.

As a mother, when I think about what kind of world I want my daughters to live in, it's one where their rights are sacred and their value is recognized, and that means having access to comprehensive sex education, affordable contraception, and, yes, safe, legal reproductive services.

This bill doesn't work toward creating a better world for future generations of women. It erodes their future by undermining their independence and undercutting their health. I urge a ''no'' vote on this unconstitutional piece of legislation and extreme reach into the personal health and well-being of women.

Mrs. BLACKBURN. I yield 15 seconds to myself to respond.

A USA Today-Gallup poll: 64 percent, abortions should not be permitted in the second 3 months of pregnancy; 80 percent, in the third 3 months. The polling company on March 3, 2013: 63 percent of women believe that abortion should not be permitted after the point where substantial medical evidence shows the baby can feel pain.

At this time, I yield 3 minutes to the gentlewoman from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. Madam Speaker, it's a privilege to be able to stand here today and to speak on behalf of the unborn. I have a picture that was taken just yesterday. All of us as parents love to take pictures of our babies. This is a picture that was taken of an unborn baby yesterday. This is the age of the baby—the youngest age, at 20 weeks, that this bill is referencing. And this is a picture of the mom. We're here because we care about women. We're here because we care about the unborn. That's why I support this wonderful bill that's before our body today.

You see, we had a very recent, disturbing account of a late-term abortionist. His name was Kermit Gosnell. His actions have made debates like this more important than ever before because, under the guise of being a medical professional, you see, Dr. Gosnell violently ended the life of viable, unborn babies. And, in turn, he seriously hurt or even killed some of the women whom he claimed were his patients.

A few days ago, the minority leader, NANCY PELOSI, referred to late-term abortions as sacred ground when voicing opposition to this bill. I found that to be a stunning statement. What could possibly be sacred about late-term abortion? What could possibly be sacred about dismembering this 6-month-old little baby with a pair of scissors as Kermit Gosnell did? What could possibly be sacred about listening to the whimpers and cries of a baby? Because, you see, we know that babies at this age feel pain when scissors are put into their body as it comes to an early end.

You see, we are the people who make the laws in our society, and therefore, we have the duty to protect the inalienable right to life of every individual, both the mom and the unborn baby. At 8 weeks from conception, an unborn child's heart begins to beat. By 20 weeks, he or she is capable of sensing pain. And babies as young as 21 weeks have survived premature birth.

Madam Speaker, as a woman and as a mom of five natural-born children and 23 foster children, I am appalled by the savage practice of late-term abortion.

There is no such thing as an unwanted child, and that's why this legislation is so important. It not only protects the unborn, it protects the mom against the lethal practices of abortionists like Gosnell. And women deserve better than abortion. Unborn children deserve their inalienable right to life. Pregnancy is wonderful. It can be difficult too. That's why we need to show patience and compassion toward every woman as they carry a human life.

We are, indeed, treading upon sacred ground. But it's because we're dealing with the sanctity of every human life. And out of respect for this mom and out of respect for this unborn child, I urge my colleagues to vote ''yes'' on this commonsense piece of legislation. I thank Mrs. BLACKBURN, and I thank Representative TRENT FRANKS of Arizona.

Ms. LOFGREN. May I inquire how much time remains?

The SPEAKER pro tempore. The gentlewoman from California has 25½ minutes remaining. The gentlewoman from Tennessee has 21¼ minutes remaining.

Ms. LOFGREN. Before yielding to the ranking member, I'd just like to note the situation of my friend, Vicky Wilson, who found out, unfortunately, in the 20th week of her pregnancy that her much-wanted and desired child had all of her brains formed outside of the cranium and would not survive, and if she carried the fetus to term, likely her uterus would have ruptured. Under this bill, Vicky would have been forced into that heartbreaking situation. I think that's simply wrong.

I yield 3 minutes to the ranking member of the Judiciary Committee, the gentleman from Michigan (Mr. CONYERS).

□ 1700

Mr. CONYERS. Thank you, Ms. LOFGREN. I appreciate this important debate and participating in it.

Members of the House, by imposing a nationwide ban on abortions performed after 20 weeks, H.R. 1797, the so-called Pain Capable Unborn Child Protection Act, is nothing less than a direct attack on a woman's constitutional right

to make decisions about her health. It criminalizes previability abortions with only a narrow exception for the woman's life; it fails to include any exceptions for the woman's health; and it utterly disregards the often difficult personal circumstance women face when confronted with the needs to terminate their pregnancies.

The amended version of H.R. 1797 made in order by the Rules Committee last night attempts to address the nationwide outcry in response to comments by the bill's author at the Judiciary Committee's markup that ''incidents of rape resulting in pregnancy are very low.''

As amended, the bill now includes only a very limited exception for rape and incest that would only be available if the victim could demonstrate that she has reported the crime to the proper authorities. This reporting mandate isn't even required in the Hyde amendment, and it ignores the many reasons why rapes go unreported, including the fear of the abuser, fear of how the legal system may treat the victim, and shame. In short, the majority has determined that a woman's word is not enough to prove that she has been raped or the victim of incest. This pernicious legislation would also impose criminal penalties on doctors and other medical professionals.

But let's consider the facts, beginning with the sponsor's comments that ''incidents of rape resulting in pregnancy are very low'' and that there's no need for an exception.

On the contrary, rape-induced pregnancy—unfortunately, I'm sad to say—occurs with some frequency. For example, the Rape, Abuse, and Incest National Network reported that during 2004 and 2005, 64,080 woman were raped, and of those rapes, 3,204 pregnancies resulted.

Mrs. BLACKBURN. At this time, I yield 3 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I want to thank the gentlewoman from Tennessee and the other pro-life women who are speaking out in this debate today.

Since the Supreme Court's controversial decision in Roe v. Wade in 1973, medical knowledge regarding the development of unborn babies and their capacities at various stages of growth has advanced dramatically. Even The New York Times has reported on the latest research on unborn pain, focusing in particular on the research of Dr. Sunny Anand, an Oxford-trained neonatal pediatrician who has held appointments at Harvard Medical School and other distinguished institutions. As Dr. Anand has testified:

> If the fetus is beyond 20 weeks of gestation, I would assume that there will be pain caused to the fetus, and I believe it will be severe and excruciating pain.

Congress has the power to acknowledge these developments by prohibiting abortions after the point at which scientific evidence shows the unborn can feel pain with limited exceptions. H.R. 1797 does just that. It also includes provisions to protect the life of the mother and an additional exception for cases of rape and incest.

The terrifying facts uncovered during the course of the trial of late-term abortionist Kermit Gosnell and successive reports of similar atrocities committed across the country remind us how an atmosphere of insensitivity can lead to horrific brutality.

The grand jury report in the Gosnell case itself contains references to a neonatal expert who reported that the cutting of the spinal cords of babies intended to be late-term aborted would cause them ''a tremendous amount of pain.''

The polling company recently found that 64 percent of Americans would support a law such as the Pain Capable Unborn Child Protection Act—only 30 percent would oppose it—and supporters include 47 percent of those who identified themselves as pro-choice in the poll as well as 63 percent of women.

In the 2007 case of Gonzales v. Carhart, the Supreme Court made clear that: ''The government may use its voice and its regulatory authority to show its profound respect for the life within the woman,'' and that Congress may show such respect for the unborn through specific regulation because it implicates additional ethical and moral concerns that justify a special prohibition.

As The New York Times story concluded, throughout history, ''a presumed insensitivity to pain has been used to exclude some of humanity's privileges and protections. Over time, the charmed circle of those considered alive to pain, and therefore fully human, has widened to include members of other religions and races, the poor, the criminal, the mentally ill, and—thanks to the work of Sunny Anand and others—the very young.''

The Gosnell trial reminds us that when newborn babies are cut with scissors, they whimper and cry and flinch from pain. And unborn babies, when harmed, also whimper and cry and flinch from pain. Delivered or not, babies are babies, and they can feel pain at least by 20 weeks.

It is time to welcome our children who can feel pain into the human family. I urge my colleagues to support this legislation.

Ms. LOFGREN. Madam Chair, before yielding to the ranking member of the Constitution Subcommittee, I would just like to note that we do not need to change the law. Dr. Gosnell was convicted and he's doing two life sentences in prison for murder under current law.

I yield 3 minutes to the ranking member of the Constitution Subcommittee, the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentlewoman for yielding.

Madam Speaker, we're back again considering cruel and unconstitutional legislation that would curtail women's reproductive rights. This bill contains a nearly total ban on abortions prior to viability, which the Supreme Court says violates women's rights under the Constitution.

Just recently, the U.S. Court of Appeals for the 9th Circuit struck down a nearly identical Arizona statute, saying:

> Since Roe v. Wade, the Supreme Court case law concerning the constitutional protection accorded women with respect to the decision whether to undergo an abortion has been unalterably clear regarding one basic point . . . a woman has a constitutional right to choose to terminate her pregnancy before the fetus is viable. A prohibition on the exercise of that right is per se unconstitutional.

Perhaps most cruelly, this bill fails even to provide any exception to protect a woman's health. The exception for a woman's life is so narrowly written and so convoluted that even a physician wanting to comply with the law in good faith would have trouble determining when the woman is sufficiently in extremis that her condition qualifies. So the morally arrogant authors of this bill would tell a woman who faces permanent injury or disability that she must bear that calamity by carrying her pregnancy to term.

Recently added language is supposed to take the heat off the recent uproar over the absence of a rape and incest exception in this bill, but the bill would provide an exception for rape or incest only if the victim first reported it to the authorities. In the best of all possible worlds, every assault would be reported and every rapist prosecuted. But we all know that there are many reasons why rapes and incest often don't get reported—the toll our criminal justice system takes on rape victims: the humiliation, the harassment, the psychological trauma.

Why force women to be victimized twice? The only reason we have been given by the supporters of this bill is that women lie about having been raped. So the sponsors are telling us not only that women are not competent to make this very personal decision for themselves and that we here are more competent—we should substitute our judgments for theirs—but women are also too dishonest to be believed when they say they were raped.

This bill would use the trauma of the assault to erect another unnecessary and cruel barrier to a raped woman. Congress should not side with her abuser to force her to carry that abuser's child to term.

The incest exception applies only if the victim was a minor when the incidents occurred. Why? Do my colleagues believe that this was nice, consensual sex? That if a young woman is abused by her father from age 8 and he gets her pregnant at 18, it doesn't count? Or that she asked for it and deserves it?

□ 1710

These restrictions are new. The rape and incest exceptions in the previous legislation passed by this House have no such conditions or restrictions. Even the Hyde amendment, embodied

in the Labor-HHS appropriations bill, says:

> The limitations established in the preceding section shall not apply to abortion if the pregnancy is the result of an act of rape or incest.

No conditions, no restrictions, no ifs, ands, or buts.

Some Members want to redefine rape and incest to satisfy an extremist base that wants to outlaw all abortions, even for victims of rape and incest. I hope that we can agree that no woman should ever be forced to carry her abuser's child.

I urge my colleagues to reject this cruel and unconstitutional legislation.

Mrs. BLACKBURN. Madam Chairman, at this time, I yield 2 minutes to one of our bright young attorneys, the gentlelady from Alabama (Mrs. ROBY).

Mrs. ROBY. Madam Chairman, I thank the gentlelady for yielding.

I rise to support H.R. 1797, the Pain-Capable Unborn Child Protection Act.

This bill would at last prohibit dangerous, late-term abortions of unborn children at 20 weeks. That's the stage of development which we feel pain. And I say ''we,'' Madam Chairman, for a reason. Many supporters of this bill are taking to Facebook and Twitter using the hashtag #TheyFeelPain to illustrate the brutal reality of late-term abortions.

I applaud their efforts, and I appreciate the many notes of encouragement I've received from constituents back home in support of this bill. I certainly hope that they will keep those Facebook posts coming to get the word out about what we are doing here today.

I use the phrase ''we feel pain'' because I'm afraid too often we speak of this issue like it's someone else we're talking about, some other species. Madam Chairman, we are talking about human beings—human beings—babies far along enough in development to feel touch, to respond to touch. We're talking about us.

We were all 20 weeks at one time. Every Member in this Chamber was. We all reached a particular point of development at which the prayerful hope for life becomes precious potential and viability.

These babies right now are in NICUs all over this country. Having been premature, the babies are laying in a protective environment trying to build stable breath, reaching to hold the fingers of their mommies and daddies. Yet, right now, under Federal law, other babies at 20 weeks are still at risk of being brutally, mercilessly, and painfully killed.

Madam Chairman, this must end. This must end because we feel pain.

I reached out just a few hours ago via Facebook, Madam Chairman, to my constituents to ask for stories about children that were born at or near 20 weeks. I want to share one. A constituent named Terry writes that her baby was born at 24 weeks, weighing only 2 pounds, 3 ounces. After struggling initially, her child grew strong and healthy. That was 19 years ago. Her son is now an adult living out west.

I ask my colleagues to support and vote ''yes'' for H.R. 1797.

Ms. LOFGREN. Madam Chairman, I would like to yield 1 minute to the Democratic leader, Congresswoman NANCY PELOSI, from California.

Ms. PELOSI. Madam Chairman, do you ever wonder what the American people think when they tune into C–SPAN to see what business is being attended to on the floor of the House? Do you ever wonder what the American people think when they are saying, What is happening to create jobs? What is happening to agree to a budget that will promote growth and reduce the deficit for our country? What is happening to make progress for the American people? Do you ever wonder about that, when they tune in and see debate on bills that are going no place? Do they think, Well, here it is, just another day in the life of the Republican-controlled Congress; another day without a jobs bill, another day without a budget agreement, another day ignoring the top priorities of the American people by the Republican majority?

Our constituents have made it clear time and time again we must work together to create jobs, to strengthen the middle class, and to grow the economy. Yet, once again, Republicans refuse to listen. Instead, we are debating legislation that endangers women's health and that disrespects the judgment of American women and their doctors on how to make judgments about women's health.

This bill would deny care to women in the most desperate circumstances—sad and desperate circumstances. It is yet another Republican attempt to endanger women. It is disrespectful to women; it is unsafe for families; and it is unconstitutional.

At the start of Congress, Republicans took great pride—and we joined them in that pride—in reading the Constitution, start to finish. It is a great day; it is a great document. Then the Republicans proceeded to ignore it. One example: this clearly unconstitutional bill.

Each day, Republicans claim they want to reduce the role of government, except when it comes to women's most personal decisions about their reproductive health. Leading groups of medical professionals and experts across the country believe that this legislation is dangerous and wrong.

That is the message we have seen from doctors and health care providers who have pointed out that this legislation would put medical professionals in an ''untenable position'' when treating ''women in need.''

That is the same message we've heard from national religious organizations, who have called on us to ''offer compassion, support, and respect for a woman and her family facing these difficult circumstances.''

I have a copy of a letter from 16 national religious groups that was sent to Speaker BOEHNER and to me, as Democratic leader, which I wish to submit for the RECORD.

Just another day in the Republican Congress: more extremism, more dead-end bills, and less progress on the real challenges facing all Americans. The American people want bipartisanship. They want progress. They don't want obstruction and delaying tactics.

Enough is enough. Let's vote ''no'' on this dangerous bill and let's get to work together to work on a fair budget that replaces the across-the-board cuts of the sequester with a plan to create jobs, grow the economy, and strengthen the middle class as we reduce the deficit.

Let's act now to put people to work and strengthen the middle class. I say it over and over.

Let's discard this assault on women's health and work together to make real progress for the American people.

I urge my colleagues to vote ''no.''

JUNE 18, 2013.

16 NATIONAL RELIGIOUS GROUPS OPPOSE BAN ON ABORTION CARE AFTER 20 WEEKS

Hon. JOHN BOEHNER,
Speaker of the House, House of Representatives, Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER BOEHNER AND MADAM LEADER: We, the undersigned national religious groups, urge you to oppose H.R. 1797, the ''District of Columbia Pain-Capable Unborn Child Protection Act'' sponsored by Representative Trent Franks (R–AZ), which would create a nationwide ban on access to abortion care 20 weeks after fertilization, with only burdensome exceptions for cases of rape or incest. It explicitly bans later abortion care for a woman whose mental health would threaten her life or her health. We stand united across our faith traditions in opposing this extreme legislation.

Proponents of this bill have cited the Kermit Gosnell case as a reason to push this intrusive policy, but the fact is that the lack of access to safe and affordable abortion care is precisely the circumstance that drove women to an unscrupulous person like Gosnell, as it did to so many women before Roe v. Wade. The existence of his clinic is a ghastly warning sign of what happens when abortion is so restricted and expensive that a woman in need feels that she has nowhere else to turn.

A family with a wanted pregnancy that goes terribly wrong is confronted with awful decisions that none of us ever want to face. Our religious values call us to offer compassion, support, and respect to a woman and her family facing these difficult circumstances. H.R. 1797 will only make a challenging situation worse. When a woman needs an abortion, it is critically important that she have access to safe and legal care.

It is telling that Representative Franks, in a press release announcing that he would be expanding the focus of H.R. 1797 from the District of Columbia to a nationwide ban, does not make even a single reference to a woman, her family, or her situation.

Like all Americans, Rep. Franks is free to have and share his own religious beliefs about issues related to pregnancy and parenting. Liberty is an American value. However, H.R. 1797 is a clear attempt to impose one particular religious belief on the whole nation, and thus represents a gross violation of the freedom to which every American is

entitled by the Constitution. The proper role of government in the United States is not to impose one set of religious views on everyone, but to protect each person's right and ability to make decisions according to their own beliefs and values.

We believe—and Americans, including people of faith, overwhelmingly agree—that the decision to end a pregnancy is best left to a woman in consultation with her family, her doctor, and her faith. Our laws should support and safeguard a woman's health—not deny access to care. Please show compassion for women and respect for religious liberty by opposing H.R. 1797.

In faith,

Anti-Defamation League, Catholics for Choice, Disciples Justice Action Network, Hadassah, The Women's Zionist Organization of America, Inc., Jewish Council for Public Affairs, Jewish Women International, Methodist Federation for Social Action, Metropolitan Community Churches, Muslims for Progressive Values, National Council of Jewish Women, Religious Coalition for Reproductive Choice, Religious Institute, Union of Reform Judaism, Unitarian Universalist Association of Congregations, Unitarian Universalist Women's Federation, United Church of Christ, Justice and Witness Ministries (f).

Mrs. BLACKBURN. Madam Chairman, I yield myself 15 seconds.

When we talk about what is dangerous and wrong, let me tell you what is dangerous and wrong: condoning the actions of Kermit Gosnell or Doug Karpen or what transpired in New Mexico or what we found out from Delaware or from Virginia or from West Virginia. The house of horrors goes on and on.

At this point, I would like to yield 3 minutes to a member of our House Republican leadership team, the gentlewoman from Missouri (Mrs. WAGNER).

Mrs. WAGNER. Madam Chairman, I thank the gentlelady from Tennessee for yielding and for advancing this legislation.

Madam Chairman, I rise today in support of life, in support of life, liberty, and the pursuit of happiness.

Life begins at conception. Throughout the years, as science and technology have evolved and continue to advance, we are changing hearts and minds. We have more and more evidence that life does, indeed, begin at conception.

We know that after 3 weeks, the baby has a heartbeat. After 7 weeks, the baby begins kicking in the womb. By week 8, the baby begins to hear and fingerprints start to form. After 10 weeks, the baby is able to turn his or her head, frown, and even hiccup. By week 11, the baby can grasp with his or her hands. And by week 12, the baby can suck his or her thumb. And by week 20, not only can the baby recognize his or her mother's voice, but that baby can also feel pain.

While killing an unborn child is unacceptable at any time, it is especially abhorrent at the 20-week mark when a child is able to feel the pain of an abortion. Madam Chairman, it is not only the pain of the child that we must be concerned with, but also the pain of the mother.

□ 1720

The other side has deemed abortion a ''sacred right.'' They tout that they are champions for women, telling women they have the right to do with their bodies whatever they want. The problem here is that everyone talks about the right to choose, but no one discusses the implications of that choice.

I recently had the opportunity to speak with Joyce Zounis, who had multiple abortions between the ages of 15 and 26. She told me that the abortionists told her everything would be over very quickly, but they didn't tell her about the physical and the psychological implications that would stay with her for life. Not once did the abortionists relay to her the physical risks that she suffered later. That does not include the emotional damage she also suffered—uncontrollable anger, depression, seclusion, and the inability to trust anyone.

Madam Speaker, I am for life at all stages. I am for the life of the baby, and I am also for the life of the mother. I will continue to work towards the day when abortion is not only illegal but is absolutely unthinkable.

PARLIAMENTARY INQUIRY

Mr. BERA of California. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. BERA of California. Will the Speaker inform us as to when we might consider legislation to address the needs of a generation of college students whose interest rates are about to reset in a few weeks and double—instead of this bill, which is a direct attack on women's rights.

The SPEAKER pro tempore. The gentleman has not stated a proper parliamentary inquiry.

Ms. LOFGREN. Madam Speaker, I yield 2½ minutes to a member of the Judiciary Committee, the gentlelady from Texas, Congresswoman SHEILA JACKSON LEE.

(Ms. JACKSON LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE. Madam Speaker, to those who are gathered here today, I have already heard my leader indicate partly why we are here, taking away from the serious work of this place in trying to provide jobs for the thousands and millions of Americans who are unemployed, but I have another question.

I want to know why we are on the floor of the House, debating a dangerous and inhumane legislative initiative. I also want to know why there are those who would rise presumptuously and arrogantly to suggest they know my heart. Why is there someone suggesting in this body that I have not experienced pain or do not know pain or do not know the pain of my constituents?

The same question can be asked, How do they know what a mother, whose health is in jeopardy, is feeling?

Why would they be so presumptuous as to suggest that we could not, or that we are saying to some woman that you can't do with your body as you desire? It is between your God, your doctor and your family.

How outrageous this legislation is. It is patently unconstitutional. Griswold says it's a violation of the right to privacy. Doe v. Bolton, which was passed on the same day as Roe v. Wade, specifically said that the health of the mother had to be taken into consideration. This violates any kind of adherence to the health of the mother.

For us to refer to the heinous, disgusting actions in Pennsylvania suggests that I don't care about it. I am glad that the justice system persecuted and prosecuted this villain and sent that doctor to jail, but I don't want America's doctors and mothers and people of faith to be sent to the jailhouse because we are so presumptuous and arrogant.

Let's be very clear about a young woman by the name of Vikki Stella, a diabetic who discovered months into her pregnancy that the fetus she was carrying suffered from several major anomalies and who had no chance of survival. They wanted to induce labor or perform a Caesarean section, but her physician said she could not survive it, and they had to use another procedure. If they had not used a procedure like an abortion, she would not be able to have children again.

Do we want to go back to the time when women were running into back alleys?

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Madam Speaker, I rise in strong opposition to H.R. 1797, the ''Pain Capable Unborn Child Protection Act.'' Last year I opposed this irresponsible and reckless legislation when it was brought to the floor under a suspension of the rules and fell well short of the two-thirds majority needed to pass. I opposed the bill, which arbitrarily bans a woman from exercising her constitutionally protect right to choose to terminate a pregnancy after 20 weeks, last year for the same reasons I do now. This purely partisan and divisive legislation:

1. Unduly burdens a woman's right to terminate a pregnancy and thus puts their lives at risk;

2. Does not contain exceptions for the health of the mother;

3. As introduced and considered in the Judiciary Committee, unfairly targeted the District of Columbia; and

4. Infringes upon women's right to privacy, which is guaranteed and protected by the U.S. Constitution.

Madam Speaker, the rule governing debate on this bill also set the terms of debate for the Farm Bill that makes drastic reductions in SNAP funding and nutrition programs that help the women, children, infants, and the poor.

Coupling these two bills together under one rule sends the uncaring message that it is right and good to force a woman to carry an unwanted pregnancy to term and then withhold from her and her infant the support necessary for them to maintain a nutritious and healthy diet.

Madam Speaker, in 2010, Nebraska passed a law banning abortion care after 20 weeks. Since then 10 more red states—Alabama, Arizona, Arkansas, Georgia, Idaho, Indiana, Kansas, Louisiana, North Dakota, and Oklahoma—have enacted similar bans. None of these laws has an adequate health exception. Only one provides an exception for cases of rape or incest.

H.R. 1797 seeks to take the misguided and mean-spirited policy of these states and make it the law of the land. In so doing, the bill poses a nationwide threat to the health and wellbeing of American women and a direct challenge to the Supreme Court's ruling in Roe v. Wade.

Madam Speaker, one of the most detestable aspects of this bill is that it would curb access to care for women in the most desperate of circumstances. It is these women who receive the 1.5 percent of abortions that occur after 20 weeks.

Women like Danielle Deaver, who was 22 weeks pregnant when her water broke. Tests showed that Danielle had suffered anhydramnios (''OmHydrim-Nee-Oze''), a premature rupture of the membranes before the fetus has achieved viability. This condition meant that the fetus likely would be born with a shortening of muscle tissue that results in the inability to move limbs.

In addition, Danielle's fetus likely would suffer deformities to the face and head, and the lungs were unlikely to develop beyond the 22–week point. There was less than a 10% chance that, if born, Danielle's baby would be able to breathe on its own and only a 2% chance the baby would be able to eat on its own. Danielle and her husband decided to terminate the pregnancy but could not because of the Nebraska ban. Danielle had no recourse but to endure the pain and suffering that followed. Eight days later, Danielle gave birth to a daughter, Elizabeth, who died 15 minutes later.

H.R. 1797 hurts women like Vikki Stella, a diabetic, who discovered months into her pregnancy that the fetus she was carrying suffered from several major anomalies and had no chance of survival. Because of Vikki's diabetes, her doctor determined that induced labor and Caesarian section were both riskier procedures for Vikki than an abortion. Because Vikki was able to terminate the pregnancy, she was protected from the immediate and serious medical risks to her health and her ability to have children in the future was preserved.

Madam Speaker, every pregnancy is different. No politician knows, or has the right to assume he knows, what is best for a woman and her family. These are decisions that properly must be left to women to make, in consultation with their partners, doctors, and their God.

That is why the American College of Obstetricians and Gynecologists, the nation's leading medical experts on women's health, strongly opposes 20-week bans, citing the threat these laws pose to women's health.

Madam Speaker, I also strongly oppose H.R. 1797 because it lacks the necessary exceptions to protect the health and life of the mother. In fact, the majority Republicans rejected an amendment offered by our colleague, Congressman NADLER, which would have added a ''health of the mother'' exception to the bill.

During the markup of H.R. 1797 in the Judiciary Committee, Republicans even rejected an amendment I offered that would have provided a limited exception in cases where ''the pregnancy could result in severe and long-lasting damage to a woman's health, including lung disease, heart disease, or diabetes.''

Imagine, Madam Speaker, an amendment permitting an exception in the case where a woman risked heart or lung disease was rejected by Judiciary Republicans as too lenient and compassionate toward women!

I offered my amendment again to the Rules Committee but again, Committee Republicans refused to make it in order.

Madam Speaker, it is an additional measure of just how incredibly bad this bill is that when it was introduced and considered in the Judiciary Committee, it did not even include an exception for rape or incest!

Madam Speaker, this may come as news to some in this body, but each year approximately 25,000 women in the United States become pregnant as a result of rape. And about a third (30%) of these rapes involve women under age 18!

Madam Speaker, last and most important, I oppose H.R. 1797 because it is an unconstitutional infringement on the right to privacy, as interpreted by the Supreme Court in a long line of cases going back to Griswold v. Connecticut in 1965 and Roe v. Wade decided in 1973. In Roe v. Wade, the Court held that a state could prohibit a woman from exercising her right to terminate a pregnancy in order to protect her health prior to viability. While many factors go into determining fetal viability, the consensus of the medical community is that viability is acknowledged as not occurring prior to 24 weeks gestation.

By prohibiting nearly all abortions beginning at ''the probable post-fertilization age'' of 20 weeks, H.R. 1797 violates this clear and long standing constitutional rule.

In striking down Texas's pre-viability abortion prohibitions, the Supreme Court stated in Roe v. Wade:

With respect to the State's important and legitimate interest in potential life, the 'compelling' point is at viability. This is so because the fetus then presumably has the capability of meaningful life outside the mother's womb. State regulation protective of fetal life after viability thus has both logical and biological justification. If the State is interested in protecting fetal life after viability, it may go as far as to proscribe abortion during that period, except when it is necessary to preserve the life or health of the mother.

Supreme Court precedents make it clear that neither Congress nor a state legislature can declare any one element—''be it weeks of gestation or fetal weight or any other single factor—as the determinant'' of viability. Colautti v. Franklin, 439 U.S. 379, 388–89 (1979). Nor can the government restrict a woman's autonomy by arbitrarily setting the number of weeks gestation so low as to effectively prohibit access to abortion services as is the case with the bill before us.

If this bill ever were to become law, it would not survive a constitutional challenge even to its facial validity. A similar 20-week provision enacted by the Utah legislature was struck down years ago as unconstitutional by the United States Court of Appeals for the 10th Circuit because it ''unduly burden[ed] a woman's right to choose to abort a nonviable fetus.'' Jane L. v. Bangerter, 102 F.3d 1112, 1118 (10th Cir. 1996). And just last month, the Ninth Circuit struck down a 20 week ban on the ground that the U.S. Supreme Court has been ''unalterably clear'' that ''a woman has a constitutional right to choose to terminate her pregnancy before the fetus is viable.'' Isaacson v. Horne,__F.3d__, No. 12–16670,2013 WL 2160171, at *1 (9th Cir. May 21, 2013).

Madam Speaker, the constitutionally protected right to privacy encompasses the right of women to choose to terminate a pregnancy before viability, and even later where continuing to term poses a threat to her health and safety. This right of privacy was hard won and must be preserved inviolate. For this reason, I offered an amendment before the Rules Committee that would ensure that the legislation before us is to be interpreted to abridge this right. The Jackson Lee Amendment #2 provided:

Sec. 4. Rule of Construction. Nothing in this Act shall be construed or interpreted to limit the right of privacy guaranteed and protected by the United States Constitution as interpreted by the United States Supreme Court in the cases of Griswold v. Connecticut, 381 U.S. 479 (1965); Eisenstadt v. Baird, 405 U.S. 438 (1972), and Roe v. Wade, 410 U.S. 113 (1973).

Regrettably, the Rules Committee did not make this amendment in order. Unregrettably, I strongly oppose H.R. 1797 and urge all members to join me in voting against this unwise measure that put the lives and health of women at risk.

[From Planned Parenthood Federation of America]

PROTECT ACCESS TO SAFE AND LEGAL ABORTION—REJECT THE NATIONWIDE 20-WEEK ABORTION BAN

The misleadingly named ''Pain-Capable Unborn Child Protection Act'', offered by Congressman Trent Franks (AZ), is a dangerous attempt to restrict women's access to safe and legal abortion. This bill would ban all abortions after 20 weeks with extremely limited exceptions. H.R. 1797 is clearly unconstitutional, and is a blatant attempt to challenge Roe v. Wade at the expense of the health of our nation's women. Abortion is a deeply personal medical decision that should be left to a woman and her family, with the counsel of her doctor or health care provider, not politicians.

The Franks 20-week abortion ban is dangerous for women's health.

Nearly 9 in 10 abortions in the United States occur in the first trimester.

Many women who have abortions after the first trimester do so because of medical complications or other barriers resulting in delays to accessing an abortion.

H.R. 1797 would further harm women in need by creating additional obstacles to receiving a safe and legal abortion. Women need support, not additional barriers, to obtaining timely, safe health care.

The Franks 20-week abortion ban lacks a reasonable exception for victims of rape and incest.

H.R. 1797 marginalizes the needs of women by only allowing a very narrow exception for life-saving abortions.

After the backlash against Trent Franks' ignorant comments about pregnancies resulting from rape, the House Majority snuck in an extremely limited exception allowing victims of rape or incest to access abortion at 20 weeks—but only if they can provide proof that they have alerted the police about the crime.

The Franks 20-week abortion ban is unconstitutional, and is a clear attempt to challenge Roe v. Wade.

20-week abortion bans are unconstitutional as they are in clear violation of the right to an abortion pre-viability, Supreme Court precedent set in Roe v. Wade and affirmed in Planned Parenthood v. Casey.

Proponents of these laws are outspoken in their goal to challenge the Roe v. Wade decision via 20-week abortion ban legislation.

Americans overwhelmingly support the Roe v. Wade Supreme Court decision. A January 2013 Wall Street Journal/NBC poll found that 70 percent of Americans support Roe v. Wade.

Leading medical groups agree that doctors, in consultation with women and their families, should make medical decisions. Not politicians.

Leading medical groups oppose political attempts to interfere with the doctor-patient relationship.

The American Congress of Obstetricians and Gynecologists opposes the 20-week abortion ban, calling it part of legislative proposals ''that are not based on sound science (and that) attempt to prescribe how physicians should care for their patients.''

The American Medical Association ''strongly condemn(s) any interference by the government or other third parties that causes a physician to compromise his or her medical judgment as to what information or treatment is in the best interest of the patient.''

Women don't turn to politicians for advice about mammograms, prenatal care, or cancer treatments. Politicians should not be involved in a woman's personal medical decisions about her pregnancy.

The Franks 20-week abortion ban is unconstitutional legislation that threatens the health of women in an effort to challenge longstanding, Supreme Court precedence regarding access to safe and legal abortion. This one-size-fits-all ban leaves women in potentially vulnerable and dangerous positions, and does nothing to protect women's health. Congress must reject these attempts to limit women's access to safe and legal health care.

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MAY 23, 2013.

16 NATIONAL RELIGIOUS GROUPS OPPOSE BAN ON ABORTION CARE AFTER 20 WEEKS

DEAR REPRESENTATIVE: We, the undersigned national religious groups, urge you to oppose H.R. 1797, the ''District of Columbia Pain-Capable Unborn Child Protection Act'' sponsored by Representative Trent Franks (R–AZ), which would create a nationwide ban on access to abortion care 20 weeks after fertilization, with no exceptions in cases of rape, incest or fetal anomalies. It explicitly bans later abortion care for a woman whose mental health would threaten her life or her health. We stand united across our faith traditions in opposing this extreme legislation.

Proponents of this bill have cited the Kermit Gosnell case as a reason to push this intrusive policy, but the fact is that the lack of access to safe and affordable abortion care is precisely the circumstance that drove women to an unscrupulous person like Gosnell, as it did to so many women before Roe v. Wade. The existence of his clinic is a ghastly warning sign of what happens when abortion is so restricted and expensive that a woman in need feels that she has nowhere else to turn.

A family with a wanted pregnancy that goes terribly wrong is confronted with awful decisions that none of us ever want to face. Our religious values call us to offer compassion, support, and respect to a woman and her family facing these difficult circumstances. H.R. 1797 will only make a challenging situation worse. When a woman needs an abortion, it is critically important that she have access to safe and legal care.

It is telling that Representative Franks, in a press release announcing that he would be expanding the focus of H41797 from the District of Columbia to a nationwide ban, does not make even a single reference to a woman, her family, or her situation.

Like all Americans, Rep. Franks is free to have and share his own religious beliefs about issues related to pregnancy and parenting. Liberty is an American value. However, H.R. 1797 is a clear attempt to impose one particular religious belief on the whole nation, and thus represents a gross violation of the freedom to which every American is entitled by the Constitution. The proper role of government in the United States is not to impose one set of religious views on everyone, but to protect each person's right and ability to make decisions according to their own beliefs and values.

We believe—and Americans, including people of faith, overwhelmingly agree—that the decision to end a pregnancy is best left to a woman in consultation with her family, her doctor, and her faith. Our laws should support and safeguard a woman's health—not deny access to care. Please show compassion for women and respect for religious liberty by opposing H.R. 1797.

In faith,

Anti-Defamation League; Catholics for Choice; Disciples Justice Action Network; Hadassah, The Women's Zionist Organization of America, Inc.; Jewish Council for Public Affairs; Methodist Federation for Social Action; Metropolitan Community Churches; Muslims for Progressive Values; National Council of Jewish Women; Religious Coalition for Reproductive Choice; Religious Institute; Union of Reform Judaism; Unitarian Universalist Association of Congregations; Unitarian Universalist Women's Federation; United Church of Christ; Justice and Witness Ministries.

Mrs. BLACKBURN. Madam Speaker, at this time, I yield 3 minutes to the gentlelady from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. We do a lot of things here in Washington and discuss many types of legislation, and sometimes the impact of what we do gets lost in the debate. Today, I want to remind my colleagues that this bill impacts people and why it's important.

There is an injustice occurring in our society.

One unborn baby who is 6 months along develops a medical condition. The doctor gives anesthesia in the womb to that baby because it can feel pain, and an operation is conducted to correct the problem so the baby can be brought to full term. Another unborn baby who is 6 months along, down the street at a clinic, does not receive anesthesia, and is ripped apart limb by limb by an abortionist, who crushes the skull to complete the abortion.

This is wrong.

I rise today in support of H.R. 1797, the Pain-Capable Unborn Child Protection Act, which would prohibit an abortion of an unborn child who has surpassed 20 weeks on the basis that children at this stage of development can feel pain. In light of the recent trial of Kermit Gosnell, we have seen firsthand the very gruesome nature of what is currently taking place in America's abortion industry—the reality that abortion involves not a choice but the taking of a human life. Late-term abortions are agonizingly painful, and they are happening all around the Nation.

A leading expert in fetal pain has said ''the human fetus possesses the ability to experience pain from 20 weeks of gestation . . .'' and that the pain felt by a fetus may be more intense than that perceived by full-term or older children. This pain is inflicted through a procedure known as D&E, in which the doctor literally tears apart the little body of the child after removing him from the womb and finally crushes the child's skull.

Science and the American public are united on this issue. This gruesome practice has no place in our society. In fact, a recent poll found 63 percent of women believe abortion should not be permitted where substantial medical evidence says that the unborn child can feel pain. There is also a risk to the mother.

Drawing a line at 20 weeks is not arbitrary. The child suffers great pain, and the mother is placed drastically in danger. A woman seeking an abortion at 20 weeks is 35 times more likely to die from abortion than she was in the first trimester. At 21 weeks or more, the chance of death is 91 times higher. Jennifer Morbelli was the recent victim of such a dangerous abortion procedure, at 33 weeks, in Maryland. This abortion was done in a residential condominium complex in Baltimore last February—a tragic end to a young mother and an agonizing death for her child.

As a society, it is time to speak out for those who cannot speak for themselves and to stop this heinous practice.

PARLIAMENTARY INQUIRY

Ms. BROWNLEY of California. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state her inquiry.

Ms. BROWNLEY of California. When will the House consider legislation to address the veterans' —

The SPEAKER pro tempore. The gentlewoman has not stated a proper parliamentary inquiry.

Ms. LOFGREN. Madam Speaker, I yield 2 minutes to a much-valued member of the Judiciary Committee, the gentlelady from California, Congresswoman JUDY CHU.

Ms. CHU. Imagine a world in which the Federal Government actually prevents women from receiving the medical procedures that would save their lives. Innocent, law-abiding Americans—young and old—would live or die by government decree.

If you think this is some kind of Orwellian fantasy, think again, and take a good look at the abortion bill being pushed by Republicans today. With only a narrow exception to protect life but not the woman's health, it could

very well be a death sentence to countless women in the most desperate of circumstances.

□ 1730

This bill is a blatant attack on a woman's right to choose, and the people who will pay the most will be those who are most in need of help.

I urge my colleagues to vote ''no'' on this nationwide 20-week abortion-ban bill, and I call on the Republican Party to stop pushing bills that endanger American women.

Mrs. BLACKBURN. Madam Speaker, at this time I yield 1 minute to the gentleman from Louisiana (Mr. SCALISE), who chairs the Republican Study Committee.

Mr. SCALISE. I thank the gentlewoman from Tennessee for yielding.

Madam Speaker, I rise proudly in support of life and in strong support of H.R. 1797, the Pain-Capable Unborn Child Protection Act.

Scientific studies have proven that babies can feel pain as early as 20 weeks after conception, and passage of this bill is a major step forward in the defense of life.

The Gosnell murder trial refocused Americans on the horrors of late-term abortion, and the Pain-Capable Unborn Child Protection Act sends a loud message that our great Nation stands up in defense of life.

I'm proud that Americans United for Life ranked Louisiana as the number one pro-life State in the Nation. I have an example of that. If a woman who is pregnant is murdered in Louisiana, not only is the murderer charged with the murder of the mother, but also for the murder of the unborn child. I think it's a proud day that we're here standing up in defense of those babies after 20 weeks saying this country will not allow those babies' lives to be terminated.

I proudly support this legislation, and I urge my colleagues to support it, as well.

Ms. LOFGREN. Madam Speaker, may I inquire as to how much time remains.

The SPEAKER pro tempore. The gentlewoman from California has 14¼ minutes remaining, and the gentlewoman from Tennessee has 9 minutes remaining.

Ms. LOFGREN. Madam Speaker, I yield 2 minutes to another member of the Judiciary Committee, Mr. DEUTCH of Florida.

Mr. DEUTCH. I thank my friend from California.

Madam Speaker, today I want to give voice to real women and girls who sought abortions after 20 weeks.

The sad truth is that for disenfranchised women, it often takes more than 20 weeks to overcome the roadblocks encountered on the path to what is a constitutionally protected procedure. They may struggle to pay for the procedure, risk losing their jobs if they request time off or lack full information about their bodies, having never received sex education or seen a gynecologist.

Each woman facing these decisions is unique. Their voices have gone unheard in this Chamber, but they are Americans who deserve laws that protect them. So before this vote, I wanted to share their stories.

Sandra and her husband had no car, no Internet, and no health care. It took them weeks to find an abortion provider. They had to save up for the procedure for time off of work, for child care for their kids, for the 80-mile taxi ride from Clewiston, Florida, to West Palm Beach. By that time, the facility they found could not help her. They had to start over and save up even more, take even more time off to see a Fort Lauderdale doctor who could help them.

At 17, Helga was in a witness protection program. She was raped as a child and later bore a daughter who was later taken in by protective services. After leaving drug treatment in Florida, Helga was 20 weeks pregnant, but she wanted a chance to put that path behind her. It was only the compassion and generosity of her abortion provider, her doctor, who gave her that chance. Today she's taking care of herself and reconnecting with her daughter.

At 13, Michelle often had irregular periods. Yet when she skipped two, thought she had one and skipped another, she got scared and told her mom. She didn't know she was pregnant. Her disabled mother was barely able to feed Michelle and her four siblings as it was. So Michelle and her mother agreed that Michelle needed to have an abortion. But this whole process took time. Finally at 22 weeks, Michelle and her mom secured an abortion with a provider, a doctor who could assume the costs.

I ask my colleagues to please answer these women with compassion and vote down this bill.

Mrs. BLACKBURN. Madam Speaker, at this time, I yield 2 minutes to the gentlewoman from South Dakota (Mrs. NOEM).

Mrs. NOEM. Madam Speaker, a few moments ago we heard the minority leader here on the floor say that we needed to be about doing serious work, that we needed to deal with bills that dealt with jobs and the economy that the American people cared about.

Well, Americans support ending late-term abortions. Just look at the graphic that we have up here that says 64 percent of Americans believe abortion should not be permitted in the second 3 months of pregnancy; 80 percent of Americans believe abortion should not be permitted in the last 3 months of pregnancy.

Americans recognize that H.R. 1797, the Pain-Capable Unborn Child Protection Act, needs to be passed, and it needs to be done because it is the right thing to do. I've always been pro-life. I believe as a lawmaker I have a duty to protect those that are the most vulnerable.

Recently, we've seen atrocities committed in this country against unborn babies, babies that were born alive, atrocities against these babies and their mothers. The details of that trial only highlight the need for us to protect women and to protect these babies from people like Gosnell and prevent crimes like this from ever happening again.

This bill stops abortions after the 20th week of pregnancy, right after the 6th month. Scientific evidence shows that babies can feel pain at this point of the pregnancy. We're talking about babies that if they were born and simply given a chance, that they could survive outside of the womb. They just need a chance.

The topic of abortion is very personal for many around the country. It stirs emotions on both sides. If we disagree on this issue, I hope we can do it respectfully. Unfortunately, I don't find a lot of the rhetoric that I've heard today very respectful. They've said there's a war on women. Madam Speaker, I am not waging a war on anyone. I'm not waging a war on my two daughters or any other woman in this country.

Regardless of your personal belief, I would hope that stopping atrocities against little babies is something that we can all agree to put an end to. This legislation would do exactly that.

I encourage my colleagues to support its passage.

PARLIAMENTARY INQUIRY

Mr. ISRAEL. I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. ISRAEL. Madam Speaker, under House practice and procedure, is it not customary for someone on the committee of jurisdiction to manage time on the floor, or is it because the Republicans have no women on the House Judiciary Committee that the gentlewoman from Tennessee manages the time on the floor?

The SPEAKER pro tempore. The gentleman from New York has not stated a proper parliamentary inquiry and is instead engaging in debate. The gentleman has not been recognized for debate.

The gentlewoman from California is recognized.

Ms. LOFGREN. Madam Speaker, I am pleased to yield 1½ minutes to a member of the Judiciary Committee from New York, an excellent lawyer and a new Member of the House, Representative HAKEEM JEFFRIES.

Mr. JEFFRIES. This bill is a violent assault on reproductive rights here in America and an unnecessary intrusion into the doctor-patient relationship. It is a continuation of the Republican war against women and an unconstitutional effort to repeal a 40-year Supreme Court decision. It is dead on arrival in the Senate. The White House and the President will veto it. A majority of the Supreme Court will declare it unconstitutional.

So why are we here wasting the time and the money of the American people

on a futile and extreme legislative joyride?

This is not Barry Goldwater conservatism. This is not even Ronald Reagan conservatism. This is conservatism gone wild. We can only hope for the good of the country that our friends on the other side of the aisle can get the extremism out of their system today so that we can return to the business of the American people tomorrow.

I urge a ''no'' vote.

Mrs. BLACKBURN. Madam Speaker, at this time, I yield 1 minute to the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Madam Speaker, there is something especially disturbing about the cruel violence that accompanies the termination of unborn children who, as evidence shows, could survive if they were just given the chance.

This debate is not some waste of time. This is not some exercise in extremism. The fact that we are having this debate at all demonstrates that our society is actually failing women, and our culture is very deeply conflicted. There is something very dark about the topic of late abortion.

□ 1740

It is uncomfortable to enter into this conversation, but we must.

During the past several decades, the marvels of science, Madam Speaker, have opened up a window to show us life in the womb, which the prophets of old, by the way, tell us is sacred. The images of children developing week by week, month by month, speak to us more eloquently than any words can.

Madam Speaker, there are some lines that we should all agree should be drawn. I think we are capable—I hope we are capable—of agreeing that a child in the womb deserves that protection.

Ms. LOFGREN. Madam Speaker, I am honored to yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank the gentlewoman from California for yielding to me.

Anti-choice groups tried and failed to use D.C. to nullify Roe v. Wade just last year. They are now using a single criminal case in Philadelphia to go after the reproductive health of all the Nation's women. We will defeat this bill, too, with its bogus science, manmade myths about rape in a bill reported to the floor by an all-male majority of the Judiciary Committee. They are already losing ground; witness the changes forced on them in the language of the bill and the stripping of the rightful manager of the bill.

This bill is part of a parade of 20-week abortion bills moving through conservative States. None will succeed. They will not succeed not only because they are clearly unconstitutional, but because women won't have it. This bill goes down the same road that helped women elect Barack Obama as President of the United States. In the end, whatever happens here today, women will win.

Mrs. BLACKBURN. Madam Speaker, at this time, I yield 2 minutes to the chairman of the Republican Women's Policy Committee, the gentlewoman from North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS. Madam Speaker, I thank my esteemed colleague for handling the time here on the floor in this very important issue.

Madam Speaker, I rise today in support of H.R. 1797, an important bill that will protect women and unborn children. This legislation is supported by reliable scientific research that shows that an unborn child at 20 weeks' gestation can feel pain. Coupled with the now-known dangerous acts of an abortionist like Kermit Gosnell, it is clear that Congress must act.

We can all agree that a woman facing an unexpected pregnancy can be in a crisis situation, not knowing what she should do or what choices she can make. That is why it is vital to put into place protections for women and ensure that people like Kermit Gosnell can never harm again.

We have a duty to protect American women and the unborn children of this country from harm. I urge my colleagues to vote for this important bill and support H.R. 1797.

Ms. LOFGREN. Madam Speaker, I am honored to yield 2 minutes to the gentlewoman from Colorado (Ms. DEGETTE), a leader for women's health.

Ms. DEGETTE. Madam Speaker, at a time when Americans want their elected officials to focus on jobs and building our economy, here we are again focusing our efforts on limiting a woman's ability to make her own health care decisions.

As I have heard time and time again from women across this Nation, women don't want politicians imposing their extreme beliefs on them when they're making tough decisions. I keep hearing about polls from my colleagues on the other side of the aisle. Well, here's a poll. We just heard about it today. Congress' popularity is at an all-time low of 10 percent, and bills like this are exactly why.

Last session we wasted a lot of the American people's time debating and voting on legislation designed solely to take a woman's health care decision out of her hands and that of her doctor and instead to allow politicians to step in and substitute their judgment. Now, this time it did take the majority 6 months of the new session, but here we go again, right back down that same rabbit hole.

Today, we're voting on another extreme policy that's dangerous to women's health, interferes with the doctor-patient relationship, and is also patently unconstitutional. As introduced, the bill provided no exceptions for victims of rape and incest; but last week, after some of us pointed that out, the bill's sponsors maneuvered to add an attempted exception for rape and incest victims. But even this latest attempt is deeply offensive.

The bill now requires a woman to prove that she had reported the rape to authorities in order to have access to a legal medical procedure. Let me say that again: a woman would now have to prove she actually reported the rape to obtain a necessary medical procedure, making her into a two-time victim.

This kind of logic demonstrates a callous, almost willful ignorance towards the health needs of women across the Nation, and it shows how the proponents have no respect for women's ability to make their own decisions.

Vote ''no'' on this ill-conceived bill.

Mrs. BLACKBURN. Madam Speaker, I would like to ask how much time is remaining on each side?

The SPEAKER pro tempore. The gentlewoman from Tennessee has 5 minutes remaining, and the gentlewoman from California has 7 minutes remaining.

Mrs. BLACKBURN. At this time, I reserve the balance of my time.

Ms. LOFGREN. Madam Speaker, I am delighted to yield 2 minutes to the gentlewoman from California (Mrs. CAPPS), a nurse and valued member of our delegation.

Mrs. CAPPS. Madam Speaker, I thank my colleague from California for her leadership in opposing this unconstitutional and cruel bill. I rise in strong opposition to it.

This legislation ignores the very real medical challenges that are faced by so many women, erecting barriers to women who are trying desperately to access medical care, who are making some of the most personal and difficult choices and decisions. This is a cold-hearted political maneuver that is being played out upon this House floor today.

Women need the confidence to be able to make these difficult decisions in consult with their doctors, with their families, with their spiritual advisors. Politicians have no place in that equation.

If we really wanted to protect life, let's support efforts to reduce unintended pregnancies, improve maternal health, improve funding for WIC, for early child care, for support for women and families who are raising children in the most difficult circumstances. Let us trust women to make decisions that are right for them. And let us show a little compassion instead of offering condescending lectures, as the other side did last month to a very courageous witness who shared her life story.

It is long past time that this Congress learn to trust women to make their own decisions.

Mrs. BLACKBURN. At this time, I would continue to reserve the balance of my time.

Ms. LOFGREN. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. KEATING), a former prosecutor and valued Member of our Congress.

Mr. KEATING. Madam Speaker, for 12 years, I've worked with victims of rape and incest. And for those of you who think you're carving out an exception for rape and incest, you're not.

□ 1750

If you were truly carving out an exception, you wouldn't be making it contingent on things that silence victims, things they have no control over, like being traumatized, like being threatened with your life if you talked, like not knowing the law because you're a minor and a victim of statutory rape. These are reasons why more than half the rapes are never reported.

As a district attorney, I've had cases where the victims didn't even report; yet we were able to convict the perpetrators with other evidence. Reporting wasn't even necessary to convict criminals; but in this bill, it's necessary for a crime victim to exercise their constitutional right to privacy.

Fundamentally, those who support the language in this bill don't understand that rape and incest are crimes. These are crimes of violence, crimes that you bring penalties to the perpetrator. This bill brings penalties to the victim.

Mrs. BLACKBURN. Madam Speaker, I continue to reserve the balance of my time.

Ms. LOFGREN. I wonder if the gentlelady has additional speakers, because I would reserve. We have no additional speakers at this time, and if she has additional speakers, she can call them, then we will both wrap up.

Mrs. BLACKBURN. Madam Speaker, we have no additional speakers. If you want to complete, then I will close.

The SPEAKER pro tempore. The gentlelady from California has 4 minutes remaining, and the gentlelady from Tennessee has 5 minutes remaining.

Ms. LOFGREN. Madam Speaker, I yield myself such time as I may consume.

I think this is, in many ways, a very sad day for this House. As we know, last week there was an uproar in the country relative to a statement that few women become pregnant from rape. That, of course, is not correct. There's no science to support that.

And of course, this week, we have a bill that's been altered to add a very limited exception for rape and incest that would be available only if the victim has reported the crime to the authorities.

And of course, as our last speaker has indicated, this actually makes the situation for the victim of violence, a victim of rape more onerous than for the perpetrators of the violence, something that I think is really quite wrong.

The bill attacks the rights of women, guaranteed by our Constitution, to seek a safe, legal procedure when they need it.

I have two children. I was thrilled when I became pregnant. Most women are thrilled and look forward to a safe childbirth. But for some, pregnancy can be dangerous, and the restrictions that are imposed in this bill that do not have adequate health exceptions can endanger these women.

At the subcommittee, we heard from a witness, a professor at George Washington University, Ms. Christy Zink, about her story. She courageously told her story of seeking abortion care after her much-wanted pregnancy was diagnosed with severe fetal anomalies at the 21st week; in fact, an anomaly that would mean that the much-wanted child would not survive and that, in fact, her health could be compromised had she proceeded.

Under this bill, she would not have the opportunity to preserve her own health. She would be required to carry a nonviable fetus to term, and I just think that's wrong. I don't think that's something that the country is asking the Congress to do.

The idea that the exception for incest only applies to those under 18 is another mystery. If a girl is molested and raped by her father at age 18, is she less worthy of the protection of her health and the right to get abortion care than her sister at age 17? I think not. It simply makes no sense at all for that provision.

I'd like to comment also briefly on the repeated discussion of Dr. Kermit Gosnell. He is a monster. There's no one that I have heard in this Congress or in this country who defends what Dr. Gosnell did. In fact, he's in prison, serving a double life sentence for murder.

What he did was illegal, in addition to being abhorrent in every way. We don't need to change the law to put someone like Dr. Gosnell behind bars. In fact, he's behind bars right now.

I think that the use of this case as a rationale for denying American women health care that they may need is terribly wrong. I would urge a ''no'' vote on the bill.

I yield back the balance of my time.

Mrs. BLACKBURN. Madam Speaker, I yield myself such time as I may consume.

This has been an interesting debate, and I have to tell you, we have heard every descriptive adjective that there can possibly be coming from the negative of why our colleagues on the other side of the aisle think that this debate is inappropriate.

I do think that some of the most interesting has been the parliamentary inquiries to ask about what we're doing about jobs and student loans and veterans. And I have to tell you all, I agree. This Obama economy has been brutal to especially women and the female workforce; and, indeed, we would love to see our colleagues in the Senate and the administration work with us on those issues.

But let me refocus us on why we are here. We are here because it is imperative that we take an action, and that we address these Gosnell-like abortions. We have stood on the floor today, and we have talked about what transpired with the conviction of Kermit Gosnell in Philadelphia, 21 felony counts, performing illegal abortions beyond the 24-week limit, manslaughter for the death of a woman seeking an abortion at his clinic, three counts of killing babies born alive, and dozens of other heinous crimes.

We have heard about how the necks are snipped, the heads are punctured. We even heard the statement from his attorney who said 16 to 17 weeks should be the limit.

We are going at 20 weeks. We have heard of other atrocities, whether they are the Carpin case in Texas, the case in New Mexico. Nurses, pro-choice nurses out in Delaware recently quit their jobs at a big abortion business to save their medical licenses. They said the clinic was, I'm quoting them, ''ridiculously unsafe, where meat-market style, assembly-line abortions were happening.''

Another abortionist, Leroy Carhart, recently stated he's performed more than 20,000 abortions on babies after 24 weeks gestation, and he's perfectly happy to do elective abortions on babies at 7 months gestation.

We know that at 8 weeks babies feel pain. When they have these prenatal surgeries, we know that they're given anesthesia. We know they respond to pain, and we know these late-term abortions are incredibly, incredibly painful.

So that is why we stand today. We want parity for these babies, for these unborn children. We can see them. We have seen some of the ultrasounds. And you know what is so amazing? When you see these ultrasounds, and when people are waiting for the arrival of these precious children, they go ahead, they name them. They're expecting them. They are waiting for them. And they know that these children feel pain when they are harmed.

□ 1800

Science tells us so. The American public is with us on this. Sixty-four percent of all women think abortions should be eliminated when these unborn babies feel pain. Out of all Americans, 60 percent—60 percent—this is a Gallup/USA Today poll. Sixty percent says second-trimester abortions should be eliminated. Eighty percent say third-trimester abortions should be eliminated.

So for those reasons, that is why we stand here today. To support these women and these unborn children, to end these atrocities, to stand together, to make certain that that first guarantee, the guarantee to life—the guarantee to life—so that you can pursue liberty and enter into the pursuit of happiness, that is why we stand here today.

Madam Speaker, I've been honored to work with my colleagues. I know some don't like the fact that a former Judiciary Committee member has come to the floor to handle this bill. I've been so honored to be joined by so many

pro-life women as we have discussed this issue, as we have come together to stand for this.

I yield back the balance of my time.

Mr. PASCRELL. Madam Speaker, I rise today in opposition to H.R. 1797, the Pain Capable Unborn Child Protection Act.

As Members of Congress, we should not reach into the private lives of our constituents with decisions that are this personal. We are not qualified to make complex medical decisions, and the government is certainly not in the position to interfere in the doctor-patient relationship. But that is exactly what this bill would do by increasing medical liability for doctors, and criminalizing procedures that are safe and legal.

A woman should be able to make decisions about her health in consultation with her family, her individual faith and health professionals. Restricting access to safe abortions is clearly not the answer. With the continued economic challenges facing this country, we should be focused on getting Americans back to work, not preventing women from making choices that are best for their families and their health.

Throughout my years in Congress, I have been against any government funding of abortion, and I believe that some guidelines are important and reasonable. However, this bill clearly goes over the line and serves not to protect the health of women and children, but rather as a direct challenge to the Supreme Court decision in Roe v Wade.

I strongly urge my colleagues to vote no on this bill.

Mr. CICILLINE. Madam Speaker, today's vote on H.R. 1797 marks the 10th time since 2011 that House Republicans have held a vote to restrict women's health care options, and as a result endanger the health and well-being of women all across this country.

In the last six months, the House has failed to enact a single jobs bill into law. This is unconscionable—especially at a time that families across our country are still struggling just to make ends meet, and so many Americans are still out of work.

And yet, here we stand, not discussing ways that Republicans and Democrats can work together to get our economy moving again, but instead we're relitigating the culture wars and actually voting on a bill that would allow Washington politicians to make medical decisions that should be made between women and their doctors.

As the Obama Administration has said, this bill is nothing short of an ''assault on a woman's right to choose.''

H.R. 1797 subverts Roe v. Wade and uses pseudoscience to tell women that they're not allowed to make their own health care decisions after the 20th week of a pregnancy.

Madam Speaker, rather than using political wedge issues to score points with their electoral base, Republicans should be working with Democrats to put men and women across our country back to work and start growing the economy again.

In the strongest terms possible, I urge my colleagues to oppose this extreme proposal.

Mr. FARR. Madam Speaker, there are so many reasons why my colleagues should reject H.R. 1797, the misnamed Pain-Capable Unborn Child Protection Act.

I am sure my Democratic colleagues that oppose the bill will be able to speak to many of those reasons, but I want to focus on an issue that will shock the American people, once they find out what this bill really does.

The Pain-Capable Unborn Child Protection Act will force, let me repeat that, force a woman to carry an unviable fetus to full term and delivery. Even when doctors agree that it is impossible for the fetus to survive outside the womb, if it is over 20 weeks, if H.R. 1797 passes, it will have to be carried to full term and delivered. By making the woman carry this fetus to full term and deliver it even though it will never survive, we are adding to the unimaginable pain of having a child that will not survive outside the womb. Instead of being allowed to grieve for months, this legislation would only prolong the inevitable heartbreak she will experience. The Republican majority may be completely fine with subjecting women to repeated and unnecessary heartbreak, but I am not!

Not to mention the unnecessary pain and physical discomfort throughout the pregnancy for the woman. She is forced to go through all the trials of a normal pregnancy and the tremendous pain of childbirth, just so the Republican Majority can once again intrude into the lives of women and impose their will on them. This should be a private, personal decision between the woman and her doctor.

Madam Speaker, H.R. 1797 is simply outrageous. No one should be able to force a woman to carry an unviable fetus to term and then deliver it against her will. This bill has so many provisions that are just a continuation of the Republicans War on Women. And they claim there is no war on women. How can they say that when they try to pass bills like this?

Ms. BORDALLO. Madam Speaker, I rise today in support of H.R. 1797, the Pain-Capable Child Protection Act. This bill takes important steps to protecting the most vulnerable in our society—unborn children—by placing a federal ban on abortions after 20 weeks from conception. This ban would be an important first step in restoring respect for life in our nation.

I believe that H.R. 1797 strikes the right balance as it allows for exceptions in cases of child–incest, rape, or when a mother's life is in danger, but it also requires that mothers report any instances of abuse to law enforcement prior to seeking an abortion. While many would argue that this provision is too narrowly written, I believe that it is better than the present unrestricted and unaccountable legal system that makes it far too easy to get an abortion.

I support H.R. 1797 and its intent in ensuring that the most vulnerable in our society are protected and given the opportunity for life. I encourage my colleagues to vote ''yes'' on this bill.

Mr. HENSARLING. Madam Speaker, as humans and as a people, we have no greater responsibility than to care for the vulnerable—to be a voice for those who cannot speak for themselves and a defender of those who cannot fight for themselves.

I, like all Americans, was disgusted to learn of the horrific and illegal abortion procedures performed by Kermit Gosnell. Gosnell preyed upon women who trusted him in their most vulnerable moments and systematically murdered children at their most helpless stage. We must protect women from these atrocious and unsafe abortions, and we must save children from these excruciating deaths.

In the grand jury report on the Gosnell trial, a neonatal expert reported that the cutting of a baby's spinal cord during a late-term abortion causes them, 'a tremendous amount of pain.' Furthermore, according to a report by fetal pain expert Dr. Kanwaljeet S. Anand, 'the human fetus possesses the ability to experience pain from 20 weeks of gestation, if not earlier, and the pain perceived by a fetus is possibly more intense than that perceived by term newborns or older children.'

By banning abortion after 20 weeks, today's bill will save the lives of innocent children from enduring the excruciatingly painful death of a late abortion.

Mr. SHIMKUS. Madam Speaker, I rise today in support of the Pain-Capable Unborn Child Protection Act.

As modern science advances, we are gaining a better understanding of childhood development from conception to birth. While decades ago doctors believed a pre-natal child's central nervous system was too under-developed to experience pain, scientists are now finding that by 20 weeks after conception babies have an ''increase in stress hormones in response to painful experiences.'' In essence, by month 5, children can experience pain.

Many of the abortions conducted by Dr. Gosnell were near and even after the 20th week where the child could feel the pain of what was being done. I stand by the millions of Americans who are deeply shocked and emotionally horrified by the actions of Dr. Kermit Gosnell—the crimes for which he was convicted are too many to mention and too disturbing to describe.

While our hearts go out to Dr. Gosnell's victims, we must also act to prevent future Gosnell's from having the ease and opportunity to perform abortions as he did. That is why I support The Pain-Capable Unborn Child Protection Act. This bill provides national protection to unborn children who are capable of feeling pain by penalizing any doctor who provides a Gosnell-style abortion with up to 5 years in prison and/or up to a $250,000 fine.

Dr. Gosnell's trial and new scientific evidence around pre-natal childhood development has compelled us to re-examine how late-term abortions are conducted and the impact on the unborn child. This legislation will help further reduce the pain and anguish that abortions can cause.

Mr. STUTZMAN. Madam Speaker, I rise in strong support for H.R. 1797, legislation that will protect the most vulnerable members of society.

The womb should be the safest place in the world for the most weakest among us.

Sadly, it is not.

The heart-wrenching case of Kermit Gosnell showed why. The Gosnell case exposed the abortion industry's lies and showed that abortion is anything but safe and it certainly isn't rare.

Kermit Gosnell murdered newborn babies. He jabbed scissors into the necks of newborn babies. He severed their spines. And he stuffed their bodies into freezers. Now that a Pennsylvania jury delivered their verdict, we here in the House, acting on behalf of the American people, must render our verdict on abortion's grizzly truth.

Kermit Gosnell's barbaric crimes shock the conscience of civilized people across this country. However, there is absolutely no moral distinction between ending a baby's life five seconds after birth or five weeks before.

Madam Speaker, despite all the euphemisms and bumper-sticker slogans we've heard from the other side of the aisle, the issue at hand is clear: abortion businesses like Planned Parenthood regularly perform abortions on unborn babies who, like Gosnell's victims, are capable of feeling pain.

Kermit Gosnell brought us face to face with abortion's ugly truth. The American people cannot turn their back on that truth now.

Gosnell, just like late-term abortionists across this country, sold lies to young women. Madam Speaker, my heart breaks for these women. These are young women who find themselves in a seemingly impossible situation. They're young women like my mother.

Madam Speaker, on a December night in 1975, my 17-year old mother discovered she was pregnant with her first child. That night, alone and terrified, she decided to find a way to make the 40 mile trip to Kalamazoo, Michigan, to ''take care of her situation.'' If she had, Madam Speaker, I wouldn't be standing here on the House floor today.

Just a few months ago, my mom shared her story with me. After we cried together, I had to think ''what if there had been a 'Gosnell' clinic four miles away instead of 40?''

Madam Speaker, I can't imagine how scared my mom must have been and how alone she felt. So many women find themselves in a similar situation and so many are told lies by the abortion industry.

Since 1973, more than 55 million inno ent babies have been killed because of Big Abortion's lies. Madam Speaker, my mother had the courage to reject these lies. Today, here in Congress, we have to ask ourselves if we do too.

Let's outlaw these Gosnell-style abortions. Let's stand up for those who cannot speak for themselves and end barbaric procedures that have no business here in the civilized world.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in opposition to H.R. 1797, the ''Pain-Capable Unborn Child Protection Act.'' This bill represents a new line of attack on women's reproductive rights. It would criminalize abortions twenty weeks after fertilization, limiting women's ability to make their own choices about their pregnancies and their lives.

I am not pro-abortion, but I am pro-choice. The Constitution guarantees all of us a right to privacy and freedom of religion. A woman must be free to make the difficult decision about the future of her pregnancy in conjunction with her family, religious advisers, and health care professionals.

The narrow exceptions to this blanket ban on abortions after twenty weeks are insufficient to guarantee women's health and safety. They do not change the fact that this bill would deny women the care they need, even in emergencies or in the case of unreported sexual assault.

H.R. 1797 is a direct challenge to Roe. v. Wade, and would significantly erode women's freedom and right to individual choice. I strongly believe that protecting women's rights and guaranteeing women's safety must be our priority. I urge my colleagues to oppose H.R. 1797 and support women's right to choose.

Mr. GOODLATTE. Madam Speaker, I would like to submit the following:

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, June 14, 2013.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 1797, the ''District of Columbia Pain-Capable Unborn Child Protection Act,'' which your Committee reported on June 12, 2013.

H.R. 1797 contains provisions within the Committee on Oversight and Government Reform's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Oversight and Government Reform will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Oversight and Government Reform with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

DARRELL ISSA,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 17, 2013.

Hon. DARRELL ISSA,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN ISSA: Thank you for your June 14 letter regarding H.R. 1797, the ''Pain-Capable Unborn Child Protection Act,'' which the Judiciary Committee ordered reported favorably to the House, as amended, on June 12, 2013.

I am most appreciative of your decision to forego consideration of H.R. 1797, as amended, so that it may move expeditiously to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Oversight and Government Reform is in no way waiving its jurisdiction over the subject matter contained in the bill. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I am pleased to include this letter and your June 14 letter in the Congressional Record during floor consideration of H.R. 1797.

Sincerely,

BOB GOODLATTE,
Chairman.

Mr. HOLT. Madam Speaker, I rise today in strong opposition to H.R. 1797, which would violate the constitutional rights of every woman in America.

Why is the majority proposing a bill that treats women as second-class citizens? A female constituent in Trenton wrote to me and asked,

Why is it that any person, feels entitled to make a personal decision of this magnitude his business? How in any way is he qualified to make any decisions about my future, my body, my children? The Congress and Senate are spouting politics in what is completely personal matters. I do so heartily wish that Congress would spend our tax dollars on legitimate affairs of state and country—not affairs that do not concern them in any way whatsoever.

But we're not spending our time on important issues of state and country, such as fostering job creation or helping middle class families afford college.

Instead, once again, the Majority is asking Congress to play doctor. This bill is an attempt to ban safe, legal, and often medically-necessary abortion services for women. It's unconstitutional, and it is a direct assault on the dignity and independence of each American woman.

Mr. GENE GREEN of Texas. Madam Speaker, I rise in strong opposition to the bill, H.R. 1797.

At a time of enduring economic troubles we should not bog down the House of Representatives with this type of legislation. I know my Republican colleagues are sincere in their pursuit to end abortions after 20 weeks and probably before 20 weeks too. We've heard their concerns, but they're just plain wrong.

The decision to have an abortion is a private one. It should be made by the patient, in consultation with her physician, her family, and faith leader, if she chooses. Congress has no place micromanaging the practice of medicine by deciding what medical procedures are appropriate and at what time. We should not be intruding on the privacy and medical decisions of individuals.

The right for a woman to make her own medical decisions has been rightfully upheld by our courts. Those of us in this chamber may not believe that abortion is moral or right and we are free to disagree with those who seek abortion. We have already stated numerous times that federal funds may not be used to provide the procedure.

But, we must end this pursuit to erode access to types of healthcare we do not like. It will drive women to much less safe alternatives and criminalize doctors who wish to provide a safe environment. We should not go back in time.

Instead, it is time for us to really tackle the issues that confront our country: growing our economy, achieving comprehensive immigration reform, and putting our Nation on the track for prosperity for years to come.

Mr. BLUMENAUER. Madam Speaker, here they go again.

Once more, the Republican controlled House is seeking to limit women's access to safe reproductive health care through this legislation, the ''Pain-Capable Unborn Child Protection Act.'' While it is couched in the language of protecting unborn fetuses from pain, this bill is nothing more than a poorly disguised effort to force women and their families to give up their constitutionally protected rights (so far). The bill is not going anywhere and it inflames an issue that is among the most sensitive.

Roe vs. Wade, which was decided 40 years ago, is the law of the land. But still we have to go through this annual charade as Republican leadership tries to force those of us who support women's control over their health and potential to have children in the future to take a ''hard vote.'' I am no political Pollyanna; I understand the politics behind this strategy. But let me say, unequivocally, that this is no ''hard vote'' for me.

It is not hard for me to stand with the millions of women who depend on access to

safe, legal abortion. It is not hard for me to vote against any bill that imposes the will of an intolerant, albeit vocal, minority on our mothers, sisters, and daughters. It is not hard for me to protect freedom of choice, because it is right and it is just.

We have real challenges to address as a country, and yet Republican leadership is choosing to focus its efforts on this bill that would trump women's health, override family decisions, and compromises the ability to decide when and if to start a family. It's a blatant attack on women and it's not hard for me to say that it is wrong.

Ms. SINEMA. Madam Speaker, I rise in opposition to this legislation. This bill places severe restrictions on a woman's ability to make personal health care decisions with her family and her doctor. Women and their families should be able to plan for their lives and their future free from the government's interference.

Instead of arguing over ideologically motivated bills, Congress should work to create jobs and support middle class families. Today's vote is a sad distraction from the work we should be doing together for the American people.

Instead of wasting taxpayers' dollars with a debate and vote on blatantly unconstitutional measures such as this, we should focus on bipartisan legislation to create jobs and restore our nation's fiscal health.

Madam Speaker, I urge my colleagues to oppose this legislation.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 266, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. BLACKBURN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 6 o'clock and 2 minutes p.m.), the House stood in recess.

□ 1815

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN) at 6 o'clock and 15 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: passage of H.R. 1797, and the motion to suspend the rules and pass H.R. 1896.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (H.R. 1797) to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 228, nays 196, not voting 10, as follows:

[Roll No. 251]

YEAS—228

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—196

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woodall

NOT VOTING—10

Bonner
Campbell
Hunter
Larsen (WA)
Markey
McCarthy (NY)
Pascrell
Rogers (KY)
Schock
Yarmuth

□ 1844

Messrs. HOLT and LANGEVIN, Ms. LINDA T. SÁNCHEZ of California and Ms. SCHWARTZ changed their vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.''

A motion to reconsider was laid on the table.

INTERNATIONAL CHILD SUPPORT RECOVERY IMPROVEMENT ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1896) to amend part D of title IV of the Social Security Act to ensure that the United States can comply fully with the obligations of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. REICHERT) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 394, nays 27, not voting 13, as follows:

[Roll No. 252]

YEAS—394

Aderholt
Alexander
Amodei
Andrews
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Clyburn
Coble
Coffman
Cohen
Cole
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Huffman
Hultgren
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Polis
Pompeo
Posey
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Webster (FL)
Welch
Wenstrup
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—27

Amash
Bachmann
Blackburn
Broun (GA)
Collins (GA)
Duncan (SC)
Foxx
Gingrey (GA)
Gohmert
Gosar
Harris
Hudson
Huelskamp
Huizenga (MI)
Jones
King (IA)
Kingston
Labrador
Marchant
Massie
Mulvaney
Poe (TX)
Price (GA)
Weber (TX)
Westmoreland
Woodall
Yoho

NOT VOTING—13

Bonner
Campbell
Cleaver
Hunter
Larsen (WA)
Markey
McCarthy (NY)
McNerney
Nugent
Pascrell
Rogers (KY)
Schock
Yarmuth

□ 1852

Messrs. POE of Texas, GINGREY of Georgia, and PRICE of Georgia changed their vote from ''yea'' to ''nay.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PASCRELL. Mr. Speaker, I want to state that today, June 18th, I regrettably missed several rollcall votes. Had I been present I would have voted: 'nay''—rollcall Vote 248—On Ordering the Previous Question on H. Res. 266—Providing for consideration of H.R. 1947, to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through FY 2018; and providing for consideration of H.R. 1797, to amend title 18, U.S. Code, to protect pain-capable unborn children in the District of Columbia; ''nay''—rollcall Vote 249—On Agreeing to the Resolution on H. Res. 266—Providing for consideration of H.R. 1947, to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through FY 2018; and providing for consideration of H.R. 1797, to amend title 18, U.S. Code, to protect pain-capable unborn children in the District of Columbia; ''aye''—rollcall Vote 250—On Motion to Suspend the Rules and Pass H.R. 1151—To direct the Secretary of Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes; ''nay''—rollcall Vote 251—On Final Passage of H.R. 1797—Pain-Capable Unborn Child Protection Act; and ''aye''—rollcall Vote 252—On Motion to Suspend the Rules and Pass H.R. 1896—International Child Support Recovery Improvement Act of 2013.

REPORT ON H.R. 2410, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 2014

Mr. ADERHOLT, from the Committee on Appropriations, submitted a privileged report (Rept. No. 113–116) on the bill (H.R. 2410) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2014, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. HUDSON). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

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

Mr. CONAWAY. Mr. Speaker, the House just passed the Pain-Capable Unborn Child Protection Act which will protect the unborn from some heinous conduct by certain physicians. I know I have good colleagues. There are good citizens on both sides of the abortion issue, and they are heartfelt. But a free, honest, and caring society cannot, at any term, tolerate the conduct by the physician in Philadelphia and those like him who would create the most savage, barbaric abortion methods to take the life of children that were 20 weeks or older.

This bill goes a long way toward addressing that cruelty that we cannot let stand in this country. I'm proud of my colleagues who voted for it this evening, and I appreciate the passage of this bill.

FARRM ACT WILL SERVE AMERICA WELL

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

Mr. ROONEY. Mr. Speaker, I rise today in support of the 2013 FARRM Bill, which will help ensure a safe, affordable, and abundant food supply for all Americans. I represent one of the largest agricultural districts east of the Mississippi, and I'm proud to represent Florida's dairy and vegetable farmers, citrus and sugar growers, and beef cattle ranchers. This bill will serve them well, and it will serve Florida's taxpayers well, too.

The FARRM Bill includes much-needed reforms to agricultural programs. It provides relief from unnecessary Federal mandates. It saves the taxpayers $35 billion and reduces the size of government by eliminating or consolidating more than 100 programs.

In particular, I am pleased that this bill addresses the growing problem in my district of citrus disease. Diseases like greening have already wiped out over one-quarter of the citrus acreage in Florida. If we don't reverse this trend soon, we won't have enough crop to sustain our existing processing plants, and the problem will only spiral from there. Florida will lose jobs and our economy will suffer. But this will impact all Americans, because if Florida isn't growing oranges, you won't be putting orange juice on your breakfast table.

Mr. Speaker, if we want to have a safe, abundant, and affordable food supply, we need to pass the FARRM Bill.

□ 1900

DREDGING OUR NATION'S SMALL PORTS

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

Ms. HERRERA BEUTLER. Mr. Speaker, I rise today to bring attention to the issue of dredging our Nation's small ports, a critical issue for hard-working folks in Washington State, southwest Washington, in particular, in Wahkiakum County, Chinook, Ilwaco and other parts of my district.

This is a job issue in my region and for those along waterways throughout our Nation. The issue is this: ports are lifelines to several towns and communities across the Columbia River and the Pacific Coast in my district, and they are literally being choked off by lack of maintenance dredging.

One of my local newspapers, the Chinook Observer, commented, if a farmer were unable to ship his wheat because a road became impassable within our Federal highway system, the Federal Government would rightly fix this issue immediately.

It is no different for the dire circumstances facing our Nation's navigable waterways. We need to address this issue as soon as possible.

As a member of the Appropriations Committee, I've taken action in search of a swift solution. And thankfully, the committee included $1 billion out of the Harbor Maintenance Trust Fund for dredging and maintenance of waterways in our Energy and Water Development appropriations bill.

We must maintain our Nation's maritime ports.

END HUNGER NOW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Massachusetts (Mr. MCGOVERN) is recognized for 60 minutes as the designee of the minority leader.

Mr. MCGOVERN. Mr. Speaker, I appreciate this time to address my colleagues about one of the most important issues that we face in this country, and that is hunger.

We have a problem in the United States of America, I'm sad to say, where we have 50 million of our fellow citizens who are hungry; 17 million are kids. This is the case in the richest, most powerful Nation on the planet.

We should be ashamed of ourselves. Food is not a luxury. It is a necessity, and everybody in this country ought to have a right to food, and that should not even be controversial.

Yet, we have a FARRM Bill that we will begin debating tomorrow that cuts SNAP, which used to be the food stamp program. It cuts it by $20.5 billion. That's billion with a B.

What does that mean?

It means that 2 million people who currently receive the benefit today, tomorrow will lose it. It means that over 200,000 kids who are eligible for free breakfast and lunch at school today will lose that benefit tomorrow.

Those aren't my numbers. Those aren't the numbers of some liberal think tank. Those are the numbers by the Congressional Budget Office, CBO. They say that if the FARRM Bill passes, and if those numbers stay in, 2 million of our fellow citizens will lose their food benefit.

Mr. Speaker, I find that unconscionable. We are trying to emerge from one of the worst economic recessions in our history. Record job losses over the last few years. We've had people of all backgrounds lose their jobs, find themselves working now in jobs that don't pay very much, struggling, trying to keep their families afloat.

And one of the lifelines during this difficult economic time has been the SNAP program. It has enabled many families to be able to put food on the table.

You can't use SNAP to buy a flat-screen TV. You can't use SNAP to buy a car. You can only use SNAP to buy food. That's what this is all about.

And in the FARRM Bill, for whatever reason, it was decided that, rather than looking for savings in the crop insurance program, which we know is rife with abuse, rather than looking for savings in some of these special kind of giveaways to agribusinesses, these sweetheart deals, rather than trying to find savings there to put toward balancing our budget, it was decided to go after, almost exclusively, this one program, SNAP.

Mr. Speaker, I heard up in the Rules Committee, during our consideration of the amendments today, people, a number of people say, well, all we're doing is eliminating categorical eligibility.

A lot of people don't know what categorical eligibility is. A lot of people who are supporting these cuts don't know what categorical eligibility is.

Basically, this was a Republican idea to kind of streamline a lot of bureaucracy and paperwork at the State level. So if you qualified for welfare, then you would automatically be enrolled in the SNAP program. It doesn't mean you would automatically get a benefit. It means you would be enrolled in the program, and if you qualified for the benefit, you would get it.

It was kind of one-stop shopping for people who were poor, for people who found themselves experiencing a difficult situation.

It has saved States lots and lots and lots of money. It has made it easier for people, during these economic difficulties, to be able to get the benefits that, quite frankly, they're entitled to.

And so when you eliminate categorical eligibility, what do you is you put an extra burden on States. States will end up having to pay more for additional bureaucracy. There'll be more paperwork. There'll be more confusion.

The other thing that happens when you get rid of categorical eligibility is that you will make it more difficult for people who are eligible to get the benefit and, therefore, many people who are still experiencing tough times, who are eligible for a food benefit, will not be able to get it.

Mr. Speaker, this used to be a bipartisan issue. And I remember, during the 2008 farm bill, you know, one of the things that saved that farm bill was the food and nutrition part of the farm bill. Congresswoman ROSA DELAURO,

whom I'll yield to in a few minutes, working with then-Speaker NANCY PELOSI, and I was happy to play a little bit of a role in it, helped fight to up the nutrition program in the farm bill in 2008.

As a result of that, we were able to pass a farm bill. And as a result of that, we were able to help millions and millions and millions of families. That's a good thing.

But, for whatever reason, in 2013, programs that help poor people have become controversial. My Republican friends have diminished and demeaned this program called SNAP. They have diminished the struggle of poor people.

I said in the Rules Committee today, I reminded my colleagues in the Rules Committee today that the average food stamp benefit, the average SNAP benefit is $1.50 a meal, $1.50 a meal, and $4.50 a day. That's like one of those fancy Starbucks coffees. That's what this is.

This is not some overly generous benefit. This is not even an adequate benefit, quite frankly. But in some cases it is a lifeline for many families. That's what it is.

A number of us, over this last week, have been trying to dramatize the fact that this is a modest benefit, so we have lived on a food stamp budget for this last week. I've got two more days to go, but I've lived on $1.50 a meal, $4.50 a day. It's hard.

It's hard to be poor. It's hard to shop when you're poor. It's hard to plan meals when you're poor. Given the opportunity between being poor or being able to be self-sustaining, to be able to buy whatever food you want, whenever you want it, you would prefer the latter. Nobody enjoys being on this benefit.

Some of my friends say that this creates a culture of dependency. Well, I remind those people who think that that there are millions and millions and millions and millions of people in this country who work for a living who earn so little that they still qualify for SNAP. They rely on SNAP to put food on the table.

And by the way, that's not enough, so they go to food banks and food pantries to be able to add to their ability to be able to put food on the tables for their families.

In 1968, there was a CBS documentary entitled ''Hunger in America,'' and it created quite a stir, because a lot of people in this country looked the other way and didn't realize that hunger was as bad as it was.

George McGovern, a liberal Democrat from South Dakota, and Robert Dole, a conservative Republican from Kansas, got together and helped create the food stamp program, now known as SNAP, helped create WIC, helped expand school meals for kids in schools, made sure that poor kids had access to meals during the summer.

They worked in a bipartisan way, and proudly, in a bipartisan way, doing what they could to make sure that nobody in this country went hungry. And in the late 1970s, by the late 1970s, we almost eliminated hunger in America. I mean, this kind of bipartisan coalition produced incredible results that almost eliminated hunger in this country.

And then in the 1980s we started taking steps backwards, and today we have 50 million of our fellow citizens who are hungry.

I would say to my friends who are thinking about how to vote on this FARRM Bill, you know, we should not have to choose between a good and adequate nutrition part of the FARRM Bill and good and adequate farm programs. They should go together.

□ 1910

In fact, the only thing you can buy with SNAP is food, so who benefits from food purchases? Well, farmers grow food, so farmers benefit from those purchases. So they're not separate and distinct. In fact, they're very, very much related. And this marriage between nutrition and farm programs has resulted in the passage of many important farm bills over the years. But for whatever reason, we find ourselves in a situation where that kind of coalition is breaking apart, and I regret that very, very much.

I want a farm bill. I represent a lot of agriculture in my part of Massachusetts. But I want a farm bill. I want a good farm bill. But I'm not going to vote for a farm bill that makes hunger worse in America. That's not the legacy I think we want to have here in this Congress. I think what we want to be able to do is to tell our constituents that we passed a good farm bill that not only helps our farmers but also helps people who are struggling.

There is nothing wrong—in fact, there is everything right—about our dedication to helping the least fortunate among us. Those who have said that, well, we don't want to be known as the food stamp Congress, I would respond to them as follows: I am proud to live in a country that has a social safety net. I am proud to live in a country where we don't let people starve. I am proud to live in a country that has programs like SNAP, like WIC and like school feeding to make sure that our citizens have enough to eat. Why is that all of a sudden controversial?

I'm going to tell you that SNAP is not a perfect program. Yes, there has been some abuse in the program to be sure. And to the credit of USDA and Secretary of Agriculture Vilsack, under his leadership, there has been a concerted effort to go after those who abuse the program. Anybody who abuses this program, in my opinion, ought to have the book thrown at them. These are taxpayer dollars going to support a program to help people get enough to eat. And when people abuse the program or misuse it, we ought to throw the full extent of the law at them. They ought to be fined and, in some cases, even arrested when they abuse taxpayer dollars.

But I will also say to my colleagues that SNAP, according to the General Accountability Office and according to a whole bunch of other studies, has one of the lowest error rates of any Federal program. I only wish some of the missile programs under our Pentagon's jurisdiction had as low an error rate and had as low a record of abuse of taxpayer dollars as the SNAP program has.

This is a good program. This is a good program. It can be better, and we should make it better. But let me say this: if you want to make it better, then maybe what we ought to have done in the Agriculture Committee is actually have a hearing. When people say that there are reforms in the FARRM Bill with regard to SNAP, I kind of cringe because how did you get to that number? How did you get to this so-called ''reform'' when there wasn't a single hearing in the Subcommittee on Nutrition? There wasn't a single hearing in the full Committee on Agriculture.

It is important that we make this program as perfect as it possibly can be. It is important that we try to make sure that every bit of abuse and fraud is taken away from this program, but there's a right way to do it. We deliberate. That's what we're supposed to do in Congress. You hold hearings, you listen to all different sides, you listen to how you can improve the program, and then we come together and we make those improvements.

But we ought to also understand that we need a larger discussion in this country on how to end hunger. We need to understand, as we debate the FARRM Bill, that SNAP is one tool in the anti-hunger toolbox. It doesn't solve everything. It doesn't solve everything. What it is is one program to help alleviate hunger. What we need, and I've called for, is the President of the United States to bring us all together under the auspices of a White House Conference on Food and Nutrition. Let's talk about this issue holistically. Let's take on some of these big issues of how do you end hunger in America.

Let's deal with that. And in convening such a summit, the President could bring all the different agencies in our Federal Government that have a piece of the pie in terms of battling hunger in America because not all of these programs fall into one agency. They fall into multiple agencies. Let's bring them all together. Let's figure out how we can better connect the dots. Let's call in our State and local governments. Let's call in businesses, the philanthropic community, our hospitals, our schools and our nutritionists. Let's call in our food banks, our food pantries and all the NGOs that have been out there struggling to end hunger for decades. Let's get everybody in a room together and lock the door until we have a plan.

If you want to end hunger, the first thing is you ought to have a plan. We

in this country, quite frankly, do not have a plan. So until we get to that point where we get a plan, what we ought not to do is take away from these programs that at this point do help alleviate hunger. We ought not to undercut the importance of SNAP. We ought not to throw 2 million more people off the program and hundreds of thousands of kids off free breakfast or lunch programs.

What do we do? I asked a question when I was reading the CBO numbers about how many people would lose their benefits. My question is, Where do these people go? What do they do? What do they do without a food benefit? Do they just show up at food banks, 2 million more people just show up at food banks? Talk to your local food banks. Talk to your local food pantries. They're at capacity. They can't take any more people. This notion that somehow charity will just pick up all the slack is a bunch of nonsense. Talk to the charities. Talk to the churches. Talk to the synagogues. Talk to the mosques. Talk to the food banks and food pantries. They can't handle what they're dealing with right now.

Just one final thing, and then I'm going to yield to my colleague from Connecticut. I also want my colleagues to understand another thing. Over the years, we have used SNAP as kind of an ATM machine to pay for other programs. As a result, come November of this year, if we cut nothing else, if we cut nothing else, people's benefits are going to go down. The average family of three will lose about $25 to $30 a month. That may not seem like a lot of money to some of my colleagues here in Congress, but $25 or $35 a month might be a week's worth of groceries. It might be what keeps somebody afloat for a week. It is a big deal to somebody who is in poverty, and we ought not to diminish that. We ought not to diminish that.

I'd also say that it really troubles me when I hear people demonize these programs and again diminish the struggle of those who need to take advantage of these programs. Listening to some of my colleagues testify before the Rules Committee today, you would think that our entire Federal deficit and our debt is all because we have programs like SNAP. They are wrong. They are wrong. SNAP didn't cause the debt that we have right now. What caused the debt are two unpaid-for wars that are in the trillions of dollars, tax cuts for wealthy people that weren't paid for, a Medicare prescription drug bill that wasn't paid for, and bad economic policies. Not this. Not this. This is a safety net; and it's a safety net that, yes, can be improved, but it's a safety net.

One of the things that we in Congress are supposed to be focused on is how we help people, help people who are in need. Donald Trump doesn't need our help. He's got all the money in the world. He's fine. But there are lots of people who don't live on Wall Street, but who live on Main Street who are just holding on by their fingertips, who, in some cases, their Sundays are spent trying to figure out how to just put food on the table for their families. There is not a congressional district in America—not a single one—that is hunger-free. There is not a community in America that is hunger-free.

□ 1920

If you've ever met a child who is hungry, it breaks your heart. And it just shouldn't be. It just shouldn't be. We are a better country than that.

So rather than going after this program, rather than going after WIC and SNAP and programs to help poor people put food on the table, we ought to be talking about the larger question about how to end hunger now.

Having said that, let me yield some time to my colleague from Connecticut, who's been a leader on this issue and who, in 2008, helped boost up the nutrition components of the farm bill, which made it a better farm bill and helped millions of people. So I yield to Congresswoman ROSA DELAURO.

Ms. DELAURO. I want to thank my colleague, Congressman MCGOVERN.

And I want to say a thank you to you. You have been steadfast and courageous on this issue. I know the strong and personal relationship that you had with Senator McGovern, who, with every fiber of his being, was devoted to making sure that both in the United States domestically and overseas that people, and particularly children, had enough to eat. And I think it was so special that he partnered with Bob Dole of Kansas.

When you take a look at the federally commissioned report that you spoke about, when you take a look at the people who were involved, the strength of that commission on hunger in America was its bipartisanship. Since this effort has begun, Members of both sides of the aisle have focused on this as a substantial problem. Therefore, as a Nation, we have to come together to try to address it.

Unfortunately today, in the environment, in the atmosphere, in this body, in this institution, in the Congress, there seems to be not much view that this is a problem and one that we have the opportunity, the capacity, and the ability to do something about. What we lack, as you've said so often in the past, is the will, the political will to do something.

We are highlighting tonight the severe, the immoral cuts made to antihunger and nutrition programs, particularly the food stamp program in the House FARRM Bill. Again, as you pointed out, millions of families are struggling in this economy.

We've had the worst recession since the Great Depression, and people are trying to survive. We're looking at an unemployment rate that is 7.5 percent. We are looking at incomes which are not increasing, but wages that are decreasing. Why we would pick this moment really to throw more people into poverty?

You can take a look at all kinds of statistics, and I'll quote some in a few minutes, that talk about the food stamp program and how it has kept people from falling into poverty and how it has kept kids from going hungry. And we would choose this moment to increase that poverty number and to say to children and disabled and seniors, I'm sorry, you're on your own. That's what this is about. It is immoral.

You know, you talked about the 50 million Americans—almost 17 million children—suffer with hunger right now. It's a problem across the country.

You talk about my district, the Third District of Connecticut. Connecticut, statistically, is the richest State in the Nation. We have a very affluent portion of the State, which is known as Fairfield County, sometimes referred to as the ''Gold Coast.'' Lots of people on Wall Street come to live in Fairfield County in Connecticut. Yet, in my congressional district, the Third District, one out of seven go to bed hungry at night. They don't know where their next meal is coming from.

One out of seven individuals nationwide take part in the food stamp program. People today who never thought they would have to rely on food stamps are having to do so because they lost their job, they lost their income, and they're looking for a way to feed their families.

I was at the Christian Cornerstone Church in Milford, Connecticut, just a few days ago. A young woman, Penny Davis, she was working, taking care of herself, taking care of her family. She lost her job. She didn't think much about it. She would get another job. She hasn't been able to get another job in this economy. In the meantime, in the interim, she's become separated from her husband. She is now responsible for herself and her family.

She didn't know what she was going to do. She called on the Christian Cornerstone Church. She called on the food bank to help her, to see what she could do. She spoke eloquently about wanting to work and not being able to find a job. So today she has accessed a program that she never thought she would have to use—the food stamp program.

Why can't we be there to help people bridge that gap? Because the genius of this program is that, in difficult times, the numbers of participants go up, but when the economy gets better, those numbers come down. And the numbers are coming down. So why, at this moment, would we jeopardize these folks' livelihoods, their well-being, and their ability to eat and to feed their families?

We've got a wonderful, wonderful phrase these days that we use about people being ''food insecure.'' Plain and simple—and you know this, Congressman MCGOVERN—this is people being

hungry. They're hungry. It makes you feel good to talk about food insecurity, but it's hunger. I talked about my district, but let's take a look.

Mississippi, 24.5 percent suffer food hardship. They're hungry. Nearly one in four people. West Virginia and Kentucky, that dropped to just over 22 percent, one in five. In Ohio, nearly 20 percent. California, just over 19 percent. The estimates of Americans at risk of going hungry here in the land of plenty are appalling, and we have a moral responsibility to do something about this.

Our key Federal food security programs become all the more important at this time, which, as you know and I know and so many others know, it is true of the food stamp program. It is the country's most important effort to deal with hunger here at home, and it ensures that American families can put food on the table—47 million Americans, half are kids.

This is about helping low-income children's health and development, reducing hunger in America, and continuing to have an influence so that those youngsters can have positive influences and opportunity into adulthood.

You stated it. Food stamps has one of the lowest error rates of any government program at 3.8 percent. I was upstairs at that Rules Committee meeting as well. You know, I loved the discussion about program integrity. Many, many times in the Agriculture Appropriations Committee, where I did serve as chairman for a while—I'm still a member of the committee, probably 16, 18 years on that committee—program integrity. Let's cut back on the waste, the fraud, and the abuse. The only programs that get debated in those efforts are WIC, food stamps, other nutrition programs. No one bothers to take a look at the defense bill. No one bothers to take a look within the FARRM Bill of other instances of waste, fraud, and abuse.

□ 1930

We believe in program integrity for every program in the Federal Government, not just one or two or pick out the programs that you don't like and focus in on them.

I sat on the Appropriations Subcommittee on Agriculture for the last 16 or 17 years. I chaired that Appropriations Subcommittee. I was part of a conference committee on the farm bill in 2008. In fact, as you've heard me say in the past, appropriators don't usually get onto a conference committee. But the then-speaker, NANCY PELOSI, appointed me there, particularly for the nutrition issues. Some of the conferees were a little nervous. As I've said, they thought I was some sort of invasive species in this context.

We worked hard on that farm bill. You know it because you worked hard on it. We said it was a safety net, and it is a safety net. The farm bill is a safety net, but it is a safety net for American farmers and for American families. We need to have that safety net. With then-Speaker PELOSI's strong support and leadership we passed a farm bill. We supported nutrition and antihunger programs. We made investments in the programs that targeted specialty crops and organic production. We were there and we voted for that bill.

I am for a farm bill, but that's not the case this time around. It's a different set of circumstances and a different environment, which is why, like you, I cannot support this farm bill.

The changes that you talk about, in addition to the $20 billion in cuts to beneficiaries, you talk about the eligibility program and the tool that States use to streamline the administration of the program; went back years in working this system out. They would unravel all of that.

Then they would like to talk about the food stamp program and the Low-Income Home Energy Assistance Program. They are two separate issues—categorical eligibility and the tie with food stamps and the LIHEAP program, the Low-Income Home Energy Assistance Program. They'll say that if you get LIHEAP, then you're automatically on the food stamp program. That's not true. You have to qualify. I want to get to a couple of points that talk about qualifying and what people are forced to qualify and those who are not forced to qualify for the benefits that they receive in this farm bill.

It's important I think to note that we were able to get funding for the food stamp program in the Economic Recovery Program. You worked hard at that, I worked hard at that, the chair of the Appropriations Committee at that time, Mr. Obey, fought for those dollars. That has come to an end, the Economic Recovery Program.

Come the beginning of the next fiscal year every single recipient of food stamps will see it is $37—we got confirmation—$37 a month in a cut. What's happening in this farm bill will only add on.

It is important to note that our colleagues will say: Well, we have a deficit and we are going to use this money and we are going to pay down the deficit. Very interesting to know. In the past 30 years, every major deficit reduction package signed into law on a bipartisan basis was negotiated on the principle of not increasing poverty or inequality in deficit reduction.

Simpson-Bowles, the latest iteration of a deficit reduction package which so many people said went too far in changing the aspects of the social safety net, did not cut the food stamp program to achieve its deficit reduction. We need to follow this bipartisan effort in the same way that we did in these instances on deficit reduction and follow that bipartisan road, the same way we did in the recognition of the problem and the willingness to do something about it.

I've got two other points. You may hear from some that the direct payments—they'll say, well, we're cutting direct payments in the farm bill, and that the bill also makes very real reforms to the crop support programs. The bill finally ended direct payments, saving about $47 billion over 10 years. The commodity title of the bill only says that they're saving $18.6 billion. Why? Why the differential?

Because the rest of those savings are being plowed back into the commodity support programs. It creates a brand new program, which is called a ''price loss program,'' to protect these commodities if prices change. In essence, that safety net is working for farmers. I don't begrudge that. If you want to provide a safety net for farmers, fine.

But where's the safety net, where's the safety net for the benefits of the food stamp program? They're not there. The food stamp beneficiaries have nowhere else to go, as you pointed out, nowhere else to go in the farm bill to be made whole. Those who were receiving direct payments, they're going to be held harmless, if you will, through crop insurance and a new program, a shallow loss protection program that protects them if the commodity prices begin to fluctuate.

Where is the protection for the food stamp beneficiaries? It's not there. The only people who are going to lose benefits are the most vulnerable in our society today. It's wrong and, again, it's immoral.

The bill, as I said, expands the crop insurance program. I think it is important for people to understand that crop insurance—again, safety net, useful, good concept, very good, I wish it applied to our part of the country as it does to other parts of the country—but I don't know that the American taxpayers know this about the crop insurance program: taxpayers, U.S. taxpayers, foot the bill for over 60 percent of the premiums for beneficiaries, plus U.S. taxpayers pick up the tab on administrative and operating costs for the private companies that sell the plan, including multinational corporations, some of whom trace back to companies in tax havens. Switzerland, Australia, Ireland, Bermuda, that's where these companies have their headquarters, so they're making out like bandits. We pick up the tab, they don't pay their fair share of taxes in the United States. It really is quite incredible.

You and I talked about, Congressman MCGOVERN, that $4.50—there's an income threshold, there's a cap on the amount of money they can receive on the assets that they hold. This program on crop insurance where 26 individuals received at least $1 million in a subsidy, at least $1 million, they're protected statutorily and we can't find out who they are. We don't know who they are. They have no income test, no cap, no income threshold, no asset test that they go through. They just get the money—they get the money. Do you know what? They're eating and they're eating more, more than three squares a

day I bet, but not our kids, not our kids.

□ 1940

Our kids are going to bed hungry, and this program, by the way, does not even require the minimum conservation practices that other farm programs have on the books. It is pretty extraordinary when you think about a family of four when you have to qualify for this program for eligibility. It is at less than 130 percent of poverty, which means that a family of four has to live on $2,200 a month. As for our colleagues in this institution who are taking the food stamp challenge and doing it for a week—some may do it less, and some may do it more—do you know what? They're not doing it every single day with their kids.

There are serious problems with this FARRM bill. There really are very, very serious problems, and they need to be addressed. It should never have come out of the committee with $20 billion in cuts—never. It shouldn't have happened. I might also add that the President, as my colleague knows, has issued a veto threat primarily because of the food stamp cuts.

There are just a couple of quotes that I think are important.

The U.S. Conference of Catholic Bishops said last year:

> We must form a circle of protection around programs that serve the poor and the vulnerable in our Nation and throughout the world.

Catholic leaders last month wrote:

> Congress should support access to adequate and nutritious food for those in need and oppose attempts to weaken or restructure these programs that would result in reduced benefits to hungry people.

We received a letter today asking us and asking Representatives—my God, there must be 80 or 90 organizations, probably over 100 organizations, that are saying don't do this, including the bulk of the medical profession. We've got Bread for the World, Children's HealthWatch, the Jewish Council for Public Affairs, First Focus, Network, the American Academy of Pediatrics, the American Public Health Association, Share Our Strength, and the list goes on.

Harry Truman said:

> Nothing is more important in our national life than the welfare of our children, and proper nourishment comes first in attaining this welfare.

I will close with the piece that was put out today by the Center on Budget and Policy Priorities:

> New research shows that the food stamp program is the most effective program pushing against the steep rise in extreme poverty. One reason the SNAP program is so effective in fighting extreme poverty is that it focuses its benefits on many of the poorest households. Roughly 91 percent of monthly SNAP benefits go to households below the poverty line, and 55 percent go to households below half the poverty line. That's about $9,800 for a family of three. One in five SNAP households lives on a cash income of less than $2 per person a day.

Earlier in the article, it reads that the World Bank defines poverty in developing nations as households with children who live on $2 or less per person per day.

This is the United States of America. This is not a debate about process. It is not a debate about deficit reduction. It's not about politics. This is a debate about our values and our priorities in this great Nation. Let's go back to the days of George McGovern and Bob Dole and of those who came forward to say, There are those in this country who are starving. There are those who are without food.

We sit in the most deliberative body in the world. We can do something about it. Let's do something about it.

Mr. MCGOVERN. I thank my colleague from Connecticut for her eloquent remarks. I think tomorrow, hopefully, we can do something about it. I will have an amendment, I hope, if the Rules Committee makes it in order, to restore the SNAP cuts, to reverse the $22.5 billion worth of cuts. Members on both sides of the aisle will have an opportunity to vote up or down on it. I think how we vote on that is a statement of our values and whether we think that government has a role and, indeed, whether our community has a role to be there for the least among us.

I tell people all the time that hunger is a political condition. You can't find anybody in this place who is pro-hunger or who at least will admit it, but somehow the political will doesn't exist to end this scourge once and for all. We can end it. The maddening thing about this problem is that it is solvable. When people say to me, Well, we can't spend any more money, my response is, The cost of hunger is so astronomical that we need to figure out a way to end it. If that means spending a little bit more in the short term to help extend ladders of opportunity for people to be able to get out of poverty, then we ought to do it.

Hunger costs. I mean, kids who go to school who are hungry don't learn. They can't concentrate. They don't learn. Senior citizens who can't afford their medications and their food and who take their medications on empty stomachs end up in emergency wards. One of the pediatricians at Boston Medical Center told me about young children who have gone without food for periods of time who end up getting something that is nothing more than a common cold, but their immune systems are so compromised that they end up spending several days in the hospital.

So if you're not moved by the moral imperative to end this problem, then you ought to be moved by the bottom line, which is that it costs us a lot of money to not solve this problem.

There was this great film that just came out a couple of months ago called, ''The Place at the Table.'' Two great young filmmakers—Kristi Jacobson and Lori Silverbush—directed this film. It documents hunger in urban, rural, and suburban America. It shows the face of hunger in America—young, middle-aged, old. I mean, it is there and it is heartbreaking.

We brought up to our Democratic Caucus in a meeting a few weeks ago some SNAP alumni, people who grew up and were on food stamps and who came back to say thank you for investing in them, for helping them get through a difficult time. Many of them now are doctors and lawyers and engineers and professors and have been very successful in paying back much more than we invested in them.

We want success stories. This place, this Congress, should be about lifting people up, not telling us how bad things have to be, not telling us that we have to put people down in order to move forward—trample over people—because that's what we do when we cut programs like this. We ought to be thinking big and bold about ''how do you end hunger?'' and ''how do you end poverty in this country?'' There is a way to do it. We saw what happened in the 1970s with George McGovern and Robert Dole. Things have obviously changed.

Let's perfect this program, but let's connect the dots so that we are creating a circle of protection that actually helps lift people out of poverty. I would like to think the goal of those of us on the Democratic side and the goals of those on the Republican side are to help people become self-sufficient—to succeed. That's what we want, but you are not helping people succeed when you take away food. That's what is at stake in this FARRM bill.

I know the gentlelady agrees with me, and I know she feels very strongly about this, but we will have an opportunity, hopefully tomorrow, to be able to have a debate and a vote up or down on whether we should cut this program in a very draconian way—to throw 2 million people off the benefit, hundreds of thousands of kids off free breakfasts and lunches. What happens to those people? What do we tell them to do—go to your local charity?

□ 1950

Ms. DELAURO. You were talking about the effect. It's about growth and development. There is wonderful material which we sent out to our colleagues from Dr. Deborah Frank, who talks about what happens to children. It isn't just concentrating, but it is their ability to grow, to develop, to be physically well. And the cost of dealing with what happens to the health issues only adds to our health care costs. I'm of the view that if you can't deal with humanity, let's deal with the economics of this. The studies are so clear about what happens with the absence of food, particularly with children.

Mr. MCGOVERN. I would say to the gentlelady that the points she raises are very important because the health of our children should be first and foremost, and we are now experiencing in this country a record level of obesity.

There is a tie-in between food security, hunger, and obesity.

People who are struggling in poverty do not have the resources to be able to buy nutritious food. Sometimes they live in food deserts and they rely basically on food items that just kind of fill them up with empty calories. So now we're dealing with that.

So if we looked at this issue holistically, we could solve a whole bunch of problems in this country. I'd like to think that there is a lot of bipartisan consensus on what we can do in ending hunger and promoting better nutrition and trying to build those ladders of opportunity to help people get out of poverty, perfecting these programs to go after the waste, to go after the abuse, to go after those who are outliers in this program who choose to try to basically rob the American taxpayer. Let's go after them, but let's not throw the baby out with the bathwater here. Let's not just turn our backs on the success stories.

Ms. DELAURO. I would just say this to the gentleman. The program has worked very hard, as you know, over the years to decrease that error rate in this program. I don't see the same concentration and the same effort in other programs.

And I mentioned here the crop insurance program. There's an article in the paper today that talks about the program is rife with fraud. Why aren't people interested in looking at that effort and the billions of dollars that we are losing every year? For the life of me, I don't understand it. People who view themselves as fiscal hawks, that we have to watch every dime and every dollar, they are only focused on nutrition programs and antihunger programs.

I think you may have alluded to this earlier, Congressman MCGOVERN. I think so many times that those who would cut these programs and do it in such a savage way just don't have much respect for the people who find themselves in a position to have to participate in the food stamp program. They think they're dogging it. They think they don't want to work, and they think they're looking for charity. It is such a misconception and a lack of understanding of the difficult economic times that people find themselves in today.

Sometimes we ought to walk in people's shoes and understand the lives that they're leading and what they're trying to do, like those of us here who believe we work hard and care and et cetera. People work hard. They care about their families. They want to make sure their kids are eating. Quite frankly, when it comes to feeding your kids, you'll do whatever you have to do in order to make that happen.

Mr. MCGOVERN. Let me say to the gentlelady that I couldn't agree more.

I've met with countless parents who have tearfully told me the anguish that they experience when they're not quite sure whether they'll be able to put food on the table for their children's dinner or for their breakfast or for their lunch.

I'm the parent of two children, an 11-year-old daughter and a 15-year-old son. I can't imagine what it would be like to not be able to provide them food. I think as a parent nothing could be worse because your kids are your most precious and important things in your life.

This is for real. This is real life.

Ms. DELAURO. In Branford, Connecticut, a woman with three boys, 18, 14, and 12, said that they eat one meal a day. In Hamden, Connecticut, there's a woman who says that she has just enough food to feed her children, but she has to say ''no'' if they want to invite someone over. She said sometimes she feeds the boys a little bit more because they're hungrier than the girls. We've heard about this internationally where the girls get short shrift when it comes to both education and food. My God, it's happening here. It is happening here.

We have the obligation—and I know you take it seriously. Our colleagues need to have that sense of moral responsibility to turn this around and do something that's better, do the right thing. Say ''no'' to $20 billion in cuts to the food stamp program.

Mr. MCGOVERN. I thank the gentlelady for her comments and for her passion and for her efforts on this issue.

I hope that my colleagues, in a bipartisan way, will indeed say ''no'' to these terrible cuts.

It's hard for me to believe that we're going down this road, that we're going down a road where 2 million people are going to lose their food benefits, hundreds of thousands of kids are going to lose their access to a free breakfast and lunch, and we're all just kind of saying, ''It is what it is.'' Well, it isn't. This is a big deal.

I don't quite know why it's easier to pick on programs that help poor people versus programs that help rich people. You outlined earlier all these kind of little sweetheart deals and special interest kind of giveaways that kind of go untouched, such as how crop insurance oversight is not what we all think it should be. Yet a lot of times lucrative interests get those monies and get those benefits. Maybe there's a political consequence if you take on a powerful special interest. Maybe they won't show up to your fundraiser. Maybe they'll contribute to a super PAC and say that you're bad.

By contrast, poor people don't have a super lobby, don't have a super PAC. So maybe there's a debate going on of where will I get the most heat and not what is the right thing to do.

Ms. DELAURO. The most disingenuous thing is there are a number of people in this body who talk about this issue and themselves are getting subsidies and they have commodities or whatever it is. That's been information that's been in the paper. They will deny food stamps to families who have no wherewithal, but they're taking in sometimes, in some cases, several million dollars in subsidies that are coming from the Federal Government. Then it's okay.

Mr. MCGOVERN. Where's the justice in that?

Ms. DELAURO. There is no justice in that.

Mr. MCGOVERN. I received a postcard from a young mother who is on SNAP and who is kind of watching this entire debate unfold. She sent a very simple message to me that said, ''Don't let Congress starve families.''

We should be about lifting people up. This is not about a handout. It's about a hand up. This is not about a culture of dependency. This is about making sure that there is an adequate safety net in this country to deal with people who have kind of fallen on hard times.

Ms. DELAURO. With farmers and with families.

Mr. MCGOVERN. Absolutely.

We want a farm bill that supports our farmers, that supports small- and medium-sized farmers in particular, that helps promote good nutrition, that helps deal with the challenges that farmers all across this country face, but it cannot sacrifice the well-being of some of the most vulnerable people in this country.

I thank the gentlelady for her participation, and I yield back the balance of my time.

□ 2000

FATHERHOOD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentlewoman from Missouri (Mrs. HARTZLER) is recognized for 60 minutes as the designee of the majority leader.

Mrs. HARTZLER. Mr. Speaker, Father's Day was this past Sunday, and I am very thankful that I had an opportunity to spend some time with my father, with my sister and her family. Everybody was there. I had an opportunity to thank him for the role that he has meant and continues to mean in our lives, and to thank him for that. It was also an opportunity for my daughter and I to do something special for my husband.

But, you know, Father's Day also presents us with the great opportunity to focus on the importance of fathers in this country. The presence of a father has such a tremendous impact on the life of each and every child and adult in America. A father serves to provide a sense of protection, guidance, and above all, love for their child. Fathers also push their children to pursue their dreams and to never give up.

I think of my own father, Ted Zellmer, and the profound influence that he has had on my life. Not only has he taught me the meaning of hard work and dedication, but he has supported me throughout my entire life to where I am today, representing the

good people of Missouri. That's what good fathers do and why they are so important. We learn a lot from fathers—whether it's how to drive a tractor and shoot a free throw, like my dad showed me, or how to fix an engine or play baseball. Dads teach us. They also show us how to live by example.

Children learn the importance of work and dedication to providing for the family when they see their dad leave for his job each day. They learn the importance of faith when he takes his family to church on Sunday. And they learn the value of family when he prioritizes his time to eat dinner with them each night, or to coach their Little League team.

We need good fathers now more than ever. Their importance is paramount to another discussion taking place in our Nation, and that is the value of marriage in America. Along with Father's Day, June will also bring an important announcement: the Supreme Court's much-anticipated rulings on both the Defense of Marriage Act (DOMA) and Proposition 8. These cases have put the national spotlight on this issue in a new way, and provide an opportunity for Americans to discuss the question: What is marriage?

It's not complicated. Marriage exists to bring a man and woman together as husband and wife, to become the father and mother for any children that come from that union. Marriage is based on the biological fact that reproduction depends on a man and a woman and the reality that children need a mother and a father. Redefining marriage would further distance marriage from the needs of children. It would deny as a matter of policy the ideal that a child needs a mom and a dad. We know that children do best when raised by a mother and a father.

President Obama is also a strong advocate for the importance of a strong male figure in a child's life. With firsthand experience of growing up without a father, the President works every day to be a great dad for his two daughters. The Obama administration has created many new programs under his Fatherhood Initiative Program, including under Fatherhood Buzz and Healthy Marriage and Responsible Fatherhood Initiative.

During his speech, President Obama said:

> Too many fathers are missing from too many lives and too many homes, having abandoned their responsibilities, acting like boys instead of men.

And then he goes on. The President says:

> We know the statistics—that children who grow up without a father are five times more likely to live in poverty and to commit crime, nine times more likely to drop out of schools, and 20 times more likely to end up in prison. They are more likely to have behavioral problems or to run away from home or become teenage parents themselves, and the foundations of our community are weaker because of it.

Clearly, we all agree on the critical role fathers play in the lives of their children, which is why we should continue to affirm marriage as the union of a man and a woman in the interest of children. Every child deserves a mom and a dad. You cannot say that fathers are essential while also making them optional. That's why we're here tonight, to make a case for fathers. Too many times in society, they are viewed as optional. Hollywood shows often depict them as buffoons. We know different, and are here to set the record straight. It's time to honor the fathers of America for the vital role they play in not only our families, but also the stability and the well-being of our Nation. It's time to show the respect that is due them, encourage men to be better fathers for their children, and champion the vital role they play in marriage.

I'm joined tonight by several of my colleagues, and I appreciate them taking the time to visit about this very, very important topic. I have my good friend from Kansas, TIM HUELSKAMP here, and he certainly is a person who knows a lot about being a good father because he certainly is one, and I yield to TIM HUELSKAMP.

Mr. HUELSKAMP. Thank you, Congresswoman HARTZLER. I appreciate you leading our efforts and discussion tonight on a very important topic. Obviously, as you do mention, it is oftentimes a forgotten topic. I'm certain we all have our stories about our dads, and I was really blessed and still blessed with a very active and involved father. I will just say as a farm kid, probably the most poignant story I do recall with my dad was after a hailstorm. You know, being a farm gal yourself, the damage a hailstorm does to the family, does to the economy, and does to your crops. We were sitting out in the yard, and there were 3 or 4 inches of hail all around. And we listened to it bounce off the roof of the pickup for 30 minutes, and then it stopped. I said, Oh, gosh what's going to happen next? What's dad going to say?

He put the pickup in gear, and then we drove around in silence for another hour, and then we got out and we went back to work. That's the kind of message that I learned from my dad—you don't give up. You roll with the punches, and you keep doing that.

But tonight, I don't want to talk just about my father or my children, although I would love to do that. My wife and I have not been blessed with any of our own biological children. We have been blessed with four adopted children. So there are four sets of moms and dads out there that have dedicated children that are in our care.

One thing I do want to speak directly to fathers who are listening today, and fathers, I want to challenge you to be a hero for your children. I want to challenge you to be responsible, committed husbands to the mothers of your children. I challenge you to live out fatherhood courageously, but to live this courageous, responsible, heroic role as father, it requires marriage: marriage truly understood as the exclusive and permanent union between one man and one woman coming together to become husband and wife, mother and father to the children.

I would also like to speak to all of America, as I know my colleague has done. It is vital that we encourage fatherhood in the context of marriage and uphold policies that reflect the truth, the truth that fathers are not optional, but they play a vital role to their families, and restoring America must begin on the home front. It begins with encouraging and supporting committed, responsible fatherhood in the context of marriage.

We know who the victims of the vicious fatherless cycle are: they are our children. It is our children, the children of America, who are left to suffer the scars of the abandonment of their absentee fathers. As my colleague noted and quoted the President, he was accurate when he said we know the statistics, and yet I'll repeat them because they're so powerful:

> Children who grow up without a father are four times more likely to live in poverty and to commit crime; nine times more likely to drop out of schools and 20 times more likely to have behavioral problems or run away from home. The foundations of our community are weaker because of fatherlessness.

Furthermore, absent fathers don't just hurt our children, they wound society. It is a fact that the welfare state has to expand when marriage and families decline. It has been estimated over $229 billion in welfare costs from 1970 to 1996 can be attributed to the breakdown of marriage. And specifically, a study in 2008, 1 year alone, estimating that divorce and unwed childbearing cost American taxpayers over $120 billion a year.

□ 2010

This was a study of more than 5 or 6 years ago. Where there are absentee fathers, it's you, I, your families, our families, our communities, our churches, our neighbors, our cities, and the government, we're all forced to step in and try to pick up the broken pieces of these shattered marriages.

This is not fair to mothers and children. Wives deserve committed husbands. Children deserve protective, responsible fathers.

The facts speak for themselves. But one story I will note, and then I'll close quickly, is it was not far from here a few weeks ago I was crossing a crowded street here in Washington, D.C., and there was a line of kids. I think they were with a babysitter. And there was about a 2-year-old young boy, and he looked at his babysitter as he's crossing the street. She's dragging him across. And he asked again, I could hear him. He says, ''Who is my daddy? Who is my daddy?'' And that babysitter didn't have an answer. ''Shhh. Don't worry about that.'' He kept asking the question, ''Who is my daddy?''

We should have an answer. We should have an answer for that little boy. We

should have an answer because we should know. We should expect, we should demand, we should promote, we should push fathers, encourage them, demand of them to hold up their responsibilities, because there is a disease in America, and it's the disease of fatherlessness.

We must overcome the myths in society that see no difference in whether a mom or a dad is involved in a child's life, because it is, there is no doubt. You can look at tons and tons of social science data over and over. It's very clear.

But for that 2-year-old boy, that 3-year-old boy, we have to have an answer who is his daddy. And the daddy is not the government. He has a daddy. He should be involved. Our policies should reflect that goal, because every child deserves both a mom and a dad.

And I look forward, hopefully, as we continue to press forward and solve these problems, we promote marriage and promote fatherhood.

I appreciate your leadership tonight, VICKY, for your efforts here.

Mrs. HARTZLER. Thank you so much, TIM. I think you spoke so eloquently to the importance of fathers and the cost that we have, as a society, when fathers are not present and why it's important to have a policy that promotes the father being there for their children.

And now I'd like to yield to the gentleman from Georgia and hear what he has to say about the importance of fathers. Thank you, PHIL GINGREY.

Mr. GINGREY of Georgia. Mr. Speaker, I appreciate so much the gentlelady from Missouri (Mrs. HARTZLER) for leading this time on fatherhood. And what a perfect time to do it this evening. We all just came back from our districts and celebrated Father's Day or Grandfather's Day.

And of course we're also awaiting, some time soon, before the end of June, a decision, a momentous decision from the Supreme Court in regard to two particular decisions: the one ballot initiative from California, Proposition 8, where the people of California fairly convincingly decided what is a definition of traditional marriage; and, of course, the other thing is the Defense of Marriage Act passed right here on this floor and signed into law by President Clinton back in 1996.

So this is timely, and I commend the gentlewoman from Missouri for bringing it forward and giving us an opportunity to join with our colleagues and talk about something as important as this, that is, the definition of fatherhood and how important a father is to a child.

But maybe even more important than that, a mother and a father. We don't always have the ideal situation, but that's certainly no reason to throw up our hands and say let's forget about our faith and family and traditional values and what's best, what is the best circumstance for a child.

My colleagues, I think a lot about my own children. Of course they're adults now, and among them, they have 13 grandchildren—our grandchildren, their children. And at least one of my son-in-laws had no father present when he was growing up. And that father didn't come to his wedding. That father was not there for the birth of any of his four children. That father just basically denies his existence.

And I watch that particular son-in-law, and my son and my other son-in-laws, but particularly him, because of the experience that he went through as a child, how much he loves his children, how kind and caring and loving he is and how important he is in their lives.

And I realize today that the ''Father Knows Best'' and that traditional view that we all had back in the old days of television is different. It's changed, and I do understand that.

Of my three daughters and one daughter-in-law, they all work. They all work, some of them full-time, some of them part-time. But they're still there as moms. And when they come home and take over that responsibility, they need a shared partner, and that partner is that partner for life. And I'm talking about, of course, the father.

And so I really appreciate the opportunity to be with my colleagues tonight and just say that, you know, maybe part of the problem is we need to go back into the schools at a very early age, maybe at the grade school level, and have a class for the young girls and have a class for the young boys and say, you know, this is what's important. This is what a father does that is maybe a little different, maybe a little bit better than the talents that a mom has in a certain area; and the same thing for the young girls, that, you know, this is what a mom does and this is what is important from the standpoint of that union which we call marriage, and we have called it that since the beginning of this country and long before the beginning of this country.

So as I close and yield back to the gentlelady and thank her for giving me some time, I stand strongly for the Defense of Marriage Act and traditional marriage as we know it, and don't take that right away from our States.

But this is a wonderful opportunity to say, young men, you've got a great responsibility. You're not a father unless you prove it.

Mrs. HARTZLER. Thank you so much, PHIL. That's well spoken from a proud grandfather as well as a father, and certainly brought up the importance of fatherhood as well as these decisions that are coming up from the Supreme Court.

You know, the people have spoken on that. The people of California spoke two times, and they said, This is what we think is wise public policy for the families and the citizens of California. And the people spoke on the Defense of Marriage Act through their elected representatives here in Congress, a huge vote, bipartisan. And President Clinton signed the bill. The people have spoken on this.

And what we don't want is to have the Supreme Court impose their view or be activists and impose their view of what marriage should be on the citizens who have spoken, so it's going to be interesting to see how they rule.

But certainly, I agree with you, PHIL, that it's very important that the people have spoken and that we uphold marriage.

Next we have a Representative from Oklahoma, a friend of mine, JAMES LANKFORD, who not only is a great dad and father, but has worked with teenagers for many years and, I'm sure, has seen the importance of fatherhood as it relates to young people.

So go ahead, JAMES LANKFORD.

Mr. LANKFORD. I thank the gentlelady for hosting this time.

There's a lot of things I've talked about in the well of this House. I've talked about budget. I've talked about a growing economy, about jobs. I've talked about transportation. I've talked about the relationship of the individual citizen and their government and how that relationship works—or sometimes it doesn't work lately.

But this is a time just to be able to pause for a moment and not talk about necessarily some new government law or some new regulation, but to celebrate, for just a moment, dads, with Father's Day this past weekend, and to be able to hesitate again and to be able to say thanks to my own dad, but to also talk about the fact that it is the love of our life for men to be able to enjoy their children, just like it is for ladies to be able to enjoy their children, as well, as a mom.

There is something very unique—and I believe firmly that every child needs a mom and needs a dad. They come at parenting from two different directions and they, together, make such a dramatic difference in the life of a child, to have a mom and to have a dad.

It's interesting to me that the last verse in the Old Testament, in that verse from Malachi 4:6 in that minor prophet book, it ends that Old Testament by saying the role of the prophet will be to turn the hearts of the children to their fathers and to turn the hearts of their fathers to the children, to be able to see that restoration.

□ 2020

In that time period, there was a collapse for a moment in the families, and they suffered as a nation and saw that. We see that today in our own families. Fifteen million children live life without a father—15 million. In 1960, there were only 11 percent of the homes that didn't have a father. Today, it's over one-third of the homes that don't have a father. As we watch all the consequences that occur with that in our own economy, in our own family, and in our own culture, it's just the separation that happens.

We see a greater emphasis right now with trying to figure out what to do in

schools as parents seem to be disconnected from their children and teachers struggle in the community, and things have changed in our schools with an absence of fathers.

As we've seen the families collapse, we've seen an increase in poverty. Some colleagues were here earlier speaking about hunger in America, which is rampant and is a huge issue for us as a nation. They mentioned that in the 1970s we had a very low hunger rate in America. It's interesting for us to come here now and talk about fathers and how that has changed, and from that point in 1970 when we had a very low hunger rate in America, we look at the difference now with a very high hunger rate in America and also a very low presence of fathers in the lives of their children. We've seen something different happen in families as fathers disconnect from their children and they no longer see a role to be able to be a provider and they've required government to go be the provider for children when it was never designed to be that way. And that's not where it is best.

Children have a higher risk of poverty. Children have a lower graduation rate from high school and have a lower entry rate into college. There is not a safe environment for children when there's an absence of a dad and a mom. It's different for them as they grow up and as they process through things without the stability that can come to a child with the presence of a mom and of a dad.

So what do we do about it is the challenge. Well, quite frankly, there are issues in our marriage laws right now as a nation that we have where there are penalties to be married in our tax law. There are penalties even in our disability benefits as we try and reach in and help families as they're disabled, but yet if they're married, it's a lower rate. So we look at that, and we ask the question: Why would we punish a family for being married because one of the individuals there is disabled? That doesn't make sense for us.

So we need to look at our policies that we have and be able to encourage rather than discourage marriage. Because we know when that happens—it's the reason that the Federal Government is involved at all in the marriage relationship is because we know what happens in the lives of children when a man and a woman are committed to each other for life. That commitment, the reason the government is connected to that is because of what happens in the lives of children and how it benefits people in the days ahead. So we need to look at the marriage penalty that's occurring in our tax law and our disability rules and such.

But, quite frankly, most of the issues that deal with fatherhood and from the absence of fathers won't happen because of a change in Federal law. It will happen when families turn and mentor young couples and they get personally involved in the lives of young families. Some individuals have never seen a functioning man and a woman married and committed to each other for life. They've never seen that in their community, and they haven't experienced that in their own family. It's so important for older couples to mentor young couples and to pass on the wisdom that they have gained.

It is, quite frankly, very important at the marriage altar for two individuals to truly commit to each other for life. That brings stability not only to those two individuals, but it also brings stability to the children where they grow up in a home where there's some emotional security and safety and not the constant fear of separation and of loss of either the mom or the dad. So for individuals to be committed to each other for life makes a big difference in that.

So what can happen? I talked about the Federal policies, but it's really individuals, individuals mentoring other individuals, and it's two individuals when they approach the marriage altar knowing that we're going to commit to each other and we're going to work through the problems that we have because that's what's best for our Nation, and that's what's best for the children that are coming up to provide them that stable home where they can grow up.

Do we always get it perfect? No. But we know economically and we know emotionally that the strongest homes and what's best for our children is for a mom and a dad. And I want to honor dads that do commit to walk through the hard, difficult days and to say to them, Keep going. Don't give up, dads. And as you face through hard times, your children need you.

The single most difficult part of my job is getting on an airplane on Monday mornings and flying away from my two daughters and my wife. No other moment of my week is harder than that one, because I know the importance of being a dad to my daughters, and they need me.

I encourage dads today to live out the commitment that you have made to your wife and the commitment that you've made to your children.

Mrs. HARTZLER. Great, great words. Thank you, James. What a word of encouragement, how to commit and to keep on going and to be good dads and the need to strengthen marriage in this country. So thank you for those very, very excellent comments.

Now I would like to call on another colleague from Oklahoma, a freshman this year who has hit the ground running, and we are really glad he is here. JIM BRIDENSTINE, I would like to yield to you and hear what you would like to share about the importance of fathers.

Mr. BRIDENSTINE. I appreciate that. It is an honor to be here, and thank you for inviting me to participate in this.

I have been certainly accused of maybe being critical of the President from time to time, as many of us Republicans are sometimes, but I'd like to share a few points where we agree, the President and I. I've got a number of quotes here, and I think these quotes cross party lines and certainly indicate how important fathers are in the lives of their children.

Here is a quote from our President, Barack Obama:

> We need fathers to realize that responsibility doesn't end at conception. We need them to realize that what makes you a man is not the ability to have a child; it's the courage to raise one.

Here is another quote from our President:

> I wish I had a father who was around and involved.

That's a profound statement, and certainly it shows a great deal of courage by our President to say that.

I remember when I was a young child in the Cub Scouts, the Pinewood Derby came around every year. My father, my brother, and I would spend a great deal of time weighing our little Pinewood Derby car to make sure that it weighed precisely 5 ounces. We would spend all night graphiting the wheels because we wanted our little Pinewood Derby car to be the absolute fastest car that we could possibly make it. Whether we won or lost, it didn't matter. We were going to make this little car as fast as we could possibly make it.

I also remember not too long ago my 7-year-old, who was 6, wanted to participate in the Pinewood Derby in the Cub Scouts himself. And because of my relationship that I had with my father and the time that we spent involved in that project, it was a desire of my heart to be involved in his Pinewood Derby to the same extent. And I'm proud to say that when I was a child, we won the Pinewood Derby; and I'm proud to say that as Walker's dad, together we won the Pinewood Derby when he was 6 years old. These are the things that I think are critically important in the life of a child.

Some other quotes from our President: Obama has said that his hardest but the most rewarding job is being a father. I think that is absolutely true, as well.

I want to quote some statistics here:

Currently there are 24 million children in America living in a home without their biological father.

The World Family Map report by Child Trends found that even when controlling for income, children who live with both parents have better educational outcomes than children living with one or no parents. Fathers play an important role in teaching children life lessons and preparing them to succeed in school and in life.

Some other quotes:

According to the National Fatherhood Initiative, a father's involvement in education of his children is associated with a higher probability of A's for their children.

Interestingly, I remember when I was in fourth grade, there was a competition called Math Olympiads. My dad

was a mathematician, and he came from a family of mathematicians. And my dad would spend hours with me working on these math problems that were really college-level math problems. We would go over and over these problems again and again. I remember in fourth grade, when it came time to do Math Olympiads, there were just five problems, and if you could get one or two of them right, it was really tremendous for a fourth grader. I remember at the end of the first Math Olympiad, I had four out of five correct. And it wasn't because I was smart, and it wasn't because I was brilliant. It had nothing to do with that at all—in fact, quite the contrary. But what it had to do with was the fact that I had a dad who was so engaged, so involved, and so interested in making sure not that I would get an A in the class—quite frankly, that was really not relevant to him. What he cared about was whether I learned the material.

□ 2030

I remember taking tests in sixth grade. I would do the math problems entirely different than how the teacher taught and the teacher would count it wrong. My dad would go to the school and he would say, you know, he may have done it differently than you taught him, but he did it the way we taught at home because he's preparing for higher math in a different year.

Having a dad involved in your education that way is something that was tremendously important to me as I was growing up. And certainly, now that I am a father myself and I have a child in first, now soon to be second grade—and of course other children on the way that are entering kindergarten and a 1-year old at home, these are areas where it's important for me.

There is a generational trend. When a child has that impact from their father, certainly it's an impact on them that they want to have on their own children. So that's why it is so important for fathers to be involved in the lives of their children. That's my personal experience.

Children with involved fathers are more likely to do well in school. They have a better sense of well-being, they have fewer behavioral problems. When fathers are actively involved in the upbringing of their children, their children demonstrate greater self control and a greater ability to take initiative.

Along with Father's Day, this June will also bring an important announcement—the Supreme Court's much-anticipated rulings on both the Defense of Marriage Act and Proposition 8. These cases have put the national spotlight on this issue in a new way and provide an opportunity for Americans to discuss the question: What is marriage?

Marriage exists to bring a man and a woman together as husband and wife, to be a father and a mother to children, and the institution of marriage is intended for life. This is very important when it comes to the rearing of children.

A few more statistics. In 2012, about one-third of all children lived in families without their biological father present. According to some estimates, as many as 50 percent of children who are currently under age 18 will spend or have spent a significant portion of their childhood in a home without their biological father.

Research indicates that children raised in single-parent families are more likely than children raised in two-parent families, with both biological parents, to do poorly in school, have emotional and behavioral problems, become teenage parents, and have poverty-level incomes.

In 2011, the poverty rate for children living in homes without a father was 48 percent, compared with 11 percent for children living with married-couple families. Single-parent families are more likely to be poor than two-parent families, especially if the lone parent is the mother. That's why it's so important for fathers, and that's why I commend the President when he talks about the importance of fathers.

Here's a final quote from our President:

> As fathers, we need to be involved in our children's lives not just when it's convenient or easy, and not just when they're doing well, but when it's difficult and thankless, and they're struggling. That is when they need us most.

With that, I thank the gentlelady from Missouri.

Mrs. HARTZLER. Thank you so much, Jim. I really enjoyed hearing the stories about your father and the role that he played. You know, I think every child in that derby was a winner who had a father who helped make their little pine box with them. It really is important and makes a huge difference. So thanks for sharing that.

Now I'd like to yield my time to Congressman TRENT FRANKS from Arizona, who is certainly a champion for so many of these issues that are so important to us today, and to fathers and families.

Mr. FRANKS of Arizona. Well, I just thank the gentlelady, Mr. Speaker, because she has demonstrated such a wonderful presence in this body. She has been a gift to all of us. I know that each person who has preceded me at this platform is grateful for Congresswoman VICKY HARTZLER. I wish there were about another 200 like her and I might just go home. But I really appreciate her so much.

Mr. Speaker, it's been said that a father is a man who expects his children to be as good as he meant to be. I have yet to meet a father who doesn't want to convey his own mistakes to his children. He wants his children to learn from his mistakes, to give his children the best possible start in life, serving as a springboard from which to face the day-to-day challenges that ultimately come. But I really don't think that's such a comprehensive definition.

Those of us who are privileged to be in a Christian family believe that there is a loftier image of fatherhood, that there is One after whom we model our inevitably flawed attempts to raise our children with love and wisdom, a perfect father who gives us ''every good and perfect gift,'' who is a father to the fatherless and a help in times of need to the widow and the oppressed. And it is only in having children sometimes that we begin to understand just a little glimpse of how our heavenly Father feels about the rest of us.

To most women, their father was their first love. To most men, their father was their first larger-than-life idol. The role a father plays in the life of his children simply cannot be overstated. That fact, Mr. Speaker, that knowledge that little eyes are watching every move we make, often emulating what they see for good or bad, no matter what we do, we will never feel quite fully equipped to do justice to the sacred responsibility to which God has entrusted us.

There is a famous saying that the greatest gift a father can give his children is to love their mother. And the point of that quote of course is that a healthy, intact home gives a child the best possible chance at pursuing and achieving their dreams.

But for all its difficulties, what a sweet and blessed honor it is to be entrusted with the task of raising these little human images of unconditional love. I've said it before, Mr. Speaker, and I believe with every passing day that every baby that is born comes with a message from God that He has not yet despaired of mankind on Earth. Yet I look around at the state of the American family, Mr. Speaker, that bedrock institution that is responsible more than any other factor for inculcating the truth into the hearts and minds of each new generation, and I believe that it is facing a grave and profound challenge in America.

A mentor and a friend of mine, Gary Bauer, recently wrote an article on this very subject. He was highlighting the state of affairs in which so many Americans find themselves without the firm, guiding, loving hand of a father.

Indeed, Mr. Speaker, 40 percent of children are now born to unmarried parents, including a majority of children born to women 30 years old or younger. A recent study in Richmond, Virginia, found that 60 percent of families in the city have just one parent—usually the mother—at home. Among black residents, it's 86 percent of homes that are single parents.

A related Pew study estimated that women, when they are the prime breadwinners—and they are in 40 percent of American households—that, unfortunately, the majority of these households are led by a single mother who averages just $23,000 in annual income, whereas intact families average about $80,000 a year in income, by comparison.

Eighty-five percent of all young men—or even, for that matter, middle-

aged men—in prison came from a family that never had a functional father figure in their midst—85 percent.

Mr. Speaker, it is an understatement to suggest to you that children are so desperately in need of both a mother and a father. And I know no better way to really illustrate that than just to try to tell the story of three fathers.

The first story I will tell is of one father named Earl Carr. He was my grandfather. Earl Carr was a coal miner. When he was just in his mid-twenties, a terrible cave-in crushed his friends, killed most of them, and broke his back. So as a child, I remember growing up when my grandfather could carry a coal bucket for maybe 40 or 50 feet, but then he would have to sit down. But he never abandoned his family, and he was always there in every way that he could be.

Just to illustrate to you how sometimes a grandfather can have a big impact on a grandson, more than 45 years has passed—and I hope I can remember it—but he used to be very fond of the ''Coal Miner's Ode,'' and it goes something like this:

> Come and listen, you fellers, so young and so fine, and seek not your fortune in the dark dreary mine. It will form as a habit and seep in your soul 'til the stream of your blood runs as black as the coal.
>
> Because it's dark as a dungeon, damp as the dew where the danger is double and the pleasures are few.
>
> Where the rain never falls and the sun never shines, it's dark as a dungeon way down in the mines. And I hope when I'm gone and the ages shall roll, my body will blacken and turn into coal. And I will look from the door of my heavenly home and I'll pity the miner digging my bones. Because it's dark as a dungeon, damp as the dew, where the danger is double and the pleasures are few,
>
> where the rain never falls and the sun never shines, it's dark as a dungeon way down in the mines.

□ 2040

I don't remember the last time I said that, Mr. Speaker, but I do know that it was over 40 years ago that I learned it, and a grandfather does have a lasting impact on our lives.

So now I will tell you another story of another father, and he's my father—a man named Taylor Franks. I won't go into—because I don't remember—how he was there for me when I was a baby and had some congenital defects and probably wouldn't have had the opportunity to be standing in this well had it not been for a faithful father, but I'll tell you just one story.

Years ago in the little town when I was growing up, I came away from the playground one day when I was about 5 or 6 years old, maybe 6 years old. And I came through an alley, and you know how it always is. There is sometimes a bunch of guys that want to demonstrate their macho capability. I walked past the fence and one of them yelled something at me and there was a rock fight that ensued. Now, they were behind the fence and there were several of them. I was out there alone and I was losing this battle very demonstrably. I would pick up one rock and throw it back because I didn't want to be discomforted by this band of ruffians, you understand. But I was losing, and I thought, Boy, what am I going to do? I am going to have to run, it looks like. And just at the moment when I was probably in the peak of my panic, all of a sudden the rocks stopped, everything was still, and I could see them peaking over the fence at me. I noticed a little carefully. It seemed like they were looking at something behind me. I turned and it was Taylor Franks. He said, How about me evening up the sides here just a little bit? He evened up the sides many, many times.

He's 87 years old now. But I'll tell you, if the communists ever come to this country to take us over, they better go around that old gentleman's house because they'll get more than they bargained for. This is a man that loves his country, loves his God, and loves his family. I have no words to express my gratitude to him.

So I will tell you about another father, who almost didn't think he was going to be one. But he calls his little boy ''little feller,'' because that's what his daddy called him. And his name is Joshua Lane, and he's my boy. He's got a sister, a twin sister. She's 5 minutes younger. Of course he takes care of her. But I can say to you that there is no greater gift on this Earth than these children.

Somehow, I guess, the point of all this, Mr. Speaker, is just to remind all of us that are fathers what they meant to us and what we mean to our children. Sometimes I have to watch mine grow up at a distance, but they know their daddy loves them and they know their daddy is here so that we can make a better future for them.

I guess my challenge to the fathers of this country is to be reminded that your children grow up so quickly and your impact on them will be profound beyond any words that I could ever articulate. They say that great societies finally come when old men plant trees under whose shade they will never sit. I believe that to be true, that our greatest jobs as fathers is to make sure that our children have the inculcated truths that will help them find their way home and through the great storms of life. We should always remind ourselves that they are, indeed, the living messages that we send to a time we will never see ourselves.

I hope that somehow that fathers of this country will recognize the gift that they've been given and they will recognize the impact that they will have, and that the rest of society will recognize that if we displace fathers in our country, we will bankrupt us all trying to replace them.

With that, Mr. Speaker and Congresswoman HARTZLER, I yield back.

Mrs. HARTZLER. Thank you so much, Representative FRANKS. I couldn't say it any better I think. Thank you.

The heritage that he has given his children and that his father gave him and his grandfather gave him, that's what it's about is being able to pass on that heritage to your children. That's why we have a policy in our country that encourages fathers to be there for their children, so that every child has a chance to have a mother and a father.

I am glad to be joined today by a gentleman from California, DOUG LAMALFA.

Thank you for coming tonight. I look forward to hearing what you have to share on this very important topic.

Mr. LAMALFA Mr. Speaker, I thank my colleague, Mrs. HARTZLER, for holding this time here tonight for us.

Let's talk about the importance of fatherhood and what all that means. I really appreciate the words of my colleague from Arizona who just spoke and his eloquent way of doing that.

We are in a nation here that really cries out for the type of values that are represented by what is called the nuclear family—kids these days, with so many temptations and so many things out there that will pull them in all different directions. They need a mom and they need a dad.

We know statistically, just talking numbers, that the chances of success for children to grow up and be successful in their own lives, not in poverty, not in abusive situations, the percentages are so much higher when there's a loving mom and a dad in their lives.

We have very important tasks, very important jobs here in this place. Mr. Speaker, when we make policy here, we always need to make it in such a way that supports the family, that strengthens the family and doesn't weaken it or in some fashion even use the State, use the government, as usurping the role of the parent or of a dad like we've seen so much with maybe the start of the great society—well-intentioned things that have gone on to, in many ways, replace the father in people's lives. There needs to be that accountability to come back and bring that unit together.

Thinking of my own dad—we lost him almost 5 years ago now—he was always a strong and pretty quiet leader, but he could just give you ''the look'' pretty much and set you back on track. He had to spend a lot of hours out on the farm. We didn't always get to see him all the time when it was busy in the springtime with planting or with harvest, but we always knew, my sisters and I, that he was there for us. He didn't get to every ball game, but we always knew. We never had to question his dedication and commitment to us and to our mother, because moms are in it, too. We know that certainly because, typically, mostly the caregiver for kids a lot of times, she needs that support, too, that comes from that committed family unit.

So we have to make policy, we have to make things that support that in

this place. I'm so disappointed with the direction our country has gone the last 40 to 50 years that has broken that apart.

I have an obligation to my wife and my four kids. One of the most difficult things in contemplating what goes on with this role of service that I've been blessed with by the voters in my district is the time away from home. Being from the west coast, it's a heck of a commitment. With a 5-hour plane ride each way and all that, you don't just get to pop in like when I was in the State legislature in Sacramento and you get home most nights.

That's the kind of thing that keeps me worrying sometimes, worrying a little bit: Am I doing right by my kids? We do this here—I think anyone that runs for office—ostensibly with the idea that we're trying to help the next generation and preserve the country and preserve our freedoms. But there's a sacrifice in this job. It kind of all comes back to perspective.

Father's Day, the other day, I got to spend home with the family. All my kids either got me a little something or made a little card. Very, very touching things said in those cards reminded me that, yeah, we are here trying to do something for them, preserve their rights, their opportunities, their liberties, and that they understand, even though I don't always get to be home, that it is for them.

□ 2050

So that makes me feel good about doing this—about taking on the huge issues here, the long hours, the sometimes fruitless battles, and people looking at us from the outside with our, maybe, 10 percent approval rating, wondering, What the heck are you doing back there in Washington, D.C.? We all know we're here for a good reason.

We have an obligation as dads to be there for our wives and for our kids, which is nothing new, but it's the dedication. They need to know that we're there for them, that we're fighting for something, whether it's our more day-to-day jobs—if you're a butcher or a baker or a candlestick maker—or if you're back here getting to be part of the U.S. Congress.

The importance of a dad to a son can't be overstated. You need a man in the life to guide your son to the right path, to be that strong voice, to keep your son in the position, first of all, of respecting his mother, of respecting his sisters, of respecting women—of what that role is supposed to be. They need that, and a lot of them have lost out on that. It's sad. We see the tragedy. Some of these kids are walking the streets, and they grow up to be in gangs and so much because they didn't have that.

A dad has a very strong role with his daughters—to ensure that they know they have value, that they aren't something to be out there to be traded, as so often happens when they don't have that fatherly voice saying, You have value, and you have self-respect—that is so key to you. It keeps so many times young girls out of trouble and on that good path.

You can't overstate that role of a father on both sons and daughters and, of course, that very strong support that's needed for your wife, who has to watch the home fires when we're off doing things like this. She needs that.

So what I'm saying to the men who are already fathers or who are would-be fathers is, you've got a very important task, extremely, the most important task—to be that leader of your household. You need to stick with them through thick and thin.

And men, be men. Don't be something else. Grow up. You need to cast off childish things when you've made that commitment to a woman and to fatherhood, because they're watching you. Your neighborhood is watching you. It's the most important thing you'll ever do.

So, Mr. Speaker, I conclude tonight with the thought that, for there to be one Nation under God, men have a very key role in that. That's being that father, and that's holding the family together. No matter what might come and affect it, no matter what legislation or court decision might try to affect or break that family union or make confusing decisions for our children, we have that role, and we can be that guide for their whole lives. It is rewarding for all of us.

With that, I appreciate the time, and I appreciate the gentlelady from Missouri (Mrs. HARTZLER) for leading this discussion here tonight.

Mrs. HARTZLER. I thank the gentleman. That was very, very well said, and I appreciate your encouraging the men to be leaders of their households and to make a difference for their children—the next generation.

I appreciate all of my colleagues who have come tonight so that we could talk about the importance of the fathers and how important it is to have marriage strong in our country.

Every child deserves a mom and a dad. You cannot say that fathers are essential while also making them optional. The presence of a father has such a tremendous impact on the lives of each and every child and on every adult in America. Fathers not only represent the success of our children but also the success of our Nation.

As we get closer to the Supreme Court's ruling concerning the Defense of Marriage Act, it is crucial that we weigh the entirety of the impact such a decision will have on families. My colleague from Oklahoma earlier cited the President in this quote when he stressed the importance of fathers. I think it's very, very good, and I want to repeat it.

President Obama said:

As fathers, we need to be involved in our children's lives not just when it's convenient or easy and not just when they're doing well—but when it's difficult and thankless, and they're struggling. That is when they need us most.

Every single child in this country deserves the opportunity to have a mother and a father. That is why we must uphold marriage. Not only must we represent the future of our children but also the future of our Nation.

Mr. Speaker, I yield back the balance of my time.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 8 o'clock and 56 minutes p.m.), the House stood in recess.

□ 0045

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. NUGENT) at 12 o'clock and 45 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1947, FEDERAL AGRICULTURE REFORM AND RISK MANAGEMENT ACT OF 2013

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 113–117) on the resolution (H. Res. 271) providing for further consideration of the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROGERS of Kentucky (at the request of Mr. CANTOR) for June 17 through June 19 on account of medical reasons.

PUBLICATION OF COMMITTEE RULES

AMENDMENT TO THE RULES OF THE COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY FOR THE 113TH CONGRESS

Mr. SMITH of Texas. Mr. Speaker, on June 18, 2013, the Committee on Science, Space, and Technology adopted the attached amendment to its Committee Rules:

Rule VI (b) of the Rules of the Committee on Science, Space, and Technology is amended to read as follows:

(b) SUBCOMMITTEES AND JURISDICTION. There shall be five standing Subcommittees of the Committee on Science, Sp-ace; and Technology, with jurisdictions as follows:

The Subcommittee on Energy hall have jurisdiction over the following subject matters:

all matters relating to energy research, development, and demonstration projects therefor; commercial application of energy technology; Department of Energy research, development, and demonstration programs; Department of Energy laboratories; Department of Energy science activities; energy supply activities; nuclear, solar, and renewable energy, and other advanced energy technologies; uranium supply and enrichment, and Department of Energy waste management; fossil energy research and development; clean coal technology; energy conservation research and development, including building performance, alternate fuels, distributed power systems, and industrial process improvements; pipeline research, development, and demonstration projects; energy standards; other appropriate matters as referred by the Chairman; and relevant oversight.

The Subcommittee on Environment shall have jurisdiction over the following subject matters: all matters relating to environmental research; Environmental Protection Agency research and development; environmental standards; climate change research and development; the National Oceanic and Atmospheric Administration, including all activities related to weather, weather services, climate, the atmosphere, marine fisheries, and oceanic research; risk assessment activities; scientific issues related to environmental policy, including climate change; remote sensing data related to climate change at the National Aeronautics and Space Administration (NASA); earth science activities conducted by the NASA; other appropriate matters as referred by the Chairman; and relevant oversight.

The Subcommittee on Research and Technology shall have jurisdiction over the following subject matters: all matters relating to science policy and science education; the Office of Science and Technology Policy; all scientific research, and scientific and engineering resources (including human resources); all matters relating to science, technology, engineering and mathematics education; intergovernmental mechanisms for research, development, and demonstration and cross-cutting programs; international scientific cooperation; National Science Foundation, university research policy, including infrastructure and overhead; university research partnerships, including those with industry; science scholarships; computing, communications, networking, and information technology; research and development relating to health, biomedical, and nutritional programs; research, development, and demonstration relating to nanoscience, nanoengineering, and nanotechnology; agricultural, geological, biological and life sciences research; materials research, development, demonstration, and policy; all matters relating to competitiveness, technology, standards, and innovation; standardization of weights and measures, including technical standards, standardization, and conformity assessment; measurement, including the metric system of measurement; the Technology Administration of the Department of Commerce; the National Institute of Standards and Technology; the National Technical Information Service; competitiveness, including small business competitiveness; tax, antitrust, regulatory and other legal and governmental policies related to technological development and commercialization; technology transfer, including civilian use of defense technologies; patent and intellectual property policy; international technology trade; research, development, and demonstration activities of the Department of Transportation; surface and water transportation research, development, and demonstration programs; earthquake programs and fire research programs, including those related to wildfire proliferation research and prevention; biotechnology policy; research, development, demonstration, and standards-related activities of the Department of Homeland Security; Small Business Innovation Research and Technology Transfer; voting technologies and standards; other appropriate matters as referred by the Chairman; and relevant oversight.

The Subcommittee on Space shall have jurisdiction over the following subject matters: all matters relating to astronautical and aeronautical research and development; national space policy, including access to space; sub-orbital access and applications; National Aeronautics and Space Administration and its contractor and government-operated labs; space commercialization, including commercial space activities relating to the Department of Transportation and the Department of Commerce; exploration and use of outer space; international space cooperation; the National Space Council; space applications, space communications and related matters; Earth remote sensing policy; civil aviation research, development, and demonstration; research, development, and demonstration programs of the Federal Aviation Administration; space law; her appropriate matters as referred by the Chairman; and relevant oversight.

The Subcommittee on Oversight shall have general and special investigative authority on all matters within the jurisdiction of the Committee on Science, Space, and Technology.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 330. An act to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV); to the Committee on Energy and Commerce; in addition to the Committee on the Judiciary for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADJOURNMENT

Mr. SESSIONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 46 minutes a.m.), under its previous order, the House adjourned until today, Wednesday, June 19, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1893. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Dual and Multiple Associations of Persons Associated With Swap Dealers, Major Swap Participants and Other Commission Registrants (RIN: 3038-AD66) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1894. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Process for a Designated Contract Market or Swap Execution Facility to Make a Swap Available to Trade under Section 2(h)(8) of the Commodity Exchange Act; Swap Transaction Compliance and Implementation Schedule; Trade Execution Requirement under Section 2(h) of the CEA (RIN: 3038-AD18) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1895. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — National Organic Program (NOP); Amendments to the National List of Allowed and Prohibited Substances (Crops and Processing) [Document Number: AMS-NOP-12-0016; NOP-12-07FR] (RIN: 0581-AD27) received June 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1896. A letter from the Management Analyst, Department of Agriculture, transmitting the Department's final rule — Postdecisional Administrative Review Process for Occupancy or Use of National Forest System Lands and Resources (RIN: 0596-AB45) received June 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1897. A letter from the Under Secretary, Department of Defense, transmitting the Department's report on the amount of purchases from foreign entities in Fiscal Year 2012, pursuant to 10 U.S.C. 113 note; to the Committee on Armed Services.

1898. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Defense Trade Cooperation Treaties with Australia and the United Kingdom (DFARS 2012-D034) (RIN: 0750-AH70) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1899. A letter from the Principal Deputy Assistant Secretary, Department of Defense, transmitting a report to Congress regarding additional Reserve Component equipment procurement and military construction; to the Committee on Armed Services.

1900. A letter from the Director, Division of Coal Mine Workers' Compensation, Department of Labor, transmitting the Department's final rule — Black Lung Benefits Act: Standards for Chest Radiographs (RIN: 1240-AA07) received June 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1901. A letter from the Executive Director, Consumer Product Safety Commission, transmitting the Commission's 2012 Annual Report to the President and Congress; to the Committee on Energy and Commerce.

1902. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Irradiation in the Production, Processing, and Handling of Animal Feed and Pet Food; Electron Beam and X-Ray Sources for Irradiation of Poultry Feed and Poultry Feed Ingredients; Correction [Docket No.: FDA-2012-F-0178] received June 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1903. A letter from the Secretary, Department of Health and Human Services, transmitting the combined seventh, eighth, and ninth quarterly reports on Progress Toward Promulgating Final Regulations for the Menu and Vending Machine Labeling Provisions of the Patient Protection and Affordable Care Act of 2010; to the Committee on Energy and Commerce.

1904. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal

Communications Commission, transmitting the Commission's final rule — Connect America Fund (WC Docket No.: 10-90) received June 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1905. A letter from the Division Chief, Regulatory Affairs, Department of the Interior, transmitting the Department's final rule — Application Procedures, Execution and Filing of Forms: Correction of State Office Address for Filings and Recordings, Including Proper Offices for Recording of Mining Claims; Oregon/Washington [LLOR957000-L63100000-HD0000] (RIN: 1004-AE31) received June 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1906. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 120306154-2241-02] (RIN: 0648-XC651) received June 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ADERHOLT: Committee on Appropriations. H.R. 2410. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2014, and for other purposes (Rept. 113–116). Referred to the Committee of the Whole House on the state of the Union.

Mr. SESSIONS: Committee on Rules. House Resolution 271. Resolution providing for further consideration of the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for the other purposes (Rept. 113–117). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SEAN PATRICK MALONEY of New York (for himself, Mr. GIBSON, and Mrs. LOWEY):

H.R. 2407. A bill to reauthorize the Hudson River Valley National Heritage Area; to the Committee on Natural Resources.

By Mr. SCHWEIKERT (for himself and Mr. AMASH):

H.R. 2408. A bill to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns; to the Committee on the Judiciary.

By Mr. SALMON (for himself, Mr. FRANKS of Arizona, Mr. SCHWEIKERT, and Mr. GOSAR):

H.R. 2409. A bill to amend the National Voter Registration Act of 1993 to permit a State to require an applicant for voter registration in the State who uses the Federal mail voter registration application form developed by the Election Assistance Commission under such Act to provide documentary evidence of citizenship as a condition of the State's acceptance of the form; to the Committee on House Administration.

By Mr. GRAYSON:

H.R. 2411. A bill to prohibit the Federal Government from contracting with an entity that has committed fraud or certain other crimes; to the Committee on Oversight and Government Reform.

By Mr. BARBER (for himself and Mr. HECK of Nevada):

H.R. 2412. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to consider the best interest of the veteran when determining whether the veteran should receive certain contracted health care; to the Committee on Veterans' Affairs.

By Mr. BRIDENSTINE (for himself, Mr. SMITH of Texas, Mr. STEWART, and Mr. HARRIS):

H.R. 2413. A bill to prioritize and redirect NOAA resources to a focused program of investment on near-term, affordable, and attainable advances in observational, computing, and modeling capabilities to deliver substantial improvement in weather forecasting and prediction of high impact weather events, such as tornadoes and hurricanes, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. CAPUANO (for himself, Mr. SENSENBRENNER, Mr. GRIFFITH of Virginia, Ms. BROWNLEY of California, Mrs. NAPOLITANO, Ms. JACKSON LEE, Mr. FORTENBERRY, Mr. RODNEY DAVIS of Illinois, Mr. CAMPBELL, Mr. DAINES, and Ms. LOFGREN):

H.R. 2414. A bill to require automobile manufacturers to disclose to consumers the presence of event data recorders, or ''black boxes'', on new automobiles, and to require manufacturers to provide the consumer with the option to enable and disable such devices on future automobiles; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASSIDY (for himself, Mr. KIND, Mr. LANCE, Mr. GUTHRIE, Mrs. BLACKBURN, Mrs. CHRISTENSEN, Mr. BEN RAY LUJÁN of New Mexico, Mr. ROSKAM, Mr. BLUMENAUER, Mr. PAULSEN, and Mr. PETERS of California):

H.R. 2415. A bill to amend title XVIII of the Social Security Act to include information on the coverage of intensive behavioral therapy for obesity in the Medicare and You Handbook and to provide for the coordination of programs to prevent and treat obesity, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLAY (for himself, Ms. BASS, Mrs. BEATTY, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Ms. CLARKE, Mr. CLEAVER, Mr. CONYERS, Mr. DANNY K. DAVIS of Illinois, Mr. FATTAH, Ms. JACKSON LEE, Ms. LEE of California, Ms. MOORE, Mr. PAYNE, Mr. RICHMOND, Mr. JOHNSON of Georgia, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Mr. THOMPSON of Mississippi, Mr. HORSFORD, Mr. WATT, Ms. WILSON of Florida, Mr. CLYBURN, Mr. CUMMINGS, Ms. EDWARDS, Ms. FUDGE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEKS, Ms. NORTON, Mr. RANGEL, Mr. RUSH, Mrs. CHRISTENSEN, and Mr. TURNER):

H.R. 2416. A bill to require the Secretary of the Interior to conduct a special resource study regarding the proposed United States Civil Rights Trail, and for other purposes; to the Committee on Natural Resources.

By Mr. FRANKS of Arizona (for himself, Mrs. HARTZLER, Mr. POSEY, Mr. LAMBORN, Mr. KING of Iowa, Mr. BROUN of Georgia, Mr. PITTS, Mr. PITTENGER, Mr. LAMALFA, Ms. CLARKE, Mr. HUNTER, Mr. STEWART, Mr. WILSON of South Carolina, Mr. JORDAN, Mr. PERRY, Mr. GOSAR, Mr. DUNCAN of South Carolina, Mr. ROYCE, Mr. FORTENBERRY, and Mr. KLINE):

H.R. 2417. A bill to amend the Federal Power Act to protect the bulk-power system and electric infrastructure critical to the defense and well-being of the United States against natural and manmade electromagnetic pulse (''EMP'') threats and vulnerabilities; to the Committee on Energy and Commerce, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIFFIN of Arkansas (for himself, Mr. SAM JOHNSON of Texas, and Mr. REICHERT):

H.R. 2418. A bill to amend the Social Security Act to prohibit an individual who is the subject of an outstanding arrest warrant for a felony from receiving various cash benefits under the Social Security Act; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 2419. A bill to amend the Truth in Lending Act to provide coverage under such Act for credit cards issued to small businesses, and for other purposes; to the Committee on Financial Services.

By Ms. NORTON:

H.R. 2420. A bill to authorize the Benjamin Harrison Society to establish a memorial in the District of Columbia to honor the patriots of the American Revolutionary War and the War of 1812; to the Committee on Natural Resources.

By Mr. PETERS of California:

H.R. 2421. A bill to provide biorefinery assistance eligibility to renewable chemicals projects, and for other purposes; to the Committee on Agriculture.

By Mr. PETERS of California (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WILSON of Florida, Ms. MCCOLLUM, Mrs. DAVIS of California, Mr. MARKEY, Mr. BERA of California, Ms. CHU, Mr. VARGAS, Mr. HALL, Ms. JACKSON LEE, Ms. BONAMICI, Mr. NADLER, Ms. BROWNLEY of California, Ms. EDWARDS, Mr. SWALWELL of California, Mr. CARTWRIGHT, Ms. HAHN, Ms. BORDALLO, Mr. PASCRELL, and Mr. HASTINGS of Florida):

H.R. 2422. A bill to award a Congressional Gold Medal to Sally K. Ride in recognition of her exemplary service as an astronaut, physicist, and science education advocate; to the Committee on Financial Services.

By Mr. RUNYAN:

H.R. 2423. A bill to improve the authority of the Secretary of Veterans Affairs to enter into contracts with private physicians to conduct medical disability examinations; to the Committee on Veterans' Affairs.

By Mr. SIRES (for himself, Mr. NADLER, Mr. RANGEL, Ms. CLARKE, Mr. PAYNE, Ms. KAPTUR, Ms. TSONGAS, Mr. GRIJALVA, Mr. FATTAH, Ms. MENG, Mr. TURNER, and Mr. CROWLEY):

H.R. 2424. A bill to authorize the Secretary of Housing and Urban development to establish a program enabling communities to better leverage resources to address health, economic development, and conservation concerns through needed investments in parks,

recreational areas, facilities, and programs, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Education and the Workforce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIERNEY (for himself, Mr. GEORGE MILLER of California, Mr. ANDREWS, and Mr. JONES):

H.R. 2425. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide protection for company-provided retiree health benefits; to the Committee on Education and the Workforce.

By Mr. TONKO (for himself and Mr. KENNEDY):

H.R. 2426. A bill to better integrate engineering education into kindergarten through grade 12 instruction and curriculum and to support research on engineering education; to the Committee on Education and the Workforce.

By Mr. MEADOWS (for himself, Mr. MARCHANT, Mr. FRANKS of Arizona, Mr. BONNER, Mr. GINGREY of Georgia, Mr. MCCLINTOCK, Mr. GRAVES of Georgia, Mr. COBLE, Mr. SMITH of New Jersey, Mr. PITTS, Mr. WOLF, Mr. WESTMORELAND, Mr. DUNCAN of South Carolina, Mr. LAMBORN, Mrs. BACHMANN, Mr. HUELSKAMP, Mr. BRIDENSTINE, Mr. WALBERG, Mr. UPTON, Mr. MILLER of Florida, Mr. COLLINS of Georgia, Mr. HUDSON, Mr. HARRIS, Mr. FORBES, Mr. HUNTER, Mr. HUIZENGA of Michigan, Mr. BROUN of Georgia, Mr. STUTZMAN, Mr. PITTENGER, Mr. WENSTRUP, Mr. BARTON, Mr. MULVANEY, Mr. NEUGEBAUER, Mr. WILSON of South Carolina, Mr. JOHNSON of Ohio, Mr. FORTENBERRY, Mr. NUGENT, Mr. JORDAN, Mr. SALMON, and Mr. COLE):

H.J. Res. 50. A joint resolution proposing an amendment to the Constitution of the United States relating to parental rights; to the Committee on the Judiciary.

By Mr. BRALEY of Iowa:

H. Res. 269. A resolution providing for consideration of the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes; to the Committee on Rules.

By Mrs. MILLER of Michigan:

H. Res. 270. A resolution permitting official photographs of the House of Representatives to be taken while the House is in actual session on a date designated by the Speaker; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. STEWART introduced a bill (H.R. 2427) to provide for the relief of Lori L. Rogers; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 2407.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Mr. SCHWEIKERT:

H.R. 2408.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. SALMON:

H.R. 2409.

Congress has the power to enact this legislation pursuant to the following:

Congress' authority to regulate congressional elections derives primarily from Article I, Section 4, Clause 1 of the Constitution (known as the Elections Clause). The Elections Clause provides that the states will prescribe the ''Times, Places and Manner'' of congressional elections, and that Congress may ''make or alter'' the states' regulations at any time, except as to the places of choosing Senators. The courts have held that the Elections Clause grants Congress broad authority to override state regulations in this area. Therefore, while the Elections Clause contemplates both state and federal authority to regulate congressional elections, Congress' authority is paramount to that of the states.

By Mr. ADERHOLT:

H.R. 2410.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. GRAYSON:

H.R. 2411.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the Constitution of the United States of America.

By Mr. BARBER:

H.R. 2412.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 section 8 of article I of the Constitution.

By Mr. BRIDENSTINE:

H.R. 2413.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18

By Mr. CAPUANO:

H.R. 2414.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8, Clause 1; and Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CASSIDY:

H.R. 2415.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted Congress under Article 1, Section 8 of the United States Constitution.

By Mr. CLAY:

H.R. 2416.

Congress has the power to enact this legislation pursuant to the following:

THE COMMERCE CLAUSE: section 8 of article 1 of the Constitution.

By Mr. FRANKS of Arizona:

H.R. 2417.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution

By Mr. GRIFFIN of Arkansas:

H.R. 2418.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1.

By Mrs. LOWEY:

H.R. 2419.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section Eight of the U.S. constitution.

By Ms. NORTON:

H.R. 2420.

Congress has the power to enact this legislation pursuant to the following:

clauses 1 and 18 of section 8 of article I, and clause 2 of section 3 of article IV of the Constitution.

By Mr. PETERS of California:

H.R. 2421.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States

By Mr. PETERS of California:

H.R. 2422.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. RUNYAN:

H.R. 2423.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SIRES:

H.R. 2424.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution.

By Mr. TIERNEY:

H.R. 2425.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. TONKO:

H.R. 2426.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Mr. STEWART:

H.R. 2427.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law

By Mr. MEADOWS:

H.J. Res. 50.

Congress has the power to enact this legislation pursuant to the following:

The Parental Rights Amendment is introduced pursuant to Article V: ''The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution . . .''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 75: Mr. DUNCAN of Tennessee.
H.R. 129: Mr. GRIJALVA.
H.R. 148: Mr. VISCLOSKY, Mr. KILMER, and Ms. MOORE.
H.R. 164: Mr. RENACCI and Mr. ROTHFUS.
H.R. 182: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 198: Ms. SCHAKOWSKY.
H.R. 272: Ms. CHU, Mr. VARGAS, Mr. HUFFMAN, Mr. RUIZ, and Mr. LAMALFA.
H.R. 292: Mr. SERRANO.
H.R. 310: Mr. OWENS.
H.R. 318: Mr. WOLF.
H.R. 335: Mr. ALEXANDER.
H.R. 352: Mr. PEARCE.
H.R. 451: Mr. DESANTIS.
H.R. 460: Mr. POCAN and Ms. TITUS.
H.R. 485: Ms. BASS.
H.R. 525: Mr. HONDA.
H.R. 641: Ms. PINGREE of Maine.
H.R. 647: Mr. HUIZENGA of Michigan and Mr. CUELLAR.
H.R. 664: Mr. LOWENTHAL.
H.R. 685: Mr. YOUNG of Florida, Mr. LATTA, Mr. STEWARD, and Mr. ROSKAM.
H.R. 693: Mr. MEEKS.
H.R. 698: Mr. PETRI.
H.R. 721: Mr. DESJARLAIS, Mr. KELLY of Pennsylvania, Mr. BROOKS of Alabama, and Mrs. BUSTOS.
H.R. 725: Ms. FRANKEL of Florida.
H.R. 755: Mr. QUIGLEY, Mr. DOYLE, Mr. COURTNEY, Ms. SINEMA, Mr. TONKO, Mr. AL GREEN of Texas, Mr. FORTENBERRY, Mr. ALEXANDER, Mr. PERLMUTTER, Mr. BARBER, Mr. CASTRO of Texas, Ms. CASTOR of Florida, Mr. DEUTCH, Ms. FRANKEL of Florida, Mr. HASTINGS of Florida, Mr. MORAN, Mr. SIRES, Mr. VARGAS, and Mr. GERLACH.
H.R. 763: Ms. GRANGER.
H.R. 795: Mr. POMPEO.
H.R. 797: Mr. BARR.
H.R. 809: Mr. ROE of Tennessee.
H.R. 904: Mrs. WAGNER.
H.R. 940: Mr. WOMACK.
H.R. 961: Mr. DEFAZIO.
H.R. 963: Ms. FRANKEL of Florida.
H.R. 1015: Ms. NORTON and Mr. TURNER.
H.R. 1024: Mr. PRICE of North Carolina.
H.R. 1076: Mr. CRAWFORD.
H.R. 1094: Mr. CLYBURN.
H.R. 1102: Mr. TIERNEY and Ms. SHEA-PORTER.
H.R. 1122: Mr. CARTWRIGHT.
H.R. 1125: Mr. YOUNG of Alaska.
H.R. 1148: Mr. JOHNSON of Ohio, Ms. SCHWARTZ, and Mr. CARSON of Indiana.
H.R. 1151: Mr. BUCHANAN.
H.R. 1155: Mr. RADEL.
H.R. 1179: Ms. DEGETTE, Mr. CROWLEY, Mr. POLIS, Mr. MAFFEI, Mr. SMITH of Washington, Mr. PERRY, Mr. CRAWFORD, and Ms. FRANKEL of Florida.
H.R. 1187: Mr. ANDREWS, Ms. SLAUGHTER, Ms. WASSERMAN SCHULTZ, Ms. SHEA-PORTER, and Mr. GRAYSON.
H.R. 1213: Ms. WILSON of Florida.
H.R. 1250: Mr. PETERS of California and Mr. WALDEN.
H.R. 1274: Mr. BURGESS.
H.R. 1403: Mr. CARTWRIGHT.
H.R. 1405: Mr. RAHALL.
H.R. 1416: Mrs. MCMORRIS RODGERS.
H.R. 1427: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 1466: Mr. SCHIFF, Mr. RUSH, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 1474: Mr. CARTWRIGHT.
H.R. 1485: Mr. PALLONE.
H.R. 1508: Ms. NORTON, Mr. CONNOLLY, Mr. CICILLINE, Mrs. NEGRETE MCLEOD, Ms. LINDA T. SÁNCHEZ of California, Mr. COHEN, and Mr. BUTTERFIELD.
H.R. 1528: Mr. YOUNG of Alaska.
H.R. 1553: Mr. BARROW of Georgia, Mr. KINGSTON, Mr. TERRY, Mr. BACHUS, Mr. AUSTIN SCOTT of Georgia, Mr. FLORES, Mrs. LUMMIS, Mr. HARRIS, Mr. PETRI, and Mr. KILMER.
H.R. 1595: Mr. LIPINSKI.
H.R. 1620: Ms. MCCOLLUM.
H.R. 1622: Mr. HOLT.
H.R. 1643: Mr. O'ROURKE and Mr. HECK of Nevada.
H.R. 1653: Mr. HANNA, Ms. KAPTUR, Mr. SESSIONS, Mr. HURT, Mr. COOPER, Mr. FITZPATRICK, Mr. CARNEY, Mr. HECK of Nevada, Mr. HUIZENGA of Michigan, Mr. RICHMOND, Mr. KELLY of Pennsylvania, Mr. WELCH, Mr. BUCHANAN, Mr. ELLISON, Mr. BUCSHON, Mr. KING of New York, Mr. MCCAUL, Mr. LONG, Mr. QUIGLEY, and Mr. PERLMUTTER.
H.R. 1666: Mr. CICILLINE.
H.R. 1692: Mr. BLUMENAUER.
H.R. 1731: Mr. KENNEDY, Mr. HONDA, Mr. WAXMAN, and Mr. ENGEL.
H.R. 1733: Mr. WITTMAN and Mr. GUTHRIE.
H.R. 1750: Mr. HUELSKAMP and Mr. BARROW of Georgia.
H.R. 1761: Mr. SCHRADER.
H.R. 1767: Mr. CARNEY.
H.R. 1771: Mr. FORBES and Mr. WILSON of South Carolina.
H.R. 1781: Mr. RADEL.
H.R. 1792: Mr. ROTHFUS and Mr. MURPHY of Pennsylvania.
H.R. 1809: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Mr. RUSH.
H.R. 1812: Ms. DELBENE.
H.R. 1823: Mr. WALDEN.
H.R. 1825: Mr. YOUNG of Indiana.
H.R. 1829: Mr. ROTHFUS.
H.R. 1830: Mr. JOHNSON of Ohio, Mr. DOGGETT and Mr. GALLEGO.
H.R. 1852: Mr. ENYART, Mr. LATTA, Mr. MCCLINTOCK, and Mr. CRAWFORD.
H.R. 1861: Mr. KLINE and Mr. RENACCI.
H.R. 1871: Mr. NUGENT.
H.R. 1900: Mrs. BLACKBURN.
H.R. 1908: Mrs. BACHMANN and Mr. DESANTIS.
H.R. 1921: Mrs. LOWEY, Mr. CARTWRIGHT, Mrs. CAPPS, and Ms. PINGREE of Maine.
H.R. 1999: Mr. O'ROURKE and Mr. WELCH.
H.R. 2003: Mr. LATHAM.
H.R. 2004: Mr. BLUMENAUER.
H.R. 2009: Mr. TURNER.
H.R. 2011: Mr. HECK of Nevada and Mr. O'ROURKE.
H.R. 2016: Mr. YOUNG of Alaska and Mrs. MILLER of Michigan.
H.R. 2019: Mr. UPTON, Mr. BILIRAKIS, Mr. FLORES, Mr. STUTZMAN, and Mr. GIBSON.
H.R. 2020: Ms. MCCOLLUM and Mr. FOSTER.
H.R. 2030: Mr. O'ROURKE, Ms. FRANKEL of Florida, and Mr. TIERNEY.
H.R. 2052: Mr. BACHUS.
H.R. 2053: Mr. BROUN of Georgia.
H.R. 2068: Mr. GRIJALVA and Ms. TITUS.
H.R. 2072: Mrs. ELLMERS, Mr. JONES, and Mr. COLLINS of New York.
H.R. 2084: Ms. KUSTER.
H.R. 2093: Mr. BRIDENSTINE and Mr. LUETKEMEYER.
H.R. 2112: Mr. REED, Ms. VELÁZQUEZ, Mr. NADLER, Mr. JEFFRIES, and Mr. MEEKS.
H.R. 2132: Mr. BERA of California.
H.R. 2146: Mr. CROWLEY.
H.R. 2172: Mr. LOWENTHAL.
H.R. 2182: Mr. COURTNEY.
H.R. 2195: Mr. POCAN, Ms. BROWN of Florida, Mr. LEWIS, Mr. TONKO, and Mr. LOWENTHAL.
H.R. 2208: Mr. JOYCE.
H.R. 2218: Mr. OLSON, Mr. SALMON, Mr. RYAN of Ohio, Mrs. WALORSKI, Mr. RODNEY DAVIS of Illinois, Mr. KINZINGER of Illinois, and Mr. ROSS.
H.R. 2220: Mr. LONG.
H.R. 2238: Mr. GOWDY.
H.R. 2250: Mr. HANNA, Mr. FOSTER, and Mr. HECK of Nevada.
H.R. 2273: Mr. HANNA, Mr. LATTA, and Ms. FUDGE.
H.R. 2277: Mr. BRIDENSTINE.
H.R. 2288: Ms. MATSUI, Mr. CROWLEY, and Ms. BONAMICI.
H.R. 2290: Mr. MCINTYRE.
H.R. 2305: Mr. HECK of Nevada.
H.R. 2310: Mrs. MILLER of Michigan.
H.R. 2317: Ms. WILSON of Florida.
H.R. 2328: Mr. HECK of Nevada, Mr. LATTA, Mr. KLINE, and Mr. TURNER.
H.R. 2352: Mr. CLAY.
H.R. 2383: Mr. KINZINGER of Illinois, Mr. CLEAVER, and Mr. SCHOCK.
H.R. 2384: Ms. NORTON, Mr. AL GREEN of Texas, Mr. CICILLINE, Mr. CLAY, Mr. WAXMAN, Mr. DELANEY, and Ms. BONAMICI.
H.R. 2399: Mr. YOHO, Mr. GIBSON, Mr. MICHAUD, and Mr. GOSAR.
H.R. 2403: Mr. WESTMORELAND.
H. J. Res. 34: Mr. KILMER.
H. J. Res. 47: Mr. JOHNSON of Ohio and Mrs. LUMMIS.
H. Con. Res. 4: Mr. BARROW of Georgia.
H. Con. Res. 16: Mrs. MCMORRIS RODGERS and Mr. PAULSEN.
H. Con. Res. 24: Mr. HECK of Nevada.
H. Res. 30: Mr. RODNEY DAVIS of Illinois.
H. Res. 104: Mr. RUIZ.
H. Res. 123: Mr. CASTRO of Texas.
H. Res. 136: Mr. WOLF.
H. Res. 212: Mr. JOHNSON of Ohio.
H. Res. 229: Mr. VISCLOSKY.
H. Res. 238: Ms. EDDIE BERNICE JOHNSON of Texas.
H. Res. 263: Mr. FORBES and Mr. FORTENBERRY.
H. Res. 265: Mr. HECK of Washington, Mr. GALLEGO, Mr. RICHMOND, Mr. CARTWRIGHT, and Mrs. NEGRETE MCLEOD.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. CAMP

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 1896, the International Child Support Recovery Improvement Act of 2013, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

SUBMITTED FOR PRINTING PURSUANT TO CLAUSE 9 OF RULE XXI

The amendment to be offered by Representative MCGOVERN or a designee to H.R. 1947, the Federal Agriculture Reform and Risk Management Act of 2013, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

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PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, TUESDAY, JUNE 18, 2013 *No. 87*

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, place Your judgments in the Earth so that the world's inhabitants will learn righteousness. Today, give our Senators a strong and vivid sense that You are by their side. In their downsitting and uprising, make them aware of Your presence. By Your grace, Lord, let no thoughts enter their hearts that might hinder communion with You, and let no word leave their lips that is not meant for Your ears. Surround them with the shield of Your favor and give them mutual trust and loyalty for their relationships with one another.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in a period of morning business for an hour. The Republicans will control the first half, and the majority will control the final half. Following that morning business the Senate will resume consideration of the immigration bill.

The Senate will recess from 12:30 p.m. to 2:15 p.m. for our weekly caucus meetings. At 3 o'clock there will be four rollcall votes in relation to amendments to the immigration bill.

Mr. President, I would simply add on that, I have had a number of calls already this morning saying: You cannot have the votes then. I have this. We have meetings. We would like to have the votes at 4 o'clock.

This bill, we have to move forward on it. I was very happy we were able to get consent to have these four votes starting at 3 o'clock today. Time is of the essence on this legislation. I have been patient. We have all been patient waiting to see what amendments people want to offer. I want to make sure that on some of these major issues people have had the time to work through them. We know some of the issues are difficult. I have been told Senator HOEVEN and Senator CORKER are trying to work with the eight bipartisan Senators to come up with something they believe is important for them to vote on. I have no problem with that, but I am just telling everybody, as I have now for quite a long time, that we are going to either file cloture on this on Friday, Saturday, Sunday, or Monday. We have to move forward on this legislation.

So I urge people to work together to come up with whatever amendments they believe are important. Of course, we are all looking at this major issue. I have talked to the Republicans' Gang of 8 and the Democrats' Gang of 8. They are working on something dealing with border security. I am not telling anyone what to do other than to do it as quickly as you can.

The time has come to make decisions on this important piece of legislation. We say we have been on it 2 weeks. We have really been on it longer than that. That first week after the break there were meetings going on all over this Capitol on what we should do with immigration.

So I would hope people understand that this may not be one of our normal weekends where we shoot out of town to go back to whereever we come from. We have to move forward on this legislation.

BUDGET CONFERENCE

Mr. REID. Mr. President, I talked yesterday at some length on the budget. It is important. We are approaching 3 months where we have not been able to go to conference on this budget. This is so extremely important. I spent yesterday morning at the NIH. I was not able to meet with all the heads of the Institutes, but I met with four of them, plus Dr. Collins, who runs the NIH, the National Institutes of Health.

I will have more to say about this later, but South Africa, England, France, India—China is increasing their spending by almost 25 percent for programs just like we have at NIH. What are we doing at NIH? We are cutting spending. They have been flat-funded since about 2004. With the stimulus bill, which is now going on 5 years ago, we gave them a shot in the arm because of Senator Specter. But that money has long since been gone. They are headed downhill, and they have been for several years now. These wonderful scientists we have there are leaving.

One of the scientists from the University of Michigan, who, by the way, is best friends with my chief of staff, is basically staying away from NIH because you cannot have—and he is an expert, one of if not the leading expert in the world on melanoma. He is not making application for NIH grants anymore because they cannot do scientific research when it is only available for a year or two. So I hope we can move forward on this budget conference and get something done on this to set the Nation's financial problems in the right direction. We are not going to get anything done unless we are able to get something done on the budget. We cannot do this.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

I am proud of the budget we passed. I think it is a very good budget, but I realize if we go to conference we may have to change some of the things we have in our budget. But we are never going to get this done unless we sit down and work this out, as we have done for more than two centuries here in conferences between the House and the Senate.

STUDENT LOAN INTEREST RATES

Mr. REID. Finally, I see on the floor my friend, the senior Senator from Tennessee, who has been a longtime Governor of his State. He has been the Secretary of Education. We have an issue coming up soon. If we do not work something out in this body before the end of this month, student loan interest rates will go up a lot. If we do nothing, they will double from 3.4 percent to 6.8 percent. If we do what the House wants to do, if we do what Senate Republicans want to do, these student loans will be used to reduce the debt. I do not think that is what we should be doing with students. While this is not the time to debate this issue, everyone should be aware as we deal with immigration over the next couple weeks, we also have to keep this matter on the radar screen that we are going to have to do something about.

I have a number of meetings on this today, and I am sure my Republican colleagues have meetings throughout the day, and we need to have as many as we can to work something out to get this done.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. COWAN). The Republican leader is recognized.

SENATE RULES

Mr. MCCONNELL. Mr. President, day after day I have been coming to the Senate floor to remind the majority leader of the commitments he made to the American people in 2011 and again just a few months ago that he would not break the rules of the Senate in order to change the rules of the Senate; that he would preserve the rights of the minority in this body; that he would not try to remake the Senate in the image of the House, something that could change our democracy in a very fundamental way.

So the question remains: Will he keep his word?

Here is what he said on January 27, 2011:

> I will oppose any effort in this Congress or the next—
>
> The one we are in now—
>
> to change the Senate's rules other than through the regular order.

And here is what he said this year, after I asked him to confirm that the Senate would not consider any rules changes that did not go through the regular order process:

> That is correct. Any other resolutions related to Senate procedure would be subject to a regular order process including consideration by the Rules Committee.

Now, look, Mr. President, a Senator's word—especially the word of the majority leader—is the currency of the realm in this Chamber—the currency of the realm in this Chamber. As the majority leader himself said:

> Your word is your bond . . . if you tell [a Republican Senator or a Democratic Senator] you are going to do something, that is the way it is.

He is entirely correct. Senators keeping their word, well, that is just vital to a well-functioning Senate. But it is only part of the equation. We also need well-established rules that are clear, fair, and preserve the rights of all Senators—including those in the minority—to represent the views of their States and of their constituents. That is the other reason why I have been pressing the majority leader on this issue.

As a matter of principle, holding a Senator to his or her word is important, but so is preserving a Senate that works the way it is supposed to. And we cannot be assured of that until the majority leader affirmatively states that he will stay true to the commitments he has made.

I understand my friend the majority leader is under a lot of pressure. I have known him for a long time, and deep down I know he understands the far-reaching consequences of ''going nuclear.'' I think he actually realizes how terrible an idea that would be because once the Senate definitively breaks the rules to change the rules, the pressure to respond in kind will be irresistible to future majorities. The precedent will have been firmly and dramatically set.

Some Washington Democrats say: Oh, they just want to limit the rules change to nominations; they just want to make a little adjustment on nominations, which is why they have been hurtling the Senate toward a manufactured fight over a couple of the President's most controversial nominees. But Republicans have been treating the President's nominees more than fairly.

At this point in President Bush's second term he had a total of 10 judicial confirmations; and, by the way, the Republicans were in the majority in the Senate. President Bush, at this point in his second term, with a Republican majority in the Senate, had 10 judicial confirmations. So far in his second term, President Obama has had 26 judges confirmed—26, 26 to 10. Apples to apples: at this point in President Bush's term, with a Republican Senate; at this point in President Obama's term, with a Democratic Senate.

I would note that just yesterday the Senate approved two more judicial nominees. That leaves just five—just five—available to the full Senate to be confirmed. There are only five around here. Think about that. Of the 77 Federal judicial vacancies, the President has not nominated anyone for most of them, and only 5 remain on the Senate's Executive Calendar. Moreover, only one of those nominees has been waiting more than a month to be considered.

So it is hard to see this as anything other than a manufactured crisis. There is no factual basis for it—a manufactured crisis. So the question is, a crisis to what end? Where does this lead us?

Well, one of the reasons the majority leader has refrained from changing the rules thus far is this: He fully understands—he fully understands—that majorities are fleeting, but changes to the rules are not, and breaking the rules to change the rules would fundamentally change the Senate.

Future majorities would be looking to this precedent. I do not know what the future holds, but 2 years from now I could be setting the agenda around here. Once deployed, the nuclear option may have fallout in future Congresses, actually forever altering the deliberative nature of the Senate, which has made it the institution where enduring compromises between the parties have been forged.

So it is time for sober consideration of the direction in which the Senate is being taken.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

The Senator from Tennessee.

FILIBUSTERS

Mr. ALEXANDER. Mr. President, for the last few weeks, I have been listening to the Republican leader ask the majority leader not to turn the Senate into a place where a majority of 51 can do anything it wants. I am on the Senate floor today to suggest three reasons why I believe the majority leader will not do that:

No. 1, he said he would not. Senators keep their word.

No. 2, in 2007, the majority leader said to do so would be the end of the Senate. There have not been many majority leaders in the history of the Senate. I know none of them want to have written on their tombstone: He presided over ''the end of the Senate.''

No. 3, the majority leader is an able and experienced legislator. He knows if Democrats find a way to use 51 votes to do anything they want to do, it will not be very long until Republicans find a way, if we are in the majority, to use 51 votes to do whatever we want to do.

So let me take these three reasons one by one. First, the majority leader has given his word. The Republican leader mentioned that. At the beginning of the last two Congresses, at the request of the Republican leader, I worked with several Democrats and Republicans to change the rules of the Senate to make it work better. We succeeded in that. We talked about it, negotiated, and we voted those changes through.

We eliminated the secret hold. We abolished 169 Senate-confirmed positions. We expedited 273 more. We reduced the time to confirm district judges. We made it easier to go to conference. In exchange for all of that, the majority leader said he would not support changes in the rules in this 2-year session of Congress except through the regular order. He said:

The minority leader and I have discussed this on numerous occasions.

This is the Democratic leader.

The proper way to change the Senate rules is through the procedures established in the rules. I will oppose any effort in this Congress or the next to change the Senate rules other than through the regular order.

I ask unanimous consent to have printed, following my remarks, the majority leader's comments.

Second, I was a new Senator 10 years ago in 2003. I was absolutely infuriated by what the Democrats did in the first few months. For the first time in history, they used the filibuster to deny a President's judicial nominations for the circuit courts of appeal. It had never ever been done before. So Republicans threatened the so-called ''nuclear option.'' We threatened we would change the rules of the Senate so we could work our will with 51 votes.

Senator REID said at the time ''that would be the end of the Senate.'' He wrote that in his book called ''The Good Fight'' in 2007. It is the most eloquent statement I have heard about why changing the rules of the Senate to give a majority the right to do anything it wants with 51 votes is a bad idea. I wish to read a few sentences from Senator REID's book ''The Good Fight,'' written in 2007.

Senator Frist of Tennessee, who was the majority leader, had decided to pursue a rules change that would kill the filibuster for judicial nominations.

Sounds familiar.

And once you open the Pandora's box, it was just a matter of time before a Senate leader who couldn't get his way on something moved to eliminate the filibuster for regular business as well. That, simply put, would be the end of the United States Senate.

It is the genius of the Founders that they conceived the Senate as a solution to the small state / big state problem. And central to that solution was the protection of the rights of the minority. A filibuster is the minority's way of not allowing the majority to shut off debate. And without robust debate, the Senate is crippled. Such a move would transform the body into an institution that looked like the House of Representatives where everything passes with a simple majority. And it would tamper dangerously with the Senate's advise-and-consent function as enshrined in the Constitution. If even the most controversial nominee could simply be rubber stamped by a simply majority, advise and consent would be gutted. Trent Lott of Mississippi knew what he was talking about when he coined the name for what they were doing the nuclear weapon.

One more paragraph.

But that was their point. They knew—Lott knew—if they trifled with the basic framework of the Senate like that, it would be nuclear. They knew that it would be a very radical thing to do. They knew that it would shut the Senate down . . . there will come a time when we will be gone.

This is Senator REID talking.

There will come a time when we will all be gone, and the institutions that we now serve will be run by men and women not yet living. And those institutions will either function well because we have taken care of them or they will be in disarray and someone else's problem to solve. Well, because the Republicans could not get their way getting some radical judges confirmed to the Federal bench, they were threatening to change the Senate so fundamentally that it would never be the same again. In a fit of partisan fury, they were trying to blow up the Senate. Senate rules can only be changed by a two-thirds vote of the Senate, or 67 Senators. The Republicans were going to do it illegally with a simple majority, or 51. Vice President Cheney was prepared to override the Senate Parliamentarian. Future generations be damned.

Those are the words of the distinguished Senator from Nevada in 2007 eloquently explaining why this body is so different from the House of Representatives.

I ask unanimous consent not only to have those remarks printed in the RECORD but several more pages from Senator REID's excellent seventh chapter entitled ''The Nuclear Option'' in his book from 2007.

Third and finally, if the Democrats can turn the Senate into a place where a majority of 51 can do anything they want, soon a majority of 51 Republicans is going to figure out the same thing to do. After 2014, some observers have said we might even be in the majority. Senator MCCONNELL might be the Republican leader and the majority leader. After 2016, we may even have a Republican President.

Preparing for that opportunity, I wish to suggest the 10 items, briefly, I wish to see on an agenda if we Republicans are able to pass anything we want with 51 votes, as the majority leader has suggested.

No. 1, repeal ObamaCare.

No. 2, S. 2, that would be the second bill if I were the leader. I would put up Pell grants for kids. Like the GI bill for veterans, Pell grants follow students to the colleges of their choice—creating opportunity at the best colleges in the world. Why don't we do the same thing for students in kindergarten through the 12th grade, take the $60 billion we spend, create a voucher for 25 million middle- and low-income children. It would be $2,200 for each one of them, just the money we now spend. Let it follow them to any school they choose to attend, an accredited school, public or private.

No. 3 on my list, complete Yucca Mountain. I have spoken often of the importance of nuclear energy to our country. It provides 20 percent of all of our electricity, 60 percent of our clean electricity for those concerned about climate change and clean air. Since 2010, the majority leader has stalled the nuclear waste repository in Nevada. That jeopardizes our 100 reactors. That jeopardizes our source of 60 percent of our clean electricity. If we had 51 votes in the Senate, we could direct the Nuclear Regulatory Commission to issue a license. We could direct the Department of Energy to build Yucca Mountain and we could fund the money to do it.

The junior Senator from Nevada, who shares Senator REID's opposition to that, said something about this recently.

The day is going to come that either he is here or not—

That is the majority leader.

—or the Republicans take control and it's a 50-vote threshold. Those kinds of issues are the ones that concern me the most. When you are from a small State, you need as many arrows in your quiver as possible to fight back on some of these issues that you can be overtaken by. Frankly, the 60-vote threshold is what has protected and saved Nevada in the past.

I ask unanimous consent to have Senator HELLER's comments printed in the RECORD.

If all the Democrats who voted once upon a time for completing Yucca Mountain were to do so again, we could get a bipartisan majority of 51 votes today in the Senate to complete Yucca Mountain. So make no mistake, a vote to end the filibuster is a vote to complete Yucca Mountain.

Here is the rest of my list—I will do it quickly—that I would suggest to the Republican leader, if he were majority leader, as his priorities for a Senate where we could pass anything we wanted with 51 votes.

Make the Consumer Protection Bureau accountable to Congress. That would be No. 4.

No. 5, drill in the Arctic National Wildlife Refuge and build the Keystone Pipeline.

No. 6, fix the debt. It ought to be No. 1. Senator CORKER and I have a $1 trillion reform of entitlement programs that would put us on the road toward fixing the debt.

No. 7, right to work for every State. We would reverse the presumption—create a presumption of freedom, giving workers in every State the right to work. States would have the right to opt out, to insist on forced unionism, the reverse of what we have today.

No. 8, No EPA regulation of greenhouse gases.

No. 9, Repeal the Death Tax.

Finally, No. 10, repeal Davis-Bacon, save taxpayers billions by ending the Federal mandate on contractors.

The Republican leader and I have plenty of creative colleagues. They will have their own top 10 lists. When word gets around on our side of the aisle that the Senate will be like the House of Representatives and a train can run through it without anyone slowing it down, there will be a lot of my colleagues with their own ideas about adding a lot of cars to that freight train.

Jon Meacham's book about Thomas Jefferson is one I have been reading. He reports a conversation between John Adams and Jefferson in 1798. Adams said:

No Republic could ever last which had not a senate . . . strong enough to bear up against all popular storms and passions . . .

And that—

Trusting the popular assembly for the preservation of our liberties . . . was the mearest chimera imaginable.

Alexis de Tocqueville, while traveling our country in the 1830s, saw only two great threats for our young democracy. One was Russia, one was the tyranny of the majority.

Finally, as the Republican leader so well stated, there is no excuse here for all of this talk. The Democrats are manufacturing a crisis. To suggest Republicans are holding things up unnecessarily is absolute nonsense. In fact, over the last two Congresses, we have made it easier for any President to have his or her nominations secured.

The Washington Post on March 18, the Congressional Research Service on May 23, said President Obama's nominations for the Cabinet are moving through the Senate at least as rapidly as his two predecessors. The Secretary of Energy was recently confirmed 97 to 0. There may be another three votes on Cabinet-level nominees this week.

Then as the Republican leader said, look at the Executive Calendar. Only three district and two circuit judge nominees are waiting for floor action.

As for filibusters, according to the Senate Historian, the number of Supreme Court Justices who have been denied their seats by filibuster is zero. The only possible exception is Abe Fortas, and Lyndon Johnson engineered a 45-to-43 vote so he could hold his head up while he continued to serve on the Court.

The number of Cabinet members who have been denied their seats by a filibuster in the history of the Senate is zero.

The number of district judges who have been denied their seats by a filibuster in the history of the Senate is zero. This is according to the Senate Historian and the Congressional Research Service.

So what are they talking about? I know what they are talking about. They are talking about circuit judges. That is the only exception. Why is it an exception? Because when I came to the Senate 10 years ago, the Democrats broke historical precedent and blocked five distinguished judges of President Bush by a filibuster.

Republicans have returned the favor and blocked two of President Obama's by a filibuster, which should be a lesson for the future to those who want to change the rules. About half the Senate are serving in their first term. They may not know about the majority leader's statements in 2007. They may not know about the history of the Senate. They may have heard all of these conflicting facts and not have the right facts.

What I have given you is what the Senate Historian and the Congressional Research Service say are the facts. Of course, there have been delays. My own nomination was delayed 87 days by a Democratic Senator. I did not try to change the rules of the Senate. President Reagan's nomination of Ed Meese was delayed a year by a Democratic Senate.

No one has ever disputed our right in the Senate, regardless of who was in charge, to use our constitutional duty of advise and consent to delay and examine, sometimes cause nominations to be withdrawn or even to defeat nominees by a majority vote.

Yes, some sub-Cabinet members have been denied their seats by a filibuster. The Democrats denied John Bolton his post at the United Nations.

Senator Warren Rudman told me the story of how the Democratic Senator from New Hampshire blocked his nomination by a secret hold. Nobody knew what was happening. I asked Senator Rudman what he did about it.

He said: I ran against the so-and-so in the next election, and I beat him.

This is how Senator Rudman got to the Senate.

In summary, the idea that we have a crisis of nominations is absolute, complete nonsense, totally unsupported by the facts. It should be embarrassing to my friends on the other side to even bring it up. They should be congratulating us for helping to make it easier for any President to move nominations through.

The advise and consent is a constitutional prerogative that both parties have always defended.

There are three reasons why the majority leader will not turn the Senate into a place where a majority of 51 can do anything it wants, in my judgment: one, he said he wouldn't, and Senators keep their word; two, he said the nuclear option would be the end of the Senate. No majority leader wants written on his tombstone he presided over the end of the Senate; three, if Democrats turn the Senate into a place where 51 Senators can do anything they want, it will not be long before Republicans do the same.

To be very specific, if Senator REID and Democrats vote to allow a majority to do anything they want in the Senate and set that precedent, voting to end the filibuster will be a vote to complete Yucca Mountain.

I come with respect to the Republican and the Democratic leaders, and especially to this institution, to say let's end the threats, let's stop the nonsense, let's get back to work on immigration and the other important issues facing our country.

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

Reid made the same commitment (if anything, more broadly) on January 27, 2011, when he said:

''The minority leader and I have discussed this issue on numerous occasions. I know that there is a strong interest in rules changes among many in my caucus. In fact, I would support many of these changes through regular order. But I agree that the proper way to change Senate rules is through the procedures established in those rules, and I will oppose any effort in this Congress or the next to change the Senate's rules other than through the regular order.''

The storm had been gathering all year. and word from conservative columnists and in conservative circles was that Senator Frist of Tennessee, who was the Majority Leader, had decided to pursue a rules change that would kill the filibuster for judicial nominations.

It is the genius of the founders that they conceived the Senate as a solution to the small state/big state problem. And central to that solution was the protection of the rights of the minority. A filibuster is the minority's way of not allowing the majority to shut off debate, and without robust debate, the Senate is crippled. Such a move would transform the body into an institution that looked just like the House of Representatives, where everything passes with a simple majority. And it would tamper dangerously with the Senate's advise-and-consent function as enshrined in the Constitution. If even the most controversial nominee could simply be rubber-stamped by a simple majority, advise-and-consent would be gutted. Trent Lott of Mississippi knew what he was talking about when he coined a name for what they were doing: the nuclear option.

And that was their point. They knew—Lott knew—if they trifled with the basic frame work of the Senate like that, it would be nuclear, They knew that it would be a very radical thing to do. They knew that it would shut the Senate down. United States senators can be a self-regarding bunch sometimes, and I include myself in that description, but there will come a time when we will all be gone, and the institutions that we now serve will be run by men and women not yet living, and those institutions will either function well because we've taken care with them, or they will be in disarray and someone else's problem to solve. Well, because the Republicans couldn't get their way getting some radical judges confirmed to the federal bench, they were threatening to change the Senate so fundamentally that it would never be the same again. In a fit of partisan fury, they were trying to blow up the Senate. Senate rules can only be changed by a two-thirds vote of the Senate, or sixty-seven senators. The Republicans were going to do it illegally with a simple majority, or fifty-one. Vice President Cheney was prepared to overrule the Senate parliamentarian. Future generations be damned.

Given that the filibuster is a perfectly reasonable tool to effect compromise, we had been resorting to the filibuster on a few judges. And that's just the way it was. For 230 years, the U.S. Senate had been known as the world's greatest deliberative body—not always efficient, but ultimately effective.

There had once been a time when the White House would consult with home-state senators, of either party, before sending prospective judges to the Senate for confirmation. If either senator had a serious reservation about the nominee, the nomination wouldn't go forward. The process was called ''blue-slips.'' The slips were sent to individual senators. If the slips didn't come back, there was a problem. The Bush White House ignored the blue-slip tradition, among many other traditions, and showed little deference to home-state senators.

We realized that if they were not going to adhere to our blue slips or entertain any advice from us, then they were trying to subvert the minority's ability to perform its advise-and-consent function under the Constitution. It was clear that Bush and Karl Rove were going to try to load all the courts—especially the circuit courts of appeals, because you can't count on Supreme Court vacancies. And most of the decisions are made by circuit courts anyway, so it could be said that they are the most important judicial nominees of all.

We Democrats made a decision that since the White House was ignoring the Constitutional role of the Senate, then we were going to have to delay some of the more extreme nominees. Be cautious and look closely was the byword. One rule we tried to follow was that if all Democrats on the Judiciary Committee voted no on a nominee, then we would say, ''Slow down.''

The Republicans immediately complained that they had never filibustered Clinton's judges, a claim that simply wasn't true. Frist himself had participated in the filibuster of the nomination of Judge Richard Paez, which at the time had been pending in the Senate for four years. When Senator Schumer had called him on it on the Senate floor, Frist had stammered to try to find a way to explain how their use of the filibuster was legitimate and ours wasn't. And moreover, it was a disingenuous claim. The reason the Republicans didn't deploy the filibuster that often when Clinton was President is that they had a majority in the Senate. and they had simply refused to report more than sixty of President Clinton's judicial nominees out of committee, saving them the trouble of a filibuster. In any case, the U.S. Senate had never reached a crisis point like this before,

In the early part of 2005, I hadn't wanted to believe it was true, and felt confident that we could certainly avoid it. We make deals in the Senate, we compromise. It is essential to the enterprise. I was determined to deal in good faith, and in a fair and open-minded way, ''What I would like to do is say there is no nuclear option in this Congress.'' I said on the floor one day, ''and then move forward.'' Give us a chance to show that we're going to deal with these nominees in good faith and in the ordinary course. And if you don't think we are fair, you can always come back next Congress and try to invoke the nuclear option. Because it would take a miracle for us to retake the Senate next year.

Did I regret saying this? No. Because at the time I believed it, and so did everyone else.

And in any case, we had confirmed 204, or 95 percent, of Bush's judicial nominations. It was almost inconceivable to me that the Republicans would debilitate the Senate over seven judges. But the President's man, Karl Rove, was declaring that nothing short of 100 percent confirmation rate would be acceptable to the White House, as if it were his prerogative to simply eliminate the checks-and-balances function of the Senate. Meanwhile, we were at war, gas prices were spiking, and we were doing nothing about failing pensions, failing schools, and a debt-riven economy. Where was our sense of priorities?

I had been pressing Majority Leader Bill Frist in direct talks for a compromise—one in which Democrats prevented the confirmation of some objectionable judges and confirmed some that we didn't want to confirm, all in the interest of the long-term survival of the Senate. But I had been getting nowhere. Those talks had essentially ceased by the end of February. And then Senator Frist began advertising that he was aggressively rounding up votes to change the Senate rules, and Republican senators, some quite prominent, began to announce publicly that they supported the idea. Pete Domenici of New Mexico. Thad Cochran of Mississippi. Ted Stevens of Alaska. Orrin Hatch of Utah. I was so disappointed that they were willing to throw the Senate overboard to side with a man who, it was clear, was becoming one of the worst Presidents in our history. President Bush tried at any cost to increase the power of the executive branch, and had only disdain for the legislative branch. Throughout his first term, he basically ignored Congress, and could count on getting anything he wanted from the Republicans. But from senators who had been around for a while and had a sense of obligation to the institution, I found this capitulation stunningly short-sighted. It was clear to me that Frist wanted this confrontation, no matter the consequences.

And as the weeks and months passed, it dawned on me that Frist's intransigence was owed in no small part to the fact that he was running for President. Funding the filibuster so that extremist judges could be confirmed with ease had become a rallying cry for the Republican base, especially the religious right. In fact, Senator Frist would be the featured act at ''Justice Sunday,'' a raucous meeting at a church in Louisville on the last Sunday in April that was billed as a rally to ''Stop the Filibuster Against People of Faith.''

This implied, of course, that the filibuster itself was somehow anti-Christian. I found this critique, which was becoming common in those circles, to be very strange, to say the least. Democratic opposition to a few of President Bush's nominees had nothing whatsoever to do with their private religious beliefs. But that did not stop James Dobson of Focus on the Family of accusing me of ''judicial tyranny to people of faith.''

''The future of democracy and ordered liberty actually depends on the outcome of this struggle.'' Dobson declared from the pulpit at Justice Sunday.

So the battle lines were drawn.

All the while, very quietly, a small group of senators had begun to talk about ways to avert the looming disaster.

Earlier in the year, Lamar Alexander, the Republican junior senator from Tennessee, had gone to the floor and given a speech that hadn't gotten much notice in which he had proposed a solution. Since under Senate rules a supermajority of sixty votes is required to end a filibuster, and the makeup of the Senate stood at fifty-five in the Republican caucus and forty-five in the Democratic, Alexander had suggested that if six Republicans would pledge not to vote to change Senate rules and six Democrats would pledge to never filibuster judicial nominees, then we could dodge this bullet. This would come to be know as ''the Alexander solution.''

Of course, this was an imperfect solution—if the minority, be it Democratic or Republican, pledged to never use the filibuster, then you were de facto killing the filibuster anyway and may as well change the rules. But Alexander's thinking was in the right direction. In fact, I had begun talking quietly to Republican senators one by one, canvassing to see if I could get to the magic number six as well, should Frist press a vote to change the rules. If he wanted to go that way, maybe we could win the vote outright, without having to forge a grand compromise.

I knew we had Lincoln Chafee of Rhode Island. So there was one. I thought we had the two Mainers. Olympia Snowe and Susan Collins. I thought we had a good shot at Mike DeWine of Ohio. We had a shot at Arlen Specter of Pennsylvania. Maybe Chuck Hagel of Nebraska. I knew we had a good shot at John Warner of Virginia. Warner, a former Marine and secretary of the Navy, was a man of high character. When Oliver North ran as a Republican against Senator Chuck Robb in 1994. Warner crossed party lines to campaign all over Virginia against North. I also felt that Bob Bennett of Utah would, at the end of the day, vote with us.

But these counts are very fluid and completely unreliable. It would be hard to get and keep six. We were preparing ourselves for a vote, but a vote would carry great risk.

As it turned out, Alexander's chief of staff was roommates with the chief of staff of the freshman Democratic senator from Arkansas, Mark Pryor. Pryor, whose father before him had served three terms in the Senate, had been worrying over a way to solve this thing. His chief of staff, a gravelly voiced guy from Smackover, Arkansas, named Bob Russell, got a copy of Alexander's speech from his roommate and gave it to Pryor. Alexander's idea of a bipartisan coalition got Pryor thinking, and he sought out the Tennessean and began a quiet conversation about it.

At the same time, Ben Nelson of Nebraska, one of the more conservative Democrats in the Senate, began having a similar conversation with Trent Lott. At some point they became aware of each other's efforts, and one day in late March, Pryor approached Nelson on the floor to compare notes.

Lott and Alexander would quickly drop out of any discussions. Such negotiations without Bill Frist's knowledge proved too awkward, particularly for Alexander, who was a fellow Tennessean. And even though there was antipathy between Lott and Frist over the leadership shake-up in 2002, Lott backed away as well.

But others were eager to talk.

Knowing what was at stake, John McCain and Lindsey Graham began meeting sub rosa with Pryor and Nelson. They would go to a new office each time, so as not to arouse suspicion. These four would form the nucleus of what would become the Gang of Fourteen, the group of seven Republicans and seven Democrats who would eventually bring the Senate back from the brink. Starting early on in their negotiations, Pryor and Nelson came to brief me on their talks, and I gave my quiet sanction to the enterprise. Senator Joe Lieberman came to me and said that he was going to drop out of the talks. I said, ''Joe, stay, we might be able to get it done. It's a gamble. But stay and try to work something out.''

Each meeting would be dedicated to some aspect of the problem, and there was a lot of back and forth about what would be the specific terminology that could trigger a filibuster. Someone, probably Pryor, suggested ''extraordinary circumstances,'' and that's what the group would eventually settle on. What that meant is that to filibuster a judicial nominee, you'd have to have an articulable reason. And a good reason, not just fluff. Slowly, they were joined by others. Ben Nelson approached Robert Byrd to ask if he would join the effort. No one cares more about the Senate than Byrd, and he agreed, anything to preserve the rules. John Warner was the same way, and it may have been Warner's presence in the negotiations that would serve as the biggest rebuke to Frist.

Ultimately, seven Republican senators would step away from their leader, in an unmistakable comment on his recklessness.

Meanwhile, the drumbeat for the nuclear option was intensifying in Washington, and was beginning to crowd out all else. James Dobson said that the faithful were in their foxholes, with bullets whizzing overhead. In mid-March, Frist had promised to offer a compromise of some sort. A month later, nothing. In mid-April, I was with the President at a White House breakfast and took the opportunity to talk with him about it. ''This nuclear option is very bad for the country, Mr. President,'' I said. ''You shouldn't do this.''

Bush protested his innocence. ''I'm not involved in it at all,'' he said. ''Not my deal.'' It may not have been the President's deal, but it was Karl Rove's deal.

A couple of days later, Dick Cheney spoke for the White House when he announced that the nuclear option was the way to go, and that he'd be honored to break a tie vote in the Senate when it was time to change the rules. The President had misled me and the Senate.

And that was the second time I called George Bush a liar.

The first time was over the nuclear waste repository located at Yucca Mountain, in my home state of Nevada. I have successfully opposed this facility with every fiber in me since I got to Washington, as it proposes to unsafely encase tons of radioactive waste in a geological feature that is too close to the water table, crossed by fault lines, unstable, and unsound. And Yucca Mountain posed a grave danger to the whole country, given that the waste—70,000 tons of the most poisonous substance known to man—would have to be transported over rail and road to the site from all over America, past our homes, schools, and churches. Not a good idea. President Bush committed to the people of Nevada that he was similarly opposed to Yucca Mountain, and would only allow it based on sound science. Within a few months of his election, and with a hundred scientific studies awaiting completion, Bush reversed himself. When one lies, one is a liar. I called him a liar then, and with his obvious duplicity on the nuclear option revealed by the Vice President's pronouncement, I called the President a liar again.

I then met again with Mark Pryor and Ben Nelson. I knew that they were trying to close a deal with the Gang of Fourteen. I was afraid to tell them to stop, and afraid to go forward. But I patted them on the back and off they went.

''Make a deal,'' I told them.

By this time, Bill Frist had been in the Senate for a decade. An affable man and a brilliant heart-lung transplant surgeon, he had been two years into his second term when Majority Leader Trent Lott had heralded Senator Strom Thurmond on his one hundredth birthday in early December 2002 by saying that if Thurmond's segregationist campaign for the presidency in 1948 had been successful, ''we wouldn't have all these problems today.'' The uproar over Lott's comments had wounded the Majority Leader, and just before Christmas the White House had in effect ordered that Frist would replace Lott and become the new Majority Leader, the first time in Senate history that the President had chosen a Senate party leader.

As Majority Leader, Frist had almost no legislative experience and always seemed to me to be a little off balance and unsure of himself. For someone who came from a career at which he was consummate, this must have been frustrating. When I became Minority Leader after the 2004 election, I obviously got to watch Frist from a closer vantage point. My sense of his slight discomfort in the role only deepened. In negotiations, he sometimes would not be able to commit to a position until he went back to check with his caucus, as if he was unsure of his own authority. Now, anyone in a leadership position who must constantly balance the interests of several dozen powerful people, as well as the interests of the country, can understand the challenges of such a balancing act. And to a certain extent, I was in sympathy with Frist. But my sympathy had limits. What Frist was doing in driving the nuclear-option train was extremely reckless, and betrayed no concern for the long-term welfare of the institution. There are senators who are institutionalists and there are senators who are not. Frist was not. He might not mind, or fully grasp, the damage that he was about to do just to gain short-term advantage, I reminded him: We are in the minority at the moment, but we won't always be. You will regret this if you do it.

By this time, the Senate was a swirl of activity. More senators were taking to the floor to declare themselves in support of the nuclear option or issue stern denunciations. Senator Byrd gave a very dramatic speech excoriating Frist for closely aligning his drive to the nuclear option with the religious right's drive to pack the judiciary. And he insisted that Frist remain on the floor to hear it.'' My wife and I will soon be married, the Lord willing, in about sixteen or seventeen more days, sixty-eight years.'' Byrd said. ''We were both put under the water in that old churchyard pool under the apple orchard in West Virginia, the old Missionary Baptist Church there. Both Erma and I went under the water. So I speak as a born-again Christian. You hear that term thrown around. I have never made a big whoop-de-do about being a born-again Christian, but I speak as a born-again Christian.

''Hear me, all you evangelicals out there! Hear me!''

Byrd was in his eighth term in the Senate, and before that had served three terms in the House. He has been in Congress about 25 percent of the time we have been a country. So his testimony carried great power.

Negotiations among the Gang of Fourteen continued feverishly. Not even a panicked Capitol evacuation in early May could stop them. An unidentified plane had violated the airspace over Washington, and the Capitol had to be cleared in a hurry, but McCain, Pryor, and Nelson continued talking nonetheless.

Joe Lieberman of Connecticut came to me again, concerned. Talks had gotten down to specific judges, and the group was trying to hammer out a number that would be acceptable to confirm. Senator Lieberman was worried that our side might have been giving away too much, and that in his view the group was in danger of hatching a deal that would be unacceptable to Democrats. He wanted to drop out. I told him again that he couldn't. The future of the country could well depend on his participation.

''Joe. I need you there,'' I told him. ''Help protect us.''

Once the existence of the Gang of Fourteen became known, once a ferocious scrutiny became trained on them, the group started to feel an even more determined sense of mission. They realized that they were doing something crucial, and loyalty to party became less important than loyalty to the Senate and to the country, at least for a little while.

And until the day that a deal was struck, the Republican leader's office boasted that no such deal was possible.

As if to underscore this point, and see his game of chicken through to the end, Frist actually scheduled a vote to change Rule XXII of the Standing Rules of the Senate for May 24.

The Democratic senators came to see me and told me that they had completed a deal to stop the nuclear option. They had done it. I told Pryor, Nelson, and Salazar, ''Let's hope it works.'' It did. And on the evening of May 23, 2005, the brave Gang of Fourteen, patriots all—Pryor of Arkansas, McCain of Arizona, Nelson of Nebraska, Graham of South Carolina, Salazar of Colorado, Warner of Virginia, Inouye of Hawaii, Snowe of Maine, Lieberman of Connecticut, Collins of Maine, Landrieu of Louisiana, DeWine of Ohio, Byrd of West Virginia, and Chafee of Rhode Island—signed a Memorandum of Understanding, in which they allowed for the consideration of three of the disputed judges, and rabled a couple more. Personally I found these judges unacceptable, but such is compromise. The deal that was struck was very similar to that which I had proposed to Bill Frist months before.

As Frist and I were just about to discuss the Gang of Fourteen deal before hordes of gathered press, Susan McCue, my chief of staff, pulled me aside and said, ''Stop smiling so much. Don't gloat.''

I didn't gloat, but I was indeed smiling. I couldn't help it.

''I remain concerned,'' Heller told The Washington Examiner. ''The nuclear option, they claim will be limited only to judicial nominations. But I don't believe that for a second. Once they get a taste of the 50-vote threshold, I think this thing spreads to every other issue.''

''The day is going to come that either he's not here or the Republicans take control and if it's a 50-vote threshold, those kind of issues are the ones that concern me the most,'' Heller said. ''When you're from a small state, you need as many arrows in your quiver as possible to fight back on some of these issues that you can be overtaken by. And, frankly, this 60-vote threshold is what has protected and saved Nevada in the past.''

I yield the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. I ask unanimous consent that the Senator from Tennessee and I be allowed to engage in a colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. I wish to congratulate my friend from Tennessee on a brilliant presentation on the history of the Senate and the current manufactured crisis we face.

The only comment I would add, just by way of reiterating the point my friend has already made, the Senator quoted Jefferson and Adams about the tyranny of the majority.

Mr. ALEXANDER. That was de Tocqueville.

Mr. MCCONNELL. De Tocqueville. Washington, when he was presiding over the Constitutional Convention, according to legend, asked what will the Senate be like. He said: Well, it will be like the saucer under the teacup. The tea will slosh out of the cup, down into the saucer, and cool off.

In other words, from the very beginning, it was anticipated by the wise men who wrote the Constitution that the Senate would be a place where things slowed down and were thought over. That has been the tradition for a very long time throughout the history of our country.

Until the First World War, it was not possible to stop a debate at all. Cloture

was actually adopted by the Senate in the late teens of the previous century and then lowered in the 1970s to the current two-thirds.

Looking at the history of our country, it is pretty clear to me that the Senate has done exactly what Washington thought it would do, slow things down and move them to the middle, and has been a place where bipartisan compromise was by and large achieved, except in periods of time where either side had a very big majority which, of course, our friends on the other side had in 2009 and 2010.

The American people took a look at that and decided to issue a national restraining order and restore the kind of Senate they are more comfortable with that operates, to use a football analogy, between the two 45-yard lines. There is not a doubt in my mind that if the majority breaks the rules of the Senate, to change the rules of the Senate with regard to nominations, the next majority will do it for everything. The Senator from Tennessee has pointed that out.

I wouldn't be able to argue a year and a half from now, if I were the majority leader, to my colleagues that we shouldn't enact our legislative agenda with a simple 51 votes, having seen what the previous majority just did. I mean, there would be no rational basis for that.

It is appropriate to talk about what our agenda would be. I would be, of course, consulting with my colleagues on what our agenda would be, but I don't think there is any doubt that virtually every Member of the Senate Republican conference would think repealing ObamaCare would be job one of a new Republican majority. I don't even have to guess is what likely to be the No. 1 priority: repealing ObamaCare.

The Senator from Tennessee mentioned drilling in ANWR. There has been a majority in the Senate for quite some time, both when the Democrats were in the majority and when the Republicans were in the majority, to lift the ban against drilling in ANWR.

I think that would certainly be on any top 10 list that I was able to put together as majority leader. Approving the Keystone Pipeline, we have gotten as many as 60 votes for that. We have gotten as many as 56 votes for ANWR.

What about repealing the death tax? We had as many as 57 votes back in 2006 to repeal the death tax entirely. There is a new bill being introduced this afternoon by our colleague, Senator THUNE of South Dakota, to get rid of the death tax altogether, to get rid of the dilemma every American faces. He has to visit the IRS and the undertaker on the same day, the government's final outrage.

These are the kinds of priorities our Members feel strongly about. I think I would be hard-pressed, with the new majority—having just witnessed the way the Senate was changed with a simple majority by the current Democratic majority—to argue that we should restrain ourselves from taking full advantage of this new Senate.

From the country's point of view, it is a huge step in the wrong direction. I am not advocating that, but I would be hard-pressed to say to our Members, the precedence having been set, why should we confine it to nominations.

Mr. ALEXANDER. I agree with the Republican leader.

Of course, the distinguished majority leader agrees with the Senator as well. He said in his book in 2007—I read it, but I will read it again—when talking about the Republican efforts several years ago, Republicans were so upset with actual obstructionism, as opposed to made up obstructionism, which is what we see here. They were so upset that this is what Senator REID said: If the majority leader pursues a rules change that would kill the filibuster for judicial nominations. And once you open that Pandora's box, it was just a matter of time before a Senate leader who couldn't get his way on something moved to eliminate the filibuster from regular business as well, and that, simply put, would be the end of the Senate.

What that means is the Senate would be similar to the House. A freight train could run through it. Many Senators have not visited the House Rules Committee. I have. It is an interesting place.

The Republicans can run the House by a single vote. But if one goes up to the Rules Committee—and I am sure the distinguished Republican leader has been there—there are thirteen chairs, thirteen members.

How many Democrats do you suppose have those chairs? Four. How many Republicans have those chairs? Nine. It is 2 to 1 plus 1 majority in the House Rules Committee. In the House of Representatives, whatever the majority wants to do it can do.

If we have a body with 51 votes to make all the decisions, and if I and others are deeply concerned about the nuclear waste sitting around in some of these 100 reactors—we have several of us on both sides of the aisle who were working on legislation like that—and we want it put in a repository, legally, where it is supposed to be, we have 51 votes, if they all vote the way they voted before, to order the government to open Yucca Mountain and put the nuclear waste there. This is what we can do with 51 votes.

The way our government is designed, the House can order that, which they have. The Senate hasn't because the majority leader has been able to make this body stop and think about whether it wanted to do this. I may not like that result, but I prefer that process for the good of the country to give us the time to work things out.

I would ask the Republican leader, hasn't it always been the responsibility, maybe the chief responsibility, of the Republican leader and the Democratic leader to preserve this institution? Newer Senators may not know as much about it, may not have as long a view as they have.

Over the time the minority leader has been here, hasn't that been—I would ask through the Chair to the Republican leader, hasn't that been the responsibility of the leaders of the Senate?

Mr. MCCONNELL. I will say to my friend from Tennessee, the Senator is absolutely right. The one thing the two leaders have always agreed on is to protect the integrity of the institution.

For those who may be observing this colloquy, they probably wonder why it is occurring. I wish to explain to our colleagues—and to any others who may be watching while this colloquy occurs—Senate Republicans are tired of the culture of intimidation.

We have seen it over in the executive branch with the IRS and we have seen it at HHS with regard to ObamaCare; this feeling that if you are not in the majority you need to sit down, shut up, and get out of the way. That mentality, that arrogance of power, has seeped into the Senate.

The culture of intimidation is this: Do what I want to do when I want to do it or I will break the rules of the Senate—change the rules of the Senate by breaking the rules of the Senate. In other words, it is the intimidation, the threat that has been hanging over the Senate as an institution for the last few months. It needs to come to an end.

I believe that is why the Senator from Tennessee and myself would like the majority leader to answer the question does he intend to keep his word.

Senators shouldn't have to walk on eggshells around here, afraid to exercise the rights they have under the rules of the Senate. There is no question that all Senators have a lot of power in this body. This body operates on unanimous consent. That means if any 1 of the 100 wants to deny that, it makes it hard. That is the way the Senate has been for a very long time.

I want the culture of intimidation by the majority in the Senate to come to an end. The way it can end is for the majority leader to say: My word is good, and we will quit having this culture of intimidation hanging over the Senate for the next year and a half.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I wish to congratulate the Republican leader on his remarks. It is important for those watching to know there are plenty of us here who know how the Senate is supposed to work, and we are doing that. We passed the farm bill, and we passed the water resources bill, involving locks, dams, and ports in this country. We did that the way the Senate is supposed to work. We worked across party lines. We got a consensus, got more than the majority, and did it.

We have eight Senators who have come forward with an immigration bill, a tough issue, but we are working together to see if we can resolve that.

I am part of a group of six or seven Senators who are trying to lower interest rates for 100 percent of students, not just 40 percent. We are not trying to ram it through with 51 votes, but we are trying to get a consensus and then pass it and send it to the House. Hopefully, they will do it.

When the great civil rights bills passed, they were a consensus, and the country accepted them because they were important pieces of legislation.

When the Republican leader and I were young—I was here and he was almost here—we saw Senator Dirksen and President Johnson work together to get a supermajority to say to the country it is time to move ahead on civil rights. That is the way the Senate is supposed to work. Let's stop the threats, stop the intimidation and recognize the progress we have made and get back to work on immigration.

Mr. MCCONNELL. I wish to conclude by thanking the Senator from Tennessee for a very impressive presentation and for his reminding us all of what makes the Senate great.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Are we in morning business?

The PRESIDING OFFICER. We are.

MEDICARE

Mr. FRANKEN. Mr. President, I rise to talk about Medicare solvency. I know that to many people the words ''Medicare solvency,'' which is the ability of the Medicare program to meet its financial obligations, sounds like an invitation to a nice nap.

You and I pay into Medicare every month, and we need to know that the benefits we paid for will be there when we need them, and not just that. I need to know Medicare will be around to cover my daughter and my new grandson when they become eligible. That is what Medicare solvency is about.

A couple of weeks ago we got some good news. According to the annual report released by the Medicare board of trustees, Medicare will stay solvent for 2 years longer than previously estimated.

There are a lot of things that are contributing to Medicare solvency, but one big thing is health reform. In fact, Medicare will be solvent for a total of 9 years longer than before we passed health reform. Let me say that again. The life of Medicare is 9 years longer today than it was before we passed health reform.

HHS Secretary Sebelius said:

> The Affordable Care Act has helped put Medicare on more stable ground without eliminating a single benefit.

The point is that health reform is not just about making our health coverage more comprehensive, it is not just making sure when we get sick we can get the care we need, it is also making Medicare more efficient. It is extending the life of Medicare so that Medicare can keep supporting our parents and will be able to support our kids.

How exactly has health reform helped extend the solvency of Medicare? Well, to start with, it stopped Medicare from overpaying private insurers. As you might know, seniors can choose to get their Medicare benefits directly from the Medicare Program or get them through a private insurance program that gets paid by Medicare, which is called Medicare Advantage. Before we passed health reform, we were overpaying these private insurers by about 14 percent. So we reduced what Medicare pays these private insurance companies. In fact, over the next 10 years we are going to reduce these insurance payments by about 14 percent, which CBO scored in 2010 as saving Medicare $136 billion over 10 years.

I will note that we were told by some of our colleagues that if we did this, insurance companies were going to leave the market, that we weren't going to have Medicare Advantage anymore. Well, so far, enrollment in Medicare Advantage has gone up by 10 percent, and I am glad about that because Medicare Advantage serves an important purpose for millions of seniors across our country.

We are also adjusting reimbursements to hospitals downward. Why and how does that work for hospitals? When you insure 31 million people who previously didn't have insurance, hospitals are no longer on the line for uncompensated care when those 31 million people go into the emergency room. The hospitals aren't left holding the bag for all of those costs.

And we didn't just extend the life of Medicare by 9 years; while we were at it, we expanded benefits for Medicare beneficiaries. I go to a lot of senior centers and nursing homes in my home State of Minnesota, and I have to tell you, seniors are very happy about their new benefits. They are very happy about the new free preventive care they get—the wellness checkups and the colonoscopies and the mammograms. They know and we know that an ounce of prevention is worth a pound of cure.

Do you know what else we are doing with that money? We are closing the prescription drug doughnut hole—the gap in coverage under Medicare where seniors have to pay the full costs of their prescription drugs in that gap. Seniors are very happy about that. For more than one-third of seniors, Social Security provides more than 90 percent of their income, and for one-quarter of elderly beneficiaries, Social Security is the sole source of their retirement income. So when Medicare stops covering the cost of their prescription drugs in the doughnut hole, that is serious, and sometimes these seniors have to decide between food and heat and medicine. Well, because we have been closing this doughnut hole, many don't have to make that impossible choice anymore.

When I was running for the Senate back in 2008, a nurse in Cambridge, MN, told me about a senior being hospitalized. She was being treated by the doctors and nurses so that she would be well enough to leave the hospital, and when she left the hospital, they would make sure to give her the prescriptions she needed.

After a few days, this nurse would call the pharmacy and ask: Has Mrs. Johnson come in and filled those prescriptions?

The pharmacist would say: No, she hasn't.

Why was that? Because she was in the doughnut hole. And guess what. In 10 days or in 2 weeks or whatever, Mrs. Johnson would end up back in the hospital because she couldn't afford her medicine. These readmissions cost our health care system a lot of money. But now, because we are closing the doughnut hole as part of the health care law, these seniors are able to get their medicine. This is improving their health, and it is saving us money.

So we have increased benefits and extended the life of Medicare, and that was done as part of health care reform.

Many of the provisions of the health care reform law will make our health care system more efficient and will lower costs in the long run. I wish to touch briefly on one I authored that is already keeping costs down for families in Minnesota and across our country. The provision of the health care reform law that I authored is based on a Minnesota law in a way. In 1993 Minnesota wrote a law that insurance companies had to report their medical loss ratio, and that is the piece I wrote into the law.

What is the medical loss ratio? Medical loss ratio is the percentage of premiums a health insurer receives that goes to actual health care—to actual health care, not to administrative costs, not to marketing costs, not to profits, not to CEO salaries, but actual health care.

Starting in 1993 Minnesota health insurers had to submit to the commissioner of commerce—the Minnesota Department of Commerce—their medical loss ratio. They had to compute it and submit it. I took that and I put a little wrinkle into it. I wrote something called the 80–20 rule, which says that insurance companies have to spend at least 80 percent of their premiums on actual health care for small group policies and individual policies and 85 percent for large group policies, and if they do not meet that, the health insurer has to rebate the difference. Well, thanks to this provision of the law, last year more than 12 million Americans benefited from $1.1 billion in rebates from insurers that did not meet the 80–20 rule, including 123,000 consumers in Minnesota.

In a new report, the Kaiser Family Foundation estimates that premiums in the individual market would have been $1.9 billion higher last year if it weren't for the medical loss ratio rule and they would have been $856 million higher in 2011. That is more than $2.75

billion in savings over the last 2 years alone. Those savings are in addition to the rebates consumers received. They estimated that insurers would have raised their rates that much more—$2.75 billion more—if they hadn't had to meet the 80–20 rule. This is another important way the health reform law is keeping health care costs down. So the rule I wrote into the law has already saved Americans nearly $4 billion in health care costs.

In fact, after going up at three times the rate of inflation for a decade, over each of the last 2 years health care costs have gone up less than 4 percent for the first time in 50 years. That is according to data released by the Department of Health and Human Services.

Now, I am not saying we are done, not by any stretch of the imagination. We have more work to do. In fact, one big thing we could do would be to allow Medicare to negotiate directly with pharmaceutical manufacturers on the price of their drugs. The VA does this, and they pay nearly 50 percent less for the top 10 drugs than Medicare does. I have a bill to allow Medicare to negotiate directly with pharmaceutical manufacturers, and I hope to work with my colleagues to bring this proposal to the floor.

At the end of the day, my job is about strengthening what works in our country and fixing what doesn't. Medicare works. It works for seniors across the Nation, it works for grandparents from Pipestone to Grand Marais, and I hope to work with my colleagues to protect Medicare benefits for our parents and grandparents, while strengthening the program for our children and grandchildren.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The assistant majority leader.

TRIBUTE TO RAY LAHOOD

Mr. DURBIN. Mr. President, when President Obama was first elected back in 2008, I can recall the transition period because his transition office was literally next door to my office in the Federal building in Chicago. I can't think of a more exciting time. Here was my colleague in the Senate who had just been elected President of the United States.

The whole world was beating a path to his door. Security was at the highest level, and I made a point of not interrupting him—which I would have done regularly when he was my Senate colleague—during this historic and important moment as he prepared to lead America with the blessing and the mandate of the American people.

I didn't have a long list of requests—well, I did, but I didn't exercise it—but I spoke to him once or twice about a couple of things I thought might be helpful to the country and to him. I recommended to him one person to appoint to his Cabinet—one person. I urged him to appoint Ray LaHood as America's Secretary of Transportation. I was confident that Ray LaHood would serve America with the same integrity and energy he had shown while serving as a Member of Congress from our State of Illinois. As Secretary Ray LaHood prepares to leave this important Cabinet post, I am pleased but not a bit surprised to be able to say to the President that I was right. He was an excellent choice—in fact, one of the best ever when it comes to the Department of Transportation.

Make no mistake, Ray LaHood is a proud Republican. I remember meeting him first when he was a staffer for Bob Michel, who was the Republican leader in the U.S. House of Representatives. Ray was a behind-the-scenes worker for the Republican minority leader in the House, and I knew he was from Peoria but little else about him. When Bob Michel announced his retirement, Ray LaHood said he was going to run for that position in Congress.

What surprised me was that some of my closest Democratic friends in central Illinois said they were going to financially support and do everything they could to elect Ray LaHood. And I thought, this is really amazing. These partisan friends of mine think Ray LaHood, a Republican, is a good person for this job.

So I started paying closer attention to this new Congressman. As it turned out, we became close friends. We worked together. We had adjoining congressional districts. Eventually, when I was elected to the Senate, we worked all through central Illinois on common projects, and I was happy to do it. Ray was not working with a great appetite for publicity; he wanted to get the job done, and he didn't mind giving credit to Democrats or Republicans if we could achieve our goals, the local goals we shared.

When he became Secretary of Transportation I saw that same spirit of cooperation and bipartisanship. Any time I spoke to President Obama or Vice President BIDEN about Ray LaHood, their Secretary of Transportation, they always said the same thing: He is the best and we are sure glad he is part of our team.

The President could not find anyone better to carry out the transportation agenda for America in his first term. I believe history is going to record Ray LaHood as one of the very best in that position. He put millions of Americans back to work with the $48 billion transportation funding that was part of President Obama's Recovery Act. He oversaw the creation of the Nation's first high-speed rail program, a program that Illinois has participated in with great commitment and excitement. He also helped to create the TIGER Program, a $2.7 billion investment in America's future that has built some of our Nation's most significant transportation projects. And he helped save lives by focusing personally on our national aviation system.

He also had another safety campaign. He conducted what he called a rampage against distracted driving, people who were texting or talking on cell phones and trying to drive at the same time. He traveled more widely and more frequently than many professional pilots did. As a Washington Post reporter wrote a while back:

> There are just two kinds of states: States where [Ray LaHood has] been to spread his gospel of safety and to inspect transportation systems and those States that he plans to visit soon.

The people of Illinois are grateful to Ray LaHood not only for his 4 historic years as Transportation Secretary, but also for his many decades of service as staffer to Bob Michel and then a member in his own right in our Illinois delegation.

Ray was born and raised in Peoria, IL. He stayed true to his Midwestern values throughout his career. He started his public service as a teacher in a classroom. He cut his political teeth working for another top Republican Congressman, Tom Railsback. As I mentioned, then he went on to work for Bob Michel. In 1994 he was elected to Bob Michel's congressional district, the 18th District. The district stretches from Peoria, south to the State capital, my hometown of Springfield.

There is a history of some pretty outstanding Congressmen from that district. I mentioned Bob Michel, and I can include Everett McKinley Dirksen as well. If you go far enough back in history you will find there was a young Congressman from a part of that district by the name of Abraham Lincoln.

Ray is a great student of history. He inspired a great effort to create the Abraham Lincoln Bicentennial Commission, and I was honored to join him as a co-chair with Harold Holzer of New York. We observed President Lincoln's 200th birthday in 2009 with suitable recognition and celebration across America.

Ray's work helped students everywhere learn a little bit more about President Lincoln and his role in America's history. Like his famous predecessors, Ray LaHood has raised the standard for civility and cooperation in the Congress. In the darkest hours of the House of Representatives when people were at each other's throats, it was Ray LaHood who reached across the aisle to a Democratic Congressman and said: Why don't we get together on a bipartisan basis, with our families, for a weekend. It seems so obvious and easy. Nobody had ever thought about it before Ray.

Back in Illinois Ray used to convene bipartisan meetings with local officials, State representatives, and his dedication to his district and his service in the House earned him the reputation as one of the best. When President Obama nominated Ray for Transportation Secretary, all of us in Illinois knew the President had chosen the right person.

Ray's legacy in DC will be substantial, but it will be even greater back in

Illinois. He has helped protect and build Illinois during his tenure at the Department of Transportation. It was such a treat to be able to call the Department of Transportation, to speak to the Secretary of Transportation about an Illinois project and have him know instantly what you were talking about.

The O'Hare Modernization Program is a good example. There is hardly a more important economic engine in the northern part of our State than the O'Hare Airport. The modernization of O'Hare had reached a period of some difficulty and controversy. Ray LaHood stepped in, brought the parties together, and put the Nation's largest airport expansion project back on track.

Secretary LaHood, as I mentioned earlier, brought high-speed rail to Illinois. Last year we rode the first 110-mile-an-hour train between Chicago and St. Louis. He helped build a beautiful new terminal at the Peoria International Airport.

Secretary LaHood's dedication to Illinois will be felt in every corner of Illinois for generations to come. People will be able to travel faster and more safely because of his work. He will bring new businesses to the State by those transportation investments, creating the jobs that we all want to see.

Ray LaHood is a leader with integrity and character. He is also such a good friend. I am going to miss him as my partner in government when he retires from the position of Secretary of Transportation. The Washington Post article I mentioned earlier had a wonderful line. The reporter wrote:

Perhaps the most telling tidbit in LaHood's life is that he resided in Washington for 30 years without once getting a haircut here. A man truly lives where he gets his haircut, and [for Ray LaHood] that is in Peoria, [IL].

As Ray LaHood prepares to leave President Obama's Cabinet and spend more time with his family, I wish the best to him. His wife Kathy—who was often at his side traveling back and forth between Illinois and Washington—will have more time with Ray and their four children: Amy, Sara, Sam, and State Senator Darin LaHood and their wonderful families too. I look forward to working with Secretary LaHood and his very able successor, former Charlotte mayor Anthony Foxx, to maintain and improve America's transportation systems and networks, the backbone of our economy.

GUN VIOLENCE

Mr. DURBIN. Mr. President, I rise to speak about the continuing toll of gun violence on our Nation and on my home State of Illinois.

This past week we lost too many Americans, and too many Illinoisans, to gunfire. Last Monday, 18-year-old April McDaniel was sitting on her porch in Chicago when a masked gunman in a car opened fire, killing April and wounding four of her friends. Last Tuesday, four members of the Andrus family in Darien, Illinois—including the family's two daughters, ages 16 and 22—were shot to death in an apparent murder-suicide. On Thursday, 19-year-old Robert Allen was killed in a drive-by shooting on the South Side of Chicago. And over the weekend, at least 6 were killed and dozens more were wounded in shootings across the Chicago area.

This senseless violence is devastating personally to the families involved, and to all of us. Our thoughts and prayers are with the victims and with their families. The sad reality is that gun violence continues to be an epidemic in America. Over 11,000 Americans are murdered with guns each year. If you count suicides and accidental shootings, the death toll from guns rises to more than 31,000 Americans each year. We have become almost used to this, haven't we? We hear about it every night on the news and we begin to think this is normal. But it isn't normal in any country on Earth for so many people to die from the use of firearms.

You can get a sense of this grim toll by reading the daily ''Gun Report'' by New York Times columnist Joe Nocera. The report compiles news stories about shootings across the nation. For example, yesterday's Gun Report describes shootings that took place over the weekend. It mentions: a 3-year-old in Columbus, Ohio and a 4-year-old in Wichita, Kansas who were hit on Friday by stray bullets; an 18-year-old girl in Ankeny, Iowa, who was accidentally shot and killed by her father on Friday; a 30-minute shooting spree in Omaha, Nebraska on Saturday that left two dead and two critically injured; a 76-year-old man who shot and killed his 75-year-old wife on Saturday in Cortlandt, New York after an argument; and a man who walked into a Catholic church in Ogden, Utah and shot his father-in-law in the head during Sunday mass. These are just a few of the shootings mentioned in one Gun Report. And each new day brings another long list of shootings in communities across America. It is appalling.

Last Friday marked 6 months since the tragedy in Newtown when a gunman murdered 20 small children and 6 educators at Sandy Hook Elementary School. In the 6 months since that awful day, over 5,000 more Americans have been killed by gunfire.

I commend my colleagues from Connecticut, Senator CHRIS MURPHY and Senator RICHARD BLUMENTHAL, who have come to this floor repeatedly to call for reforms that will spare other families the tragedy that the Newtown families have suffered.

We need to heed those calls. We cannot simply shrug our shoulders and write off this epidemic of gun violence as the cost of living in America.

There is some progress to report when it comes to reducing gun violence. Officials at the local and state level are taking proactive steps that are showing promising results.

In Chicago, for example, targeted policing strategies and community-based violence-prevention efforts have contributed to a 31 percent reported decrease in homicides compared to last year. The violence of this past week shows that more needs to be done, but this decline in killings is positive news. I commend the local officials, including mayor Rahm Emanuel, who are doing everything they can to reduce gun violence.

The General Assembly in Illinois just passed important legislation that would mandate background checks for private gun sales and require reporting of lost and stolen guns to law enforcement, something we failed to do. It should be a national law.

These are steps that will help keep guns out of the hands of criminals and the mentally ill. They will help reduce crime and save lives.

Other States are stepping up as well, with significant reforms passed in States like Colorado, New York, Maryland and Connecticut.

But State action alone is not sufficient. We need to do our part in Washington. Too often these guns cross State lines. Too often States have weak gun laws next to States with strong gun laws. That is why Congress needs to plug the gaping loopholes in our Federal background check system by passing legislation by Senator JOE MANCHIN, a conservative Democrat from West Virginia, and Senator PATRICK TOOMEY, a conservative Senator from Pennsylvania.

Congress also needs to pass a bill with real teeth to crack down on straw purchasing and gun trafficking, a bill that I worked on with Senators LEAHY, COLLINS, GILLIBRAND, and my colleague from Illinois, MARK KIRK.

Members of Congress need to take a stand on the issue of gun safety and gun violence. There should be no more hiding behind these empty, sham reform proposals written by the gun lobby to accomplish nothing. And no more claims that all we need to do is just enforce the laws on the books because we know the gun lobby has put loopholes in those laws that you can drive a truck through.

I want to mention a few things Congress should do to help reduce gun violence beyond the two items I mentioned. First, I will introduce legislation to encourage more crime gun tracing by State and local law enforcement. Crime gun tracing is a valuable tool for criminal investigations. When a gun is recovered in a crime, a police department can ask the Bureau of Alcohol, Tobacco, Firearms and Explosives, known as the ATF, to trace the crime gun back to its first retail sale. This information can help identify criminal suspects and potential gun traffickers. When all the crime guns in an area are traced, law enforcement can start to define and identify trafficking patterns.

ATF's crime gun tracing system is easy for law enforcement and it is free. Several years ago I reached out and challenged all of the law enforcement agencies in Illinois to submit the guns they had seized in crimes for tracing through the ATF. I am pleased to report that 388 Illinois agencies are now using the system called eTRACE but there are still thousands and thousands of law enforcement agencies across America that are not tracing their crime guns.

The legislation I am introducing is called the Crime Gun Tracing Act. It will require law enforcement agencies that apply for Federal COPS grants to report how many crime guns they recovered in the last year and how many they submitted for tracing. It will then give a preference in COPS grant awards to agencies that traced all the crime guns they recovered.

To be clear, law enforcement agencies should not just sit around and wait for a bill to pass before they start tracing crime guns. Tracing brings enormous benefits at virtually no cost. Agencies should not wait for this bill; they ought to start tracing today if they have not done so already. But the reality is many police departments, sheriffs' offices, have not been doing this. My bill will create an incentive for them to start.

Let me say something else. The Senate needs to confirm a Director to head the ATF. For the record, ATF has never had a Senate-confirmed Director. The Senate refused to confirm a Director under President George W. Bush and refused the second proposed Director under President Obama. Now a third candidate is being considered.

Since the Director position began requiring Senate confirmation in 2006, ATF has only had short-term Acting Directors, temporary leaders.

Whether it is a Republican President or a Democratic President, the gun lobby and their friends in the Senate have objected to every nominee. It looks as if they are preparing to mount an effort to stop the most recent nominee by President Obama, Todd Jones of Minnesota.

To be effective and accountable, Federal law enforcement agencies need Senate-confirmed leadership. But the gun lobby has done everything it can to keep this agency leaderless and weak. This is beyond hypocritical.

After the tragedy in Newtown, Mr. Wayne LaPierre of the National Rifle Association appeared before our Senate Judiciary Committee and said he opposed efforts to close gun loopholes because ''we need to enforce the thousands of gun laws that are currently on the books.'' Well, the agency that enforces Federal gun laws and refers gun cases for Federal prosecution is the ATF. In fact, for the past 15 years there has been a provision written in an appropriations bill, a gun lobby rider, that prohibits any of ATF's enforcement functions from being moved to another agency. So the NRA is making sure that the ATF is the only game in town when it comes to enforcing gun laws, and then they are making sure it never has a permanent Director.

I want to put the gun lobby on notice. If we can't get a Senate-confirmed Director for the ATF, then I am going to move to repeal the rider and bring in other Federal agencies with Senate-confirmed leadership—such as the Federal Bureau of Investigation—to make sure gun laws are enforced effectively in this country. The National Rifle Association and the gun lobby cannot have it both ways. They cannot complain that the gun laws are not being enforced and then stop any effort to put a permanent leader in place at this agency. The gun lobby has to make that choice. If they want to enforce gun laws on the books, they can work with us to confirm a Director at the ATF. If they want to keep blocking the ATF from having a Director, we will have to get other agencies involved to make sure laws are enforced. It is that simple.

In closing, I again extend my sympathy and prayers to the victims and families of gun violence. We have to do our part in Washington to put an end to this. We haven't had the votes we needed yet, but we should not give up. The American people are counting on us to make America safer.

Mr. President, I now ask unanimous consent that my last statement be placed in a separate part of the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

TYMOSHENKO IMPRISONMENT

Mr. DURBIN. Mr. President, I rise to discuss an issue that I hoped I wouldn't need to bring up today but unfortunately I do. I am referring to the continued imprisonment of the former Prime Minister of Ukraine, Yulia Tymoshenko, who has now sat in jail for almost 2 years.

In the fall of 2011 Ms. Tymoshenko was imprisoned for a 7-year term on charges that she abused her office in connection with a natural gas contract with Russia. I cannot judge the wisdom of that contract, but what is deeply troubling to me is the appearance of selective and politically motivated imprisonment of a former political leader in the democratic nation of Ukraine.

Ukraine is a promising and hopeful new member of the community of free-market democracies—one with a solid future in the West. It has strong ties to Europe and the United States.

This photo shows police officers leading former Ukranian Prime Minister Yulia Tymoshenko out of the courtroom after the verdict in her case in Kiev on October 11, 2011.

Ukraine is a great nation. It has helped NATO in Bosnia, Libya, Iraq, and Afghanistan. It is a major contributor and a valuable international peacekeeper. It was an early leader in throwing away the shackles of the Soviet Union and declaring its own independence.

In 2004 Ms. Tymoshenko and countless other Ukrainians organized a series of historic protests known as the Orange Revolution to address electoral fraud in the Presidential election in those days.

Ukraine's future is clearly with the community of democracies, and that is why the imprisonment of this former Prime Minister is so troubling. When a nation is a member of a community of democracies, it can't selectively throw its political opponents in jail for questionable policy decisions. If a poor policy decision is made, let the voters decide at the ballot box.

In the neighboring dictatorship of Belarus, 2010 Presidential candidate Mikalai Statkevich, who had the temerity to run against the strong-man dictator Viktor Lukashenko, still sits in jail because he challenged the dictator in an election. I might remind my friends in Ukraine that they do not want to be compared to Belarus. They should be democratic.

Countless international human rights groups and other countries have decried the charges against Ms. Tymoshenko and called for her release. The Parliamentary Assembly of the Council of Europe passed a resolution in January of 2012 declaring that the articles under which Ms. Tymoshenko was convicted were overly broad in application and effectively allow for ex post facto criminalization of normal political decisionmaking. Later that year both the European Parliament and our very own Senate passed resolutions condemning the sentencing of Ms. Tymoshenko and calling for her release.

The European Court of Human Rights, which settles cases of rights abuses after plaintiffs have exhausted appeals in their home country courts, recently considered this case and ruled that Ms. Tymoshenko's pretrial detention was unlawful, that the lawfulness of her detention had not been properly reviewed, her right to liberty had been restricted, and that she had no possibility to seek compensation for her unlawful deprivation. That is unacceptable.

I truly hope this ruling will finally create the circumstances for a face-saving way out of this mess. Unfortunately and regrettably, it has not happened. That is why I joined my colleagues, Senators RUBIO, BOXER, BARRASSO, MURPHY, and CARDIN, in submitting a resolution on the matter. It is simple and straightforward and expresses continued concern about Ms. Tymoshenko's selective and politically motivated detention.

I will close by saying that I was in Ukraine last year. I met with Prime Minister Azarov and President Yanukovych. They were generous hosts and very kind. They told me that something would be done in a positive way about Ms. Tymoshenko's imprisonment. That was a year ago and nothing has happened. I was optimistic then

and I will remain optimistic, but I want the Ukraine Government to know that we are going to hold them to the standards of democracy. They cannot imprison political opponents. You beat them in an election, move on to lead, and you are held accountable by the people who vote.

I hope a decision will be made in the near future to release Ms. Tymoshenko.

Mr. DURBIN. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask to speak as if in morning business for 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION REFORM

Mr. GRASSLEY. Mr. President, when I closed last night I posed nine questions to Secretary Napolitano about the immigration bill. She said that when confirmed, she would answer questions that Congress put before her. My questions came at the end of her hearing on the immigration bill, and we have not received an answer now in 49 or 50 days. I would appreciate answers to those questions.

I would like to speak about the entry-exit system in the legislation before us. One of the concerns that has been made about the immigration bill before us is that it weakens current law in several areas. Now, when I go to my town meetings, I invariably get somebody who says: We don't need more legislation; just enforce the laws that are on the books. Those very same constituents of mine would probably be really chagrined at the fact that we have legislation before us that would weaken current law.

Well, we had a lengthy discussion during the Judiciary Committee markup about provisions dealing with criminal activity and deterring illegal immigration in the future. I have found that many existing statutes in this legislation—1,175 pages—have been revised and watered down, which sends exactly the wrong signal that should be sent to the people who seek to intentionally break our laws.

The sponsors of the bill have claimed that the bill will make us safer. They insist that the people will ''come out of the shadows,'' thus allowing us to know exactly who is here, where they are, and whether they are a national security risk.

We have talked a lot about the need for border security in the last week. I think it is the most important thing we can do for our national security and to protect our sovereignty. Border security is what the people demand. This legislation has weak border security provisions.

Amazingly, when I bring up border security, I am told by proponents of the bill that we don't need to put our entire focus on the border. Well, tell that to the people of grassroots America. These authors remind me that about 40 percent of the people here illegally are visa overstays or people who never returned to their home country. I don't dispute that 40-percent figure. I couldn't agree more that visa overstays need to be dealt with as much as people who are here undocumented and did not come here on a visa. We need to know who is in our country and when they are supposed to depart, and then we need to know if they actually leave.

We realized this way back in 1996 when we created the entry-exit system. At that time, Congress—and still today—under the law, called for a tracking system to be created, and this followed the first bombing of the World Trade Center. We knew there were gaping holes in our visa system, and that is why the entry-exit system was set up. Unfortunately—and the people of this country probably don't believe this—we had legislation calling for this system to be in place and it still is not in place. Administration after administration—and that is Democratic, Republican, and now Democratic—dismissed the need to implement an effective entry-exit system, thumbing their noses at the laws on the books. So here we are today—17 years later—wondering when that system and mandate from Congress will be achieved.

When introduced, the bill before us did nothing to track people who left by land. It did nothing to capture biometrics of foreign nationals who departed. We approved an amendment in committee that made the underlying bill a little bit stronger, but it fell short of current law. Current law says we should track all people who come and go by using biometrics. It says the entry-exit system should be in place at all air, sea, and land ports. We already know that anything less than what is in current law will not be effective.

The Government Accountability Office has stated that a biographic exit system, such as the one set forth in the underlying legislation, will only hinder efforts to reliably identify overstays and that without a biometrics exit system, ''DHS cannot ensure the integrity of the immigration system by identifying and removing those who have overstayed their original period of admission—a stated goal of US-VISIT.'' If we don't properly track departures, we won't know how many people are overstaying their visas and we won't have any clue of who is in our country.

Some will say: We can't afford it. Some will say: Our airports aren't devised in such a way to capture biometrics before people board airplanes. They will find any excuse not to implement current law, and that is why this current law hasn't been executed in the last 17 years.

This is a border security and national security issue. Without this system in place, we are not in control of our immigration system.

Senator VITTER's amendment, which is pending, would ensure the current law is met before we legalize millions of people. I encourage my colleagues to understand how this bill weakens our ability to protect the homeland. I also encourage the adoption of the Vitter amendment when we vote at 3 o'clock.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 744, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 744) to provide for comprehensive immigration reform and for other purposes.

Pending:

Leahy/Hatch amendment No. 1183, to encourage and facilitate international participation in the performing arts.

Thune amendment No. 1197, to require the completion of the 350 miles of reinforced, double-layered fencing described in section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 before registered provisional immigrant status may be granted and to require the completion of 700 miles of such fencing before the status of registered provisional immigrants may be adjusted to permanent resident status.

Landrieu amendment No. 1222, to apply the amendments made by the Child Citizenship Act of 2000 retroactively to all individuals adopted by a citizen of the United States in an international adoption and to repeal the pre-adoption parental visitation requirement for automatic citizenship and to amend section 320 of the Immigration and Nationality Act relating to automatic citizenship for children born outside of the United States who have a United States citizen parent.

Tester amendment No. 1198, to modify the Border Oversight Task Force to include tribal government officials.

Vitter amendment No. 1228, to prohibit the temporary grant of legal status to, or adjustment to citizenship status of, any individual who is unlawfully present in the United States until the Secretary of Homeland Security certifies that the US-VISIT System (a biometric border check-in and check-out system first required by Congress in 1996) has been fully implemented at every land, sea, and air port of entry and Congress passes a joint resolution, under fast track procedures, stating that such integrated entry and exit data system has been sufficiently implemented.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I am encouraged that later today the Senate will vote on four amendments to the

immigration bill. I hope it is an indication that the Senate is going to begin considering amendments in an orderly and efficient way. I would encourage Senators to file their amendments and come to the floor and offer them. I share the majority leader's wish to make progress on this important legislation. We know the immigration system is sorely in need of reform and now is the time to do it.

Last week we should have disposed of several amendments to the bill before us, but in the Senate, progress requires cooperation. Instead of going forward and actually having Senators take positions and vote up or down, we had objection after objection from the opponents of this legislation who put the Senate in the unenviable position of having the public see us as voting ''maybe.'' We know why people get discouraged with Congress. They don't realize that there is a small number of people blocking any voting. They expect us to vote for or against something. There are going to be political costs to voting for or voting against, but they expect us to vote. It comes with the job. And when people objected to proceeding to comprehensive immigration reform, that cost us several days. Again, the American public sees the Senate as voting ''maybe.''

Well, I am one Senator willing to take the consequences of voting for or against something and not voting ''maybe.'' I think most Senators would prefer voting yes or no and not maybe. In fact, when we finally ended the filibuster and were able to vote to proceed to the bill, 84 Senators stood up and said, Let's proceed. They voted in favor of doing so. They know they are going to risk some criticism for doing that, but at least they had the courage to do it.

We still have a tiny handful of Senators who keep on trying to say vote ''maybe.'' It is frustrating because that initial delay was not necessary. It didn't add to the debate. It simply hindered the Senate's consideration of the bill. In fact, opponents of the bipartisan legislation have even objected to adoption of the Judiciary Committee substitute bill despite widespread praise from both Republicans and Democrats for how we conducted our proceedings and our overwhelming bipartisan vote to get the bill to the full Senate. This was a bill where almost all of the amendments accepted in Committee were on a bipartisan vote. Additionally, over 40 amendments offered by Republicans were accepted by the Committee.

So the votes against even proceeding to this bill indicate that at least 15 Members of the minority are so dug in against comprehensive immigration reform that they are unalterably opposed. They want us to vote maybe to duck the issue. They want to duck the issue. That is not a profile in courage. Those few Senators should not further obstruct the 84 Senators who appear ready to go to work on this bill and vote for or against it. The question is whether the other Members of the Republican Party will follow those who seek to delay the Senate's consideration or whether they will work with us to pass a good bill.

More than 100 amendments have been filed to the comprehensive immigration reform bill, but over the last 2 weeks we have only voted once on the motion to table an amendment that already had been defeated in committee.

I began this process with a spirit of cooperation. I offered an amendment on behalf of myself and Senator HATCH, the senior member of the Republican Party, to strengthen our visa program for visiting foreign artists who come to perform with nonprofit arts organizations. I was then willing, following the procedures and the cooperation I have known here in the Senate for decades, to give consent to Senator GRASSLEY to set aside my amendment and offer his amendment relating to border security. Unfortunately, when we asked for the same courtesy so that other Senators, Republicans and Democrats alike, could call up additional amendments, there was an objection. I was expected to cooperate and follow this normal procedure, but the second we asked for the other side to do that, it was: Oh, no, we can't do it. The rules have to be different.

Then when the majority leader offered a unanimous consent request to have votes on the Grassley amendment and others in a manner that Senate Republicans, including the Senate Republican leader just a few days ago, had been insisting on with respect to amendments and legislation and nominations, the minority objected.

Then when the majority leader asked that a group of amendments offered by Senators on both sides of the aisle be allowed to be offered, again there was an objection.

So it is with great effort that we are trying to work through amendments. But like the minority's treatment of nominations, even consensus amendments are being objected to and delayed. We have been unable to get an amendment by the Republican Senator from Nevada pending because there is Republican objection to a Republican Senator offering an amendment which is probably going to pass with overwhelming support from both Republicans and Democrats. It is no wonder public approval of Congress in last week's Gallup poll is 10 percent. At a time when so many Americans are in favor of reforming the Nation's broken immigration system, we in the Senate should be working together to meet that demand and reflect what the people of America want.

The President spoke again last week about immigration reform and what is needed. The President had with him a broad cross-section of those supporting our efforts from business and labor to law enforcement, clergy, and from both sides of the aisle. Just as I worked with President Bush in 2006 when he supported comprehensive immigration reform, I urge Senate Republicans to work with us now. Senators from both sides of the aisle worked together to develop this legislation—Senators from both sides of the aisle.

Then Senators from the Judiciary Committee considered it and adopted more than 130 amendments to improve it, almost all of them with a bipartisan vote. Senators from both sides of the aisle need to come together now to defeat debilitating amendments and pass this legislation.

One of the procedural disputes that has delayed us is the application of what the Majority Leader has termed the ''McConnell rule'' to provide for 60-vote thresholds for adopting amendments. Senate Republicans are now objecting to their leader's own rule. That is why the Majority Leader on Thursday took the action left to him to move forward on the bill and moved to table Senator GRASSLEY's amendment, which I had worked with Senator GRASSLEY to allow him to offer and have pending. I am glad that we have now gotten agreement to treat Republican and Democratic amendments equally.

Though I am encouraged that we will begin voting on this legislation, I believe that the Senate should not have gone down the path insisted upon by the Republican leader when he demanded supermajority votes of 60 by the Senate on so many amendments and legislation. He has made everything subject to a filibuster standard. I have tried to have the Senate act by a majority vote, which is the practice I would favor. Unfortunately, the Republican leader has prevailed over and over again and Republicans have insisted on 60-vote thresholds for the adoption of amendments. That is the rule on which they have insisted. And late last week, the minority objected to its own rule when the Majority Leader asked for consent to set votes for the Senate. They cannot insist upon a rule for one side and not the other. They cannot have it both ways. I understand why the Majority Leader has asked for the same consents on which the Republican leader has insisted for years, following what the Majority Leader has termed the ''McConnell rule.''

What Republican Senators were insisting upon is a simple majority threshold for their amendments and a 60-vote barrier for Democratic Senators' amendments. That is not fair. I am ready to work with the Majority Leader, the Republican leader, the Chairman and ranking member of the Rules Committee, the ranking member of the Judiciary Committee and other interested Senators on reestablishing majority rule in the Senate except in special circumstances. That new arrangement will have to follow our work on this bill and not delay or be applied retroactively to undermine comprehensive immigration reform.

With respect to Senator GRASSLEY's amendment, which was tabled last

week, I note that it was tabled by a bipartisan majority of 57 votes. That included five Republican votes. Of course, this was an amendment, as most people knew on the floor, that had been considered by the Judiciary Committee. It was defeated by a bipartisan vote of two-thirds of the committee. It would have undermined and unfairly preempted the pathway to earn citizenship. It would have made the fates of millions seeking to come out of the shadows to join American life unfairly depend on circumstances way beyond any control they might have. I am troubled by proposals that contain false promises in which we promise citizenship, but it is always over the next mountain: We are going to give citizenship, but not quite yet. It is almost like Sisyphus pushing that rock up the hill. I want the pathway to be clear and the goal of citizenship attainable. It can't be rigged by some elusive precondition. We should treat people fairly and not have their fates determined by matters beyond their control. No undocumented American controls the border or is responsible for its security. The things that are being set up to kill this bill would have blocked my grandparents from coming to Vermont from Italy and would have blocked the parents and grandparents of many of the Senators now serving in the Senate. So I don't want people to move out of the shadows or to be stuck in some underclass. Just as we should not fault the DREAMers who were brought here as children, we should not make people's fates and future status dependent on border enforcement conditions over which they have no control.

This legislation is far too important to be subject to needless delay, and I hope the votes today signal an end to the delay we have experienced until this point. We should have a healthy and vigorous debate on the bill reported out of the Judiciary Committee. Central to that debate is considering and voting on amendments.

One of the bright moments so far during this debate, in the view of the American public, was the way Republicans and Democrats alike worked in the Senate Judiciary Committee to get this bill before us in the full Senate. The public debate was followed online by thousands of people. We brought up amendments, we debated them, and then we voted on them. Nobody voted maybe; they voted yes and they voted no. The American public responded overwhelmingly, saying this was the way to go, and I think Republicans and Democrats on the floor justly praised the way it was done in the Judiciary Committee. There were 18 of us working together, and I compliment the distinguished Senator from Iowa for working with us. Although he disagreed with the outcome, we worked together to get that debate finished. We went into the evenings and we worked all day for a couple of weeks and we got it done. But now all 100 of us should stand here and do the same thing. Demands for different voting standards for Republican and Democratic amendments are wrong.

A couple of weeks ago, the distinguished Republican leader spoke at an event. I was sitting there. He knew I was following him to speak. He said, On a matter of this importance, all amendments should be subject to a 60-vote threshold. Well, I have had a different view in the past, but I said, OK then, we will do that for both Democratic and Republican amendments, but let's get it done. Having different standards for Republicans and Democrats is not how the Judiciary Committee considered this legislation. It is also not how the majority of Americans expect us to conduct the debate. The tactics of last week undermine the Senate's work on this important bill. Those who have already decided to oppose this bill at the end of the Senate's consideration can vote against it, but they should not dictate the work of 84 Senators who are ready to go forward and vote.

I call on all Senators to please file their amendments to this bipartisan legislation by Thursday and work with us, if need be, on Friday and Saturday and through the weekend, so we can make much-needed progress on this legislation without further delay.

Mr. President, is there a division of time?

The PRESIDING OFFICER. The time is equally divided.

Mr. LEAHY. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I yield 10 minutes of my time to Senator THUNE.

The PRESIDING OFFICER. The Senator from South Dakota.

AMENDMENT NO. 1197

Mr. THUNE. Mr. President, I think we all agree our immigration system is broken and it needs to be fixed. Unfortunately, every time Congress has tried to fix our immigration system, promises of a more secure border are never upheld. The bill we have in front of us today is following the same path as past immigration bills.

Under this bill it is certain that 12 million people in this country who are here illegally will receive legal status soon after the bill is enacted. However, the border security provisions of this bill are again nothing more than promises which, again, may never be upheld.

When I talk to the people I represent in the State of South Dakota, one of the questions I get over and over is, When is our Federal Government going to keep its promises when it comes to the issue of border security?

The second question is, Why do we need more laws when we are not enforcing the laws we currently have on the books?

It is time that we follow through on promises of a more secure border.

Actually, you have to go back to 1996, which is the first time Congress spoke on this issue. At that time Congress stipulated that we needed to have a double- and even triple-layered fence system on the border.

Well, you roll time forward to 2006—10 years later—with the Secure Fence Act. Congress again passed a law requiring a double-layered fence, this time indicating very specific locations, totaling around 850 miles—even above the current 700-mile requirement. Eighty Senators voted for that bill. Let me repeat that. Eighty Senators, Republicans and Democrats, in a bipartisan way voted in 2006, under the Secure Fence Act, for 850 miles of double-layered fence.

Well, you go again forward to 2008. As part of the Consolidated Appropriations Act, Congress specified this time that not less than 700 miles of fencing would be required. To date, of course, of this requirement, only about 40 miles of the double-layered fencing has been completed.

During debate on the Department of Homeland Security Appropriations Act in 2010, an amendment was offered to require the completion of at least 700 miles of reinforced fencing along the southwest border, and this time with a specific timeline, a specific date in mind: December 31, 2010. That amendment was agreed to on the Senate floor. There were 54 votes in favor of it, including 21 Democrats, 13 of whom are still here today. But the fence has still not been completed.

The amendment I have offered, amendment No. 1197, simply requires that we implement current law, completing 350 miles of double-layered fencing prior to RPI status being granted. The completion of this section of the fence would be a tangible, visible demonstration that we are serious about this issue of border security. After RPI status is granted, the remaining 350 miles required by current law would have to be constructed during the 10-year period before registered provisional immigrants can apply for green cards. So 350 miles before RPI status; 350 miles after. I think it is a reasonable way of approaching this issue.

People have gotten up and said: Well, this fence is old school. It is not the only answer. It requires a combination of technology and manpower and surveillance, but there is an important place for infrastructure to play in this. A double-layered fence, which was called for by Congress first in 1996, again in 2006, again in 2008—for which there was broad bipartisan support here in the Senate—should be something on which we follow through.

One of the other issues that has been raised is, well, there is not money to do this. There is money appropriated in this bill. Mr. President, $6.5 billion is appropriated, $1.5 billion of which is dedicated to infrastructure. If you look at what it would cost to build a double-layered fence, the estimates are about $3.2 million per mile. So the 350 miles we call for before RPI status is granted

would run in the range of $1 billion—sufficient within the money already allocated in the bill.

But my point, very simply, is this: We have made promises and commitments to the American people over and over and over again in a bipartisan way here in the Senate which have not been followed through on.

Now, the Senator from Alabama, who offered an amendment very similar to this at the Judiciary Committee markup, is here on the floor and has been a leader in terms of trying to secure our borders—an issue that I think most Americans, before we deal with any other aspect or element of the immigration debate, believe ought to be addressed.

I would simply ask the Senator, if I might through the Chair, does he think building 40 miles out of a 700-mile requirement is keeping the promise we made to build a border fence that is adequate to deter illegal crossings? Secondly, doesn't infrastructure, such as a double-layered fence, enhance the effectiveness of border control agents and surveillance technologies along the border—recognizing again that it is not the only answer; it is combined with, complemented by other forms of border security? But it is important, in my view, that we have a visible, tangible way in which we make it very clear that this is a deterrent to people coming to this country illegally.

We want people to come here legally. We are a welcoming nation. We are a nation of immigrants, but we are a nation of laws, and we have to enforce the laws. We have not been doing that, and we have not been keeping the promises we made to the American people when it comes to border security and more specifically when it comes to the building of the fence.

So I would ask my colleague from Alabama, through the Chair, about his views on this and whether we have followed through on a level that is anywhere consistent with what we promised to the American people. Secondly, doesn't the Senator think this infrastructure component is an important element when it comes to the border security part of this debate on immigration reform?

Mr. SESSIONS. Mr. President, I thank the Senator from South Dakota. He is exactly correct. This is a failure of Congress and the administration. As soon as some discretion was given to the administration to not build a fence, they quit building a fence, and we are so far behind what we promised the American people.

I say to Senator THUNE, I remember being engaged in the debate in both of those years, 2006 and 2008. We actually came up with a fund. We funded sufficiently the fence construction that needed to be done. We told the American people we were going to do it. We were proud of ourselves. Actually, I remember giving a hard time to my colleagues because in 2006 we authorized the fence but there was no money. So it was later that we finally forced the money to be appropriated because the issue was, you say you are for a fence, you go back home and say: I voted for fencing and barriers, and then you do not put up the money. So the money was even put up, and it still did not happen as required by law.

I say to Senator THUNE, I think you said it so clearly. That is why the American people are rightly concerned about amnesty first with a promise of enforcement in the future. Even when we pass laws that plainly say a fence shall be built, we put up money to build that fence, and it does not happen in the future.

So what we are asked to do with this legislation is to grant amnesty immediately. That will happen. That is the one thing in this bill that will happen. But we need to ask ourselves: What are the American people telling us?

A recent poll showed that by a 4-to-1 margin the American people said: We want to see the enforcement first. Then we will talk about the amnesty. Do your enforcement first.

The Senator's question is, How will it work? Well, we have discussed that over the years. The greatest example of how it works is in San Diego. That area was in complete disarray, with violence, crime, drugs. It was an economic disaster zone. There was a very grim situation in San Diego. There were all kinds of illegality at the border. They built a triple-layer secure fence, and across that entire area illegality ended totally, virtually. Almost no illegality is continuing at that stretch of the border today. Crime was dramatically reduced. Economic growth occurred on both sides of the border. It was highly successful.

So several things happen. First, you end the illegality with a good fence. Second, it reduces dramatically the number of Border Patrol officers needed to make sure illegal crossings are not occurring because there is a force multiplication of their ability. So you can save a lot of money by having fewer people. When people see a very secure fence, they decide it is not worth the attempt, so they don't even try to cross. That reduces the stress on the Border Patrol, the number of deportations, and the number of people who have to be sent back. Building a fence reduces costs and saves money in the long run and really achieves what I think the American people have asked us to achieve.

I say to Senator THUNE, I think your amendment is very reasonable. It certainly puts us on a path to completing the kind of barriers that are necessary. As the Senator said, it comes nowhere close to saying there is a fence across the entire border. It would just be at the areas where it would be most effective.

Mr. THUNE. I say to my colleague from Alabama—and, again, I thank him for his leadership on this issue, both past and present—what we are talking about here is something that is a part of the solution. This is not the totality. This is not the entirety.

People come down here and say: Well, you cannot just build a fence. People will tunnel under it. They will climb over it.

Of course they will. But coupled with additional Border Patrol agents, coupled with surveillance, coupled with modern technologies, it is a composite solution, if you will, but it still very clearly is a deterrent. It is a visible, tangible message and deterrent that we want people to come to this country legally, we want to discourage illegal immigration. I think the fence is part of the infrastructure component of that border security solution, and it is something we have all made commitments on in the past.

I think it is very hard to ask people to vote for an immigration reform bill that includes the legalization component to it if we are not going to follow through on the promises we have made because the American people have heard this before. Promises, promises is something they have heard plenty of in the past when it comes to this issue. We have yet to follow through on this with the exception of the 36 miles that I mentioned that have been built. But commitments were made in 1996, requirements to do this in 2006. As the Senator said, in 2008 the money was added. That was a 76-to-17 vote here in the Senate. Seventy-six Senators from both parties voted to fund this in 2008. In 2006, 80 Senators, including now-President Obama, who at that time was a Senator, now-Vice President BIDEN, who at that time was a Senator, and at that time Senator Hillary Clinton all voted for the Secure Fence Act in 2006.

So, again, I am not suggesting for a minute that it is the only solution, the cure-all, the panacea that is going to address this issue, but I think it is something that is very real, very tangible, very visible. It is something we have made a commitment on to the American people, and I think it is something on which we ought to follow through. It certainly ought to be a requirement—a condition, if you will—in this legislation before some of these other elements come to pass because if it is not, it will never get done, as we have already seen going back to 1996.

So I hope that on amendment No. 1197, when it is voted on this afternoon, we will have the same strong bipartisan support we have had in the past on this issue. I hope, again, as the Senator from Alabama and I have discussed, we will follow through on a commitment we made to the American people and do something really meaningful on the issue of border security.

With that, I say to my colleague from Alabama that, again, I appreciate his strong voice on this issue, and I hope he and I will be joined by many others today.

Mr. SESSIONS. I say to Senator THUNE, thank you for your leadership in offering a clear legislative proposal that will work. It is my observation

that things that get proposed around here that do not work often are passed; things that will actually work are difficult to get passed.

I say to Senator THUNE, I do not know if you realize that all of the sponsors of the legislation have talked a good bit about fencing that might occur, having a report on fencing. What we do know is that it did not require fencing anywhere in the bill. But in case anybody had any doubt about that, Senator LEAHY, the chairman of the Judiciary Committee, offered an amendment that explicitly stated that nothing in the bill shall require the construction of any fencing at the border. So despite what others have heard about this being the toughest bill ever and it is going to do more for enforcement than we have ever had, it, in fact, weakens and almost guarantees we will not have additional fencing, which would certainly be a component, in my mind, of a stronger, tougher enforcement mechanism.

Fencing barriers do, I believe, help the President, who should lead on this, who should say clearly to the world: Our border is secure. We are building fences and do not come. The number of people who would attempt to come would drop a lot if we made that clear statement.

I thank the Senator for his good work.

Mr. THUNE. Mr. President, I will say in closing, again, this is not—the border is 2,000 miles long. This requires 700 miles. So it would be put in those areas where, as the Senator from Alabama noted, it is most needed.

With that, I yield the floor and ask, when the time comes, for support on amendment No. 1197.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, last week I previewed an amendment I will be offering, hopefully, as early as this afternoon, on the underlying immigration bill. This is an amendment which the Democratic majority leader and at least one or two other Members of the Senate have called a poison pill.

I find that somewhat bizarre, especially in light of what others have said about this amendment, which I will talk about briefly. It strikes me as unusual that anytime anyone offers a different idea by way of an amendment that people do not like they call it a poison pill, as if that was the only option. You either take it without the amendment or you accept the amendment and it kills the legislation.

We know the truth is far different. In fact, several members of the so-called Gang of 8 who have been very much involved in negotiating the underlying bill have different opinions, which actually I find somewhat refreshing but not all that surprising.

Senator FLAKE, for example, from Arizona, said, ''I don't think it is a poison pill,'' on June 12. Senator RUBIO said of my results amendment, ''It's an excellent place to start.'' I am grateful for their comments. Senator BENNET, a Senator from Colorado, on the other side of the aisle and Senator FLAKE argued that ''they are not afraid of adding a requirement to nab 90 percent of would-be border crossers.'' That was at the Christian Science Monitor breakfast on June 12. Senator BENNET went on to say, ''I have every confidence that we are going to meet the mark well before the 10 years.'' He said that on June 12 as well.

The interesting point about this discussion is the very same measurement or standard that is in my amendment actually comes from the bill that was introduced by the Gang of 8: 100 percent situational awareness of the border and a 90-percent apprehension rate. All my amendment did is to say: OK, you set the standard, but we are going to make sure the Federal Government actually keeps its promises because, unfortunately, the history is littered—recent history, in particular—with broken promises by the Federal Government, particularly when it comes to immigration.

My amendment is necessary. My results amendment, which I will describe further, is necessary because in its current form, the underlying bill does not include a genuine border security trigger. You do not have to take my word for it. Last week, the assistant Democratic leader, Senator DURBIN of Illinois, himself said quite explicitly that while the original proposal—as he described it in January 2013, he said: ''A pathway to citizenship needs to be contingent upon securing the border.'' He said that in the context of the bipartisan framework for comprehensive immigration reform.

But later on he was quoted in the National Journal, on June 11, saying, ''The Gang of 8 bill has delinked the pathway to citizenship and border enforcement.'' The bill that is being sold today delinks the pathway to citizenship and border enforcement. My amendment would reestablish the very same linkage the gang themselves trumpeted in January 2013.

I think this is a remarkable admission, that the current bill delinks the pathway to citizenship and border security. I think most Members of the Senate believe that whatever we do in terms of the status of people who are currently here in undocumented status, that one thing we have to do is to make sure we do not ever deal with this issue again by failing to deal sensibly and responsibly with border security and enforcement.

Basically, the approach of the proponents of the underlying bill, as currently written, before my amendment, is: Trust us. Trust us. I have to say that you do not have to be a pollster to know there is not an awful lot of trust toward Washington and the Congress and the Federal Government. It is easy to understand why with all of the various scandals or things that have been represented one way that turn out to be another way.

There is a trust deficit in Washington, DC.

For those of us who believe that doing nothing on immigration reform is not an option, what I would like to do is to do something to make things better. But in order to get there, we are going to have to guarantee that border security and the interior enforcement provisions and the reestablishment of basic order to our broken immigration system is accomplished in this bill; otherwise, it is not going to happen.

In the words of Ronald Reagan, I think we should ask people to trust, but we should also verify that trust is justified. I am not sure some of my colleagues appreciate how essential border security is to immigration reform. For the past three decades, the American people have been given one hollow promise after another about the Federal Government's commitment to secure our borders.

The rhetoric from Washington has been impressive, but the results have been pathetic. The reality on the ground in Texas and in other border States has been quite different. Let me put it this way. A decade after the 9/11 terrorist attacks that killed 3,000 Americans in New York, the Department of Homeland Security has gained operational control of less than 45 percent of our southern border—45 percent. The Secretary of Homeland Security said: ''The border is secure.'' The President said: ''It is more secure than it has ever been''—45 percent secure. For that matter, it has been more than a decade since the 9/11 Commission recommended another important requirement that is contained in my amendment, which is a nationwide biometric entry-exit system.

It has been 17 years since President Clinton signed legislation mandating such a system. So we wonder why there has been such a lack of confidence and a trust deficit between the American people and Washington when it comes to immigration reform and fixing our broken immigration system. It is because they have been sold one hollow promise after another.

We still do not have a biometric entry-exit system that President Clinton signed into law 17 years ago, even though about half of illegal immigration occurs when people come into the country legally and overstay their visa and simply melt into the great American landscape. That is where 40 percent of our illegal immigration comes from. We are asking the American people to trust us again?

Until Congress acknowledges our credibility problem when it comes to enforcing our immigration laws, including border security, and until such time as we take serious action to fix it, we are never going to get true immigration reform, and we will never be able to pat ourselves on the back and say: You know what. This is not going to happen again.

My amendment goes beyond mere promises and platitudes. It demands results. It creates a mechanism for ensuring them. Under my amendment, probationary immigrants are not eligible for legalization until after the United States-Mexico border has been secured and until after we have a nationwide biometric entry-exit system at all airports and seaports and after we have a nationwide E-Verify system, which allows employers to verify the eligibility of individuals who apply for jobs to work legally in the country.

That is what a real border security trigger looks like. That is why it is so important. Because we need to incentivize everybody who cares passionately about border security and restoring the rule of law to our broken immigration system, on the one hand, and those who, on the other hand, more than anything else want an opportunity for people to eventually become American citizens, even if they have entered the country illegally, after they have paid a fine and proceeded down a tough but fair path to citizenship.

What we need to do is incentivize the executive branch, the legislative branch, and the entire bureaucracy to make sure we guarantee that those will happen. This is the only way I know of to do it. Unfortunately, many of our colleagues do not want a real trigger when it comes to border security. Above all, they want a pathway to citizenship. I am not convinced beyond that they have much concern for whether we keep our promises with regard to border security. They are hoping that once again the American people will put their faith in empty promises.

But the time for empty promises is over when it comes to our broken immigration system. If we are ever going to push immigration reform across the finish line, which I want to do, we need to guarantee results. My amendment does that. I would contend that rather than my amendment being the poison pill, the failure to pass a credible provision ensuring border security and interior enforcement will be the poison pill that causes immigration reform to die.

That is not a result I want. I want us to see a solution. I do not want the status quo because the status quo is broken. It serves no one's best interests. I am just amazed at some of my colleagues who are resisting this amendment. Why will they not take yes for an answer? Why will they not take yes for an answer on something that unites Republicans and Democrats, who are actually desperately interested in finding a solution and believe the status quo is simply unacceptable?

As I have repeatedly emphasized, my amendment simply uses the same border security standards as the underlying Gang of 8 bill. They are the ones who came up with the standard 100 percent situational awareness. They are the ones who came up with a 90-percent apprehension rate.

But their bill reiterates a promise but guarantees no results. We have had 27 years of input since the 1986 amnesty, and we still do not have secure borders. Now it is beyond time to guarantee not just more promises or inputs but real outputs.

I ask unanimous consent for an additional 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. The latest data shows that U.S. authorities apprehended about 90,000 people along the United States-Mexico border between October of last year and March of this year. Given that we apprehend fewer than half of illegal border crossers, this means we still have hundreds of thousands of people coming into the country across our southern border every year.

The problem, it will not surprise the Presiding Officer, is particularly serious in my State because we have the largest common border with Mexico, 1,200 miles.

As the New York Times reported this last weekend: ''The front line of the battle against illegal crossings has shifted for the first time in over a decade away from Arizona to the Rio Grande Valley of South Texas.''

Indeed, on one day in the Rio Grande Valley Sector, the Border Patrol detained 700 people coming across the border; 400 of them were from countries other than Mexico—400 of them. During the fiscal year which began last October, the number of apprehensions in South Texas has increased by 55 percent, with more than 94,000 apprehensions just in the Rio Grande Valley.

I was in South Texas a few weeks ago meeting with property owners, ranchers, law enforcement officials, and others deeply concerned about the rising tide of illegal immigration. But not only is this a national security issue because people are coming from countries other than Mexico, including countries that are of special concern because they are state sponsors of terrorism, this is also a major humanitarian issue.

In Brooks County last year, 129 bodies were found, people coming across ranchland after suffering from exposure because they have come from Central America, they have come from China, and they have come from the Middle East. They have come from all over the world, and we have seen a sharp increase in the number of people die because they are trying to navigate our broken immigration system.

One final point about immigration reform. Whatever legislation we pass in this Chamber will necessarily have to go to the House of Representatives.

If we want the Senate bill to have any chance of passing in the House and becoming law, we need to include real border security measures and a real border security trigger. Our House colleagues have made that abundantly clear. In other words, my amendment is not a poison pill, it is the antidote because it is the only way we are ever going to truly have bipartisan immigration reform.

I yield the floor.

The PRESIDING OFFICER (Mr. DONNELLY). The Senator from Rhode Island.

Mr. REED. Mr. President, I ask unanimous consent that I be allocated 8 minutes and that the remaining Democratic time be under the control of the Senator from Connecticut, Mr. MURPHY.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I rise to add my support to S. 744, the comprehensive immigration bill we have been debating over the past week.

I first wish to thank the eight Senators who came together to draft this bipartisan bill. They have done an extraordinary job. And I wish to particularly thank Senator LEAHY for his brilliant leadership as chairman of the Judiciary Committee.

Immigration reform is an important priority that for far too long has been left unaddressed. We all agree that the current system is broken. The bill before us is a realistic approach to fixing this broken system. That is certainly better than continuing the failed status quo.

I have long been an advocate for comprehensive and commonsense immigration reform that is tough but also fair. Standing here, addressing my colleagues, urging immigration reform, I cannot help but remember the 2006 and 2007 immigration debates and the many calls to pass immigration reform during that time.

Today, 6 years later, we still have not passed needed reform, responded to the overwhelming call to do so from the American people, and moved our immigration system into the 21st century. Today we once again have the chance to act and pass comprehensive immigration reform.

This bill includes strong border security measures to better protect our national security and to ensure that those trying to come to the United States for better opportunities do so legally. It calls for persistent surveillance of the entire border, for the apprehension of 90 percent of the illegal entries, and makes the investments in infrastructure and technology we need to meet these tough goals.

The Secretary of Homeland Security would be required to submit both a comprehensive southern border security strategy and a southern border fencing strategy to Congress, plans to achieve these goals, before the 11 million immigrants waiting in the shadows could even begin the very tough but fair earned path to citizenship. This rigorous path includes criminal background and national security checks; paying fines, fees, and taxes; learning civics and English; and going to the back of the immigration waiting line.

The bill before us also improves worksite enforcement to better protect

all workers and wages, and it makes changes to our immigration system that will help us retain the bright and talented leaders of today and tomorrow and reduce backlogs and inefficiencies.

As we continue this debate, I am hopeful the Senate will have the opportunity to consider three amendments I have filed.

In the 1990s, Liberian refugees fled a brutal civil war that killed more than 150,000 people and displaced more than half of the population. Since then, these individuals have been granted temporary protected status or deferred enforced departure, granted by the administration because the conditions in their home country of Liberia were too dangerous for them to return. Many of these individuals have now been legally residing—legally residing—in our country for more than 20 years, paying taxes, holding jobs, and being part of our communities.

Amendment No. 1224 would clarify one aspect of the merit-based track two system, ensuring that it makes eligible these Liberians and others who were granted TPS or DED due to dangerous or inhospitable conditions in their home countries and who meet the 10-year minimum requirement for long-term alien workers.

This bill intended to include these populations. However, the long-term alien section of the bill uses the term ''lawfully present.'' Since this term is not defined by statute and could be subject to interpretation, these Liberians and others in similar situations could be inadvertently excluded from this track. The intention was always to include these individuals. I ask my colleagues to work with me to correct this so these deserving individuals, whom four different Presidents have supported, are not left behind on a technicality.

The second amendment, No. 1223, recognizes the longstanding role that libraries have played in helping new Americans learn English, American civics, and integrate into our local communities. It ensures that they continue to have a voice in these critical efforts. Across the United States, libraries are the cornerstone of all sorts of educational activities. In fact, according to the Institute of Museum and Library Services (IMLS), more than 55 percent of new Americans use a public library at least once a week.

Libraries offer learning opportunities to new Americans in a trusted environment. We have to recognize the vital importance of libraries as we ask individuals to come forward to learn English, to learn civics, and to learn the skills that are required to participate fully in the life of the American people.

This amendment expands on the recent partnership between U.S. Citizenship and Immigration Services (USCIS) and IMLS, and ensures that libraries remain a keystone and a resource for new Americans. This amendment would add the IMLS as a member of the Task Force on New Americans to help direct integration policy and clarify the role that libraries will continue to play in facilitating these services.

I have also filed an amendment with Senators SCHUMER and CASEY, No. 1233 that would upgrade the immigration bar on expatriate tax dodgers. I authored an amendment to the 1996 immigration law that prohibits citizens who renounced their citizenship in order to avoid taxation from reentering the United States. I was prompted to act after hearing about a raft of wealthy U.S. citizens who gave up their citizenship to avoid paying taxes but would obtain reentry to the United States very easily and continue, effectually, to live their lives as Americans, even though they were for, tax purposes, foreigners.

One of the more egregious examples was Kenneth Dart, a billionaire who, in the early 1990s, renounced his American citizenship to avoid paying U.S. taxes. He became a citizen of Belize and then was appointed by the Government of Belize to be a consular officer in Sarasota, FL, Mr. Dart's hometown. This ruse and other ruses such as this must be stopped. My amendment would make it clear that the Department of Homeland Security must stop this flouting of the law by people who avoid taxes by changing their citizenship and then freely return to the United States.

I look forward to action on these amendments during this debate. This is an important debate. Indeed, the strong bipartisan vote that brought us to this moment procedurally captures the overwhelming recognition that we need to fix the system. We need to move forward.

This is a situation where we have a bipartisan bill that has overwhelming support in the United States. We must move it forward, amend it appropriately as I have suggested, pass it, and then send it to the House with the hope and the expectation that the President will sign this bill, opening a new era in this country for the millions who are seeking to be Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SYRIA

Mr. MURPHY. Mr. President, there is so much good flowing through the veins of this country. We are, by and large, a compassionate, just people. It hurts us deeply to see pain and suffering in places that don't enjoy the relative safety and security of America.

We are, more so than ever before, a powerful people. We are the one remaining superpower with a military that dwarfs all others and a record of throwing our weight around in all corners of the globe.

Mixed correctly, this combination of goodness and power can be a transformation. It can lighten the load of oppressed peoples. It can lift the disenfranchised. It can cure diseases.

There is one fatal trap that comes with these defining characteristics of 21st century America, a tripwire that has ensnared our Nation too many times in recent history. This is the belief that there are no limits to what this combination of goodness and power can achieve. In a word, that trap is hubris. I rise because I fear we are on the verge of falling into this trap once again.

In April, the Presiding Officer and I, as well as several other Members of the Senate and the House, visited the Kilis refugee camps of Turkey and Syria. These were reportedly the best of the refugee camps set up to shelter Syrian families fleeing the blood and carnage of that country's civil war. It is not a place I would have wanted to stay for another hour.

We met a girl who had half her face scarred by a Syrian rocket attack. I met a little orphan boy whose parents had been felled by the ruthless tactics of Bashar al-Asad. We were there for an afternoon, but we didn't need to spend more than 10 minutes in that place to be deeply moved by the case of the refugees.

Of course, Syria presents not only a humanitarian imperative, Syria is of immense strategic importance to the United States. The Asad regime has been a thorn in our side for years, and now his refusal to step down has created a bloody conflict that is in real time destabilizing a region that is critical to our national security interests. Even worse, the fight has drawn in Islamist groups affiliated with al-Qaida. A failure to root out their influence and reduce their presence threatens to hand them a new base of operation with which to plot attacks against Americans.

It is easy to see why American intervention is so tempting. It is easy to see why President Obama has chosen to act: a humanitarian crisis, a strategic interest, a uniquely American blend of goodness and power tells us we can, that we must try to make things better.

Here is the rub. It is not enough for there to be a will. There also has to be a way.

Today in Syria I do not believe there is that way. I do not believe this Congress should give the President the ability to escalate America's role in the Syrian conflict without a clear set of goals and a clear sense that we can achieve these goals.

Let's start with the odds attached to our first objective, overthrowing Bashar al-Asad. The unfortunate reality is that the momentum is with the Asad regime. With the help of Hezbollah and Qasem Soleimani, a senior Iranian Quds Force commander, Asad has driven the rebels from the key town of Qusayr, and his forces are

now battering the rebels' positions in Aleppo.

American-supplied automatic weapons are not going to be enough to change this reality. While antitank and anti-aircraft weapons, along with armored vehicles, could give the advantage to the Syrian opposition, this would, frankly, invite another more sinister problem. The Syrian opposition is not a monolithic force. It is an interlocking, sometimes interdependently operating, sometimes independently operating, force.

Our favored faction is the Free Syrian Army, but they are currently far from the most effective fighting force of the opposition.

Today the most effective fighting unit of the rebels is Jabat al-Nusra, an Islamist extremist group with demonstrable ties to al-Qaida. If we give heavy weaponry to the FSA, there is virtually no guarantee these weapons will not find their way to Jabat al-Nusra, a group that represents the very movement we are fighting across the globe.

In fact, we have been down this road before. In the eighties, we gave powerful weapons to the mujahedin in Afghanistan, freedom fighters that we supported in their war against the Soviets. Of course, as we all know, after kicking out the Soviets, those fighters later formed the foundation of the Taliban, providing a staging ground in Afghanistan for al-Qaida's plans against the United States.

Let's take our second objective. Even if we are successful in toppling Asad, it matters to us greatly who takes the reins of Syria next. I can't imagine we are getting into this fight just to turn the country over to the al-Nusra front or another Iranian- or Russian-backed regime. But if we do care about which regime comes next, and we should, then we need to admit we aren't intervening in Syria for the short run. We are in this for the long haul. Why? Because as we all learned in history class, these upheavals run a pretty predictable course. There is first the revolution and then there is the civil war.

Iran nor Russia will allow a U.S.-backed Free Syrian Army to simply stand up a new government. Certainly, Jabat al-Nusra and other extremist groups are not going to do the lion's share of the early fighting and then just walk away with no role in the new government.

Then we have to admit we are in the medium and in the long term deciding to arm one side of what promises to be a very complicated multifront heavily proxied civil war.

One may say there is still an interest to negotiate the politics and the military logistics of this second conflict. To that I would ask, what is the evidence we have ever gotten this tightrope right in the past? Recent history tells us America is pretty miserable at pulling the strings of Middle Eastern politics. In Afghanistan, after 10 years of heavy military presence, many experts think that when we leave, the place is going to look pretty much like it did before we got there. If we can't effect change with tens of thousands of troops, how are we going to do it in Syria with just guns and cash?

There is a risk that our assistance could actually make things worse. Would it not embolden the Iranians, the Russians or the extremists to fight harder against the new regime if they know they are backed by American money and arms?

As we saw in our disastrous occupation of Iraq, American presence often attracts extremists, not repels them. Our money and arms become bulletin board material for extremist groups around the globe. Why would we want to help al-Qaida's recruitment by putting a big red, white, and blue target on Damascus for years to come?

The bottom line is this: Not everywhere where there is an American interest is there also a reason for American military action. In Syria, with a badly splintered opposition, a potential nightmare follow-on civil war, I believe the odds are slim that U.S. military assistance will make the difference that the President believes it will make. And I worry that our presence could harm, not advance, our national security interests.

There is, thankfully, another way. Given the atrocities occurring within Syria and the potential for further destabilization in the region, the United States cannot and should not simply walk away from Syria. We should dramatically increase our humanitarian aid—both inside and outside Syria. We should help improve conditions at the refugee camps in Turkey and Jordan, and help other nations bearing the burden of displaced persons, such as Lebanon and Iraq, deal with the influx of people. Put simply, we should concentrate our efforts on humanitarian help inside Syria and on making sure the conflict doesn't spill outside of Syria's borders.

At the very least, our Nation's role in Syria deserves a full debate in Congress before America commits itself to a course of action with such potentially huge consequences for our national interests. According to published press reports, the administration has indicated it does not intend to seek congressional approval before shipping arms to the Free Syrian Army—at a time, I would note with some irony, when the United States still officially recognizes the Asad government.

The Foreign Relations Committee has done its work here, and I commend Chairman MENENDEZ. We have had hearings, we have held a debate and a vote on a resolution, but now that the President has announced these new steps, it is incumbent upon the full Senate to ask questions of the administration's short-term and long-term goals, and to debate the consequences of American intervention fully. This is serious business, and the American public deserves a full debate.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KAINE). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. I ask unanimous consent to address the Senate as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. I thank the Presiding Officer for these few extra minutes. I intend to speak until 12:45.

There is a lot to say about the immigration bill, and obviously there are amendments that are pending.

One, the Thune amendment would delay the process of bringing people out of the shadows until 350 miles of double-layer fencing is complete. This could have the impact of delaying the process for years. I note with some interest that the Senator from Texas, Senator CORNYN, believes there is no more fencing required in the State of Texas.

Fencing is important. Surveillance is more important. This bill alone as presently written includes $1.5 billion of fencing for the southern border as a trigger to begin adjustment of status for those in RPI status, but it doesn't arbitrarily dictate the number of miles of double-layer fencing that should be built. I think we should leave that to the best judgment of the Border Patrol.

I would point out that back in 2007, the Senators from Texas added an amendment to an appropriations bill that said: If the Secretary determines the use or placement of resources is not the most appropriate means to achieve and maintain operational control over the international border. We currently have 352 miles of pedestrian fencing, 298 miles of vehicle fencing along the southern border, which is where the Border Patrol said it is most effective.

The Vitter amendment has the same limitations. We agree, and in the bill an exit-entry system is created. The bill mandates that before anyone receives a green card, an entry-exit system must be in place in all air and sea capabilities.

I want to remind my colleagues who keep referring back to 1986—and I was around at that time—there was no real provision for border security there. There are provisions here. And I want to emphasize that we know exactly from the Border Patrol the technology that is needed in each sector in order to get 90-percent effective control of the border and 100-percent situational awareness, and these are detailed in important technology—which is the real answer to border security.

I am absolutely confident that with the implementation of this technology-based border security system, we can

absolutely guarantee the American people—but, more importantly, the head of the Border Patrol—I will have a statement from him early this afternoon, and he will say that if we implement the technology—which they gave us the detailed list of—he is confident we can have 90-percent effective control of our border and 100-percent situational awareness.

I hope my colleagues who are concerned about border security—and legitimately they are—will pay attention to the statement of the head of the Border Patrol who says unequivocally that if we adapt these specific enforcement capabilities and technology, we will be able to have control of our border. That is an important item in this debate and it is incredible detail.

Also in this legislation we need to give them the flexibility where there is the improved technology, et cetera. We do need more people to facilitate movement across our ports of entry, but we have 21,000 Border Patrol. Today, on the Arizona-Mexico border there are people sitting in vehicles in 120-degree heat. In 1986, we had 4,000 Border Patrol. We now have 21,000. What we need is the technology that has been developed in the intervening years.

I would be more than happy to say to my colleagues that if we have a provision that this strategy must be implemented and is providing 90-percent effective border control, that would serve as a trigger.

I hope my colleagues will reject the pending Vitter and Thune amendments and we will move on with the legislative process.

Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:43 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—Continued

The PRESIDING OFFICER. Under the previous order, the time until 3 p.m. will be equally divided and controlled between the two leaders or their designees for debate on the pending amendments.

The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I come to the floor today to ask my colleagues to join us in supporting the historic comprehensive immigration bill that is before us today.

We worked hard on the Judiciary Committee to craft a strong bipartisan bill that bolsters our economy, secures our borders and promotes opportunity for both businesses and families.

I thank all of those involved in the original bill—Senators SCHUMER, MCCAIN, DURBIN, GRAHAM, MENENDEZ, RUBIO, BENNET and FLAKE. I thank the members of the Judiciary Committee who all had a hand in changes to the bill. And I specifically want to thank Senator HATCH who worked with me on the I-Squared—Immigration Innovation—bill. The bill on the floor today contains many of the provisions from I-Squared that encourage more American innovation.

As you know, we passed this comprehensive immigration bill out of committee on a bipartisan vote of 13 to 5 and I am hopeful we can build that same kind of broad-based support on the Senate floor.

This is not going to be simple. It is not going to be easy. But the most important thing—the reason I am optimistic we can get something done—is the fact that we are all coming at this from the same basic starting point:

Democrats and Republicans, Senators from border States and Senators from inland States, we can all agree on this: Our current immigration system is broken. And changes must be made.

The question now is how those changes should come about, and that is why we are having this debate—to find that common ground and pass a bill that is ultimately stronger because it reflects the needs and priorities of both parties and all regions of the country.

Passing comprehensive immigration reform will be a vital step forward for our country. It will be vital to our immigrant communities, who have been separated their families for too long. It will be vital to our security. And its will be vital to our economy, to strengthening our workforce, addressing our long-term fiscal challenges and promoting innovation.

There are many strong and compelling arguments for immigration reform, but let me begin with the economic impact on our businesses and major industries.

Minnesota is a big agriculture State, just like the State of Wisconsin, Madam President, and I can't tell you how many farmers and agricultural businesses I have heard from who tell me they rely on migrant workers and other immigrants to keep their operations going. I have heard it from high-tech startups, too, as well as big technology companies like 3M, St. Jude and Medtronic. I have heard it from the homebuilders and the construction companies, even hospitals and health care providers.

These businesses represent a vast range of industries and interests. But when it comes to immigration reform, they all agree: It is critical to their operations, and it is a vital engine for growth and innovation.

In fact, history shows that immigrants have helped America lead the world in innovation and entrepreneurship for generations:

More than 30 percent of U.S. Nobel Laureates were born in other countries. Ninety of the Fortune 500 companies were started by immigrants, and 200 were started by immigrants or their children, including 3M, Medtronic, and Hormel in Minnesota.

Workers, inventors, scientists and researchers from around the world have built America. And in an increasingly global economy, they are a big part of keeping our country competitive today.

If we want to continue to be a country that thinks, invents and exports to the world, then we can not afford to shut out the world's talent. It doesn't make sense to educate tomorrow's inventors and then send them back home, so they can start the next Google in India or France.

That's why I introduced the I-Squared Act with Senator HATCH to make much needed reforms to allow our companies to bring in the engineers and scientists they need to compete on the world stage.

One of the things that bill would do is increase fees on employment-based green cards, so that we can also reinvest in or own homegrown innovation pipeline by funding more science, technology, engineering and math initiatives in our schools.

In my State the unemployment rate is at 5.4 percent. We actually have job openings for engineers, we have job openings for welders, and we want those jobs to be filled from kids who go to the University of Minnesota. We want those jobs filled by kids who get a degree at a tech school in Minnesota. But right now we have openings and we have to do a combination of things. We have to be educating our own kids and making sure if there is a doctor coming from another country who is willing to study at the University of Minnesota or in Rochester, MN, and then wants to do his or her residency right in America in an underserved area in a place such as inner-city Minneapolis or a place such as Deep River Falls, MN, we let them do that residency or internship there instead of sending them packing to their own country.

Much of the legislation that was in the I-Squared bill, as I mentioned, is included right here in the bill we are considering. The health care leaders' provision I mentioned originally, called the Conrad 30 bill, something I worked on with Senator HEITKAMP and Senator MORAN and others—that is also in this bill.

Here's something else that's just good sense: Bringing the roughly 11 million undocumented workers out of the shadows.

Immigrants who are ''off the grid'' can not demand fair pay or benefits, and there are those who seek to take advantage of that. It's a bad thing for the American workers whose wages are undercut. And it's a bad thing for the American families whose undocumented relatives are being exploited.

In addition to the economic implications, having millions of undocumented people living in our country poses a serious threat to both our national security and public safety.

This bill takes the only rational and feasible approach to bringing these

people out of the shadows, by creating a fair, tough and accountable path to citizenship for those who have entered the country illegally or overstayed their visas.

It's not an easy path. You have to pay fines, stay employed, pass a background check, go to the back of the line, learn English and wait at least 13 years to become a citizen.

And if you have committed a felony or three misdemeanors, you're not eligible. You have to go back to your home country.

Keep in mind, none of these steps towards citizenship would even begin until we had done what is necessary to secure our borders.

This bill immediately appropriates $4.5 billion towards adding more border patrol agents, more fencing, and more technologies like aerial surveillance to prevent illegal crossings over the southern border. That is money that is being committed today, not a promise for future spending or something dependent on future Congresses. That money will be spent to make our border more secure.

I think it is important to recognize that these new efforts would come on top of all the progress we have already made in recent years. Some estimates show that net illegal migration over the Mexican border is actually negative—meaning more people are going back or being sent back to Mexico than are coming here illegally. We have seen a sea change over the last few years and much of it, of course, is because of enforcement efforts going on, many funded by this Congress.

But preventing illegal immigration isn't just about stopping people at the border. It's also about removing the incentive for people to come here illegally in the first place.

The way we do that is by requiring employers to start using the E-Verify system, so they can check whether or not a person is authorized to work in this country. And to ensure the smoothest possible transition, we do it over a 5-year phase-in period based on the size and type of the company. So smaller companies, farmers—those who find it harder to use the system, they will go later.

I believe our compromise on the workplace enforcement issue is a good one, and it's reflective of the bi-partisan, balanced approach that this bill takes overall, on so many other complex issues.

The economic and security arguments for reform are compelling. But we know there is so much more to this.

This is about maintaining America's role as a beacon for hope and justice in the world, particularly for those seeking refuge and asylum.

This is something we know a lot about in Minnesota, where we have always opened our arms to people fleeing violence in their home countries. Minnesota is home to the largest Somali population in North America and the second largest Hmong population in the United States. We actually have the first Hmong woman legislator, Mee Moua. We are better off because of the incredible diversity and entrepreneurial spirit these people have brought to our state.

We are proud of the work these people have done. We know and we believe we are better off because of the incredible diversity and entrepreneurial spirit these people have brought to our State from other countries.

Just as we have granted asylum to people fleeing violence in other countries, we must also look after those fleeing violence here at home. That is why I feel so strongly about the need to ensure immigrant victims of domestic violence are not forced to suffer in silence.

The bill we are considering includes two amendments I introduced in the Judiciary Committee that would protect immigrants who are victims of domestic violence and elder abuse. No person who is being abused should be forced to live in fear because they are worried they will lose their immigration status if they speak up. Children should not be forced to live in fear either. So we need to change our laws to ensure that families are not being torn apart by a system that is not only inefficient and expensive, but cruel: 64,500 immigrant parents were separated from their citizen children during the first 6 months of 2010 as a result of deportation. So this bill is about protecting families. It is also about building families.

If I can say one thing about the domestic abuse issue, I cannot tell you how many cases we had when I was prosecutor where in fact the case would come into the office and the victim would be an immigrant. The perpetrator, we would have found, was threatening to get her deported or get her mother deported, if she was illegal, or get her sister deported or a family member deported if she reported it to the police. This bill fixes a lot of that by the way it handles the U visa program as well as other amendments I included, and it makes it easier to prosecute these perpetrators.

As I mentioned, this bill is also about building families. Minnesota leads the country in international adoptions, and I've seen the incredible joy an adopted child from another country can bring to a new mom or dad. That's why I have introduced with Senators COATS and LANDRIEU a set of amendments to improve our system for international adoptions, so that more children can find a loving home here in the United States.

This bill is vital to our economy and to our national security, but most importantly it is vital to maintaining America's remarkable heritage as a nation of immigrants.

I am myself here because of Slovenian and Swiss immigrants. My grandpa on my dad's side worked 1,500 feet underground in the iron-ore mines of Ely, MN. His family came to northern Minnesota in search of work, and the iron ore mines and forests of northern Minnesota seemed the closest thing to home in Slovenia. My grandpa never graduated from high school, but he saved money in a coffee can so my dad could go to college.

My dad earned a journalism degree from the University of Minnesota and was a newspaper reporter and longtime columnist for the Star Tribune. My mom was a teacher and she taught second grade until she was 70 years old. Her parents came from Switzerland to Milwaukee where my great grandma ran a cheese shop. The Depression was hard on their family and out of work for several years, my grandpa made and sold miniature Swiss chalets made out of little pieces of wood.

So I stand here today on the shoulders of immigrants, the granddaughter and great-granddaughter of iron ore miners and cheese-makers and craftsmen, the daughter of a teacher and newspaper man . . . and the first woman elected to the Senate from the State of Minnesota.

It could not have been possible in a country that didn't believe in hard work, fair play and the promise of opportunity. It could not have been possible in a country that didn't open its arms to the risk-takers, pilgrims and pioneers of the world.

So this is a very special and enduring part of the American story. And we need to be sure it continues for future generations in a way that is fair, efficient and legal.

Passing this bill is important to our economy. It is important to our global competitiveness. It is important to our national security. And it is important millions of families throughout the U.S. who want to come here and live that dream my grandparents and great grandparents lived.

It's too important for us not to act. To my colleagues, join us in passing this bill. Let's get it done.

I yield the floor.

Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. HIRONO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HIRONO. Madam President, I believe we must fix the immigration bill to make it fairer for women. The bill proposes a new merit-based point system for allocating green cards to future immigrants. Simply put, the point system makes it harder for women than for men to come to this country. The theory behind the merit system is that we should give immigration preferences to people who hold advanced degrees or work in high-skilled jobs. This idea ignores the discrimination women endure in other countries.

Too many women overseas do not have the same educational or career

advancement opportunities available to men in those countries. In practice, the bill's new point system takes that inequitable treatment abroad and cements it into our immigration laws. This bill reduces the opportunities for immigrants to come under the family-based green card system.

Currently, approximately 70 percent of immigrant women come to this country through the family-based system. This legislation increases the amount of employment-based visas. This bill basically moves us away from the family-based system and into economic considerations. There is nothing wrong with that, but we should be fair to women while we are doing it. The immigration avenues favor men over women by nearly a 4-to-1 margin.

Using the past as our guide, it is easy to see how the new merit-based system, with heavy emphasis on factors such as education and experience, will disadvantage women who apply for green card status. We all want a stronger economy, but we should not sacrifice the hard-won victories of the women's equality movement to get it. Ensuring that women have an equal opportunity to come here is not an abstract policy cause to me.

When I was a young girl, my mother brought my brothers and me to this country in order to escape an abusive marriage. My life would be completely different if my mother was not able to take on that courageous journey. I want women similar to her—women who don't have the opportunities to succeed in their own countries—to be able to build a better life for themselves here. These disparities in the immigration bill are fixable.

Later this week a number of my female Senate colleagues and I will introduce a proposal that will address the disparities in the new merit-based system. Let's improve immigration reform to make this bill better for women who deserve a fair shake in our green card system.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, coming up, we will be voting on some amendments. I just want to share a few thoughts as we gather in advance of that. One of the comments made earlier by one of our good Senators indicated a belief that this immigration bill is going to raise the salaries of American workers. I think that is what was said. I have to point out that is not accurate.

This is a very serious issue we are confronting. This legislation does the opposite of what was said and creates an unprecedented flow of new workers into America—the likes of which we have not seen before—and it will have a direct result of depressing job opportunities and wages of American citizens. It will affect immigrants who are legally here and also looking for work. It will impact the wages of African Americans, Hispanics, and any other group in America.

Here is the reason why: Under our current law, the legal flow of persons to America would be 1 million a year, and that is the largest of any country in the world. Over 10 years, that will rise to 10 million people. At this point, we now have 11 million immigrants here, plus a backlog of approximately 5 million more immigrants, which will total approximately 15 million people who would be legalized in very short order under this legislation.

Some say, well, they are already working here, so there is not a problem on employment. But many of those workers are in the shadows, underemployed, maybe working part-time in restaurants or other places, and all of a sudden they will be given legal status. At that point, they will be able to apply for any job in America. This will be good for them, but the question is, Is it our duty to give our first responsibility to those who have entered illegally? Don't we have a responsibility to consider how it will impact people who are unemployed today and are out looking for work?

Since 1999, we know wages have dropped as much as 8 percent to 9 percent. Wages are declining, not going up in America today. One of the big reasons, according to Professor Borjas at Harvard, is that the flow of labor from abroad creates an excess of labor and that causes wages to decline. It is just a fact, and that is the way that works.

In addition to that, we have our current law that allows temporary workers and guest workers who come for a period of time, and then they can work. What happens to that flow of workers today? They will double the number of people who will be coming in as temporary workers. Everyone has to understand that many of them come for 3 years with their family after which they can reup for another 3 years. They also compete for a limited number of jobs that legal immigrants would be competing for as well as citizens would be competing for.

So there is this bubble of 15 million that is accepted at once and a doubling of the current flow of nonimmigrants. In addition to that, the annual immigrant flow into our country will increase at least 50 percent. It could be more than that. So that would go from 1 million a year to 1.5 million a year. Over 10 years, that is 15 million.

There are 300 million people in this country, and as elected officials, they are our primary responsibility. If this legislation were to pass—the 8,000 pages in this bill—it would allow 30 million people to be placed on a permanent path to citizenship over this 10-year period, and that is well above what would normally be 10 million people. In addition to that, the flow of so-called temporary guest workers will be double what the current rate is.

Madam President, how much time is there on this side?

The PRESIDING OFFICER. The Senator has 17 minutes.

Mr. SESSIONS. Madam President, I ask to be notified in 5 minutes.

I believe Senator VITTER's airplane has been delayed. His amendment is projected to come up. I don't know if it will be called up if he is not able to get back.

He has an excellent amendment that deals with a fundamentally flawed part of our immigration system that the bill before us makes worse, not better. It absolutely and indisputably does make it better.

This is the current situation: Six times Congress in the last 10 or 15 years has passed legislation to require an entry-exit visa system. It is required that it be biometric. In other words, it would require fingerprints or something like that. Normally, fingerprints would be utilized.

People are fingerprinted when they come into the country. It goes into the system, but we are not checking when anybody leaves. People legally come on a visa, and they leave. Because we don't use a system when people leave the country, nobody knows whether they left. Forty percent of the people who enter the country illegally are coming through visa overstays. They get a legal visa, and they just don't leave. People don't even know if they left because they are not clocked out.

The 9/11 Commission said this is wrong. We need a biometric entry and exit system at land, sea, and airports.

What does this bill do? It eliminates that language that is already in law, passed by Congress, and inexplicably has never been carried out. The bill merely requires a biographic or electronic exit system. It does not require a fingerprint-type exit system. Not only that, it only requires it at air and seaports, not the land ports. The 9/11 Commission said that would not work because people come in all the time by air and leave by land, so we cannot rely on it. It will not establish the right integrity to know whether somebody overstayed. That makes perfect sense.

Senator VITTER attempts to address that. He suggests that we have an integrated biometric entry-exit system operating and functioning at every land, air, and seaport—not just air and sea—prior to the processing of any application for legal status pursuant to the original biometric exit law, the 2004 Intelligence Reform Act, recommendations. That is what the current law says.

In addition to that, before the implementation of any program granting temporary legal status, the Department of Homeland Security Secretary must submit written certification of the deployment of the system which will then be fast-tracked and approved

through streamlined House and Senate procedures. This amendment is added to the current bill, and it will be effective in accomplishing what we need. In other words, it has a little trigger that says they don't get their legal status until the government does what they have been directed to do by Congress for over 10 years and have failed to do.

We have had a pilot test at the Atlanta airport, for example, where people go to the airport, catch a plane back home to England, Jordan, India or wherever they go, put their fingerprints on a machine, and it reads them as they go through the airport. What they found was that out of 29,744 people in that pilot test, 175 were on the watch list for terrorism or warrants were out for their arrest or other serious charges were against them. They were able to identify them before they fled or left the country, and that is what the whole system was about.

They found it didn't slow down the airport and that it didn't cost nearly what people are saying it will cost. Some have said it would be $25 billion, and that is totally inaccurate. According to this report, it will not cost anything like that. Police officers have fingerprint reading machines in their automobiles. You can go by there, put your fingers on there to read your print, and if you have a warrant out for arrest for murder or drug dealing or terrorism, you get apprehended.

They recently caught a terrorist—actually from Alabama—and prosecuted him in Alabama. He was trying to get on a plane in Atlanta.

The PRESIDING OFFICER. The Senator has consumed 5 minutes.

Mr. SESSIONS. I thank the Chair, reserve the remainder of my time, and yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, let me congratulate the Gang of 8 for their assiduous work on this immigration bill, as well as Senator PAT LEAHY, the chairman of the committee, for doing a lot of good work.

There is much in this bill I support. I support the pathway to citizenship. I support the DREAM Act. I support providing legal status to the foreign workers who are working in agriculture. We have to have strong border security. I support that effort.

Let me tell my colleagues what I do not support. What I do not support is that at a time when nearly 14 percent of Americans do not have a full-time job, at a time when youth unemployment is somewhere around 16 percent and kids from California to Maine are desperately seeking employment, I do not support the huge expansion in the guest worker program that will allow hundreds of thousands of entry-level guest workers to come into this country.

This is important for at least two reasons. We have kids all over America who are wondering how they are going to afford to be able to go to college. Many of these young people are going out looking for summer jobs, looking for part-time jobs in order to help them pay for college. That is terribly important. We should not pass legislation which makes it harder for young people to get jobs in order to put away a few bucks to help pay for college.

Then there is another group of people, and those are young people whom we don't talk about enough. Not everybody in America is going to college. There are millions of young people who graduate high school and want to go out and start their careers and make some money and move up the ladder. There are others who have dropped out of high school. We cannot turn our backs on those young people. They need jobs as well. If young people—young high school graduates, for example—are unable to find entry-level jobs, how will they ever be able to develop the skills, the experience, and the confidence they need to break into the job market? And if they don't get those skills—if they don't get those jobs and that income—there is a very strong possibility they may end up in antisocial or self-destructive activities.

Right now, on street corners all over this country, there are kids who have nothing to do. And what are they doing when they stand on street corners? What they are doing is getting into drugs, they are getting into crime, they are getting into self-destructive activity. We already have too many young people in this country using drugs. We already have too many young people involved in criminal activity. As a nation, we have more people in jail than any other country on Earth, including China. Let's put our young people into jobs, not into jails.

As I have heard on this floor time and time again, the best antipoverty program is a paycheck. Well, let's give the young people of this country a paycheck. Let's put them to work. Let's give them at least the entry-level jobs they need in order to earn some income today, but even more importantly, let's allow them to gain the job skills they need so they know what an honest day's work is about and can move up the economic ladder and get better jobs in the future.

At a time when poverty in this country remains at an almost 50-year high, and when unemployment among young people is extremely high, I worry deeply that we are creating a permanent underclass—a large number of people who are poorly educated and who have limited or no job skills. This is an issue we must address and must address now. Either we make a serious effort to find jobs for our young people now or we are going to pay later in terms of increased crime and the cost of incarceration.

Now, why is this issue of youth unemployment relevant to the debate we are having on immigration reform? The answer is obvious to anyone who has read the bill. This immigration reform legislation increases youth unemployment by bringing into this country, through the J–1 program and the H–2B program, hundreds of thousands of low-skilled, entry-level workers who are taking the jobs young Americans need. At a time when youth unemployment in this country is over 16 percent and the teen unemployment rate is over 25 percent, many of the jobs that used to be done by young Americans are now being performed by foreign college students through the J–1 summer work travel program.

Other entry-level foreign workers come into this country through the H–2B guest worker program. We have heard a lot of discussion about high-tech workers and how they can create jobs and all that. That is an issue for another discussion. Right now, what we are talking about is hundreds of thousands of foreign workers coming into this country not to do great scientific work, not as great entrepreneurs to start businesses, not as Ph.D. engineers, but as waiters and waitresses, kitchen help, lifeguards, front desk workers at hotels and resorts, ski instructors, cooks, chefs, chambermaids, landscapers, parking lot attendants, cashiers, security guards, and many other entry-level jobs.

Does it really make sense to anyone when so many of our kids are desperately looking for a way to earn an honest living that we say to those kids: Sorry, you have to get to the back of the line because we are bringing in hundreds of thousands of foreign workers to do the jobs you can do tomorrow?

The J–1 program for foreign college students is supposed to be used as a cultural exchange program—a program to bring young people into this country to learn about our customs and to support international cooperation and understanding. That is why it is administered by the State Department. But instead of doing that, this J–1 program has morphed into a low-wage jobs program to allow corporations such as McDonald's, Dunkin Donuts, Disney World, Hershey's, and many other major resorts around the country to replace American workers with cheap labor from overseas.

Each and every year companies from all over this country are hiring more than 100,000 foreign college students in low-wage jobs through the J–1 summer work travel program. Unlike other guest worker programs, the J–1 program does not even require businesses to recruit or advertise for American workers. What they can do is pay minimum wage. They don't have to advertise for American workers. And guess what. For the foreign worker, they do not have to pay Social Security tax, they don't have to pay Medicare tax, and they don't have to pay unemployment tax. So, essentially, we are creating a situation where it is absolutely advantageous for an employer to hire a foreign worker rather than an American worker.

So what I have done is introduced two pieces of legislation to address this

issue. No. 1 basically says while I strongly support cultural programs—bringing young people here from abroad is a great idea—at this moment, with high unemployment, we cannot have those people competing with young Americans for a scarce number of jobs. So we eliminate the employment element of the J–1 program.

The second bill says if we can't do that—and I hope we can—at the very least we need a jobs program for American kids, not just a summer jobs program but a yearlong jobs program. Let's not turn our backs on kids who want to get into the labor market, who want to develop a career. They need something in the summertime, they need something year round, and we have introduced legislation to do just that.

My time has expired. I yield my time, if he wants it, to Senator GRASSLEY.

The PRESIDING OFFICER. The Senator from Iowa.

AMENDMENT NO. 1197

Mr. GRASSLEY. Madam President, we will soon be voting on the Thune amendment, and I rise to speak in support of the Thune amendment.

The Thune amendment would strengthen the bill and beef up the triggers that precede the legalization program.

The Thune amendment would ensure that current law regarding double-layer fencing is implemented.

Over the years, administration after administration—and not just Democrat or just Republican but both—has failed to enforce the laws on the books. The American people don't want more laws that will simply be ignored, they want the laws on the books to be enforced. This amendment offered by Senator THUNE would ensure that the border is more secure before any legalization program is carried out.

In a new CNN poll released just today, 36 percent of those polled said they favored a path to citizenship for people who have come to this country undocumented. But 62 percent of those polled said it is more important to increase border security to reduce or eliminate the number of immigrants coming into the country without permission from our government. So if we stand with the American people, and if we want the border secured, we will vote for the Thune amendment.

It is this simple: When issues come up in my town meetings in my State of Iowa and people are asking what is going on with immigration, and we sit down and try to explain to the people how this bill is moving along or what it might include, invariably there are a lot of people in the audience who say we don't need more legislation, we need to have the laws on the books enforced. I think this is backed up by this poll we have heard about from CNN today.

In addition to that, I think it very much clarifies that people want the laws on the books enforced. But, more importantly, they expect people who take an oath to uphold the Constitution and the laws would actually carry out the laws they are elected to carry out. So I hope my colleagues will vote for the Thune amendment.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the question is on agreeing to amendment No. 1197, offered by the Senator from South Dakota, Mr. THUNE.

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Iowa (Mr. HARKIN), and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alabama (Mr. SHELBY), and the Senator from Mississippi (Mr. WICKER).

The PRESIDING OFFICER (Mr. MANCHIN). Are there any other Senators in the chamber desiring to vote?

The result was announced—yeas 39, nays 54, as follows:

[Rollcall Vote No. 151 Leg.]

YEAS—39

Alexander	Crapo	Manchin
Ayotte	Cruz	McConnell
Barrasso	Enzi	Moran
Blunt	Fischer	Paul
Boozman	Grassley	Portman
Burr	Hatch	Pryor
Chambliss	Heller	Risch
Chiesa	Hoeven	Roberts
Coats	Isakson	Scott
Coburn	Johanns	Sessions
Collins	Johnson (WI)	Thune
Corker	Kirk	Toomey
Cornyn	Lee	Vitter

NAYS—54

Baldwin	Graham	Murray
Baucus	Hagan	Nelson
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Boxer	Johnson (SD)	Rubio
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Coons	Levin	Tester
Cowan	McCain	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Flake	Merkley	Warren
Franken	Murkowski	Whitehouse
Gillibrand	Murphy	Wyden

NOT VOTING—7

Cochran	Inhofe	Wicker
Feinstein	Mikulski	
Harkin	Shelby	

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Vermont.

Mr. LEAHY. I yield to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 1222

Ms. LANDRIEU. Mr. President, I offer this amendment. It is a technical amendment, three technical but important changes to the Child Citizenship Act of 2000. Senator COATS, Senator BLUNT, and Senator KLOBUCHAR have helped lead this effort. I have explained it numerous times on the floor. I think the leaders have agreed on a voice vote.

Mr. LEAHY. Mr. President, I have spoken with the distinguished ranking member, Mr. GRASSLEY. I understand we are able to agree to the Landrieu amendment by voice vote.

I ask unanimous consent that the 60-vote threshold with respect to the Landrieu amendment be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I urge the question.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1222) was agreed to.

AMENDMENT NO. 1228

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on amendment No. 1228 offered by the Senator from Louisiana, Mr. VITTER.

The Senator from Vermont.

Mr. LEAHY. Before we do that, I wish to remind everybody the next vote will be a 10-minute vote.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, this amendment is very simple but it is important. It would finally demand and require execution and enforcement of the so-called US-VISIT system, an entry-exit system to catch visa overstays. This system was first mandated by Congress in 1996. We have had six additional votes by Congress demanding it then. The 9/11 terrorists were visa overstays. As a result, this system was strongly recommended, one of the top recommendations of the 9/11 Commission. We must put this in place as we act on immigration. This amendment would get that done.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. I agree that we need to better track visa overstays. But a fully biometric entry-exit system at all air, sea, and land ports of entry is the kind of unrealistic trigger we can't adopt. Implementation of this amendment would be prohibitively expensive and cause all kinds of delays.

In the Judiciary Committee we adopted an amendment offered by Senator HATCH which presents a more reasonable approach.

I would urge a ''no'' vote on this amendment.

I ask for the yeas and nays.

Mr. VITTER. Mr. President, may I inquire how much time is remaining?

The PRESIDING OFFICER. The Senator has 9 seconds remaining.

Mr. VITTER. Mr. President, we have talked about this since 1996 and 9/11 happened. When are we going to do it if not now?

I urge support of the amendment.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN) and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alabama (Mr. SHELBY), and the Senator from Mississippi (Mr. WICKER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 36, nays 58, as follows:

[Rollcall Vote No. 152 Leg.]

YEAS—36

Alexander	Cruz	McConnell
Barrasso	Enzi	Moran
Blunt	Fischer	Paul
Boozman	Grassley	Portman
Burr	Hatch	Pryor
Chambliss	Heller	Risch
Chiesa	Hoeven	Roberts
Coats	Isakson	Scott
Coburn	Johanns	Sessions
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter

NAYS—58

Ayotte	Gillibrand	Murray
Baldwin	Graham	Nelson
Baucus	Hagan	Reed
Begich	Heinrich	Reid
Bennet	Heitkamp	Rockefeller
Blumenthal	Hirono	Rubio
Boxer	Johnson (SD)	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Collins	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Cowan	McCain	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Flake	Murkowski	
Franken	Murphy	

NOT VOTING—6

Cochran	Inhofe	Shelby
Harkin	Mikulski	Wicker

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. LEAHY. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1198

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to the vote on amendment No. 1198, offered by the Senator from Montana.

Mr. TESTER. Mr. President, this amendment will include the tribal representatives on the DHS Border Task Force.

In this country within 100 miles of the border we have 13 Indian reservations, some of them right on the border. If we are going to make sure the borders are secure in the north and the south, Indians need to be a part of the conversation, our Native American friends. They have a unique government-to-government status. As I said before, their input is critically important.

This amendment would not be costing anything, has bipartisan support, and it will add tribal representatives—two on the north and two on the southern region—to the Department of Homeland Security Border Task Force. I encourage a ''yea'' vote on this amendment.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I have no problems with this amendment. It ensures that tribal communities are represented.

The bill's task force is a new and independent entity designed to provide recommendations about immigration and border security. Mr. TESTER is adding four additional members to the task force to ensure that the tribes are represented; however, this amendment does not fundamentally change the bill.

There is no opposition to making sure that the tribes have a voice in policy. Of course, this task force doesn't have any real power, it only makes recommendations. The Secretary isn't required to address their concerns or enact their recommendations. Too often, the Secretary does not take into consideration our recommendations. Even now she has a hard time implementing laws.

So, again, while the amendment is noncontroversial, Members should know this task force is a figleaf for actual border security.

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN) and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alabama (Mr. SHELBY), and the Senator from Mississippi (Mr. WICKER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 153 Leg.]

YEAS—94

Alexander	Fischer	Murkowski
Ayotte	Flake	Murphy
Baldwin	Franken	Murray
Barrasso	Gillibrand	Nelson
Baucus	Graham	Paul
Begich	Grassley	Portman
Bennet	Hagan	Pryor
Blumenthal	Hatch	Reed
Blunt	Heinrich	Reid
Boozman	Heitkamp	Risch
Boxer	Heller	Roberts
Brown	Hirono	Rockefeller
Burr	Hoeven	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (WI)	Schumer
Casey	Johnson (SD)	Scott
Chambliss	Kaine	Sessions
Chiesa	King	Shaheen
Coats	Kirk	Stabenow
Coburn	Klobuchar	Tester
Collins	Landrieu	Thune
Coons	Leahy	Toomey
Corker	Lee	Udall (CO)
Cornyn	Levin	Udall (NM)
Cowan	Manchin	Vitter
Crapo	McCain	Warner
Cruz	McCaskill	Warren
Donnelly	McConnell	Whitehouse
Durbin	Menendez	Wyden
Enzi	Merkley	
Feinstein	Moran	

NOT VOTING—6

Cochran	Inhofe	Shelby
Harkin	Mikulski	Wicker

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

Mr. LEAHY. I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. I am here to speak to what is a historic debate here on the floor of the Senate; that is, the debate we are having with regard to comprehensive immigration reform. We have a major opportunity here in the Congress to finally pass meaningful, strong, bipartisan legislation. Immigration reform is something Congress has grappled with in fits and starts for over a decade. In fact, I remember the summer 7 or 8 years ago when this Senate came very close to passing comprehensive immigration reform and fell just short of that goal.

Today the need to act has become imperative. We cannot ignore it. There are constituents in Colorado from across the spectrum who are hardworking. They are small business owners, religious leaders, farmers, and citizens. They believe that now is the time.

If we look at our economy, it is beginning to gain strength. Our economy is beginning to get its legs under it.

Our economy also needs the labor market certainty that would come from immigration reform. So let's seize this opportunity to pass commonsense legislation that our constituents expect.

I am looking right over the dais. Above the dais, I see ''e pluribus unum,'' which translates to ''out of many, one.'' That is a simple motto which is engraved in this great Senate Chamber, and it is one of the daily reminders that we are a nation of immigrants. Throughout our history, millions of immigrants—including my ancestors and the Presiding Officer's—braved hardship and great risks to come here. Why was that? They sought freedom, opportunity, and a better life for their families. Today's immigrants, in that same spirit, continue to brave great risks and hardships to obtain the American dream.

We have heard from fellow Americans who are opposed to fixing our broken system. There are those among us who unfortunately see immigrants as a burden on our country or want to enact overly punitive measures to punish undocumented immigrants. I ask that they remember that our country was built and forged by immigrants whose blood and sweat built the America we know today.

To oppose this legislation, with all due respect, is to deny the promise our ancestors and even the Framers expected us to extend to those outside our borders. Yes, we are a nation of laws, and we don't take lightly the violation of our laws, but we are also a nation that welcomes foreigners who want to build the American dream.

I would like to challenge my colleagues to remember that we are a better, stronger country because of our immigrants whose first glimpse of America was the Statue of Liberty emblazoned with the words of poet Emma Lazarus:

> Give me your tired, your poor, your huddled masses yearning to breathe free.

Our country and our economy were built from the ground up by the hard work and ingenuity of immigrants and their families. In recent years, one in four of America's new small business owners has been an immigrant. One in four high-tech startups in America was founded by immigrants. And 40 percent of Fortune 500 companies—when they started—were created by first- or second-generation immigrants. If we look at our system today, unfortunately, because it is broken, it has made it harder for would-be business owners as I just described to create jobs and help spur our Nation's economic development.

Let me give another example. Right now our system invites the best and brightest from all over the world to come and study at our top universities. Once they have the training they need to create a new invention or build a new business—listen to this—our system tells them to go back home. That is not right.

I am pleased, honored, humbled, and a little bit proud that I have worked for years with Coloradans at my side to solve this problem and to make the United States a place where entrepreneurs are encouraged to stay, build businesses, and grow our economy. In that vein, I want to thank the Gang of 8 for their hard work in crafting a bill that is built upon those principles. Entrepreneurs embody the American dream.

Fixing our broken system is about more than businesses and startups; it is principally about families. To say that our current broken immigration system is bad for our families would be an understatement. Thousands of fathers—myself included—gathered with their families this past weekend to celebrate Father's Day. I couldn't help but think of the thousands of fathers our immigration system has separated from their loved ones or the countless fathers living today in Colorado who struggle with the fear every day that they could be separated from their families.

There are fathers like Jorge, who has been living in the United States for 23 years. He is the proud father of four U.S. citizen children, including a U.S. Army corporal. He has been contributing to our economy in Colorado and therefore to the American economy and his community for many years. With immigration reform, Jorge will be able to come out of the shadows, where he will finally be able to realize the American dream without the constant fear of being deported and separated from his children. As I have suggested, unfortunately Jorge's situation is not unique. The fact that our current system has brought us to the place where at any moment thousands of families can be ripped apart is just not right.

This bill would give Jorge and millions of others like him a tough but fair shot at earning legal status and eventually citizenship. Make no mistake. This process will not be without significant cost, and it will not be easy.

Let me explain how I draw that conclusion. In order to get earned legalization, Jorge will have to pass a background check, pay back taxes, penalties, and fees, demonstrate work history, learn English, and go to the back of the line behind others who have also gone through the process. This is a tough but fair road ahead. It is a path negotiated by Senators of both parties and supported by the American people.

Today there are an estimated 11 million undocumented immigrants in the United States. Some cross the border illegally, others have overstayed their visas. Regardless of how they came, the overwhelming majority of these folks, just like Jorge, are trying to earn a living and provide for their families.

There are thousands of immigrants in Colorado who are working in the shadows, where they are vulnerable to exploitive employers paying them less than minimum wage, making them work without overtime, and denying them any of the benefits given to their other employees. That pushes down standards for all workers. What I am saying is that our current immigration system has fostered an underground economy that exploits a cheap source of labor while depressing wages for everyone else.

My conclusion is that this bill will ensure that businesses are all playing by the same set of rules, and it includes tough penalties for businesses that do not. The underlying bill implements an effective employment verification system that will prevent identity theft, the hiring of unauthorized workers, and send a clear message that will help prevent future waves of illegal immigration. It is a commonsense solution. It is the kind of solution I have heard Coloradans ask for.

I will now turn my attention to the border. This legislation contains historic resources and measures to better secure our borders. Last week I heard time and time again: Borders first, borders first. To the Coloradans who expect border security, as I do, I say the best thing we can do for border security is pass a comprehensive immigration reform bill.

We have made significant progress over the past several years. We have put $17 billion in resources into protecting our borders. As a result, illegal border crossings are at their lowest levels in decades. Let's be clear. There is still room for significant improvement, and the strong border security provisions in this bill help us get there. In fact, the underlying bill would be the single biggest commitment to border security in our Nation's history. Why? It would put another $6.5 billion on top of what we are already spending toward stronger, smarter, more innovative security along our borders. It would also direct the Secretary of Homeland Security to submit to Congress a comprehensive border security plan and a southern border fencing strategy. Moreover, the legislation would delay the process of granting legal status to immigrants until the plan and strategy have been deployed, a mandatory employment verification system has been implemented, and an electronic biographic entry-exit system is in place at major airports and seaports.

Finally, this legislation would hold employers more accountable if they knowingly hire undocumented workers. We are saying that no longer will we tolerate an underground market of workers who are illegally employed and many times exploited.

As I begin to close, I would like to turn to a special group of Coloradans who would be helped. This is a group about whom we all should care and about whom I deeply care, and that is our students. I am very pleased and excited that the provisions for the DREAM Act are included in the comprehensive immigration reform bill we are considering.

I have stood alongside a steadfast group of my colleagues as we fought for

passage of the DREAM Act for many years. Along the way I have talked to and more importantly listened to countless Colorado students who have looked me in the eyes and asked for their government to help give them status, opportunity, and potential so they can go on to be the next generation of American leaders without the daily fear of deportation. We are talking about thousands of Colorado students who were brought to the United States at a very young age. It wasn't their decision to be brought here, but they came here with their parents. That cohort—literally thousands of these wonderful, enthusiastic, energetic Coloradans—is poised to graduate college or join the military and in the process strengthen our country and grow our economy. Let's do the right thing by the DREAMers.

I say and implore my colleagues, let's not stand in the way of what Americans want and what our economy needs. Our Nation will be stronger when our borders are secure, when employers are held accountable for the workers they have hired, when jobs are filled with qualified and documented workers who contribute to the economy and undocumented workers who are currently here are held accountable and given an opportunity to earn their legal status and then citizenship.

So for my colleagues who are here today and are serious about fixing our broken immigration system, let's actually have a serious debate to improve this legislation. Let's vote on amendments with a sincere intent to really improve this bill. Let's work productively to find a bipartisan solution to this huge national issue in the same way the Gang of 8 has worked for the past many months.

As I said in my opening remarks, we have a historic opportunity to finally pass comprehensive immigration reform. We have an extraordinary opportunity to show the Senate at its best. Having the opportunity to openly and honestly debate this legislation is one of the many reasons we ran to serve in the Senate in the first place. The public has placed their trust in us to get this right, and we can.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise to present and discuss the next amendment I personally offered which I am going to be bringing to the Senate floor; that is, amendment No. 1330, to prohibit anyone who has been convicted of offenses under the violence against women and children act from gaining legal status under the bill.

I think if we ask the American people if they support the outline that has been presented as the guiding outline for the Gang of 8, the vast majority would say we absolutely support those principles. I would say I support those principles as they were enumerated. The trouble is, in my opinion, when we actually read the bill—and let's remember, particularly as we are in the middle of the debacle of executing ObamaCare, it is important to read the bill, it is important to know what is in the bill—in my opinion, the trouble is when we actually read the bill, it doesn't stand up to those principles. It doesn't match.

One example is the absolute commitment made by the Gang of 8 early on in this process that individuals with a serious or significant criminal background would not get legal status and would be deported. They were very specific about that. In their bipartisan framework for comprehensive immigration reform, which the authors of this bill—the so-called Gang of 8—released in January of this year—they said very specifically:

> Individuals with a serious criminal background or others who pose a threat to our national security will be ineligible for legal status and subject to deportation.

It is very clear.

But then, again, when we actually read the bill, I believe it comes up far short of that. It does not include significant crimes, serious crimes which it should include as a disqualification.

One of the areas I think is the clearest example of that is offenses under the Violence Against Women Act, offenses that have to do with domestic violence, with child abuse. Those are serious violent offenses that every American citizen—particularly women—would certainly consider very consequential, very significant, very serious, undermining their fundamental security.

This Vitter amendment No. 1330, which I will be presenting and getting a vote on later in this debate, is simple. It simply says those criminal offenses, a conviction of any of those criminal offenses under the Violence Against Women Act—we are talking about domestic violence, we are talking about child abuse—are disqualifiers. Nobody can gain legal status if they are convicted of any of those offenses. That is a disqualifier and it is grounds for deportation.

Again, it is very important to read the bill. It is very important that if anything passes here, it actually matches the promises made to the American people, the rhetoric the American people have heard for weeks and months. This is an important area where we need to get it right.

So I hope all of my colleagues, Democrats and Republicans, agree that these are serious offenses. Certainly, everybody seemed to agree in the important discussion about the Violence Against Women Act. Certainly, everybody seemed to agree then that those offenses that are all about domestic violence and child abuse are very serious, very significant, involve or threaten violence, and certainly they should be disqualifiers for a person becoming legalized under this bill and they should be grounds for immediate deportation. I hope this is beyond debate. I hope this amendment, as it should, gets widespread bipartisan support.

I very much look forward to continuing this discussion about amendment No. 1330. I very much look forward to getting the vote it will get because it deserves to get it—and I will demand it—and I very much hope for and look forward to a strong bipartisan vote in support of stopping violence against women, in support of furthering the protections of the Violence Against Women Act.

Thank you. I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Texas.

Mr. CORNYN. Madam President, I know the parties are working on a unanimous consent agreement for the next tranche of amendments to come forward. I expect and hope mine will be one of them, but it is not quite completed yet. So rather than ask for unanimous consent to call up my amendment now, what I would like to do is just talk about it a little bit and explain to my colleagues what is in it.

We call my amendment the RESULTS amendment because it is necessary, because in the current form of the so-called Gang of 8 bill, it does not include any genuine guarantee of border security. My colleagues don't have to take my word for it. All they have to do is take a look at the chart behind me. Senator DURBIN, one of the four Democrats and four Republicans who were responsible for coming up with the so-called Gang of 8 bill, said in January that in that bill, a pathway to citizenship ''would be contingent upon securing the border.'' He said that in January. I think a lot of people took him and others at their word, only to find out otherwise in June, 6 months later—June 2013—when he was quoted as saying that the gang has ''delinked the pathway to citizenship and border enforcement.''

What that means is the underlying bill gives a promise—another hollow, unenforceable promise—and, based upon our experience, I think the American people would be justified in saying they are asking us to trust them at a time when there is a genuine trust deficit with regard to the Federal Government. We have heard too many promises. We want guarantees that these promises will be delivered on, and that is what my amendment is all about.

In the underlying bill, all we have is—first of all, we have a 100-percent situational awareness requirement and a 90-percent apprehension requirement of people who are crossing the border illegally. But all that is required in the underlying bill is the submission of a plan and substantial completion of that plan for which nobody has seen the contents. That is 10 years from now. I don't think anyone would be out of bounds in saying there may be good intentions—people may actually believe what they say, but how can we possibly know that some unwritten plan that is going to be in place 10 years from now will actually be successful in accomplishing the very goals that were set out in the bill?

My amendment is slightly different because it embraces those same standards, including 100 percent situational awareness and 90 percent cross-border apprehensions, and it says a person can't transition from probationary status to legal permanent residency until it is certified that they have accomplished those goals. What that does, simply stated, is—it doesn't punish anything, but it lines up all of the incentives for those of us who want to secure the border and have a border immigration system that actually works and incentives for those for whom a pathway to citizenship is the holy grail; that is what they want more than anything else. So it realigns incentives on the right and the left and gets us in a position where we can actually look the American people in the face and say we have as close as humanly possible a guarantee that these promises will ultimately be kept.

My amendment requires the Secretary of the Department of Homeland Security and the Commissioner of Customs and Border Protection and the Department of Homeland Security inspector general, in consultation with the Government Accountability Office and the Comptroller General, to jointly certify that the following triggers are met before registered provisional immigrants can adjust to lawful permanent residency or green card status. First, as I said, the Department of Homeland Security has to have achieved and maintained full situational awareness of the entire southern border for not less than 1 year. That means the Department of Homeland Security has the capability to conduct continuous and integrated monitoring, sensing or surveillance of each and every 1-mile segment of the southern border or its immediate vicinity.

Some may say: Full border situational awareness? How are we going to do that? Are we going to link Border Patrol agents arm to arm across a 2,000-mile border? Are we going to just build a fence, as some have advocated, along the 2,000-mile border? The fact is we are going to use the best technology and the best strategy to make sure the resources our U.S. military has deployed in Afghanistan and Iraq and which have been tested along the southern border are available for border control, so that by virtue of radar, eyes in the sky, dirigibles, and unmanned aerial vehicles, a combination of these connected to the sensors on the ground will make sure the Border Patrol knows what is happening along the border when people try to cross and enter illegally. Then it is up to them to hit the 90-percent operational control requirement in both the underlying bill and in my amendment.

The Department of Homeland Security is required to achieve that operational control for not less than 1 year, meaning it has an effectiveness apprehension rate of not less than 90 percent in each and every sector of the southern border.

I saw this morning that Senator MCCAIN said he expects to have a letter from the head of the Border Patrol which states that standard is imminently doable, given the proper resources. So if it is imminently doable, then I would like to suggest, contrary to what the majority leader said a few days ago, that this amendment is not a poison pill. This amendment would give the American people the confidence that we are actually going to do what is technologically feasible and which I believe they have a right to expect if we are going to be generous in the way we treat the 11 million people who are here and provide them not only an opportunity to apply for probation and to work, if they qualify and if they maintain the terms of that probation, but if they are successful, to ultimately apply 10 years hence for legal permanent residency for those who want that and who have played by the rules.

The third trigger in my amendment is one that maintains the underlying provision requiring the Department of Homeland Security to implement an E-Verify system nationwide. The current situation is such that individuals who want to work may have fake documents claiming to be somebody they are not—maybe it is somebody else's Social Security number—in order to get hired. But the employer is not expected to be the police; they are not expected to be able to look behind these documents. We know that massive identity theft and document fraud occur in such a way as to circumvent the efforts to enforce our system and to restore legality into the system when it comes to people who come to this country and want to work here. So that is the third one.

The fourth one, in order to fill a gaping hole in the bill with respect to interior enforcement, the RESULTS amendment requires the Department of Homeland Security to initiate removal proceedings for at least 90 percent of visa overstays who collectively currently account for 40 percent of illegal immigration. I think it surprises a lot of people to learn it is not just our porous borders, it is people who enter the country legally who simply overstay their visa and melt into the great American landscape, unless they happen to get caught for committing a crime of some kind, and they typically are not identified or detained. This is simply unacceptable, and my amendment is designed to guarantee that the Department of Homeland Security will implement a procedure which has been required for 17 years now. President Clinton signed a provision into law requiring a biometric entry and exit system.

When a person enters the country on a foreign visa, they are required to give fingerprints—that is their biometric identifier—but there is no way and no means by which to check whether a person has left the country when their visa has expired. This is designed to deal with that 40-percent source of illegal immigration.

My amendment authorizes the creation of a southern border security commission similar to the one in the underlying bill, but does so in a way that respects the Constitution and federalism.

My amendment removes Washington, DC, appointees from the commission and allows State Governors to immediately begin advising the Department on gaining operational control of the southern border. I think this is very important because while I have heard colleagues here in the Senate who have good intentions—but I think sometimes their only consciousness of what the border may look like is derived from movies they have seen or novels they have read—this requires consultation with the people who know the border communities best, and that is the people who live there and the State Governors who govern States on our U.S.-Mexico border.

My amendment also requires the Secretary of Homeland Security to issue a comprehensive southern border security strategy within 120 days of enactment. People who are listening may say: I thought the Department of Homeland Security already had a southern border security strategy. And if it does not, why in the heck not?

Well, this would compel the Secretary—who, amazingly to most people in my State, when she declared the border is secure, nearly provoked laughter, as much as anything else, because it is patently and demonstrably not true—but this amendment would require such a strategy within 120 days of enactment of the bill and chart a course for achieving and maintaining full situational awareness and operational control of the southern border.

The Secretary would also be required to submit semiannual reports on implementation. This amendment would also streamline and improve the strategy required under the underlying bill. For example, it combines the southern border security strategy and the southern border fencing strategy for administrative clarity and economies of scale.

It also addresses an oversight in the underlying bill by requiring the Department of Homeland Security to develop a strategy to reduce land port of entry wait times by 50 percent in order to facilitate legitimate commerce and encourage lawful cross-border trade.

This is something that is not sufficiently appreciated. Mexico is our third largest trading partner. Six million jobs in America depend on cross-border trade with Mexico. Why in the world would we want to do anything that would make cross-border lawful trade worse? Right now, by failing to update our infrastructure at the ports of entry—and to make sure we have adequate staffing here—there are huge wait lines which prove very useful to the people who want to smuggle drugs and people across the border. So this would have a way of separating the legitimate trade and traffic from the

people who are up to no good: the drug dealers, the human traffickers, and the like.

There is a question that has arisen, as you might expect, about how we are going to pay for all this. That is a good question, and it is an important question. My amendment creates a comprehensive immigration reform trust fund similar to that in the underlying bill. Ultimately, the goal is for fees and fines to fund this entire piece of legislation. But my amendment combines all border security funding streams and makes $6.5 billion of these funds available immediately for implementing the southern border security strategy.

The RESULTS amendment increases the number of Border Patrol agents and Customs and Border Protection officers by 5,000 each. Some people have mistakenly said I want to add 10,000 Border Patrol agents to the border on top of the 20,000 who are already there. Well, that is not entirely accurate. We want 5,000 more because if you have this great technology—which is going to give you eyes in the sky; 100-percent situational awareness—when this technology identifies people trying to cross the border, you have to have somebody to go get them and to detain them. That is why Border Patrol agents are important. In some parts of our 1,200-mile border in Texas alone, there are huge stretches of land that are vulnerable to cross-border traffic. That is why the Rio Grande sector in South Texas is now the single most crossed sector.

The other day, when I was in Brooks County—Falfurrias, TX—the head of the Border Patrol sector in that area told me that in 1 day they had 700 people coming across the border whom they detained. We do not know how many got away, but they did detain 700 people. Madam President, 400 of them came from countries other than Mexico. In other words, Mexico's economy is doing much better, and it is less and less incentive for people to cross into the United States to work if they have a job where they live. But in Central America things are pretty bad right now. So 400 out of the 700 in 1 day came from Central America. Literally people could come from anywhere around the world if they have the money and the determination to penetrate our southern border. So it is important we have increased numbers of Border Patrol agents as well as Customs and Border Protection officers to help facilitate legitimate commerce and to detain people trying to cross illegally.

By the way, the underlying bill already has a provision for additional CBP officers—Customs and Border Protection officers—and my amendment would increase that number by 3,500, and add 5,000 Border Patrol agents to it.

The RESULTS amendment also improves emergency border security resource appropriations by ensuring that deployment decisions are consistent with the comprehensive strategy and not done in a piecemeal, disconnected sort of way. It is important that we have a combination of not only boots on the ground, infrastructure, but also that technology I think we would all agree upon, much of which the American taxpayer has already paid for because it is being deployed by the U.S. military in places such as Afghanistan and Iraq. What we need to do is transfer some of that to the Homeland Security Department—another part of the Federal Government—and to implement it to help provide that situational awareness and enforcement.

My amendment also authorizes $1 billion a year for 6 years—it does not appropriate it; it authorizes it—in emergency port of entry personnel and infrastructure improvements. I already touched on that a moment ago. But the whole idea of the underlying bill is to provide a guest worker program, a legal means to come and work in the United States. The idea is that will allow law enforcement to focus on the bad actors. This has the similar rationale.

The RESULTS amendment further improves the land ports of entry by allowing the General Services Administration to enter into public-private partnerships to improve infrastructure and operations.

This amendment also repurposes the Tucson sector earmark in the underlying bill to the full southern border to help ensure that effective border security prosecutions are increased in every sector, not just in one, in Tucson.

By making improvements to the State Criminal Alien Assistance Program—the so-called SCAAP bill—my amendment would help ensure that State and local governments are swiftly and fully compensated for their assistance in detaining criminal aliens who have been convicted of offenses and who are awaiting trial.

One of the great frustrations in my State—given our common border with Mexico and the failure of the Federal Government to live up to its responsibilities when it comes to border security—is that much of the cost of that is borne by local governments and local taxpayers in counties along the U.S.-Mexico border, particularly when it comes to education, health care, and law enforcement.

This SCAAP provision in my amendment would help make sure that in the law enforcement area State and local law enforcement officials are indemnified and, indeed, encouraged to help cooperate in detaining criminal aliens who have been convicted of offenses and are awaiting trial.

My amendment would also create the southern border security assistance grant program to help border law enforcement officials target drug traffickers, human traffickers, human smugglers, and violent crime. Again, the Federal law enforcement agencies cannot do it by themselves, and local and State law enforcement in Texas do not expect them to, but they do expect a little bit of help, financial help, particularly, when it comes to overtime, when it comes to equipment that is necessary to supplement the Federal effort or to fill the gap when the Federal Government leaves a gap in law enforcement efforts.

My amendment would also remove a controversial provision in the underlying bill that would prevent the emergency deportation of serious criminals.

My amendment would remove a controversial disclosure bar that would prevent law enforcement and national security officials from obtaining critical information contained in legalization applications filed under this bill. My amendment would allow these officials to request and obtain information in connection with an independent criminal, national security, or civil investigation.

This is directed at one of the biggest problems in the 1986 amnesty Ronald Reagan signed, because he signed an amnesty for 3 million people premised on the idea that we were actually going to enforce the law and we would never need to do that again. But so much of that amnesty was riddled with fraud and criminal activity because of the confidentiality provisions which prohibited law enforcement from investigating and detecting fraud and criminality. If we want to maintain the integrity of the provisions of this bill, we need to make sure our law enforcement officials are not blinded, but that they actually have the ability to investigate these matters for a criminal, national security, or civil investigation.

My amendment would allow Citizenship and Immigration Services to turn over evidence of criminal activity or terrorism contained in legalization applications filed under the bill to other law enforcement agencies after the application has been denied and all administrative appeals have been exhausted.

This would greatly work to reduce the potential for mass fraud that occurred in the 1986 amnesty bill, and it would allow the application process to maintain its basic integrity and ensure that national security is protected.

My amendment would also give American diplomatic officials more flexibility to share foreigners' visa records with our allies by clarifying that the State Department may share visa records with a foreign government on a case-by-case basis for the purpose of determining removability or eligibility for a visa, admission, or other immigration benefits—not just for crime prevention, investigation, and punishment—or when the sharing is in the national interest of the United States.

My amendment would further improve the public safety by denying probationary status—something called RPI, or registered provisional immigrant status—to any person who has been convicted of a crime involving domestic violence, child abuse, assault

with bodily injury, violation of a protective order under the Violence Against Women Act, or drunk driving. These are serious offenses, and the consequences are often tragic. The underlying bill would allow the vast majority of illegal immigrants who have committed these crimes to automatically become registered provisional immigrants and, ultimately, hold open to them the possibility they could become American citizens. I think we need to draw a very bright line between those whose only offense is to try to come here for a better life and those who have shown such contempt for our laws and American law and order that they commit crimes. We should not reward them with a registered provisional immigrant or probationary status.

My amendment also removes an unjustified provision in the underlying bill that would allow repeat criminals with multiple convictions to automatically obtain legal status, so long as they were convicted of the multiple offenses on the same day. I know that sounds very strange, but in the underlying bill, if you commit multiple offenses on one day, they do not count as separate offenses for purposes of the bar—if you commit three misdemeanors or a felony. So my amendment would fix that.

My amendment would also remove a dangerous provision in the underlying bill that would allow the Secretary of the Department of Homeland Security unfettered discretion to waive this criminal activity prohibition and to allow people to gain legal status, even if they are repeat criminals who have been convicted of three or more offenses.

My amendment would strike a controversial provision allowing deportees and persons currently located outside the United States to qualify for probationary status. I do not know how many people have actually focused on this provision. I think most people thought this was for people who were in the shadows in the United States whose only offense was simply a violation of our immigration laws to come here and work. But this underlying bill would allow people who have already been deported and who have committed crimes already to reenter the country and to qualify for probationary status. My amendment would change that and fix that.

My amendment would require the Secretary of Homeland Security, through her designees, to conduct interviews of applicants for RPI status who have been convicted of a criminal offense in order to determine whether the applicant is a danger to the public safety.

Now, I can imagine that somebody might have committed some misdemeanor offense, but upon further inquiry and examination they may not be deemed a threat to the public safety. That is what the purpose of that interview requirement would be. We also close a judicial review loophole that would allow dangerous individuals to remain in the United States after their RPI application has been denied by the Department of Homeland Security.

Finally, my amendment would take a hard line against human smuggling and the transnational criminal organizations that are the primary movers of people and drugs across the southern borders. I do not know how many of our colleagues really understand this now, but this is a major business that is primarily occupied by organized crime. It is the drug cartels. It is what we sometimes call transnational criminal organizations and the people who work for them.

They are the primary agency moving people, drugs, and contraband across the border. That is what my amendment is designed to attack—increased penalties for human smuggling and the transnational criminal organizations that facilitate them. My amendment adds aggravated penalties for human smuggling that is committed by repeat offenders which result in death, result in human trafficking, or include involuntary sexual conduct.

I had the humbling experience the other day when I was in south Texas in meeting a young lady who is from Central America. Her parents paid $6,000 for her to be smuggled into the United States and to be reunited with relatives in New Jersey, only to find out that did not work out too well, and she had to rejoin the person who brought her across the border, the human smuggler, who promptly prostituted her and put her into involuntary servitude where she was afraid to escape lest she be deported and have to leave the country.

There are innumerable human tragedies which occur day in and day out under the status quo, which is one reason why I believe we need to fix our broken immigration system, and particularly our porous border, that allows these predators to prey on innocent young women like this young woman I met from Guatemala, and to basically commit them to human slavery in the United States in places like Houston, where she worked in a bar and was prostituted out numerous times a day. Because she felt so vulnerable, she believed the only way she could actually stay here was to submit to the demands of this sexual predator.

My amendment respects the victims of abuse of human smuggling by requiring the Department of Justice to ensure that information about missing and unidentified migrant remains found on lands near the southern border is uploaded into the National Missing and Unidentified Persons System. We provide state and local officials with resources to identify the victims.

This is another experience I had when I was in Brooks County recently in south Texas, where just last year alone they found 129 dead bodies—human remains—that they were unable to identify because these were people simply left behind by the human smugglers who basically did not care anything about them—only for the money they would provide, which once provided, they could care less about whether these people actually made their way into the United States, particularly if they were slowing down the rest of the group.

My RESULTS amendment disqualifies persons who have used a commercial motor vehicle to commit a human smuggling offense from operating a commercial vehicle for a year. We ban repeat human smugglers from operating commercial motor vehicles for life. This is a penalty that will have teeth in it and deter this heinous crime. My amendment creates special penalties for illegal immigrants convicted of drug trafficking or crimes of violence.

Now, we understand that, again, some people have come across our borders without observing our immigration laws who want nothing but a chance to work. But if people have come across the border and engaged in drug trafficking or criminal violence, they deserve the special penalties provided for in my amendment. My amendment would create a new crime for illegal border crossing with the intent to aid, abet, or engage in a crime of terrorism. Again, this is something I wonder whether my colleagues really understand because they do not live along the southwestern border.

We have had people from 100 different countries, including countries of special interest as state sponsors of terrorism, come across our southwestern border. When I was in Falfurrias the other day, the Border Patrol showed me rescue beacons which, if you get sick enough and dehydrated enough and exposed enough to the elements and just want to give up, you can hit the beacon and the Border Patrol will come and rescue you.

They are listed in three languages: English, Spanish, and Chinese. I asked the Border Patrol: Well, Chinese, that seems a little bit out of place in south Texas. They said: Well, for $30,000, if you are from China, you can hire someone to smuggle you into the United States. So, as we have heard from both the Director of National Intelligence and the head of the Defense Intelligence Agency, this vulnerability along our southwestern border is literally a national security vulnerability, and one reason we need to adopt my amendment.

My amendment closes loopholes in current laws that allow drug cartel mules to transport bulk cash and launder money with near impunity. So what happens is, the drugs come from the south of the border to the north of the border. Then the transaction is made by somebody buying those drugs. The cash has to make its way back. We have developed pretty sophisticated means through a wire transfer process to identify when large amounts of cash are transferred by wire. But there is also a huge trade in bulk cash, where

literally cash is transferred in bulk across the border south in order to launder it with near impunity. My amendment would address that problem.

My amendment targets money-laundering efforts through stored value cards and blank checks. So why do it on the wire? Why do it in bulk cash if you can just do it through a gift card you can buy at a local grocery store or blank checks? These are tactics that are frequently used by cartels to transport criminal proceeds across the southern border and launder money.

In sum, my amendment goes beyond promises and platitudes. It demands results. Again, it realigns the incentives for everybody to make sure the Department of Homeland Security hits the standards in this bill of 100 percent situational awareness, 90 percent operational control.

These are not my standards alone. These were standards that the Gang of 8 wrote initially into their bill. Their bill offers promises but no real enforcement means to make sure it actually happens.

Under my amendment, people who applied for registered provisional status are not eligible for legal permanent residency until the American people have the assurances that the border security measures, the E-Verify provision, the biometric entry-exit system, all those things have been done.

That seems like a small price to pay with a generous gift that the American people are being asked to confer upon people who have entered the country illegally or who came in legally and overstayed their visa in violation of our laws. Now, this is what a real border security trigger looks like. Unfortunately, some of our colleagues do not want a trigger at all. Above all, they want a pathway to citizenship regardless of whether we have secured our borders.

We have tried that before—in 1986. We have also promised people since 1996 that we would implement a biometric entry-exit system and have never delivered that. The 9/11 Commission identified the need for a biometric entry-exit system as a national security imperative in the 9/11 Commission report. We still have not done it. So why in the world would the American people, at a time when their trust in the Federal Government is at an all-time low, why in the world would we simply say trust us once more. We are going to promise you the Sun and the Moon and the aurora borealis, but we are not going to have any means necessary in the bill to actually require the implementation of those promises. By the time the empty promises are realized, we know there will be 11 million people on registered provisional immigrant status and potentially on the way to legal permanent residency and citizenship.

CNN reported a poll today that said 6 out of 10 Americans in their poll were OK with providing people humane and compassionate treatment, including an opportunity to earn legal status in this country if they could just be assured that the borders would be secured and our laws would be enforced. My amendment accomplishes exactly that.

As I have repeatedly emphasized, my amendment uses the same border security standards as the Gang of 8 bill. Again, the difference is that in my amendment it has a real trigger that is based on demonstrable results, while their so-called trigger can be activated whether or not our borders are ever secured.

To put it another way, their trigger demands border security inputs. My trigger demands border security results or outputs. We have now had 27 years of inputs since the 1986 amnesty, and we still do not have secure borders. It is long past time to demand results, or outputs, and not just more hollow promises.

One final point about immigration reform. Whatever legislation we pass in this Chamber will head over to the House of Representatives. If we want the Senate bill to have any chance to become law, then we have to include real border security provisions and a real border security trigger. Our House colleagues have made that abundantly clear.

In other words, my amendment is not a poison pill. It is an antidote because it is the only way we are ever going to truly get bipartisan immigration reform, something which I hope and pray we will because the status quo is simply unacceptable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Madam President, I understand I am not supposed to call up my amendment. But I would like to discuss amendment No. 1298. If it were appropriate, I would ask to make it pending. But, again, I understand we are not quite ready for that.

I am offering this amendment, when the time is right, because I think it is crucial that we have the strongest possible border protection system in place if this bill, in fact, does someday go into law. To that end, I would like to ensure that we have the best trained personnel securing our borders and overseeing the activity that contributes to the safety of our Nation every day.

Therefore, I am proposing an amendment to require the Department of Homeland Security to set up a program to recruit highly qualified veterans of the Armed Forces as well as members of the Reserves to fill crucial positions within Customs and Border Protection and Immigration and Customs Enforcement.

The security provided by these agents depends on the line watch agents who identify and apprehend undocumented aliens, smugglers, and terrorists. It depends on the agriculture and trade specialists, aircraft pilots, and mission support staff. It also depends on the intelligence research specialists, report officers, and systems engineers. Although the role and responsibilities within ICE and CBP are varied, each plays a critical role in protecting the border. The ability of these agencies to protect the border depends on the skills, training, and judgment of its employees.

The men and women who have served our Nation in the Armed Forces, as well as those who have served in the Reserves, have a broad range of capabilities that make them well suited to work in these important agencies. These men and women embody endurance and adaptability. Many of them have the human intelligence skills that ICE and CBP agents and officers need to detect illegal border crossers and respond to other nefarious activities. They are familiar with the security equipment and technologies that these agencies rely upon.

They have experience responding to leads provided by electronic sensor systems and aircraft sightings, as well as interpreting and following tracks and other physical evidence. They are trained in target assessment and have experience in disseminating the intelligence needed to make informed operational strategies.

These men and women, in short, have the physical skills, operational experience, and decisionmaking abilities needed by ICE and CBP to ensure that our borders are stronger than ever.

Let me say this is one of these amendments that is a no-brainer. This makes sense, and it helps our veterans in a couple of different ways. It helps with the unemployment rate, but it also helps them continue to serve our country. The bottom line is it helps our country to have the best, the brightest, most capable, and most experienced personnel we can possibly have on the border.

This is a bipartisan amendment. Senator JOHANNS is my partner, and I am honored to be joined by him. Certainly, I would like to have broad-based bipartisan support as we proceed when the time is right.

I hope to have this amendment included in the bill. Again, when the time is right, I would ask that my colleagues consider supporting this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. My colleagues have heard me mention so many times that we tend to delegate more and we ought to be legislating. This bill is another example of delegating too much and giving too much authority to Cabinet-level people, in this case the Secretary of Homeland Security, and not making enough hard decisions on the floor of the Senate.

It is reminiscent of the 1,693 delegations of authority we gave to Cabinet people in the health care reform bill to a point where you can read that 2,700 pages and understand it, but we truly don't know what the health care system in the United States is going to be

until those 1,693 regulations are put in place. That is going to be a long way down the road.

I wish to point out to my colleagues, I think we are making the same mistake in this immigration bill that is before the Senate. I wish to take some time to talk about how important it is to emphasize the need for Congress to legislate, not delegate, especially with this immigration bill before us.

When an immigration bill is nearly 1,200 pages long, the American people should expect that it is their elected representatives writing the legislation and making most of the decisions. They should expect the executive branch and the Secretary of Homeland Security, in particular, to carry out those policies.

There are individual circumstances that Congress cannot fully anticipate, so it is understandable, then, delegating some authority. With direction from Congress, the Secretary should be able to issue regulations to enforce legislative policies in those situations. Those regulations and any discretion the Secretary exercises, such as other delegations of power from Congress, should be subject to judicial review to ensure that the policies Congress established are being carried out according to congressional intent.

But this immigration bill takes a different and wrong-headed approach. It provides highly general discretion to the Secretary. It gives the Secretary tremendous, often unilateral, discretion to implement the bill. In many instances, that discretion is not even subject to judicial review.

This, obviously, is not the way power is supposed to work in our representative system of government. Uncontrolled unilateral discretion is not what the Framers of the Constitution envisioned for a government with separation of powers, checks, and balances. We have seen, for instance, and recently with the IRS, what can happen when the executive branch exercises authority with too much discretion and not enough oversight.

By some accounts, there are 222 provisions in the bill that give the Secretary of Homeland Security discretion or even allow her to waive otherwise governing parts of the bill. Other people have counted even more than the 222 provisions I have just referred to. Whether it is more or less, it is still a lot. In some cases, it is not just the delegation, it is how it is delegated.

The Secretary's unbridled waiver authority makes a bill that is already weak on immigration enforcement then even weaker.

Ironically, when the Judiciary Committee marked up the immigration bill, it rejected amendments that I and others offered to limit judicial review of immigration enforcement proceedings against people who are in this country illegally. The majority argued against them by claiming that judicial review, which historically has been limited to these enforcement actions, should be expanded to cover these decisions and that is an expansion of judicial review.

Let me speak of the inconsistency of when they didn't think judicial review should be there. The majority wants unlimited judicial review when the Secretary would take enforcement action against people in the country illegally.

At the same time, the bill provides more judicially unreviewable discretion for the Secretary when she decides not to enforce the law against undocumented immigrants.

The people of this country should be aware of the one-way ratchet for discretion that the bill contains. Then it adds judicial review when the Secretary would enforce the law and does not provide judicial review when the Secretary decides to withhold enforcement of border security and other measures designed to reduce illegal immigration.

I believe it is worth noting some of the specific provisions of the bill that give the Secretary discretion in enforcement, sometimes without judicial review. Some of the specific language that allows her to waive provisions that supporters of the bill claim make this bill even tough on illegal immigration and border security should also be discussed.

When they are contrasted, the legislation's goal is very clear: enact very general border security measures that are said to be tough, while giving the Secretary often unilateral discretion and waiver authority to water down those measures.

For instance, the Secretary can commence processing petitions for registered provisional immigrant status—RPI status we call it—based on her determination of border security plans and how she views the status of their implementation. The fencing that the bill seems to demand can be stopped by the Secretary when she believes it is sufficient.

The Secretary has the ability to decide whether certain criminal offenses should bar someone from the legalization program. She can waive, with few exceptions, the grounds of inadmissibility prescribed in law. She is given discretion whether to bring deportation proceedings against those who do not qualify for RPI status. If they are denied, shouldn't they be deported?

The Secretary is also allowed to waive various requirements when a person adjusts from RPI status to legal permanent resident status, including what counts as passing a background check.

The Secretary has broad authority on how to use the $8.3 billion in upfront funds transferred from the Treasury. On top of that, she has wide discretion on how to use the additional $3 billion in startup costs that don't have to be entirely repaid to the Treasury.

Notwithstanding the constitutional powers of Congress over the purse, she is given authority to establish a grant program for nonprofit organizations.

With respect to the point system, the Secretary is given discretion to recalculate the points for particular petitioners and to decide not to deport inadmissible persons.

She also has the discretion to waive requirements for citizenship that otherwise apply under the bill.

The Secretary is also given a great deal of discretion in the operation of the electronic employment verification system; for instance, which businesses will be exempt from the requirement; which documents can individuals present to prove identity or work authorization. She also has the authority to determine when an employer who has repeatedly violated the law is required to use the system. Those decisions will be vital in determining whether the employment verification system will be effective.

Members of this body can opine all day about what this bill does, but we may not know for years, as in the case of ObamaCare, until these regulations are written or these waivers are used, the extent to which this bill is carried out with the intent that we believe it is carried out.

We don't know that for years. I use the example of the health care law because we are learning, after 4 years that the bill has been passed, there are a lot of unknowns in it. We also learned there is not a lot of certainty. That is the fallout from delegating so much power in one Secretary. We shouldn't repeat that mistake when we pass this bill next week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I wish to say thank you to Senator MANCHIN, former Governor Manchin, for his willingness to let me slip ahead of him for a few minutes. He is going to talk about the birthday of the State in which both of us were born, West Virginia. I am happy to be here to cheer him on and to applaud all the good work that goes on in my native State and the great work he is doing.

The Presiding Officer has a baseball team up there in Massachusetts, those Red Sox, and every now and then there is a pitcher who telegraphs a pitch. I wish to telegraph a pitch this afternoon.

I was surprised to find out last month from the chair of the Senate Committee on Homeland Security, when I was down at the Mexican border of South Texas, that three out of every five people who come into our country illegally in Texas come not from Mexico, but they come from Central American countries. They come from Guatemala, they come from Honduras, and they come from El Salvador—3 out of 5, 6 out of 10.

For the most part, they don't realize what they are getting into. They don't realize the risks they face on their way to the north to go to the border of Mexico and even when they get across the border into the United States. The dangers they face are of getting robbed,

raped, beaten, drown in the river, and die of starvation and dehydration in the desert. Finally, they get to this country at a time when employers are tightening up in terms of whom they actually hire. They are not hiring those who are here and undocumented.

There is the prospect of detention, not a very pleasant experience, followed shortly thereafter by literally being transported back to their native countries. Most of the people who are trying to get here from those three countries, Honduras, Guatemala, El Salvador, don't know what they are getting into.

They need to know what they are getting into. When I was Governor, as part of the 50–State deal negotiated by the States' attorneys general, you may recall, with the tobacco industry, we created a foundation out of that and called it the American Legacy Foundation. We ran something called a truth campaign. The idea was to convince people, such as these pages, not to start smoking and, if they were smoking, to stop. It was hugely successful.

What we need is something similar to that, particularly in those Central American countries, where the majority of people are now coming from in order to get into Texas and to the United States.

The other thing I would have us keep in mind, we have spent a fair amount of resources in this country trying to help the Mexicans go after the drug lords and to quash the drug trade. What is happening is it is akin to squeezing a balloon. The bad guys in Mexico have worked their way down to El Salvador, Guatemala, Honduras and created mischief there, setting up a drug trade, creating a lot of violence, and making life very unpleasant.

What you have in those countries is not a good situation. One can understand why people want to get out of it: for jobs, hope, and for personal safety. One of the things we have done to help in Mexico—and we are part of the problem. Our country's consumption of illegal drugs has created this problem for Mexico. This deal where drugs come north and guns go south—we are part of that problem, and we need to acknowledge that. But we want to be part of the solution in Mexico, and I think we are playing a constructive role.

We need to be part of the solution in Honduras, El Salvador, and Guatemala and do a similar kind of thing we are doing in Mexico. Part of that is to help a little on their own public safety, the law enforcement efforts in those three countries. Part of it is helping on economic development, job creation, so people don't feel the need to leave those countries and try to flee to our country. The last piece is to actually work with Mexico so they can do a better job of controlling their own borders, to make sure folks don't get, from south of them, into Mexico and eventually work their way into Texas and into the United States.

I will be offering an amendment—not tonight but I suspect tomorrow—that tries to say: Let's put together a truth campaign, convey what is really facing the people, particularly from those three Central American countries, who are trying to get to the United States and to also see, while we are doing that, if we can't help a little on the economic development and job creation side in those countries and in terms of helping them face lawlessness and crime. We can do a little to help there as well. I call this going after the underlying causes—not just treating the symptoms of the problem but going after the underlying cause—and I think we should do this. So I will offer this tomorrow, and I hope my colleagues will agree.

I want to say again to my fellow native West Virginian, thank you for the chance to go ahead. Thank you most of all for the great job you are doing here and for being here to tell us a little bit of the good coming out of the Mountain State.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

WEST VIRGINIA'S 150TH BIRTHDAY

Mr. MANCHIN. Madam President, this week the State of West Virginia will celebrate the sesquicentennial of its birth—a brave and daring declaration of statehood that is unprecedented in American history.

West Virginia was born out of the fiery turmoil of the Civil War 150 years ago. It was founded by true patriots who were willing to risk their lives and fortunes in a united pursuit of justice and freedom for all.

To West Virginians, the names of Pierpont, Willey, and Boreman are nearly as familiar as Washington, Jefferson, and Franklin. Each of these men was a pivotal figure in our States's improbable journey to independence from Virginia and to our very own place in the Union.

But, of course, our forefathers could not have brought forth a new State conceived of liberty without the hand of Abraham Lincoln. It was Lincoln who issued the proclamation creating West Virginia and establishing our State's birthday as June 20, 1863. And characteristically with few words, the 16th President dismissed the arguments of the day that his proclamation was illegal. Lincoln wrote:

> It is said that the admission of West Virginia is secession, and tolerated only because it is our secession. Well, if we call it by that name, there is a difference between secession against the Constitution, and secession in favor of the Constitution.

Indeed, the people of West Virginia had a choice of two different flags to follow during the Civil War. There was, as Francis Pierpont pointed out, ''no neutral ground.'' The choice, he said, was ''to stand by and live under the Constitution'' or support ''the military despotism'' of the Confederacy. We chose wisely. We chose the Stars and Stripes. We chose allegiance to the country for which it stands. We chose to live under a constitution that promised the constant pursuit of ''a more perfect union'' of States. And ever since that historic beginning, we the people of West Virginia have never failed to answer our country's call. No demand has been too great, no danger too daunting, and no trial too threatening.

The abundant natural resources of our State and the hard work and sacrifice of our people have made America stronger and safer. We mined the coal that fueled the Industrial Revolution. We powered the railroads across the North American continent and still today produce electricity for cities all across this country. We stoked the steel factories that armed our soldiers for battles all across the globe and built the warships that plowed the oceans of the world. And we have filled the ranks of our military forces in numbers far greater than should ever be expected of our little State.

Consider this: According to U.S. census data, West Virginia ranked first, second, or third in military casualty rates in every U.S. war of the 20th century—twice that of New York's and Connecticut's in Vietnam and more than 2½ times the rates of those two States in Korea. Today 13.8 percent of West Virginia's population is made up of veterans—the seventh highest percentage among all States. That is higher than the national average of 12.1 percent. That is higher than States with much larger populations, States such as Florida, New York, Texas, Pennsylvania, Ohio, Michigan, or Massachusetts. It is like I always say: West Virginia is one of the most patriotic States in the country.

The best steel comes from the hottest fires. We have all been told that. Well, the fires of the Civil War transformed West Virginia from a fragile hope to a well-tempered, steely reality, dedicated to the ideals of the Declaration of Independence and guarantees of the U.S. Constitution. But West Virginia is great because our people are great—mountaineers who will always be free. We are tough, independent, inventive, and honest. Our character is shaped by the wilderness of our State, its rushing streams, its boundless blue skies, its divine forests, and its majestic mountains.

Our home is, in the words of the best-selling novelist James Alexander Thom, ''a place for health and high spirits, where one's first look out the cabin door every morning [makes] the heart swell up.'' Thom wrote of our magnetic land as it existed long before it achieved statehood, but his words ring just as true of today's West Virginia. They pay homage to a State of natural beauty, world-class outdoor recreation, year-round festivals, ancient crafts, rich culture, strong tradition, industry, and trade. It is a place of coal mines and card tables, racing horses and soaring eagles, Rocket Boys and right stuff test pilots, sparkling lakes and magical mountains, breathtaking backcountry and barbecue

joints, golf and the Greenbrier, battlefields and big-time college football, college towns and small towns that are pure Americana. It is a place of power, pulse, and passion. It is the special place we call West Virginia, the special place we call home.

I admit we have had our ups and downs and setbacks and triumphs. We have had some pretty famous family feuds—a few you might have heard of—and life can be tough sometimes. But the spirit of West Virginia has never been broken, and it never will. I learned that a long time ago growing up in a small coal-mining town of hard-working men and women called Farmington, WV. When things got tough, they got tougher.

It is as if we still hear the words of Francis Pierpont to the delegates to the Second Wheeling Convention in 1861 as they debated whether to secede from Virginia. Pierpont said:

> We are passing through a period of gloom and darkness . . . but we must not despair. There is a just God who rides upon the whirlwind and directs the storm.

It is as if we still hear the words of President John F. Kennedy from the rain-soaked steps of the State capitol in Charleston during our State's centennial celebration. President Kennedy said:

> The sun does not always shine in West Virginia, but the people always do.

We are West Virginians. Even in the darkness and the gloom, we look to a just God who directs the storm. We are West Virginians. We are the 35th State of these United States. We are West Virginians, and like the brave, loyal patriots who made West Virginia the 35th star on Old Glory, our love of God and country and family and State is unshakable, and that is well worth celebrating every year.

I thank the Chair, and I yield the floor.

Mr. CARPER. Madam President, if the Senator will yield, that was wonderful. I am sorry more of us weren't hear to hear those words.

The Senator holds the seat once held for many, many year by Robert Byrd, who until maybe this month was the longest serving person in the history of our country to serve in Congress. I think the record was just eclipsed by JOHN DINGELL from Michigan—a most worthy successor.

The Senator from West Virginia knows there is another notable West Virginian who is rising now to national prominence to serve our country as the new Director of the Office of Management and Budget. She grew up in Hinton, WV, graduated from Hinton High School, played on the girls basketball team, and her name is Sylvia Mathews Burwell.

So West Virginia is a State that has produced certainly a lot of coal, a lot of natural resources, but also a lot of good people and a lot of good leaders. And this Senator came to us from West Virginia having been a two-term Governor and chairman of the National Governors Association, and I know he is marked maybe for greatness—maybe for greatness. And I think his wife has a birthday tomorrow; West Virginia has a birthday the day after tomorrow.

Mr. MANCHIN. Hers is the 20th also.

Mr. CARPER. The fact is that West Virginia sort of separated itself from Virginia, and about 237 years ago this past Saturday, the State of Delaware gave Pennsylvania its independence. It is quite common to talk about what is Delaware and what is not Delaware—Pennsylvania and Delaware were joined at the hip—but as I said, on June 15, 1776, Delaware gave Pennsylvania its independence and also declared our independence from the tyranny of the British throne. But here we are 5 days later celebrating West Virginia giving Virginia its independence, and now they are on their own and making us all proud.

Mr. MANCHIN. I know the Senator from Delaware was also, like myself, born in West Virginia. And when we think about all the famous people who have come from West Virginia, we think about the men with the right stuff—Charles Yeager, General Yeager, who broke the sound barrier in 1947; we think about the Rocket Boys and the movie ''October Sky.'' We think about the Hatfield and McCoy feud—a couple of feuds we have had and some might say are still going on; and we think about the logo for the National Basketball Association. Jerry West is the person dribbling the basketball. That is his picture. That is the logo. So we think about so many contributions, but most important of all the people in West Virginia and all over this great country have contributed to who we are today, and I am a proud West Virginian through and through.

Mr. CARPER. If I could add, Madam President, every Sunday night I turn on the radio to WNCN to hear simulcast across the country West Virginia Mountain State—it is great music, eclectic music that is wonderful and reminds me of home.

I thank the Senator for enabling us to help him celebrate West Virginia's birthday as well.

Mr. MANCHIN. I thank the Chair, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Madam President, I rise to discuss the report by the Congressional Budget Office that was just released. This is a long-awaited report, and we have all been waiting with bated breath to see what they would say. The report assesses the economic and fiscal impact of S. 744, the bipartisan immigration bill being debated here in the Senate. We are still digesting the report, but at first glance it contains some very positive news for comprehensive immigration reform on a number of fronts.

At the beginning of our bipartisan negotiations on this bill, we made an important promise: Our bill will not add to the deficit. CBO found that we kept our promise—and then some. Let me review some of the top-line findings of the CBO report.

CBO found our bill decreases Federal budget deficits by $197 billion over the 2014–2023 period. CBO finds we achieve about $700 billion in deficit reduction in the second decade of implementation, from 2024 to 2033. So the first 10 years, our bill, according to CBO, decreases the deficit by $175 billion and in the second 10 years by $700 billion.

The CBO also released an economic analysis that found the bill will increase GDP by 3.3 percent in 2023, and between 5.1 percent and 5.7 percent in 2033.

The second-decade figure on deficit reduction is quite relevant and remarkable. Many of the bill's opponents were specifically urging the CBO to look at the second decade in hopes it would show major costs, but CBO found just the opposite.

I cannot overstate the significance of these findings. Simply put, this report is a huge momentum boost for immigration reform. It debunks the idea that immigration reform is anything other than a boon to our economy, and robs the bill's opponents of one of their last remaining arguments.

The report proves once and for all that immigration reform is not only right to do to stay true to our Nation's principles, it will also boost our economy, reduce the deficit, and create jobs. Immigration reform should be a priority of progressives and conservatives alike.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ROSOBORONEXPORT

Mr. CORNYN. Madam President, I come to the floor to say a few words about Rosoboronexport, the Russian State arms dealer which has been supplying the Syrian Government with deadly weapons and thereby facilitating mass murder. Last November I sponsored an amendment to prohibit the use of taxpayer dollars in America to enter into contracts or agreements with Rosoboronexport. My amendment had strong bipartisan support, and it passed unanimously. Yet just yesterday, as President Obama met with Russian leader Vladimir Putin at the G8 Summit in Northern Ireland, we learned the Pentagon signed a brandnew $572 million contract with Rosoboronexport to buy MI–17 helicopters for the Afghan Army.

How did the Obama administration get around the prohibition in my amendment? They argued that the Rosoboronexport contract was in our national security interests. In other words, they want us to believe we are promoting U.S. security by doing business with a Russian arms dealer who is helping an anti-American, terror-sponsoring dictatorship commit mass atrocities. Unbelievable.

Last year the Pentagon agreed to audit the contract with Rosoboronexport and make good-faith efforts to find other procurement sources for the Afghan military. Now they are refusing to complete that audit on the grounds that Rosoboronexport simply has refused to cooperate.

Meanwhile, my office has learned that Army officials within the Non-Standard Rotary Wing Aviation Division, whose primary focus is the Mi-17 program, are the subjects of an ongoing criminal investigation. This, obviously, raises troubling questions about whether the terms of the new Mi-17 procurement contract resulted from criminal misconduct.

I want to take this opportunity to say once again that American taxpayers should not be indirectly subsidizing the murder of Syrian civilians, especially when there are perfectly good alternatives to dealing with Rosoboronexport. If the Pentagon continues this relationship, it will undermine American efforts to stand by the Syrian people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent to speak for perhaps up to 20 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

GLOBAL CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, I am here again—I think it is the 36th time—to speak as I do every week on global climate change, to remind us that it is time for us to wake up and to take action to protect our communities. The risks that we ignore will not go away on their own. The longer we remain asleep, the greater the challenges we leave for our children and grandchildren. The changes we are already seeing—rising sea levels, floods, and erosion, more powerful storms—are taking their toll in particular on our aging infrastructure which I would like to talk about today—our roads, our bridges, our sewers and water pipes. This kind of infrastructure is designed to operate for 50 to 100 years and to withstand expected environmental conditions. So what happens if expected weather and climate patterns change? Well, they are.

According to the Draft National Climate Assessment:

> U.S. average temperature has increased by about 1.5 degrees Fahrenheit since 1895; more than 80% of this increase has occurred since 1980. The most recent decade was the nation's hottest on record.

We are also getting more precipitation with more and more of our rain coming in big, heavy downpours. Between 1958 and 2011, the amount of rain that fell during individual rainstorms increased in every region of the country—up to 45 percent in the Midwest and 74 percent in our northeast.

Last month the Government Accountability Office issued a report revealing the risks posed to U.S. infrastructure by climate change. The report—which I requested, along with finance chairman MAX BAUCUS—shows we can no longer use historical climate patterns to plan our infrastructure projects.

First, limited resources often must be focused on short-term priorities. Fixing an unexpected water main break, for example, won't usually allow for upgrades to account for climate change. And long-term projects that do include climate change safeguards usually require more money upfront. That is GAO's warning.

GAO also found that local decisionmakers—folks in our home communities—need more and better climate information. The faster someone drives, the better their headlights need to be, and carbon pollution is accelerating changes to our climate and weather. Our communities need the information—the headlights—to see these oncoming changes, and it needs to be local.

When a bridge is constructed in Cape Hatteras, it is more helpful to know how climate change will affect North Carolina than North America. Thankfully, leaders across the country are waking up to the reality of climate change and are making evidence-based, not ideological, decisions about how to best serve their communities.

This is the Interstate 10 twin span bridge that crosses Lake Pontchartrain near New Orleans. During Hurricane Katrina, the storm surge rocked the bridge's 255-ton concrete bridge spans off of their piers, twisting many, and toppling others into the lake. Hurricane Katrina brought the largest storm surge on record for Lake Pontchartrain. Scientists tell us that climate change loads the dice for these stronger and more frequent storms. So the recovery design team decided to strengthen and raise this bridge. They made a larger initial investment in order to reduce maintenance costs in the future. That is smart planning.

In 2012, Hurricane Isaac was the first major test for the new bridge, and it passed. The damage was limited to road signs and electrical components. This is the new higher bridge over here and that is the old bridge down on the left there.

To the south, Louisiana State Highway 1 is the only access road to Port Fourchon. Senator VITTER, who is from Louisiana and our ranking member on the Environment and Public Works Committee, has told us that 18 percent of the Nation's oil supply passes through Port Fourchon. It is a pretty important port, and Highway 1—the only access road to it—is closed on average 3½ days a year due to flooding, according to GAO. NOAA scientists project that within 15 years portions of Louisiana Highway 1 will flood an average of 30 times each year. State and local officials raised 11 miles of Highway 1 by more than 22 feet. So when Hurricane Isaac brought a 6½ foot storm surge up the gulf, those raised portions were unaffected.

Up north in Milwaukee, WI, the metropolitan sewerage district spent $3 billion in 1993 to increase the capacity of its sewer system based on historical rainfall records dating back to the 1960s. But extreme rainstorms in the Midwest have changed drastically. Milwaukee experienced a 100-year storm 3 years in a row. Milwaukee experienced 100-year storms in 2008, again in 2009, and again in 2010. The University of Wisconsin projects these storms will be even more common in the future, so Milwaukee took steps to improve the ability of nearby natural areas like wetlands to absorb the extra runoff from rainstorms. This eased the pressure on the city's wastewater system.

The GAO infrastructure report also found that areas recently hit by a natural disaster tend to get proactive about adaptation. I think it is easy to see how getting clobbered by a hurricane will help people to rethink their emergency preparedness. But waiting for disaster is not risk management, and we can and must do better.

In my home State of Rhode Island, local leaders are wide awake to climate change. For instance, North Kingstown is a municipality with planners who have taken the best elevation data available and modeled expected sea-level rise as well as sea-level rise plus 3 feet of storm surge. By combining these with the models and maps that show the roads, emergency routes, water treatment plants, and estuaries, the town can better plan its transportation, conservation, and relocation projects.

Last week, North Kingstown's efforts were recognized by a grant from the EPA and will be a model for communities throughout the country.

Other coastal States face many of the same risks we are facing in Rhode Island—none more than Florida. A study of sea-level rise on U.S. coasts found that in Florida more than 1.5 million residents and almost 900,000 homes would be affected by 3 feet of sea-level rise. Both numbers, 1.5 million residents and almost 900,000 homes, are almost double any other State in the Nation.

These maps show what 3 feet of sea-level rise means for Miami-Dade County in southeastern Florida. The map on the left shows the current elevation in southern Miami-Dade compared to 3 feet of sea-level rise shown here on the right. The blue regions, which are green here, are the regions that have gone underwater with 3 feet of sea-level rise. They would lose acres and acres of land. This nuclear power station and this wastewater treatment plant are virtually cut off from dry land.

And the flooding won't just be along the coast; low-lying inland areas are also at risk. That is because in Florida, particularly in the Miami metropolitan area, the buildings are built on limestone. Florida stands on a limestone geological base, and limestone is porous. Up in New England, we can build levees and other structures to hold the water back. In Miami, they would be building those structures on a geological sponge. The water will seep under and through the porous limestone.

Rising seas don't just threaten southern Florida. According to the American Security Project, Eglin Air Force Base on the Florida panhandle coast, which is the largest Air Force base in the world, is one of the five most vulnerable U.S. military installations because of its vulnerability to storm surges, sea-level rise, and saltwater intrusion.

Responsible Floridians looking at these projections have decided to take action. Four counties in Florida—Miami-Dade, Palm Beach, Broward, and Monroe—have formed the Southeast Florida Regional Climate Change Compact. Using the best available science, they have assessed the vulnerability of south Florida's communities to sea-level rise. In their four counties in Florida alone, a 1-foot rise in sea level would endanger approximately $4 billion in property—just in those four counties. A 3-foot sea-level rise would endanger approximately $31 billion in property.

In Monroe County, 3 of the 4 hospitals, two-thirds of the schools, and 71 percent of emergency shelters are in danger by a 1-foot rise. That is a lot of infrastructure at risk.

Together, these Florida counties, which are led both by Republicans and Democrats—this is a bipartisan county effort in Florida—have adopted a plan to mitigate property loss, make infrastructure more resilient, and protect those essential community structures such as hospitals, schools, and emergency shelters.

This past October, those member counties signed a 5-year plan with 110 different action items, including efforts to make infrastructure more resilient, reduce the threats to vital ecosystems, help farmers adapt, increase renewable energy capacity, and educate their public about the threat of climate to Florida. Looking at all of those risks to Florida and looking at the bipartisan action taken by those county leaders in Florida, I have to ask: If you are a Member of Congress from Florida, how can you credibly deny climate change?

Studies show about 95 percent of climate scientists think climate change is really happening and humans really are contributing to it. About 5 percent disagree or aren't so sure. Can Floridians here in Congress really take the 5-percent bet? Does that seem smart, cautious, prudent, and responsible? This is the only Florida we have, and the Sunshine State is ground zero for sea-level rise. It is long past time for us to act on climate change, but it is not too late to be ready and it is not too late to be smart in Florida and elsewhere. In Florida, and in other States, infrastructure has to be designed for and adapted to the climate changes we can foresee.

I thank the Government Accountability Office for this report. Nature could not be giving us clearer warnings. Whatever higher power gave us our advanced human capacity for perception, calculation, analysis, deduction, and foresight has laid out before us more than enough information for us to make the right decisions. Fortunately, these human capacities provide us everything we need to act responsibly on this information if only we will awaken.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1255

Ms. COLLINS. Madam President, I rise this evening to discuss an amendment I have filed to the immigration bill. It is Senate amendment No. 1255. It would ensure that the funding for an important border security program known as Operation Stonegarden continues to be allocated by the Department of Homeland Security based on risk. Without my amendment, 90 percent of the $50 million in funding for this program awarded annually would be earmarked for the southwest border. What I am proposing is that we not put a percentage in the bill but, rather, allow for a risk-based assessment of where Operation Stonegarden monies would best be spent. This program has been extraordinarily successful in my State of Maine. It has helped Federal, county, State, and local law enforcement to pool their resources and work together to help secure our border.

While the southwest border is much more likely to make the evening news, we must not forget about our northern border. As the Department of Homeland Security pointed out when it released its first northern border strategy in June 2012: ''The U.S.-Canadian border is the longest common border in the world'' and it presents ''unique security challenges based on geography, weather, and the immense volume of trade and travel.''

According to a report released by the GAO in 2010, the Border Patrol had situational awareness of only 25 percent of the 4,000-mile northern border and operational control of only 32 miles—less than 1 percent. We will hear those terms discussed a lot during the debate on immigration with respect to the southwest border. I think it is important that we not forget we also have a 4,000-mile northern border.

This lack of situational awareness and operational control is especially troubling because as GAO has observed: ''DHS reports that the terrorist threat on the northern border is actually higher [than the southern border], given the large expansive area with very limited law enforcement coverage.''

In the same report, GAO noted that the maritime border on the Great Lakes and rivers is vulnerable to use by small vessels as a conduit for the potential smuggling and exploitation by terrorists, alien smuggling, trafficking of illicit drugs, and other contraband and criminal activity. Also, the northern border's waterways frequently freeze during the winter and can be easily crossed by foot, vehicle, or snowmobile. The northern air border is also vulnerable to low-flying aircraft that, for example, smuggle drugs by entering U.S. airspace from Canada.

Additionally, Customs and Border Protection reports that further threats result from the fact that the northern border is exploited by well-organized smuggling operations which can potentially also support the movement of terrorists and their weapons.

There is also, regrettably, significant criminal activity on the northern border. In the same report, GAO noted that in fiscal year 2010 DHS has reported spending nearly $3 billion in its efforts to interdict and investigate illegal northern border activity, annually making approximately 6,000 arrests and interdicting approximately 40,000 pounds of illegal drugs at and between the northern border ports of entry.

The Operation Stonegarden grant program is an effective resource for addressing security concerns on our northern, southern, western, and coastal borders. Over the past 4 years, approximately $247 million in Operation Stonegarden funds has been allocated to 19 border States using a risk-based analysis for determining the allocations rather than the formula-based analysis that is included in this immigration bill.

Earmarking 90 percent of funding from Operation Stonegarden to the southwest border is ill-advised. Operation Stonegarden grants should be used to help secure our northern, southern, and coastal borders by funding joint operations between the Border Patrol and State, county, and local

law enforcement. These joint operations can act as a force multiplier in areas that would otherwise be unguarded altogether.

My amendment would ensure that DHS continues to have the flexibility it needs to make risk-informed decisions about where Operation Stonegarden funds will best serve the security of our Nation's borders.

I urge my colleagues to support my amendment, and I hope it will be brought up at some point tomorrow.

Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, I ask unanimous consent that the following amendments be in order to be called up and that they not be subject to modification or division, with the exception of the technical modifications to the Merkley and Paul amendments contained in this agreement: Manchin No. 1268; Pryor No. 1298; Merkley No. 1237, as modified with the changes at the desk; Boxer No. 1240; Reed No. 1224; Cornyn No. 1251; Lee No. 1208; Paul No. 1200, as modified with the changes at the desk; Heller No. 1227; and Cruz No. 1320; finally, that no second-degree amendments be in order to any of these amendments prior to votes in relation to the amendments.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Madam President, we now have these amendments in order and we will work with all the parties to see if we can have some way of proceeding to set up votes. I would hope we can work something out so we do not have to do procedural things to try to get rid of them. We are going to do our utmost. I appreciate everyone's cooperation getting this long list of amendments so we can start voting on them.

I think it would be a pretty fair assumption that we are not going to have any votes tonight on these amendments. We will work something out tomorrow. It is about 7 o'clock and we still have a little more work to do on other issues.

The PRESIDING OFFICER. The Senator from Pennsylvania.

LUIS RESTREPO CONFIRMATION

Mr. CASEY. Madam President, I rise this evening to make some brief comments regarding a judicial nominee we voted on yesterday—one of two—Judge Luis Restrepo from Philadelphia, from the southeastern corner of Pennsylvania.

I rise tonight because my train was late last night so I was not able to make some comments about his nomination, his qualifications, prior to the vote. But I was honored that he received the vote of the Senate last night.

I also rise because it is timely in another way because we are considering immigration reform. I was on the floor last week talking about yet another judicial nominee from Pennsylvania—now a judge, as of last week. Judge Nitza Quinones, who is a native of Puerto Rico, came to this country after her education and became a lawyer and an advocate, and then, ultimately, a judge for more than two decades now, and now will serve on the Federal District Court for the Eastern District of Pennsylvania.

So it is true of now Judge Restrepo. A native of Colombia, Judge Restrepo became a U.S. citizen in 1993. He earned a bachelor of arts degree from the University of Pennsylvania in 1981 and a juris doctor degree from Tulane University's School of Law in 1986.

He is highly regarded by lawyers and members of the bench. He exhibits an extraordinary command of the law and legal principles, as well as a sense of fairness, sound judgment, and integrity.

Judge Restrepo has served as a magistrate judge for the U.S. District Court for the Eastern District of Pennsylvania since June of 2006.

Prior to his judicial appointment, he was a highly regarded lawyer and a founding member of the Kreasner & Restrepo firm in Philadelphia, concentrating on both civil rights litigation as well as criminal defense work.

He served as an assistant Federal defender with the Community Federal Defender for the Eastern District of Pennsylvania from 1990 to 1993, and as an assistant defender at the Defender Association of Philadelphia from 1987 to 1990.

An adjunct professor at Temple University's James E. Bensley School of Law, he was also an adjunct professor at the University of Pennsylvania School of Law from 1997 to 2009 and has taught with the National Institute for Trial Advocacy in regional and national programs since 1992.

I know the Presiding Officer knows something about being a law professor and the demands of that job and the demands of being an advocate.

I think anyone who looks at Judge Restrepo's biography and background would agree he is more than prepared to be a Federal district judge, and I am grateful that the Senate confirmed him.

Finally, Judge Restrepo has also served on the board of governors of the Philadelphia Bar Association and is a past president of the Hispanic Bar Association of Pennsylvania.

So for all those reasons and more, I believe he is not only ready to be a Federal judge, but I am also here to express gratitude for his confirmation and for the vote in the Senate.

As we consider immigration reform, we should be ever inspired by the stories we hear from not only judges who are nominated and confirmed here, but others as well who come to this country, who work hard, who learn a lot, and want to give back to their country by way of public service. Judge Restrepo, this week, and Judge Quinones, last week, are two fine examples of that.

With that, Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, the prime sponsor, I suppose, of the immigration bill before us—this 1,000-page document—Senator SCHUMER, announced earlier today, based on the Congressional Budget Office report, that lower deficits were promised, and that the bill, indeed, produces lower deficits. I do not believe that is an accurate statement, and I will share with you some of my concerns about that.

We have been through this before, where the budget numbers, in reality, have been utilized in a way that is not healthy, and it creates a false impression of what is occurring here.

Secondly, I do not know that he talked about this—I doubt he did—the CBO report is explicit. Under this legislation, if it were to pass, the wages of American workers will fall for the next 12 years. They will be lower than the inflation rate. They will decline from the present unacceptably low rate, and continue to decline for 12 years, according to this report. That alone should cause us to defeat this bill.

We have been told it is going to create prosperity and growth, but what it is going to produce is more unemployment, as this report explicitly states. It is going to produce lower wages for Americans, as this report explicitly states. And it is going to increase the deficit.

So I think we need to have an understanding here that something very serious is afoot: to suggest that you can bring in millions of new workers to take jobs in the United States at a time of record unemployment and that will not impact wages, that will not make unemployment go up, goes beyond all common sense.

Dr. Borjas at Harvard has absolutely proven through peer-reviewed research that that is exactly what is going to happen. Wages go down, as they have been going down, and unemployment will go up. So this report confirms that.

I will read some of the things that are in it.

I am on page 7 of ''The Economic Impact of S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act.''

S. 744 would allow significantly more workers with low skills and with high skills to enter the United States—. . . .

No doubt about that. They say it is a move to merit-based immigration. But it is not a move to merit-based immigration. It increases low-skill workers substantially, as well as increasing other workers.

Taking into account all of those flows of new immigrants, CBO and JCT [Joint Tax] expect that a greater number of immigrants with lower skills than with higher skills would be added to the workforce. . . .

In other words, another group coming in, more lower skilled than higher skilled, just as I indicated and other commentators have indicated previously.

The report said this:

Slightly pushing down the average wage of the labor force as a whole.

Pushing down the wage of the labor force as a whole. But they go on to say this. Get this. The next sentence:

However, CBO and Joint Tax expect that currently unauthorized workers——

Illegal workers, in other words——

who attain legal status under 744 will see an increase in their wages.

So I think this underestimates, if you read the report carefully, the adverse impact that the flow of workers will have on the wages of American workers and lawful immigrants who are here today. But at any rate, it is clear that is so.

It goes on to say this, dramatically, I suggest:

The average wage would be lower than under current law over the first dozen years. CBO estimates that it would increase unemployment for at least 7 years.

So this is supposed to be good for the people we represent? Of course, I would like to ask our colleagues to think carefully about our duty. Who is it we represent in this body? What kind of responsibilities do we have to decent, hard-working Americans who experts have told us have seen their wages decline every year, virtually, since 1999.

Wages have declined by as much as 8 percent since 2009 for a number of reasons. One of the reasons, according to Professor Borjas, is that immigration is already pulling down wages by as much as 40 percent. So this will add to the problem.

This report said, quite clearly, unequivocally, it is going to increase unemployment, and it is going to pull down wages. That is exactly the wrong thing that ought to be happening at this time. How in the world can we justify passing a bill that hammers the American working man and woman who is out trying to feed a family, get a job, that has a little retirement, a little health care, some money to be able to take care of the family, and hammer them with additional adverse economic impacts?

I suggest to you this is not a report that in any way justifies advancing this legislation. Let me just take a moment. I wrestle with these numbers. I see the Presiding Officer who is on the Budget Committee understands these numbers. They say it pays down the deficit. Let me show you what it really says. This is the way they double counted the money to justify ObamaCare.

Basically, they created, through cuts in Medicare, savings and they lengthened the life of Medicare, but they claim they used that same money to fund ObamaCare. At one point, Mr. Elmendorf, the Director of the Office of Management and Budget, who wrote this said it was double counting the money. You cannot use the same money to fund ObamaCare and use that same money to strengthen Medicare. How simple is that?

We are talking about hundreds of billions of dollars in double counting of the money. That is what is happening in here. Look at this report. Impact on the deficit over the 10-year period, 2014 to 2023, the budget deficit would increase by $14.2 billion. The debt would increase by $14.2 billion. But then they say the off-budget money would decrease the deficit by $211 billion.

My colleague, Senator SCHUMER, said this is all great. We have a big surplus now. We have $200 billion in the off-budget account. But what is that money?

What is that money? That is the payroll taxes. That is your Social Security payment and your Medicare payment. When more of the illegal aliens come in and get a Social Security number and pay Social Security and Medicare, the money comes into the government. All right? But is it free to be spent on bridges and roads and aircraft and salaries for Congressmen and Senators? No.

This is money that is dedicated to Social Security and Medicare. This is the trust fund money that goes to Social Security and Medicare. Yes, when people are legalized, they will pay more Social Security and Medicare taxes on their payroll, but it is going to that fund to pay for their retirement and their health care when they retire. You cannot use that money. You cannot spend the money today and pretend it is going to be there to pay for their retirement when they retire.

They are going to pay into Medicare. They are going to pay into Social Security. They are going to draw out Social Security and Medicare when they reach the right age. What we know is, as Mr. Elmendorf indicates, as I have said repeatedly, most of these individuals are lower income, lower skilled workers. Therefore, what we know is in that regard, the lower skilled workers who pay into Social Security and Medicare take out more than they pay in. So this is not going to be positive, it seems to me, particularly when you account for the fact that a lot of people have scored this, but they have not scored it from the fact that most of the workers who will be paying Medicare and Social Security are lower income workers and they will be paying the lower rates. Not a huge difference, but it is a difference.

So I would contend, I think, without fear of serious contradiction, although I expect political contradiction, that the off-budget money is your Medicare and Social Security money. See, you paid into that. The government, if it takes and spends it, does not have anything now to pay your Social Security and your Medicare benefits when you get old. We know it is already actuarially unsound. Those programs are in danger of defaulting a lot sooner than a lot of people think. We need to be saving these programs, not weakening them.

So in the short run you get this bubble effect. You get an extra group of money. Since a lot of the workers are younger, it will look good on the budget for 10 years. It looks good on the budget for 10 years, but this is not money to be spent by the government. This is money that is dedicated to their retirement and will be drawn out by these individuals when they go into retirement.

So I would suggest that this 10-year score, 2014 through 2023, shows that the real impact is a $14.2 billion dollar reduction—increase in the deficit of the United States over 10 years in the general fund account. The off-budget section says it reduces the deficit by $200 billion. But that money is utilized—it has to be in the trust fund to be utilized for future payments to these individuals when they retire. It is not money we can account for.

The mixing of these two matters is one of the most dramatic ways this country has gotten itself into an unsound financial course. We have double counted this money repeatedly. We have money coming in to Social Security and Medicare and we spend it immediately. We pretend it is still there to pay for someone's retirement. This is going to be the same except it is guaranteed to be a financial loser over the long run.

Again, I know Senator SANDERS has talked about this, my colleague from Vermont. In a free market world, when you bring in more labor, the wages go down. I think CBO is probably underestimating this, frankly. Professor Borjas at Harvard, his numbers look more grim than these. But this is what they came up with. They have been trying to do guesswork and tell the truth the best they can, but they are getting a lot of pressure from the other side.

A lot of Members here seem to think we can just bring in millions of people and those millions of people will somehow create more revenue. We are going to be like Jack Kemp. You know, everything is wonderful. It is just going to grow. But we have to be prudent. We have to be responsible. What we know is that since at least 1999, the wages of average American people have not kept up with inflation. That means those wages are on a net serious decline.

Professor Borjas says it declined by 8 percent. That is very real. My Democratic colleagues used to be very critical when it was President Bush because it was all his fault that wages were not keeping up with inflation, people were being hurt. So now they do not talk about that anymore. If they do, they blame it on President Bush even though he has been gone 5 or 6 years.

The reality is, I came to believe there is truth to this. It is not just a temporary cyclical thing that workers'

wages have not been keeping up. I think it is something deeper than that. I think it is several things. Businesses are getting very intent on reducing the number of employees they have to produce certain products and widgets. They are getting far more efficient. So we are making more widgets with less people.

If you go into plants like I do, you see these incredible robotics where you get dramatic improvements of productivity for widgets with less people. This creates, in some ways, unemployment.

Last month we had a moderate increase in jobs in May, but there was an 8,000-job reduction in manufacturing. The increase was in service industries like restaurants and bars and that kind of thing. The increase was also temporary. So this is not healthy. You have this unhealthy trend out there when you bring in large amounts of labor, a majority of which the CBO says is low skilled, and you are hammering the American worker.

Further, Peter Kirsanow, one of the outstanding members of the U.S. Commission on Civil Rights, along with Abigail Thernstrom, a brilliant lady who has written on these matters over the years, they wrote a letter recently that warned that passage of this bill will harm poor people in America, particularly African Americans.

They said they had hearings on this matter. They have had the best economists come and testify. They studied those reports. They say not a single one of the economists they dealt with denied that the wages would be pulled down or unemployment would go up.

That is what CBO told us today: Unemployment will go up, wages will go down. We have good Republican colleagues and they cannot conceive that we are in such a circumstance. They just believe growth is always good, and if you bring in more people you will have more growth. That is correct.

Let me tell you the brutal truth based on the in-depth analysis by Professor Borjas at Harvard. He says the prosperity, the growth enures to the benefit of the manufacturers, of the employers who use a lot of low-skilled labor. Their income will go up, but the average wage of the average working person will go down. That is what large flows of immigration will do when there is high unemployment.

Peter Kirsanow, a member of the Civil Rights Commission, in his letter, said that it is absolutely false that we have a shortage of low-skilled labor. He says we have a glut of low-skilled labor. The facts show that.

The number of people employed in the workforce today has reached the level of the 1970s. That was before women were going into the workplace. As a percentage of the American population, the percentage of people who actually have a job today has been falling steadily, and it has now hit the level of the 1970s. Now they are going to bring in all these masters of the universe, these geniuses who have this plan that somehow is going to fix everything. We will just bring in more people.

We had a Senator today say that it is going to increase wages. How can that be? What economic study shows that? Not any, to my knowledge. CBO says—wages are going to fall. Unemployment is going to go up, and it is not going to fix our deficit either.

I feel very strongly that we have to put on a realistic hat. We are going to have to ask ourselves: Whom do we represent? Are we representing a political idea that is going to bring in more votes? Are we representing people who entered the country illegally? Are those our first priority? Do we have any obligation to the people who fight our wars, raise our next generation of children, try to do the right thing, pay their taxes, want to be able to have a decent job, a decent retirement plan, have a vacation every now and then, and have a health care plan they can afford? Don't we owe them that? Shouldn't that be our primary responsibility right now? I think it is. I think that is our primary responsibility.

One says: Well, don't you care about people who are here illegally?

I say: Yes, I care about them. I care about them deeply.

I think we can work on this situation to not be in a position to say we are going to deport all of those who are here illegally. We can treat people compassionately. We are going to do the right thing about that.

In the future, should we have a work flow every year in that doubles the amount of guest workers who come in for the sole purpose of working and not becoming an immigrant, and should we increase the annual legal flow of immigrants from 1 million a year to 1.5 million a year, increasing it 50 percent? Is that what good legislation would do? I mean, how did this happen?

Thomas Sowell, a Hoover Institution scholar and economist at Stanford University, says there are three interests out here. One is the immigrants. They win. This report says their salaries go up. The other one is the politicians. They have it all figured out. They have written a bill that they think serves their political interests. The question is, Who is representing the national interests? Who is representing the American people's interests? Were they in these rooms when the chamber of commerce was there, La Raza was there, the business groups, agricultural groups, the labor unions and Mr. Trumka were there dividing up the pie, making sure their interests were protected? Who was defending the interests of the dutiful worker who is out trying to find a job today?

There was a report in the New York Times last week about an event in Queens. Apparently, there was a group of jobs that were going to be offered as elevator repair personnel in New York. The line started forming 5 days in advance. People brought their tents, they brought their food, they brought their sleeping bags, and they waited in line for days to be able to get a job as an elevator repair person. We have people saying these are jobs Americans won't do. That Americans won't work, and that's why we need more labor.

Well, I always cut my own grass when I am home, but I am up here a lot, so there is a group that comes and cuts my grass in Mobile. These were two African-American gentlemen in their 40's. They came out, did a great job in the heat in Alabama, and took care of my yard.

What is this—jobs Americans won't do? They want a job that has a retirement plan. They want a job that has some permanency to it. They want a job that has a decent wage. Americans will work, and all hard work should be honored.

I will acknowledge that in seasonal work, temporary work, certain circumstances, we could develop a good migrant guest worker program that could serve this. Maybe in different times, if unemployment is low, we could justify bringing in even more workers than you would expect. But at a time of high unemployment, we have low participation in the workforce, and we ought to be careful about bringing in large amounts of labor that pleases rich businesses and manufacturing and agribusiness groups but doesn't necessarily protect the honest, decent, legitimate interests of American workers. I think they are being forgotten too often in this process.

I wanted to push back to that. This report might look like it's saying that we are creating a service and we are reducing the debt. In one sense, on the on-budget analysis, the way we do our accounting around here, that impression is certainly created. It is a false impression, and it is that false understanding of the reality of the on-budget and off-budget accounting of revenue to America that has gotten us fundamentally in the problem we are now facing.

Again, I repeat, the on-budget deficit, according to the CBO report, goes up over 10 years by $14 billion. It claims, though, that the deficit drops on the off-budget. Remember, that money is obligated. That is your withholding. That is your FICA. That is your Social Security, Medicare—withholdings on your paycheck. It goes up there, and it has been set aside for you, for your retirement, for your medical care when you are elderly. It is not available for us to spend today willy-nilly.

And we think we have now created a circumstance where billions of dollars are being double-counted. Can you imagine that? That is what we are doing in this country. We are counting trillions of dollars—really double-counting it. Money that comes in we count in a unified budget as income to the budget, but it is dedicated income. We owe the people who paid it into their Social Security check, their Medicare coverage. It is owed to them.

What we know is that when you have particularly lower—well, the whole

program is unsustainable, but particularly the lower income workers pay in less than they will eventually take out over a lifetime. Adding all of these workers into the Social Security and Medicare system, where they pay in, will not place us on a sound path.

Again, we need to be honest about where we are. The numbers do not look good. This Congress needs to wrestle with how to deal compassionately with the people who have been here a long time. We need to do it in a right way, but we have a responsibility, a financial duty to the people who sent us here to manage their money wisely and not make our financial situation worse than it is today. We have an obligation to try to figure out a way to reverse the steady, long-term trend of wage decline for millions of American workers. It needs to be getting better. What this report says is that if this bill is passed, this immigration bill is passed, it will make the long-term wage situation of Americans worse. How wrong a direction could that be?

Look, if we let the labor market get a little tighter, we are going to find businesses that are willing to pay more to get a good worker. That is the free market. These business guys don't mind trying—Walmart seeks the very lowest priced product it can get, whether it is China or the United States. They are ruthless about it. It is free market, we say. We value it. OK, we support free market. But if there is a labor shortage, why shouldn't the laboring man be able to get a little higher wage for a change around here? This large flow of immigration will impact, adversely, their ability to find a job—unemployment will go up, according to the report—and we'll get a decrease in wages.

I yield the floor.

● Mr. INHOFE. Madam President, today I would like to indicate support for two amendments I cosponsored and were introduced by Senator THUNE and Senator VITTER.

The first is amendment No. 1197 introduced by Senator THUNE. Border security should be the number one priority in any immigration discussion, and building this fence which is already required by law will help in that endeavor.

The second is Amendment No. 1228 introduced by Senator VITTER. This requires that the biometric border check-in and check-out system be fully implemented prior to any legal status being granted to an illegal alien. Our national and economic security depends on us knowing who is in our country, and this amendment will help achieve that goal.

While I strongly disagree with granting amnesty to those who broke the law, on the chance that this bill passes I want to make sure that amendments like the two of these are included in the final legislation.●

MORNING BUSINESS

Mr. KAINE. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

TRIBUTE TO ARNOLD LEE WATSON

Mr. MCCONNELL. Madam President, I rise today to honor and pay tribute to a selfless Kentuckian, Mr. Arnold Lee Watson of Letcher County, KY. Watson voluntarily devotes his time and skills to raise money for the Veterans Program Trust Fund.

Mr. Watson is the father-in-law of Letcher County Clerk Winston Meade. Together they have created a service that is becoming popular among many Kentucky counties. As license plates are dropped off in the Letcher County office, Watson turns the old plates into pieces of art. Meade and Watson build and sell license plate birdhouses statewide in an effort to raise money for veterans' homes in eastern, central, and western Kentucky.

Meade first saw these birdhouses after he purchased two at a meeting with the Kentucky County Clerks Association. Mr. Watson is retired and saw that he could spend time making birdhouses to raise money for H.A.V.E, or Help A Veteran Everyday. His interest in helping veterans is inspired by his brothers, all who have served our country.

Help a Veteran Everyday, or H.A.V.E, is a program that was adopted in 2005 by the County Clerks of Kentucky. Across the Commonwealth, counties are taking actions to collect donations for the organization which helps ensure that Kentucky's 339,000 veterans are provided for.

I ask unanimous consent that an article from a local publication extolling the work of Mr. Watson be printed in the RECORD. Since this article was published, Watson has built more than 7,000 birdhouses and raised $140,000 in proceeds for Kentucky veterans. In addition, he placed third in an arts-and-crafts competition at the Kentucky State Fair in 2010.

Mr. Arnold Lee Watson's dedication and hard work not only helped Letcher County raise the most funds across the State, but also provided Kentucky veterans with the support and benefits they deserve.

''He loves working on them,'' Meade said of Watson in regard to building the license plate birdhouses.

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

[From the Mountain Eagle, Jan. 21, 2009]

TURNING OLD PLATES INTO $$$

(By Sally Barto)

If old newspapers can be used to line birdcages, then old license plates can be used to build birdhouses—about five a day, in the case of one Letcher County man.

Arnold Lee Watson has been building birdhouses using old license plates as a roof, then selling them to raise money for the Veterans Program Trust Fund on behalf of the Letcher County Clerk's Office.

Watson, of McRoberts, is the father in-law of Letcher County Clerk Winston Meade. He decided to begin building the unique and colorful birdhouses after Meade attended a meeting of the Kentucky County Clerks Association and brought home two similar birdhouses that were made elsewhere.

Watson has made about 50 birdhouses so far and the clerk's office has sold 19, with proceeds going to the Help a Veteran Everyday, or H.A.V.E. program.

Meade said Watson, who has three brothers who are veterans, donates the materials and time used to make the birdhouses.

''He wanted to do something to help veterans and this is his way to help,'' said Meade.

The birdhouses, which are being sold for $20 each, are made to resemble a mailbox and have a painted wooden base with an old license plate draped over the top.

Depending on the specialty license plates obtained by Meade, the roofs of the birdhouses have different themes including nature, colleges, and volunteer fire fighting. Meade said the most popular style of birdhouse is made using an old University of Kentucky license plate.

Meade has traveled to several counties looking for unique plates to use for making more birdhouses. People can donate old plates to the clerk's office for the birdhouse project.

Selling license plate birdhouses is the latest effort by Meade's office to raise money for the H.A.V.E. program. All money raised through H.A.V.E., created by the Kentucky County Clerk's Association, goes to the Kentucky Veterans Program Trust Fund. The trust fund, established by the Kentucky General Assembly in 1988, helps support projects and programs for Kentucky veterans.

The Homeless Veterans Transitional Treatment program in Lexington was established with funds from the trust. Money from the fund was also used to purchase 10 vans for the Disabled American Veterans organization, to purchase land for a state veterans cemetery, and to enhance state veterans' nursing homes.

''Every penny is spent on the veterans,'' said Meade. ''None of it is spent on salaries or anything like that.''

Meade was named 2008 clerk of the year for the H.A.V.E. program for his efforts of raising money for the program.

''This county has raised more money for the H.A.V.E. fund than any other county in the state,'' said Meade. ''I was real honored to receive this. I give the girls in the office the credit for the funds they have raised for H.A.V.E.''

The clerk's office hosted a golf scramble at Raven Rock Golf Course in September in which funds raised from the scramble were used to finance a Christmas party for the East Kentucky Veterans' Center in Hazard. During that time, the center served seven residents from Letcher County.

When people purchase the veterans' specialty license plate, $5 of the cost of the plate goes into the H.A.V.E. fund. The clerk's office also welcomes cash donations to H.A.V.E.

''This is one way to give back and to thank (veterans) for what they have done for us,'' said Meade.

TRIBUTE TO MARK AND MICHELE PANOZZO

Mr. DURBIN. Madam President, Eunice Kennedy Shriver, founder of the

Special Olympics once said, ''You are the stars and the world is watching you. By your presence, you send a message to every village, every city, and every nation. A message of hope. A message of victory.''

Today, I would like to recognize a father and daughter who are sending their own message of hope and victory Mark and Michele Panozzo from Rockford, IL.

Last week, Michele Panozzo was recognized as the 2013 Outstanding Athlete Award by the Special Olympics of Illinois. Earlier this year, Michele and Mark Panozzo were both recognized as the Northern Illinois Special Olympics Athlete and Coach of the Year.

This father-daughter duo started their involvement in the Special Olympics more than 25 years ago when Michele, who has Down syndrome, was 8 years old. Her first sport was basketball. Over the years she has competed in a variety of sports, including softball throw, bowling and bocce.

Her dad, Mark, has been by her side as her coach the whole time. And it is not just Michele who Mark helps. He is also the coach of the Rockford Red Hots, a team of 45 Special Olympics athletes from the Rockford region. Mark and Michele spend nearly every weekend with the Red Hots, whether at a competition, a practice, or at social outings with teammates and their families.

Special Olympics is more than sports and competitions to Mark and Michele. It is a community that has welcomed and befriended them. Mark says he treasures Special Olympics because of the smiles he sees on Michele's face after a competition, whether she won a gold medal or finished last. Mark still proudly shows off a photo of the first time Michele competed in the Special Olympics; she was just 8 years old, her hair was in pigtails and her face was lit with excitement

Mark has worked for the U.S. Postal Service for more than 30 years. Years ago he switched his schedule to work nights so he could pick up Michele from school every day. Michele volunteers 3 days a week delivering meals to home-bound seniors, helping at the food pantry and sorting clothes at the local donation center.

In July of 1968, the first Special Olympics Summer Games were held at Soldier Field in Chicago. Only one thousand athletes competed. Today, it is a growing, global movement in more than 170 countries, serving nearly 3.5 million athletes with intellectual disabilities. In Illinois, Special Olympics is making a difference in the lives of 21,000 athletes and nearly 40,000 volunteers and by organizing 170 competitions each year.

I join the Special Olympics of Illinois in commending Michele and Mark Panozzo for their dedication to Special Olympics. I am sure that Eunice Kennedy Shriver would be proud of what Michele and Mark have contributed to the Special Olympics community, and I am too.

TRIBUTE TO PIER ODDONE

Mr. DURBIN. Madam President, next month Piermaria Oddone will retire as the director of Fermi National Accelerator Laboratory in Batavia, IL, after 8 years of service in that position. Pier has led Fermilab through some challenging times, but he has also led the lab to many remarkable achievements.

Pier was born in Peru and after earning degrees from Massachusetts Institute of Technology and Princeton University, he worked at Caltech, Lawrence Berkeley National Laboratory, and Stanford Linear Accelerator Center.

Then in 2005, Pier and his wonderful wife, Barbara, moved to Fermilab, giving up the sunny west coast for cold Chicago winters. They arrived to 6,800-acres of former farmland that Pier and the Fermilab team have worked to restore to its native prairie. The laboratory maintains strong ties with the descendants of the farm families that once worked the land where Fermilab now sits, and every summer the families are invited to a picnic the lab hosts for the community.

No other national lab director can boast of barns and a herd of bison.

An avid photographer, Pier has spent many weekends walking the lab's grounds trying to capture its natural beauty through the lens. This is one of the things he has loved most about Fermilab. Whether raising bison or maintaining high-tech facilities, Pier has worked diligently to ensure that Fermilab continues to attract some of the best scientists from around the world.

And it does.

Today, Fermilab is America's premier particle physics laboratory, supporting thousands of scientists as they solve the mysteries of matter, energy, space, and time.

Fermilab's mission is to drive discovery in particle physics by building and operating world-class accelerator and detector facilities, performing pioneering research with global partners, and transforming technologies for science and industry.

It has often been said that physicists build huge, complex machines to study the tiniest, most basic particles. Well, Fermilab physicists build facilities and create new technologies to carry out discovery science and contribute to America's technology base.

During Pier's tenure as director, Fermilab launched a new era of scientific research focused on high-intensity particle beams through its cutting-edge muon and neutrino experiments.

Fermilab also pushed forward the world's understanding of the dark matter and dark energy that constitute 96 percent of the universe with its leadership roles in the Sloan Digital Sky Survey and the state-of-the-art Dark Energy Camera.

While this work was advancing, more than 100,000 students, from kindergarten through high school, were welcomed to the laboratory. Fermilab's strong partnership with Illinois schools and teachers helps achieve their shared goal of inspiring young people to learn more about particle physics, environment, ecology, and accelerator science—and ultimately encouraging them to pursue careers in STEM fields.

In addition, Fermilab's Tevatron particle collider laid the groundwork for the discovery of the Higgs particle last year by developing the technologies and analysis tools that helped confirm evidence of the Higgs boson's existence.

And though the Tevatron has ended its extraordinary 28-year run, under Pier's guidance Fermilab has maintained its position at the forefront of scientific research by serving as the U.S. hub for more than 1,000 physicists working at the Large Hadron Collider.

The laboratory contributed large magnets and other components key to the construction of the Large Hadron Collider and its experiments. Pier even created a control room at Fermilab so U.S. scientists can perform experiments at the Collider remotely.

In his last year as director, Fermilab partnered with the State of Illinois to construct the Illinois Accelerator Research Center, or I-ARC, which aims to accelerate the transition of technologies developed for particle physics research to other sectors of society.

I-ARC will also assist small businesses as a test facility, providing technical expertise in accelerator technology and serving as a training ground for the next generation of accelerator scientists and engineers.

Beyond the lab's accomplishments, Pier has been awarded many honors in his own right. He won the Panofsky Award of the American Physical Society for the invention of the Asymmetric B-Factory, a new kind of particle collider designed to study the difference between matter and antimatter. He is a fellow of the American Physical Society and the American Academy of Arts and Sciences and is an elected member of the National Academy of Sciences. And, in case one was not enough, he also holds an honorary doctorate from the Illinois Institute of Technology.

Needless to say, it is likely that Pier's contributions to particle physics and to Fermilab will continue to benefit Illinois and the international research community long after he retires next month.

When asked what he plans to do upon his retirement, Pier talks about making wine on the vineyard he and his wife own in California.

At one point he even thought of this as a field of research at Fermilab. He would try planting grapevines at the lab, hoping that the heat from the beam lines would keep the vines warm enough to survive the winters. This way, the lab could make wine while unlocking the mysteries of the universe. It might not be a bad idea, but unfortunately he never had any time to test the experiment.

Now, after 8 years as director, Pier's wine-making skills may be a little rusty, but I am sure he will be back to harvesting his Cabernet and Zinfandel grapes in no time. And I am also sure that Pier and Barbara will find more time to spend with their 2-year-old granddaughter and the rest of their family.

On behalf of the people of Illinois and the global community of particle physicists, I thank Pier for his 8 dedicated years at Fermilab and congratulate him on his successful career. I wish him all the best in his retirement.

SMALL BUSINESS DISASTER REFORM ACT

Ms. LANDRIEU. Madam President, I come to speak on S. 415, the ''Small Business Disaster Reform Act of 2013.'' As Chair of the Senate Committee on Small Business and Entrepreneurship, as well as a senator from a state hard hit by disasters, I am proud that yesterday our committee reported out S. 415 favorably on a bipartisan basis. In particular, Section 2 of S. 415 modifies the SBA requirement that borrowers must use their personal home as collateral for business disaster loans less than $200,000. This is a very important provision for businesses impacted by natural and manmade disasters. For that reason, I want to provide additional information on the need to enact this provision.

In terms of the legislative history of Section 2, a similar provision passed the House of Representatives twice in 2009: on October 29, 2009 by a vote of 389–32 as Section 801 of H.R. 3854 and again by voice vote on November 6, 2009 as Section 2 of H.R. 3743. The same provision that is in S. 415 passed the Senate 62–32 on December 28, 2012 as Section 501 of H.R. 1, the Hurricane Sandy Supplemental. However, it was not included in H.R. 152, the House-passed ''Disaster Relief Appropriations Act'' that subsequently was enacted into law. Despite the setback earlier this year, I remind my colleagues that this provision has a history of bipartisan Congressional support and has previously passed both chambers of Congress.

This Congress, we also have significant bipartisan support. S. 415 has six cosponsors: Senators THAD COCHRAN, ROGER WICKER, HEIDI HEITKAMP, KIRSTEN GILLIBRAND, MARK PRYOR, and BEN CARDIN. The House companion to S. 415, H.R. 1974, was introduced by Representative PATRICK MURPHY last month and has 11 cosponsors: Reps. MICK MULVANEY, JUDY CHU, MIKE COFFMAN, TED DEUTCH, PETER KING, ALAN NUNNELEE, DONALD M. PAYNE, Jr., CEDRIC RICHMOND, TOM COLE, TREY RADEL, and FREDERICA WILSON.

While I understand the need to secure the loans and minimize risk to the taxpayers; SBA has at its disposal multiple ways to secure these loans. If business owners have literally lost everything, requiring a $400,000 home as collateral for a $150,000 loan is maddening especially when other repayment options are available. One can understand that requirement for loans of $750,000 or $2 million. For the smaller disaster loans, however, it is a nonstarter for many businesses we have heard from. The bill requires the SBA to seek other business assets—such as commercial real estate, equipment, or inventory—before requiring a primary residence be used as collateral.

I want to reiterate that Section 2 is very clear that these business assets should be of equal or greater value than the amount of the loan. Also, to ensure that this is a targeted improvement, the bill also includes additional language that this bill in no way requires SBA to reduce the amount or quality of collateral it seeks on these types of loans. I want to especially thank my former Ranking Member Olympia Snowe for working with me to improve upon previous legislation on this particular issue. The provision that I am re-introducing, as part of this disaster legislation, is a direct result of discussions with both her and other stakeholders late last year. I believe that this bill is better because of improvements that came out these productive discussions.

Furthermore, SBA has repeatedly said publicly and in testimony before my committee that it will not decline a borrower for a lack of collateral. According to a July 14, 2010 correspondence between SBA and my office, the agency notes that ''SBA is an aggressive lender and its credit thresholds are well below traditional bank standards . . . SBA does not decline loans for insufficient collateral.'' SBA's current practice of making loans is based upon an individual/business demonstrating the ability to repay and income. The agency declines borrowers for an inability to repay the loan. In regards to collateral, SBA follows traditional lending practices that seek the ''best available collateral.'' Collateral is required for physical loans over $14,000 and Economic Injury Disaster Loans, EIDL, loans over $5,000. SBA takes real estate as collateral when it is available, but as I stated, the agency will not decline a loan for lack of collateral. Instead it requires borrowers to pledge what is available. However, in practice, SBA is requiring borrowers to put up a personal residence worth $300,000 or $400,000 for a business loan of $200,000 or less when there are other assets available for SBA.

This provision does not substantively change SBA's current lending practices and it will not have a significant cost. I believe that this legislation would not trigger direct spending nor would it have a significant impact on the subsidy rate for SBA disaster loans. Currently for every $1 loaned out, it costs approximately 10 cents on the dollar. Most importantly, this bill will greatly improve the SBA disaster loan programs for businesses ahead of future disasters. If a business comes to the SBA for a loan of less than $200,000 to make immediate repairs or secure working capital, they can be assured that they will not have to put up their personal home if SBA determines that the business has other assets to go towards the loan. However, if businesses seek larger loans than $200,000 or if their business assets are not suitable collateral, then the current requirements will still apply. This ensures that very small businesses and businesses seeking smaller amounts of recovery loans are able to secure these loans without significant burdens on their personal property. For the business owners we have spoken to, this provides some badly needed clarity to one of the Federal government's primary tools for responding to disasters.

To be clear though, while I do not want to see SBA tie up too much of a business' collateral, I also believe that if a business is willing and able to put up business assets towards its disaster loan, SBA should consider that first before attempting to bring in personal residences. It is unreasonable for SBA to ask business owners operating in very different business environments post-disaster to jeopardize not just their business but also their home. Loans of $200,000 or less are also the loans most likely to be repaid by the business so personal homes should be collateral of last resort in instances where a business can demonstrate the ability to repay the loan and that it has other assets.

As I have mentioned, there are also safeguards in the provision that ensures that this provision will not reduce the quality of collateral required by SBA for these disaster loans nor will it reduce the quality of the SBA's general collateral requirements. These changes will assist the SBA in cutting down on waste, fraud and abuse of these legislative reforms. In order to further assist the SBA, I believe it is important to clarify what types of business assets we understand they should review. For example, I understand that SBA's current lending practices consider the following business assets as suitable collateral: commercial real estate; machinery and equipment; business inventory; and furniture and fixtures.

At our markup of S. 415 yesterday, there were concerns raised by some Minority members of our committee regarding the impact of this provision. One argument was that SBA has not seized many personal homes in the last five years. However, the SBA has been more aggressive since 2011 on foreclosures—sending out 113 foreclosure letters since then. This year alone they have seized 4 homes in Minnesota, Virginia, Illinois, and Texas. Furthermore, borrowers my office has spoken to are less concerned about a personal home being seized than they are about liens tying up personal property and the general roadblock this requirement

sets up in applying for SBA disaster assistance. This requirement is discouraging successful businesses from applying to SBA and causing current applicants to withdraw their applications. As of May 2013, 35 percent of Sandy business applications were withdrawn, most citing burdensome lending requirements like this as the main factor.

Also, it is my understanding that another concern that has been cited was that business equipment depreciates over time so this is a riskier asset for the Federal government than a personal home. This argument, however, is false. As it relates to equipment, the SBA factors in depreciation when considering collateral from potential borrowers. They value equipment or inventory significantly less than real estate, due to depreciation. If equipment is not deemed a suitable asset to collateralize the loan, SBA will not take it. Also, Section 2 still allows SBA to determine the appropriate business asset if not the home. It is not specific to equipment. Other assets the SBA could consider include commercial real estate; machinery and equipment; business inventory; and furniture and fixtures.

Yet another concern that was raised was that, in utilizing business assets instead of personal homes, this makes it tougher for SBA to recover funds in the event of a default. As I previously mentioned, the SBA factors in depreciation and potential recovery in the event of a default when considering collateral from potential borrowers. SBA will not make a loan if it deems the business assets being offered will be difficult to recover or that it does not have sufficient value to collateralize the loan. Also, again the bill does not prohibit homes outright nor require business assets as collateral. It strikes a delicate balance to instead require the SBA to review if suitable business assets are available before using a personal home. If business assets are sufficient, SBA can use them. If business assets are not sufficient and the borrower is unwilling to put up their home, the SBA will not make the loan.

Lastly, it was also put forward that that if Congress allows business assets to be used as collateral instead of homes, this increases the likelihood of defaults. Again, this argument is false. In an April 1, 2013 letter to my office, the SBA Inspector General confirmed that there are no findings relative to business assets increasing defaults. The Inspector General wrote that it has ''. . . conducted numerous reviews of key aspects of the SBA Disaster Assistance Program; however, there are no specific findings relative to the 'type' of collateral secured relative to disaster assistance loans.'' Furthermore, the Inspector General also confirmed that the SBA is still required to secure the loans and Section 2 does not change that. The Inspector General wrote that ''. . . Section 2 does not remove SBA's policy for securing loans with collateral equivalent to 100 percent equity of the loan. Section 2 also explicitly provides that nothing in the Section can be construed to require the Administrator to reduce the amount of collateral required to secure the loan.'' Again, if the business does not have sufficient business assets or the SBA deems them risky, Section 2 does not change their ability to not make the loan.

In closing, I would like to note that Section 2 addresses a key issue that is serving as a roadblock to business owners interested in applying for smaller SBA disaster loans. After the multiple disasters that hit the Gulf Coast, my staff has consistently heard from business owners, discouraged from applying for SBA disaster loans. When we have inquired further on the main reasons behind this hesitation, the top concern related to SBA requiring business owners to put up their personal home as collateral for smaller SBA disaster loans for their business. So let me provide you with two examples of businesses impacted by this requirement.

The first example is LiemCo, a Long Island, NY specialty beverage repair service with 15 employees. Think of ''Starbucks''-type espresso machines in restaurants and coffee shops—LiemCo fixes them. The company is family-owned and the son of the owners, Dominic Chieco runs it. His parents are still partial owners and he pays them a quarterly draw which serves as their retirement income. Ownership is being gradually transferred to Dominic.

Prior to Hurricane Sandy, they did everything right. Dominic moved his vehicles to higher ground; loaded key inventory in the trucks—inventory with high value or long delivery times; raised items to 6 feet above the floor; purchased extra gas; and withdrew $5,000 in cash in case electricity went out at the banks. According to their local Small Business Development Center, SBDC, they are well run and these preparations show that.

Despite that, Hurricane Sandy flooded his building about 4 to 5 feet. The water went down after a couple of days but power was out for 3 weeks. The day after it came back on, a Nor'easter snow storm knocked out power for another week and a half. This caused physical property damages of more than $250,000. Dominic kept employees on payroll—full time—throughout recovery. He could not give them the customary Christmas bonus but once they re-opened after Christmas, he gave 1 employee their bonus each week.

Dominic's biggest concern was the collateral requirement from SBA. His building is valued at $1.2 million and only carried a $150,000 mortgage. The parents are still partial owners, so notwithstanding the value of the building, SBA still wanted a lien against the parents' home for the guarantee for a $200,000 loan. This bothered them tremendously as it was their retirement security. Much of this would have been eliminated if the collateral position on the parents' home had not been required when sufficient collateral existed with the business.

Another business impacted by this burdensome requirement is Water Street Bistro in Madisonville, LA. Water Street Bistro is a small family-owned restaurant overlooking the sail boats on the Tchefuncte River just across the street. Tony Monroe and his wife Constance have owned their business for 9 years and have about 9 employees. Monroe started his culinary career at Café Sbisa in New Orleans and then went to Colorado before returning to the place he was born and raised.

Fortunately, after Hurricane Katrina, the Monroe's escaped damage to their restaurant and did not need to apply for SBA assistance. However, this was not the case following Hurricane Isaac. Hurricane Isaac brought 6 to 10 inches of water into their restaurant which caused them to close their business for 3 weeks. The Monroe's had to start all over and buy all new food and replace equipment, such as refrigerators, which cost around $30,000. In addition to the physical damage to their property, the Monroe's could not pay their staff during this time.

Mr. and Mrs. Monroe's biggest concern in applying to the SBA was the collateral requirement. SBA required them to pledge their family home for a loan of around $40,000 to $45,000. Once they found out the requirement for pledging primary residence was firm, the Monroe's decided not to pursue the loan. The Monroe's are in their 60's and could not imagine using their home—valued around $200,000 to $250,000—as collateral. They ended up doing all of the repairs, for the restaurant, on their own because they could not afford to pay for these services.

I thank the Chair and I ask unanimous consent that a copy of the April 1, 2013, letter from the SBA Inspector General and other letters of support for S. 415 be printed in the RECORD.

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

U.S. SMALL BUSINESS ADMINISTRATION, OFFICE OF INSPECTOR GENERAL,

Washington, DC, April 1, 2013.

Hon. MARY L. LANDRIEU,

Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

DEAR CHAIR LANDRIEU: Thank you for your March 20, 2013 letter regarding S. 415, the Small Business Disaster Reform Act of 2013. The U.S. Small Business Administration, Office of Inspector General (SBA, OIG) shares the understanding articulated in your letter relative to the plain reading of Section 2 of S. 415. In context of the potential concerns brought to the attention of the Committee on Small Business & Entrepreneurship, two questions were posed to the OIG.

The OIG offers the following responses for your consideration:

Does Section 2 of S. 415 remove SBA's ''one-to-one'' policy for securing loans?

Section 2 of S. 415 states, ''. . . shall not require the owner of the small business concern to use the primary residence of the

owner has other assets with a value equal to or greater than the amount of the loan that could be used as collateral for the loan: Provided further, That nothing in the preceding proviso may be construed to reduce the amount of collateral required by the Administrator in connection with a loan described in the preceding proviso or to modify the standards used to evaluate the quality (rather than the type) of such collateral' . . .''

According to SBA standard operating procedures (SOP 50 30 7), SBA generally deems collateral is adequate if the equity is at least 100 percent of the loan amount. As such, a plain reading of Section 2 does not remove SBA's policy for securing loans with collateral equivalent to 100 percent equity for the loan. Section 2 also explicitly provides that nothing in the Section can be construed to require the Administrator to reduce the amount of collateral required to secure the loan.

Does alternative collateral (i.e., to a business owner's primary personal residence) that is equal to or exceeding the amount of a potential business disaster loan, as established in Section 2 of S. 415, increase the likelihood of default?

The Office of Inspector General (OIG) has conducted numerous reviews of key aspects of the SBA Disaster Assistance Program; however, there are no specific findings relative to the ''type'' of collateral secured relative to disaster assistance loans. OIG's work has found that SBA officials have not always adhered to established policies and procedures in managing the program, increasing the risk of default and subsequently, of loss to the taxpayer. We have made numerous recommendations for corrective action based on our work. Regardless of the type of collateral, SBA officials' adherence to established policy and procedures during loan origination, servicing, and if necessary liquidation, decreases the risk of default and loss to the taxpayer.

The OIG appreciates your continued interest in our work. Please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,

PEGGY E. GUSTAFSON,
Inspector General.

ASSOCIATION OF SMALL BUSINESS DEVELOPMENT CENTERS,
Burke, VA, February 10, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Russell Senate Building, Washington, DC.

DEAR SENATOR LANDRIEU: Thank you for giving the Association of Small Business Development Centers (ASBDC) the opportunity to comment on your proposed legislative amendments to the disaster assistance provisions in the Small Business Act (15 USC 631 et seq.).

While Congress has taken a significant step in addressing the resource issues following Sandy and other disasters there are still restrictions in the SBDC assistance authority and the US Small Business Administration's loan making authority that could complicate future disaster recovery efforts. We applaud your efforts to deal with those issues.

Under section 21(b)(3) of the Small Business Act (15 USC 648(b)(3)) SBDCs are limited in their ability to provide services across state lines. This prevents SBDCs dealing with disaster recovery, like New York and New Jersey, from being able to draw upon the resources available in our nationwide network of nearly 1,000 centers with over 4,500 business advisors. It likewise prevents states with great experience in disaster recovery assistance like Louisiana and Florida, from providing assistance to their colleagues.

Your proposed legislation amends that SBDC geographic service restriction for the purposes of providing disaster support and assistance. Our Association wholeheartedly endorses that change. Allowing SBDCs to share resources across state lines or other boundaries for the purpose of disaster recovery is a common sense proposal, little different from utilities sharing linemen. In addition, we would like to note that this provision has been supported by the Senate Committee on Small Business and Entrepreneurship twice in previous Congresses.

In addition, the ASBDC wishes to express its support for your proposals to amend the collateral requirements in the disaster loan program for loans under $200,000. SBDCs routinely assist small business owners with their applications for disaster loan assistance and have often faced clients with qualms about some of those requirements.

We share a common goal of putting small business on the road to recovery after disaster strikes and getting capital flowing is a key factor in meeting that goal. To that end, ASBDC supports your efforts to ease collateral requirements and help improve the flow of disaster funds to small business applicants. We believe your proposal to limit the use of personal homes as collateral on smaller loans is consistent with the need to get capital flowing to affected businesses and ease the stress on these businesses. We also agree that this change will not undermine the underwriting standards of the disaster loan program.

Thank you again for kind attention and continuing support of small business.

Sincerely,

C. E. ''TEE '' ROWE,
President/CEO, ASBDC.

INTERNATIONAL ECONOMIC DEVELOPMENT COUNCIL,
Washington, DC, February 13, 2013.

Hon. MARY L. LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate.

Hon. JAMES E. RISCH,
Ranking Member, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

DEAR SENATOR LANDRIEU AND SENATOR RISCH, On behalf of the International Economic Development Council (IEDC), please accept our appreciation for this opportunity to provide comments related to proposed changes to federal disaster assistance programs offered by the United States Small Business Administration (SBA). Your continuing support of these critical programs is worthy of praise and we thank you for your leadership.

IEDC has a strong history of supporting disaster planning and recovery. Our organization, with a membership of over 4,000 dedicated professionals, responded to communities in need following the 2005 hurricane season, the BP Gulf oil spill and other disaster-related incidents by providing economic development recovery assistance. We have continued our work in this area through technical assistance projects and partnerships with federal agencies and other non-governmental organizations. Our profession is invested in helping our country prepare for and respond to disasters, much the same as you and your colleagues on the Committee on Small Business and Entrepreneurship. To this end, we support proposed changes that will allow SBA to more effectively deliver disaster recovery assistance to local businesses in need of federal aid.

Rebuilding the local economy must be a top priority following a disaster, second only to saving lives and homes. IEDC supports the targeted changing of the current collateral requirements that state a business owner must place their home up as collateral in order to secure an SBA disaster business loan of $200,000 or less. In times of crisis, affected business owners are understandably reluctant to place their personal homes up as collateral in order to obtain a much needed loan to rebuild their business. Consequently, SBA loans put in place to help businesses rebuild following a disaster go underutilized. As lawmakers, you have a responsibility to protect the taxpayer, which is why we understand the need for posting collateral of equal or greater value to the amount of the loan. The proposed targeted change that eliminates the specific requirement of using a home as collateral to guarantee a loan of $200,000 or less, and instead allowing business assets to act as collateral, will promote greater utilization of the loans. This is an idea we can all get behind; one that will lead to greater, faster economic recovery.

When disaster strikes, we should do everything in our power to bring the full resources of the federal government to bear in the impacted community. This includes, most especially, bringing in top experts who can immediately begin helping businesses and local economies recover. The national network of over 1,100 Small Business Development Centers (SBDC) could be an excellent resource to stricken communities. Unfortunately, current rules prevent SBDC's from assisting their counterparts in other jurisdictions. For example, those communities in the mid-Atlantic and New England impacted by Sandy are not able to benefit from the enormous amount of knowledge and experience in storm recovery held by SBDC's in Florida and the Gulf region. Certainly, we can all agree that disasters warrant an extraordinary response and that response must include qualified expertise from all corners of the federal government.

Forty to sixty percent of small businesses that close as a result of a disaster do not reopen. This is an unacceptably high number. We would not accept that level of loss in homes and we cannot accept that level of loss in jobs; our communities cannot sustain such losses and duty dictates we make certain they don't have to. By enacting common sense legislation, like that which is under consideration here, and freeing the flow of capital and expertise, we are taking concrete steps to give our small businesses and local economies the greatest chance to recover.

IEDC is your partner in the work of job creation. We thank you for your leadership in support of small business and stand ready to offer our assistance in this and future efforts.

Sincerely,

PAUL L. KRUTKO,
Chairman, International Economic Development Council, and President and CEO, Ann Arbor SPARK.

NATIONAL EMERGENCY MANAGEMENT ASSOCIATION,
Washington, DC, March 21, 2013.

Senator MARY LANDRIEU,
Chairman, Senate Appropriations Subcommittee on Homeland Security, U.S. Senate, Washington, DC.

DEAR SENATOR LANDRIEU, On behalf of the National Emergency Management Association (NEMA), I write you today in support of the Small Business Disaster Reform Act of 2013. NEMA is comprised of the emergency management directors from the states, the U.S. territories, and the District of Columbia.

While not a traditional ''first responder'' agency, the US Small Business Administration (SBA) is a critical partner to States and localities affected by a wide variety of disasters. Following a disaster, SBA has the capability to mobilize staff from the Office of Disaster Assistance to begin disseminating public information about what services SBA can provide to supplement many long-term federal recovery programs. While the Federal Emergency Management Association (FEMA) is often thought of as the primary agency for disaster assistance, there are many unique situations where SBA loans can be utilized in creative ways to assist citizens in need. NEMA agrees that the SBA needs to be equipped with the flexibility and authority to adequately assist disaster victims and we believe this legislation accomplishes such an objective.

The images of homes and businesses affected by flooding and wind damage following Hurricane Irene and Tropical Storm Lee painted a devastating picture in September 2011. In New York State alone, the SBA approved over $100 million in loans for citizens affected by the storms. More recently, Hurricane Sandy reminded us of the critical role SBA has in the disaster community. Ninety days after Hurricane Sandy struck the Northeast, the SBA crossed the $1 billion threshold of approved loans to more than 16,800 homeowners, renters and businesses. This makes Hurricane Sandy, in terms of SBA disaster lending, the third largest natural disaster in U.S. history, behind Hurricanes Katrina/Rita/Wilma ($10.8 billion), and the Northridge Earthquake ($4 billion).

The continued challenge of protecting the nation from a variety of hazards within the reality of fiscal uncertainty elevates the importance of cooperation throughout the emergency management community. Leveraging resources from across the federal family imperative following a disaster and the communication and outreach by essential agencies is just the first step to community recovery. Positive relationships between federal, state, and local government stakeholders are the lynchpin to coordinated recovery efforts that support resilient individuals, prosperous businesses, and thriving economies.

NEMA believes SBA deserves adequate flexibility. Legislation such as this helps achieve that end. We remain available as a resource for you and your staff as this effort continues. Should you need any additional information or have questions regarding NEMA's policy positions, please do not hesitate to contact Matt Cowles, Director of Government Relations at (202) 624–5459.

Sincerely,

JOHN W. MADDEN,
President, National Emergency Management Association, Director, Alaska Division of Homeland Security and Emergency Management.

NATIONAL SMALL BUSINESS ASSOCIATION,
Washington, DC, March 22, 2013.

Hon. MARY LANDRIEU,
U.S. Senate, Hart Senate Office Building, Washington, DC.

Hon. THAD COCHRAN,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATORS LANDRIEU AND COCHRAN: The National Small Business Association (NSBA) is pleased to support the bipartisan Small Business Disaster Reform Act of 2013 (S. 415), which will make it much easier on small businesses impacted by and recovering from a disaster. By clarifying that the U.S. Small Business Administration (SBA) shall not use a small business owner's primary residence as collateral for disaster business loans less than $200,000 and authorizing the SBA Administrator to allow out-of-state small business development centers (SBDCs) to provide much-needed assistance in Presidentially-declared disaster areas, this bill will let small businesses do what they do best, create jobs and energize the economy.

The importance of reforming and enhancing federal programs to maximize their benefit to small businesses and entrepreneurs is certainly recognized by the membership of NSBA, and we greatly appreciate commonsense, bipartisan reform measures like the Small Business Disaster Reform Act, especially when they come at no cost to the American taxpayer.

On behalf of the NSBA and our over 65,000 members across the country, I would like to thank you and the cosponsors of this legislation for your tireless efforts to promote economic development and for your endless support of small businesses impacted by disasters. We look forward to working with you and your staffs to help enact this critical piece of legislation.

Sincerely,

TODD O. MCCRACKEN,
President.

MARCH 5, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Russell Senate Office Building, Washington, DC.

Hon. JAMES RISCH,
Ranking Member, Committee on Small Business and Entrepreneurship, U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR CHAIR LANDRIEU AND RANKING MEMBER RISCH: We write to you today in strong support of the Small Business Disaster Reform Act of 2013. Greater New Orleans, Inc. is a regional economic development alliance serving the 10-parish region of Southeast Louisiana. The Partnership for New York City is a nonprofit organization of the city's business leaders. We represent very different regions of the country, but we are both strong contributors to the national economy and we have been seriously impacted by natural disasters that caused huge economic damage.

The overall economic impact of Hurricane Katrina was estimated to be $150B—the costliest natural disaster in U.S. history. Similarly, the disruption and damage inflicted by Super Storm Sandy—the second costliest natural disaster—is estimated at over $80 billion and resulted in daily loss of billions of dollars in economic output, not only locally but across the country. The impact of these storms has been particularly serious for small businesses, forcing some to close shop entirely and many to reduce services. The Federal government has programs that were intended to insure that small businesses and local economies can quickly recover from such disasters, but in our experience these programs are not working as effectively as they should be and require legislative amendment. That is why we are very interested in prompt action on the Small Business Disaster Reform Act.

Here are some examples of what needs to change:

Small business owners are currently required by the Small Business Administration (SBA) to put up their primary residence as collateral for SBA disaster loans of less than $200,000, even though the value of their home often exceeds the value of the loan. The Small Business Disaster Reform Act of 2013 would put in place a common sense solution that requires the SBA to collateralize small loans with available business assets of equal or greater value before requiring the business owner to put up his or her personal home. In a time of crisis, every possible measure should be taken to avoid business owners having to put their families at further risk. This reform would reduce pressure on affected business owners and increase utilization of the SBA disaster loan program, while still providing necessary protections to the government in the event of default.

Small Business Development Centers, SBDCs, have also played a critical role in helping businesses recover following disasters. However, under current law, SBDCs can only assist businesses in their prescribed geographic region, even though often times after major disasters like hurricanes, SBDCs are affected right along with businesses. Following a Presidential declaration of a disaster, effected regions need aid quickly and SBDCs in surrounding regions, including across state lines, should be able to help neighboring effected regions. This bill would allow for that.

Small businesses are often disproportionately damaged by natural disasters due to loss of customer base, thin profit margins, diminished access to capital and difficulty with relocation. The reforms proposed would help business owners take full advantage of available resources and accelerate their recovery by cutting bureaucratic red tape and providing businesses with the tools needed to resume normal business as quickly as possible—putting people back to work.

We appreciate the Committee's work on this critically important issue and urge the Senate to work together to deliver these much needed reforms. Thank you in advance for your work towards strengthening the economy.

Sincerely,

MICHAEL HECHT,
President & CEO, Greater New Orleans, Inc.
KATHRYN S. WYLDE,
President & CEO, Partnership for New York City.

ST. TAMMANY ECONOMIC DEVELOPMENT FOUNDATION,
Mandeville, LA, February 19, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Russell Senate Building, Washington, DC.

DEAR SENATOR LANDRIEU: The St. Tammany Economic Development Foundation thanks you for the opportunity to comment on the proposed amendments to the disaster assistance provisions in the Small Business Act (15 US 6 31 et seq). As we learned from Hurricanes Katrina, Rita and most recently Isaac, the sooner our small businesses are able to recover, the better it is for the region, the state and the nation.

We fully endorse the proposed amendment to Section 1 of the bill regarding collateral on business disaster loans. If approved, no longer would small business owners have to use their primary personal residence for collateral towards SBA disaster business loans less than $200,000 if other assets are available of equal or greater value than the amount of the loan. In times of crisis, affected business owners are understandably reluctant to place their personal homes up as collateral in order to obtain a much needed loan to rebuild their business. Allowing business assets to act as collateral will promote greater utilization of the loans; leading to faster economic recovery.

Under Section 2 of the bill, Small Business Development Centers (SBDCs) are limited in their ability to provide services across state

lines. This prevents SBDCs in affected areas from being able to draw upon the resources available from their colleagues nationwide. Louisiana SBDCs have great experience in disaster recovery assistance and should not be prevented from providing assistance to their colleagues outside of Louisiana in the event of disaster. Therefore, we fully support this provision.

We applaud your efforts to protect small businesses in the wake of disasters and thank you for continuing to be a strong advocate on their behalf. After all, small businesses are the lifeblood of our great nation.

Sincerely,

BRENDA BERTUS,
Executive Director, St. Tammany Economic Development Foundation.

CHARLESTON METRO CHAMBER OF COMMERCE,
North Charleston, SC, March 21, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Russell Senate Building, Washington, DC.

DEAR SENATOR LANDRIEU: As President and CEO of the Charleston Metro Chamber of Commerce, I would like to offer our support of the Small Business Disaster Reform Act of 2013. As the region's largest private sector organization, the Chamber represents more than 1,750 businesses and represents more than 75,000 employees in our region. Small businesses are the backbone of the American economy and, not surprisingly, the Charleston Metro Chamber's largest customer group. More than 80 percent of our members employ 50 or fewer employees.

Your committee's proposed changes on the collateral requirements and allowing small business development centers to work across state lines following disasters are necessary. Anything that can be done after a major disaster to help speed-up the rebuilding efforts should be top priority.

I want to commend you on your leadership with this critical piece of legislation. Please let me know if our team can ever be of service to you or your committee.

BRYAN S. DERREBERRY,
President and CEO.

MOBILE AREA CHAMBER OF COMMERCE,
Mobile, AL, March 20, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

Hon. JAMES RISCH,
Ranking Member, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC

DEAR SENATOR LANDRIEU AND SENATOR RISCH: The Mobile Area Chamber of Commerce would like to thank you for this opportunity to voice our support of the proposed changes to federal disaster assistance program legislation as it relates to programs offered by the U.S. Small Business Administration. We offer our support for two provisions in the ''Small Business Disaster Reform Act of 2013,'' S–115. We support section 2 which modifies the collateral requirements of Business Disaster Loans. We also support section 3 which authorizes the U.S. Small Business Administration to allow out-of-state small business development centers to provide assistance in Presidentially-declared disaster areas.

The Mobile Area Chamber has 2087 member businesses, and ninety percent of these businesses can be classified as small businesses. We have worked closely with the U.S. Small Business Administration office here in Mobile for over five years. We petitioned heavily to get a U.S. Small Business Administration office here locally, as this region received fewer small business loans than any other area of the country. Since opening the U.S. Small Business Administration office here in Mobile, small business loans have risen significantly.

As it relates to disaster assistance, the U.S. Small Business Administration office here in Mobile was ''on the ground'' and very helpful to area businesses in the aftermath of Hurricane Katrina and the December 2012 tornados.

The Mobile Area Chamber of Commerce's mission is to serve as a progressive advocate for business needs to promote the Mobile area's economic well-being. Our program structure and small business agenda reflect that as we offer disaster planning, survival and recovery workshops. Most all of these training sessions were done in conjunction with the local U.S. Small Business Administration office.

Thank you for your hard work and leadership, as we share the common goal of supporting the small business community. We appreciate the opportunity to show our support for your tremendous effort on behalf of small businesses in the Mobile Bay region.

Sincerely,

DARRELL W. RANDLE,
Vice President, Small Business Development.

FLAG DAY

Mr. ENZI. Madam President, for Americans all across the country, June 14 is a very special day—Flag Day. On that day, we all join together to celebrate our shared heritage and our history as a Nation as represented by our American flag.

We each have our own way of showing our respect and our great love for this symbol of our land. Down through the years it has been given many names, from the Stars and Stripes to Old Glory—to the Grand Old Flag that was memorialized in song. It has so many names because of all that it represents. The story of our Flag reminds us of all the sacrifices that have been made over the years so that our Nation would always be strong and free.

Each of us has our own favorite memory of the flag. There are some that we recall from the pictures of the wars that we have seen, or from our remembrance of all the veterans who proudly fought, especially those who died in the service of our Nation. Anyone who has seen a picture of the Marines raising the American flag during the battle of Iwo Jima will never forget that iconic image. It held such meaning to us we created a statue to memorialize that moment. It stands just a short distance from the Capitol, a reminder to us all that freedom is not free. It comes to us at great cost.

Although we celebrate our American flag's proudest moments on this day, we should also remember those days when we did not treat the Stars and Stripes so kindly. There were those who thought to use the flag to promote their own agenda by burning it in the streets. Fortunately, those moments were few and far between and were usually done by people who did not understand the symbolism of the flag or fully appreciate all they had received from their citizenship. Some of them just did not realize how blessed they were to be Americans.

Here in the Senate, we begin each session by joining together to recite the Pledge of Allegiance. As we do, we pledge our loyalty to our country, our determination to do everything we can to make this a better place for us all to live, and most specifically, we pledge our love and appreciation for this ''one Nation, under God, with liberty and justice for all.''

Over the years, our flags have inspired works of art of all kinds, most especially a song with a remarkable story behind its origin. Every American knows what happened on that day when our young Nation was in the midst of a great war. We were fighting for our very right to be free. As the battle waged, a young man, Francis Scott Key, mesmerized by the action of the battle, suddenly caught sight of our Flag, still flying proudly over the fort in the midst of all the gunshot, flame and fire around him. The words he wrote became another symbol of our Nation as he took up his pen to tell us about the sight. From where he stood he could see ''the rocket's red glare, the bombs bursting in air, which, gave proof through the night, that our Flag was still there''—the same Flag that still proudly flies ''o'er the land of the free and the home of the brave.'' The Flag that helped to inspire those words is still on display, one of the most popular attractions at the Smithsonian Institution just down the street from us.

On Flag Day, and every other day, I would encourage all Americans to fly their flag and to talk to their children and grandchildren about the meaning of the flag and the history of our Nation. The great gifts we have received of ''life, liberty and the pursuit of happiness'' should never become just words to us. They are our birthright as Americans and they should encourage us to continue to remember the sacrifices that have been made in our name. In a very real sense, Flag Day is a call to express the great pride we feel for this country and those who served in our Armed Forces—our great heroes of the past—and those who continue to serve our Nation all over the world—our heroes of the present.

I have often mentioned here on the floor what it means to me to be a grandfather and the thrill of holding the next generation of your family in your arms. Well, my granddaughter continues to share with us one of those special moments we all need to experience so we do not forget the legacy we have received from our citizenship. Every time she sees an American Flag she pauses, looks at it with an understanding that surpasses her years, and with a smile of pride and admiration, says ''God bless America!'' As she says those special words she looks around at everyone near her, expecting them to join her in expressing that sentiment—which we do. She is only 2 years old

and she is already learned to do that all by herself—which makes her twos not so terrible after all.

Friday morning, as I reflected about Flag Day I found myself reading the words of Lloyd Ogilvie who served as our Senate Chaplain for many, many years. In his book, One Quiet Moment, he wrote ''Thomas Jefferson inscribed in his memorial God, who gave us life, gave us liberty. Can the liberties of a Nation be secure when we have removed a conviction that these liberties are the gift of God?''

On Flag Day and throughout the year, those are good words of advice to consider and put into practice. We must never forget that all we have received from our citizenship ultimately comes from God. Then it is up to us to share those great blessings with all those we meet as we work together to make our Nation a better place not only for us, but for our children and our grandchildren so they will never lose their fondness and appreciation for this great land of ours.

I can think of no better way to celebrate Flag Day than to join with my granddaughter in her recognition of the flag with an exuberant ''God bless America!'' Yes! God bless America and God bless us all. May our future be as blessed as our past.

MACHIAS, MAINE

Ms. COLLINS. Madam President. I rise today to commemorate the 250th anniversary of the founding of Machias, ME, a remarkable town on the Downeast Coast that exemplifies the determination, resiliency, and courage of our Nation. It was there, in 1775, just 12 years after the village was established, that the first naval battle of the American Revolution was fought and won.

The word ''Machias'' translates from the language of the Passamaquoddy Indians as ''bad little falls.'' The rushing water where the Machias River plunges to the sea and the vast stands of virgin pine drew the first settlers in 1763, who built a successful sawmill and a thriving community.

In early June of 1775, word reached Machias of the Battles at Lexington and Concord in April, the first military engagements of the American Revolution. When two British cargo ships, escorted by the warship Margaretta, arrived at Machiasport to take on a shipment of lumber to build barracks for British troops under siege in Boston, they were met by patriots eager to join the fight for freedom.

On June 12, with the town under threat of bombardment if it did not cooperate with the lumber shipment, a militia of 30 men under the command of CPT Jeremiah O'Brien stormed the Margaretta. Armed with muskets, pitchforks, and axes, the militia captured the warship and sailed it triumphantly into harbor. The battle known as the ''Lexington of the Seas'' was a stunning American victory.

Among the heroes of that battle was a young woman named Hannah Weston. As the plans to seize the Margaretta were taking shape, this 17-year-old wife of militiaman Josiah Weston went house to house throughout the sparsely settled region collecting gunpowder and shot, and lugging the heavy load through the wilderness to the front lines. Today, the Hannah Weston Chapter of the Daughters of the American Revolution keeps her memory alive.

The Passamaquoddy gave Machias more than a name. By 1777, the town had become a center of revolutionary activity and the British sent an invasion fleet to crush the rebellion. Some 40 or 50 Passamaquoddy, led by Chief Joseph Neeala, joined the militia and the invaders were turned back.

Just outside of Machias stands Fort O'Brien, one of just a few forts to have been active in the American Revolution, the War of 1812, and the Civil War. On the road to that historic site, on the banks of a small stream, there is a plaque that wonderfully describes the spirit of this community.

It was at that place in June of 1775, when the Margaretta's cannons threatened Machias, that the townspeople met in open air to choose between a humiliating peace and a likely hopeless war. The words on the plaque tell the story: ''After some hours of fruitless discussion, Benjamin Foster, a man of action rather than words, leaped across this brook and called all those to follow him who would, whatever the risk, stand by their countrymen and their country's cause. Almost to a man the assembly followed and, without further formality, the settlement was committed to the Revolution.''

Today, that settlement is a thriving community. Machias is the shiretown of Washington County and, as the home of the University of Maine at Machias, it is a center for education and the arts in the region. Located in the heart of the blueberry industry, Machias hosts the Maine Wild Blueberry Festival, one of our State's great summer events. Beautifully restored Burnham Tavern, where the valiant militiamen met to plan their attack on the Margaretta, is a National Historic Site, so designated for its significance in America's independence.

In his marvelous history of the town published in 1904, George W. Drisko, a descendant of one of the heroes of the Revolution wrote this: ''The pioneers of Machias believed in destiny. They had faith in vitality. In their rough homes were courageous souls who believed they had a future.'' Those beliefs and that faith helped America achieve the freedom we cherish today, and all Americans congratulate the people of Machias on their 250th anniversary.

HOT SPRINGS COUNTY, WYOMING

Mr. BARRASSO. Madam President, it is my pleasure to honor the residents of Hot Springs County, WY as they celebrate their centennial.

Located in northern Wyoming, and nestled in the Big Horn Basin, Hot Springs County is an incredible place to live and work. Nearly 5,000 residents reside in the communities of Kirby, East Thermopolis, and Thermopolis, the county seat. The county boasts a wide range of recreational opportunities, and its residents share the beauty of the Big Horn River, the Owl Creek Mountains, and the Wind River Canyon with visitors from around the country.

Hot Springs County has a storied past and a promising future. The county is aptly named for the natural mineral hot springs in the area. For thousands of years, Big Spring has produced millions of gallons of mineral water at a constant temperature of 135 degrees Fahrenheit. Northern Arapahoe and Eastern Shoshone Native Americans relied on the spiritual and physical healing powers of the hot springs years before the first settlers arrived. In 1896, under the guidance of Chief Washakie, the tribal leaders transferred ownership of the land surrounding the springs to the U.S. Government. The treaty opened the natural beauty of the area to the public to be enjoyed in perpetuity. Today, this historic treaty is celebrated every August with the Gift of the Waters Pageant. This celebration recreates the treaty ceremony of 1896 and is a truly special attraction.

In the past 100 years, Hot Springs County has benefitted from a variety of industries and has enjoyed great economic success. The county played a key role in supplying oil to support the war effort during World War II. The communities of Grass Creek and Hamilton Dome were especially efficient producers of oil during this period. In addition, a portion of the Burlington Northern and Santa Fe Railroad travels through the county. The Railroad connects the State to important supplies and goods from around the country.

Tourism is arguably the county's most successful industry. In Thermopolis, Hot Springs State Park attracts thousands of guests every year. Created from the land purchased in the Treaty of 1896, the Park provides year-round recreation opportunities, including hiking, picnicking, and soaking in the world-famous hot springs. Just 20 miles away, folks can visit the Legend Rock Petroglyph Site, which is home to some to the best-preserved examples of Dinwoody rock art in the world. The Wyoming Dinosaur Center celebrates Wyoming's incredibly rich natural history. It is one of the few centers in the world that has an active excavation site within driving distance. Visitors can see active dig sites, explore modern preparation laboratories, and admire dozens of fossilized dinosaurs and specimens. Folks in the county have done an incredible job of preserving the county's rich history and sharing with its visitors.

Hot Springs County is a very special place to all of us in Wyoming. In addition to being the hometown of my wife,

Bobbi Brown Barrasso, Thermopolis is also the hometown of former Wyoming Governor Dave Freudenthal. The fine folks of the county are incredible leaders and greatly contribute to the success of the entire State.

It is an honor to recognize the residents of Hot Springs County as they celebrate their 100th anniversary. This year, the Hot Springs County Centennial Committee has planned a countywide celebration on June 22nd to commemorate this milestone. I invite my colleagues to visit the communities of Hot Springs County. The county's rich heritage, geological wonders, and genuine cowboy hospitality provide a truly wonderful experience to visitors from all over the world.

RECOGNIZING THE NEHEMIAN

Mr. RISCH. Madam President, during Small Business Week it is important to recognize the ingenuity of small business owners who take a leap of faith and invest in an idea in order to make their dream of being an entrepreneur a reality. I rise today to honor The Nehemian of Buhl, ID, a small business that has shown over the course of 25 years in business that they can take chances and survive in this economic climate.

Over 26 years ago, Nancy Tyrrell and her husband, Ed, opened The Nehemian, a shop that sold antiques and offered custom picture framing. But after years of being in business, the Tyrrells wanted to expand their services and increase their sales. Tyrrell began designing custom key fobs which depict Idaho points of pride, including the Boise State Broncos and the University of Idaho Vandals. As a result of this risk to produce and market new product, The Nehemian found great success in the sale of these local treasures.

Tyrrell has faced her share of entrepreneurial challenges. After a $25,000 loss on a project, Tyrrell considered going back to teaching instead of continuing as a small business owner. But her love for the creative opportunities her business provided convinced her that she wouldn't be happy doing anything else. Instead of giving up, Tyrrell rededicated herself to her store and sought to expand into an untapped market. Her custom key fobs are manufactured by Silver Creek Mint, another local business located in Buhl and where her son is employed. Tyrrell licensed both the Boise State Bronco and University of Idaho Vandal key fob with Collegiate Licensing Co. in order to sell to a market in which she recognized a demand for her product. After only 6 weeks of selling her custom key fobs, Tyrrell had recouped two thirds of her investment. Currently, The Nehemian sells 12 different variations of key fobs. There is even a Great Seal of Idaho key fob which is sold at the Idaho State Capitol gift shop. Tyrrell also offers key fob design services to large companies to commemorate special milestones.

Though The Nehemian is a small company, they have learned to manage their resources well and expand their products. Nancy Tyrrell's business has achieved a reputation of quality, as well as that of a unique Idaho gem. I would like to recognize The Nehemian as an Idaho Small Business of the Day based on their resiliency through hard times, their willingness to take a risk and their creative spirit.

ADDITIONAL STATEMENTS

TRIBUTE TO MIKE CURRY

● Mr. ENZI. Madam President, I wish to take a moment of the Senate's time to call your attention to the retirement of one of the true heroes of my home town of Gillette, WY. For 30 years our local basketball team, the Camels, has been coached by one of the finest high school coaches of all time—Mike Curry.

Mike has been doing a good job for so long we thought he would be on the bench on the Camels' side of the court forever. That is why it took us all by surprise when Coach Curry decided to retire from coaching at the end of this past season.

Over the years Coach Curry has been more than our coach—he's been a Wyoming tradition. Ask anyone who is a Camels fan who has been responsible for their success and every one will tell you our secret advantage has been the coaching ability and basketball knowledge of Coach Curry.

His concern for each of his players, and his great love of Campbell County High School, has been evident for all the years of his service to the people of Gillette. It shows itself in the hearts of those he has coached and in the lives of those he has worked with as their teacher. He has always been one to lead by quiet but focused example and that important quality of his has made him a role model that has helped to provide guidance and direction to all those with whom he has worked.

If you ask the members of all those championship teams that played for Coach Curry, they will tell you that they learned some important lessons from him that helped to shape their lives. Thanks to him they came to realize what high expectations, teamwork, making good, thoughtful decisions and refusing to ever give up on a goal can mean to the pursuit of a difficult challenge. Ask his current players and they will tell you what it has meant to play for Coach Curry and to receive the legacy of success from his past efforts that helped to get them inspired and motivated right from the start. They knew before they even made the team how successful Coach Curry's Camels had been and that made them ask more from themselves than anyone else would have ever thought was possible for them to achieve.

Coach Curry is now ending a remarkable career. In 30 years he has collected 605 wins and 12 State titles. If we were to ask him which one was sweeter—the first win or the last—I have a feeling he would tell us that they were all special because each one was made possible by a team of young men committed to winning and to each other.

For my family, we will always remember Coach Curry for the impact he had on our son, Brad. He also touched the rest of our family as we watched the Camels play for and learn from a very strong, steady coach. For the community of Gillette, we will always remember the key role Coach Curry played in strengthening Gillette's sense of community and increasing our sense of pride in our school and those who wore its colors.

Congratulations and good luck, Coach Curry. You did a great job and you can now look back on your coaching career with the satisfaction that comes from a job well done. You can also look ahead to some new adventures as this chapter of your life comes to a close and you begin a new one. God bless.●

TRIBUTE TO JOHN J. SWEENEY

● Mr. CARDIN. Madam President, I rise today to recognize the contributions that John J. Sweeney, AFL–CIO president emeritus, has made to improve the lives of working men and women and their families across America and around the world. The labor movement is the foundation of America's middle class, and John Sweeney understands that fact. He has devoted his life to fighting for workers so that they have safe working conditions, good benefits, and a paycheck big enough to support a family.

John Sweeney's life is an inspirational one. He was born in the Bronx, NY—the son of Irish immigrants. His parents knew the value of hard work. His father was a New York City bus driver and his mother worked as a domestic for wealthy families. John Sweeney's father was a member of the union and it was that union membership and steady income that made it possible for Sweeney to attend Iona College in New Rochelle, N.Y. and graduate with a degree in economics. He also holds honorary degrees from Georgetown University, Oberlin College, University of Massachusetts at Amherst, the University of Baltimore, Catholic University Law School, the University of Toledo's College of Law, Iona College and the College of New Rochelle.

Sweeney's first job in the labor movement was with the International Ladies' Garment Workers, which later merged with the Clothing and Textile Workers Union. He joined SEIU Local 32B in New York City in 1961 as a union representative. Sweeney was elected president of Local 32B in 1976 and led two citywide strikes of apartment maintenance workers during the 1970s.

John Sweeney was first elected president of the AFL–CIO in 1995 on a platform of revitalizing the federation,

which has 57 affiliated unions and 12 million members, including 3 million members in Working America, its new community affiliate. At the time of his election as president of the AFL–CIO, Sweeney was serving as president of the Service Employees International Union—SEIU. He became president emeritus of the AFL–CIO at the federation's constitutional convention in September 2009, stepping down after 4 terms as president.

There is no denying that the past few years have been difficult ones for the American labor movement, but John Sweeney continues to stand strong in the fight for American workers. The American workforce is the best trained and most efficient in the world. John Sweeney has been a big part of that success and I hope my colleagues will join me in thanking him for his lifelong commitment to American workers and their families.●

MESSAGES FROM THE HOUSE

At 12:32 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 253. An act to provide for the conveyance of approximately 80 acres of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes.

H.R. 520. An act to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes.

H.R. 674. An act to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System.

H.R. 862. An act to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960.

H.R. 876. An act to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

At 2:18 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 588) to provide for donor contribution acknowledgements to be displayed at the Vietnam Veterans Memorial Visitor Center, and for other purposes, with an amendment, in which it requests the concurrence of the Senate.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 253. An act to provide for the conveyance of approximately 80 acres of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 674. An act to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System; to the Committee on Energy and Natural Resources.

H.R. 862. An act to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960; to the Committee on Energy and Natural Resources.

H.R. 876. An act to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1935. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; West Coast Salmon Fisheries; 2013 Management Measures'' (RIN0648–XC438) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1936. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Monkfish Fishery; Emergency Action'' (RIN0648–BC79) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1937. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery off the Southern Atlantic States; Amendment 18B'' (RIN0648–BB58) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1938. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery and Northeast Multispecies Fishery; Framework Adjustment 24 and Framework Adjustment 49'' (RIN0648–BC81) received during adjournment of the Senate in the Office of the President of the Senate on June 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1939. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Revise Maximum Retainable Amounts of Groundfish Bering Sea and Aleutian Islands'' (RIN0648–BA43) received in the Office of the President of the Senate on June 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1940. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC654) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1941. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC369) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1942. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XC634) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1943. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; 2013 Sector Operations Plans and Contracts and Allocation of Northeast Multispecies Annual Catch Entitlements'' (RIN0648–XC240) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1944. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Western Pacific Fisheries; Fishing in the Marianas Trench, Pacific Remote Islands, and Rose Atoll Marine National Monuments'' (RIN0648–BA98) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1945. A communication from the Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Snapper-Grouper Fishery of the South Atlantic; 2013 Recreational Accountability Measure and Closure for South Atlantic Snowy Grouper'' (RIN0648–XC672) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1946. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant

to law, the report of a rule entitled ''Fisheries in the Western Pacific; 5-Year Extension of Moratorium on Harvest of Gold Corals'' (RIN0648–BC89) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1947. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; North and South Atlantic 2013 Commercial Swordfish Quotas'' (RIN0648–XC334) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1948. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Fisheries; Pacific Tuna Fisheries; Fishing Restrictions in the Eastern Pacific Ocean'' (RIN0648–BC44) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1949. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Crab Rationalization Program'' (RIN0648–BA82) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1950. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 37'' (RIN0648–BC66) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1951. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Restrictions and Observer Requirements in Purse Seine Fisheries for 2013–2014'' (RIN0648–BC87) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1952. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Modifications of the West Coast Commercial Salmon Fisheries; Inseason Action #3'' (RIN0648–XC686) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1953. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (RIN0648–XC675) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1954. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico; Texas Closure'' (RIN0648–XC683) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1955. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Big Skate in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XC673) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1956. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Alaska Plaice in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC687) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1957. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, a report relative to the apportionment of membership on the regional fishery management councils; to the Committee on Commerce, Science, and Transportation.

EC–1958. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Connect America Fund'' ((RIN3060–AF85) (DA 13–1113)) received in the Office of the President of the Senate on June 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1959. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone, Atlantic Intracoastal Waterway; Wrightsville Beach, NC'' ((RIN1625–AA00) (Docket No. USCG–2013–0174)) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1960. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Maritime Administrator, Department of Transportation, received in the Office of the President of the Senate on June 13, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1961. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Robert R. Allardice, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1962. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Frank J. Kisner, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1963. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Douglas H. Owens, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1964. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of five (5) officers authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–1965. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the Fiscal Year 2011 Report on Department of Defense (DoD) Operation and Financial Support for Military Museums; to the Committee on Armed Services.

EC–1966. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Norway; to the Committee on Banking, Housing, and Urban Affairs.

EC–1967. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Canada; to the Committee on Banking, Housing, and Urban Affairs.

EC–1968. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2013–0002)) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–1969. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2013–0002)) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–1970. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Cincinnati, transmitting, pursuant to law, Bank's 2012 Management Report and statement on system of internal controls; to the Committee on Banking, Housing, and Urban Affairs.

EC–1971. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2013–37) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Finance.

EC–1972. A communication from the Chair of the Medicaid and CHIP Payment and Access Commission, transmitting, pursuant to law, a report entitled ''Report to Congress on Medicaid and CHIP''; to the Committee on Finance.

EC–1973. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013–0099–2013–0107); to the Committee on Foreign Relations.

EC–1974. A communication from the Assistant Secretary, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Priority—National Institute on Disability and Rehabilitation Research—Rehabilitation Research and Training Centers'' (CFDA No. 84.133B–10) received in the Office of the President of the Senate on June 11, 2013; to the

Committee on Health, Education, Labor, and Pensions.

EC–1975. A communication from the Director of the Division of Coal Mine Workers' Compensation, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Black Lung Benefits Act: Standards for Chest Radiographs'' (RIN1240–AA07) received in the Office of the President of the Senate on June 13, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1976. A communication from the Acting Chief Policy Officer, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Part 4022) received in the Office of the President of the Senate on June 13, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1977. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fenpyroximate; Pesticide Tolerances'' (FRL No. 9388–2) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1978. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Bacillus pumilus strain BU F–33; Exemption from the Requirement of a Tolerance'' (FRL No. 9389–2) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1979. A communication from the Acting Director of the Office of Regulatory Affairs and Collaborative Action, Policy, Management and Budget, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Acquisition Regulations; Buy Indian Act; Procedures for Contracting'' (RIN1090–AB03) received on June 13, 2013; to the Committee on Indian Affairs.

EC–1980. A communication from the Director, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, a report entitled ''High Intensity Drug Trafficking Areas Program 2013 Report to Congress''; to the Committee on the Judiciary.

EC–1981. A communication from the President of the United States, transmitting, consistent with the War Powers Act, a report relative to deployments of U.S. Armed Forces for combat (OSS–2013–0859); to the Committee on Foreign Relations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. MIKULSKI:

S. 1172. A bill to amend the definition of a law enforcement officer under subchapter III of chapter 83 and chapter 84 of title 5, United States Code, respectively, to ensure the inclusion of certain positions; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PORTMAN (for himself, Mr. WARNER, and Ms. COLLINS):

S. 1173. A bill to affirm the authority of the President to require independent regulatory agencies to comply with regulatory analysis requirements applicable to executive agencies, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BLUMENTHAL (for himself, Mr. CHAMBLISS, Ms. WARREN, Mr. RUBIO, Mr. NELSON, Mr. MENENDEZ, Mr. SCHUMER, and Mr. CASEY):

S. 1174. A bill to award a Congressional Gold Medal to the 65th Infantry Regiment, known as the Borinqueneers; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. FEINSTEIN:

S. 1175. A bill to require the Secretary of the Treasury to establish a program to provide loans and loan guarantees to enable eligible public entities to acquire interests in real property that are in compliance with habitat conservation plans approved by the Secretary of the Interior under the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

By Mr. VITTER:

S. 1176. A bill to impose a fine with respect to international remittance transfers if the sender is unable to verify legal status in the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER:

S. 1177. A bill to authorize the Moving to Work Charter program to enable public housing agencies to improve the effectiveness of Federal housing assistance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. GILLIBRAND:

S. 1178. A bill to better integrate engineering education into kindergarten through grade 12 instruction and curriculum and to support research on engineering education; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself and Ms. AYOTTE):

S. 1179. A bill to improve the coordination of export promotion programs and to facilitate export opportunities for small businesses, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRASSLEY (for himself, Mr. WYDEN, and Mr. BENNET):

S. 1180. A bill to amend title XI of the Social Security Act to provide for the public availability of Medicare claims data; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. ENZI, Mr. SCHUMER, Mr. BARRASSO, Mr. BEGICH, Mr. BOOZMAN, Mr. BENNET, Mr. CORNYN, Mrs. BOXER, Mr. CRAPO, Ms. CANTWELL, Mr. ISAKSON, Mr. CARDIN, Mr. ROBERTS, Mr. CARPER, Mr. THUNE, Mr. COONS, Mrs. GILLIBRAND, Mrs. HAGAN, Mr. NELSON, Mrs. SHAHEEN, Ms. STABENOW, Mr. TESTER, and Mr. WYDEN):

S. 1181. A bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes; to the Committee on Finance.

By Mr. UDALL of Colorado (for himself, Mr. WYDEN, Ms. MURKOWSKI, Mr. UDALL of New Mexico, Mr. BEGICH, Mr. MERKLEY, and Mr. LEE):

S. 1182. A bill to modify the Foreign Intelligence Surveillance Act of 1978 to require specific evidence for access to business records and other tangible things, and provide appropriate transition procedures, and for other purposes; to the Committee on the Judiciary.

By Mr. TESTER (for himself and Mr. MURPHY):

S.J. Res. 18. A joint resolution proposing an amendment to the Constitution of the United States to clarify the authority of Congress and the States to regulate corporations, limited liability companies or other corporate entities established by the laws of any State, the United States, or any foreign state; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico (for himself, Mr. BENNET, Mr. HARKIN, Mr. SCHUMER, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. TESTER, Mrs. BOXER, Mr. COONS, Mr. KING, Mr. MURPHY, Mr. WYDEN, Mr. FRANKEN, Ms. KLOBUCHAR, and Mr. UDALL of Colorado):

S.J. Res. 19. A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. FEINSTEIN (for herself, Mr. BURR, Mr. COBURN, Mrs. MURRAY, Mr. ENZI, and Mr. DURBIN):

S. Res. 173. A resolution designating September 2013 as ''National Child Awareness Month'' to promote awareness of charities benefitting children and youth-serving organizations throughout the United States and recognizing efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States; considered and agreed to.

By Mr. ALEXANDER (for himself, Mr. DURBIN, Mr. SESSIONS, Mrs. FEINSTEIN, Mr. COCHRAN, Mr. SCHATZ, Mr. ROBERTS, and Mr. CORKER):

S. Res. 174. A resolution designating June 20, 2013, as ''American Eagle Day'', and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 132

At the request of Mr. REID, his name was added as a cosponsor of S. 132, a bill to provide for the admission of the State of New Columbia into the Union.

S. 313

At the request of Mr. CASEY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 316

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Maine (Mr.

KING) 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. CASEY, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors 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. 528

At the request of Mrs. HAGAN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 528, a bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes.

S. 554

At the request of Mr. ISAKSON, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 554, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Massachusetts (Ms. WARREN) 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. 562

At the request of Mr. WYDEN, the names of the Senator from Maine (Mr. KING) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 562, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 569

At the request of Mr. BROWN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 569, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 579

At the request of Mr. GRASSLEY, his name was added as a cosponsor of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 623

At the request of Mr. CARDIN, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 623, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 635

At the request of Mr. BROWN, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 635, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 650

At the request of Ms. LANDRIEU, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 650, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 676

At the request of Mr. NELSON, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 676, a bill to prevent tax-related identity theft and tax fraud.

S. 717

At the request of Ms. KLOBUCHAR, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 717, a bill to direct the Secretary of Energy to establish a pilot program to award grants to nonprofit organizations for the purpose of retrofitting nonprofit buildings with energy-efficiency improvements.

S. 742

At the request of Mr. CARDIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 742, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 765

At the request of Mr. BENNET, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 765, a bill to help provide relief to State education budgets during a recovering economy, to help fulfill the Federal mandate to provide higher educational opportunities for Native American Indians, and for other purposes.

S. 783

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 783, a bill to amend the Helium Act to improve helium stewardship, and for other purposes.

S. 815

At the request of Mr. MERKLEY, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 842

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 852

At the request of Mr. SANDERS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 852, a bill to improve health care furnished by the Department of Veterans Affairs by increasing access to complementary and alternative medicine and other approaches to wellness and preventive care, and for other purposes.

S. 896

At the request of Mr. BEGICH, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 913

At the request of Mrs. SHAHEEN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 913, a bill to amend the National Oilheat Research Alliance Act of 2000 to reauthorize and improve that Act, and for other purposes.

S. 942

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 942, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 967

At the request of Mrs. GILLIBRAND, the names of the Senator from Massachusetts (Mr. COWAN) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 1009

At the request of Mr. VITTER, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1009, a bill to reauthorize and modernize the Toxic Substances Control Act, and for other purposes.

S. 1091

At the request of Ms. MIKULSKI, the name of the Senator from Minnesota

(Ms. KLOBUCHAR) was added as a cosponsor of S. 1091, a bill to provide for the issuance of an Alzheimer's Disease Research Semipostal Stamp.

S. 1106

At the request of Mr. BENNET, the names of the Senator from Colorado (Mr. UDALL), the Senator from Alaska (Mr. BEGICH) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1106, a bill to improve the accuracy of mortgage underwriting used by Federal mortgage agencies by ensuring that energy costs are included in the underwriting process, to reduce the amount of energy consumed by homes, to facilitate the creation of energy efficiency retrofit and construction jobs, and for other purposes.

S. 1117

At the request of Ms. STABENOW, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1117, a bill to prepare disconnected youth for a competitive future.

S. 1143

At the request of Mr. TESTER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1143, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 1159

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1159, a bill to amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit.

S. 1166

At the request of Mr. ISAKSON, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 1166, a bill to amend the National Labor Relations Act to provide for appropriate designation of collective bargaining units.

S.J. RES. 16

At the request of Mr. RUBIO, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S.J. Res. 16, a joint resolution proposing an amendment to the Constitution of the United States to limit the power of Congress to impose a tax on a failure to purchase goods or services.

S. CON. RES. 6

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

S. RES. 60

At the request of Mrs. BOXER, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. Res. 60, a resolution supporting women's reproductive health.

S. RES. 151

At the request of Mr. CASEY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. Res. 151, a resolution urging the Government of Afghanistan to ensure transparent and credible presidential and provincial elections in April 2014 by adhering to internationally accepted democratic standards, establishing a transparent electoral process, and ensuring security for voters and candidates.

S. RES. 172

At the request of Mr. BLUNT, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. Res. 172, a resolution designating the first Wednesday in September 2013 as ''National Polycystic Kidney Disease Awareness Day'' and raising awareness and understanding of polycystic kidney disease.

AMENDMENT NO. 1196

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1196 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1197

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1197 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1228

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1228 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

At the request of Mr. VITTER, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of amendment No. 1228 proposed to S. 744, supra.

AMENDMENT NO. 1239

At the request of Mr. KIRK, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of amendment No. 1239 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1240

At the request of Mrs. BOXER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of amendment No. 1240 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1251

At the request of Mr. CORNYN, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of amendment No. 1251 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1261

At the request of Ms. KLOBUCHAR, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 1261 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1262

At the request of Ms. KLOBUCHAR, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 1262 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1278

At the request of Mr. BLUMENTHAL, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of amendment No. 1278 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1295

At the request of Mr. CRUZ, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Utah (Mr. LEE) were added as cosponsors of amendment No. 1295 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1297

At the request of Ms. KLOBUCHAR, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 1297 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 1175. A bill to require the Secretary of the Treasury to establish a program to provide loans and loan guarantees to enable eligible public entities to acquire interests in real property that are in compliance with habitat conservation plans approved by the Secretary of the Interior under the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Infrastructure Facilitation and Habitat Conservation Act of 2013.

This legislation will make it easier for communities across the Nation to improve their public infrastructure by providing access to cost-effective Federal loan guarantees to mitigate the impacts of growth on the environment and endangered species.

This bill authorizes a 10-year pilot program, to be administered jointly by the Secretaries of the Interior and Treasury, making credit more readily available to eligible public entities which are sponsors of Habitat Conservation Plans, HCPs, under section 10 of the Endangered Species Act of 1973.

Habitat Conservation Plans were authorized by an amendment to the Endangered Species Act in 1982 as a means to permanently protect the

habitat of threatened and endangered species, while facilitating the development of infrastructure, through issuance of a long-term ''incidental take permit''.

Equally important, HCPs can be very effective in avoiding, minimizing and mitigating the effects of development on endangered species and their habitats. HCPs are an essential tool, as Congress intended, in balancing the requirements of the Endangered Species Act with on-going construction and development activity.

In California, the Western Riverside County multiple-species HCP is a prime example of effective habitat management. The Western Riverside MSHCP covers an area of 1.26 million acres, of which 500,000 will be permanently protected for the benefit of 146 species of plants and animals. To date, more than 347,000 acres of public land and 45,000 acres of private land have been protected, at a cost of $420 million. In the case of the Western Riverside MSHCP, as with other HCPs nationwide, this strategy for advance mitigation of environmental impacts has facilitated the development of much-needed transportation infrastructure. To date, the Western Riverside MSHCP has resulted in expedited environmental approval of 25 transportation infrastructure projects, which have contributed 32,411 jobs and $2.2 billion to the county's economy.

Riverside has been one of the Nation's fastest growing counties, with a rate of growth during the last decade of 42 percent. Unless the development of infrastructure can be made to keep pace with this explosive population growth, neither environmental or livability goals will be attained.

In recent years, the economic downturn has slowed the pace of habitat acquisition in Western Riverside and other similarly-situated communities. Revenue which had been generated by development fees to finance acquisition of habitat has also slowed.

Now, ironically, signs of economic recovery in the region also signal increasing real estate prices that will make the acquisition of mitigation lands more challenging. That's why it is important to provide communities like Western Riverside ready access to capital now to help fund habitat conservation projects while real estate costs remain relatively low, saving them and other communities implementing HCP's billions of dollars.

Under this bill, loan guarantee applicants would have to demonstrate their credit-worthiness and the likely success of their habitat acquisition programs. Priority would be given to HCPs in biologically rich regions whose natural attributes are threatened by rapid development. Other than the modest costs of administration, the bill would entail no federal expenditure unless the local government defaulted—a very rare occurrence.

These Federal guarantees will assure access to commercial credit at reduced rates of interest, enabling participating communities to take advantage of temporarily low prices for habitat. Prompt enactment of this legislation will provide multiple benefits at very low cost to the Federal taxpayer: protection of more habitat more quickly, accelerated development of infrastructure with minimum environmental impact, and reduction in the total cost of HCP land acquisition.

A broad coalition of conservation organizations and infrastructure developers supports this legislation. In fact, the Senate also expressed support for this concept when it approved a similar, albeit more narrowly defined innovative financing program as part of the Water Resources Development Act, WRDA, last month. But where the WRDA provisions would be applicable to mitigate the environmental impacts related to the development of water infrastructure, this legislation would broaden that eligibility to transportation and other public infrastructure.

I urge my colleagues to support this legislation. I believe it will encourage infrastructure development and habitat conservation at minimal Federal risk. It is exactly the kind of partnership with local government that should be utilized to maximize efficient use of Federal dollars.

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. 1175

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 ''Infrastructure Facilitation and Habitat Conservation Act of 2013''.

SEC. 2. CONSERVATION LOAN AND LOAN GUARANTEE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PUBLIC ENTITY.—The term ''eligible public entity'' means a political subdivision of a State, including—

(A) a duly established town, township, or county;

(B) an entity established for the purpose of regional governance;

(C) a special purpose entity; and

(D) a joint powers authority, or other entity certified by the Governor of a State, to have authority to implement a habitat conservation plan pursuant to section 10(a) of the Endangered Species Act of 1973 (16 U.S.C. 1539(a)).

(2) PROGRAM.—The term ''program'' means the conservation loan and loan guarantee program established by the Secretary under subsection (b)(1).

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

(b) LOAN AND LOAN GUARANTEE PROGRAM.—

(1) ESTABLISHMENT.—As soon as practicable after the date of enactment of this Act, the Secretary shall establish a program to provide loans and loan guarantees to eligible public entities to enable eligible public entities to acquire interests in real property that are acquired pursuant to habitat conservation plans approved by the Secretary of the Interior under section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539).

(2) APPLICATION; APPROVAL PROCESS.—

(A) APPLICATION.—

(i) IN GENERAL.—To be eligible to receive a loan or loan guarantee under the program, an eligible public entity shall submit to the Secretary an application at such time, in such form and manner, and including such information as the Secretary may require.

(ii) SOLICITATION OF APPLICATIONS.—Not less frequently than once per calendar year, the Secretary shall solicit from eligible public entities applications for loans and loan guarantees in accordance with this section.

(B) APPROVAL PROCESS.—

(i) SUBMISSION OF APPLICATIONS TO SECRETARY OF THE INTERIOR.—As soon as practicable after the date on which the Secretary receives an application under subparagraph (A), the Secretary shall submit the application to the Secretary of the Interior for review.

(ii) REVIEW BY SECRETARY OF THE INTERIOR.—

(I) REVIEW.—As soon as practicable after the date of receipt of an application by the Secretary under clause (i), the Secretary of the Interior shall conduct a review of the application to determine whether—

(aa) the eligible public entity is implementing a habitat conservation plan that has been approved by the Secretary of the Interior under section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539);

(bb) the habitat acquisition program of the eligible public entity would very likely be completed; and

(cc) the eligible public entity has adopted a complementary plan for sustainable infrastructure development that provides for the mitigation of environmental impacts.

(II) REPORT TO SECRETARY.—Not later than 60 days after the date on which the Secretary of the Interior receives an application under subclause (I), the Secretary of the Interior shall submit to the Secretary a report that contains—

(aa) an assessment of each factor described in subclause (I); and

(bb) a recommendation regarding the approval or disapproval of a loan or loan guarantee to the eligible public entity that is the subject of the application.

(III) CONSULTATION WITH SECRETARY OF COMMERCE.—To the extent that the Secretary of the Interior considers to be appropriate to carry out this clause, the Secretary of the Interior may consult with the Secretary of Commerce.

(iii) APPROVAL BY SECRETARY.—

(I) IN GENERAL.—Not later than 120 days after receipt of an application under subparagraph (A), the Secretary shall approve or disapprove the application.

(II) FACTORS.—In approving or disapproving an application of an eligible public entity under subclause (I), the Secretary may consider—

(aa) whether the financial plan of the eligible public entity for habitat acquisition is sound and sustainable;

(bb) whether the eligible public entity has the ability to repay a loan or meet the terms of a loan guarantee under the program;

(cc) any factor that the Secretary determines to be appropriate; and

(dd) the recommendation of the Secretary of the Interior.

(III) PREFERENCE.—In approving or disapproving applications of eligible public entities under subclause (I), the Secretary shall give preference to eligible public entities located in biologically rich regions in which rapid growth and development threaten successful implementation of approved habitat conservation plans, as determined by the Secretary in cooperation with the Secretary of the Interior.

(C) ADMINISTRATION OF LOANS AND LOAN GUARANTEES.—

(i) REPORT TO SECRETARY OF THE INTERIOR.—Not later than 60 days after the date on which the Secretary approves or disapproves an application under subparagraph (B)(iii), the Secretary shall submit to the Secretary of the Interior a report that contains the decision of the Secretary to approve or disapprove the application.

(ii) DUTY OF SECRETARY.—As soon as practicable after the date on which the Secretary approves an application under subparagraph (B)(iii), the Secretary shall—

(I) establish the loan or loan guarantee with respect to the eligible public entity that is the subject of the application (including such terms and conditions as the Secretary may prescribe); and

(II) carry out the administration of the loan or loan guarantee.

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

(d) TERMINATION OF AUTHORITY.—The authority under this section shall terminate on the date that is 10 years after the date of enactment of this Act.

By Mr. GRASSLEY (for himself, Mr. WYDEN, and Mr. BENNET):

S. 1180. A bill to amend title XI of the Social Security Act to provide for the public availability of Medicare claims data; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, today, Senator WYDEN and I reintroduced the Medicare Data Access for Transparency and Accountability Act. This collaborative effort includes two ideas for making Medicare billing and spending more transparent.

The first provision comes from a bill I introduced in 2011 to enhance the government's ability to combat Medicare and Medicaid fraud. It would require the Secretary of Health and Human Services to issue regulations making Medicare claims and payment data available to the public, similar to other federal spending disclosed on www.USAspending.gov.

That website was created by legislation sponsored by then-Senator Obama and Senator COBURN. It lists almost all federal spending, but it doesn't include payments made to Medicare providers.

That means virtually every other government program, including some defense spending, is more transparent than the Medicare program.

Omitting Medicare spending is especially alarming when you consider the portion of Federal spending that goes through the Medicare program. In 2011, the Federal Government spent $549 billion on Medicare.

Taxpayers have a right to see how their hard-earned dollars are being spent. There should not be a special exception for hard-earned dollars that happen to be spent through Medicare.

Transparency will restore that taxpayers' right.

Also, if doctors know that each claim they make will be publicly available, it might deter some wasteful practices and overbilling.

Our bill accomplishes this by requiring the Secretary of Health and Human Services to make available a searchable Medicare payment database that the public can access at no cost.

The second provision in our bill clarifies that data on Medicare payments to physicians and suppliers do not fall under a Freedom of Information Act, FOIA, exemption.

In 1979, a U.S. District Court ruled that Medicare is prohibited from releasing physicians' billing information to the public.

For over three decades, third parties that tried to obtain physician specific data through the FOIA process have failed. Taxpayers have been denied their right.

Another recent court decision lifted the injunction, but it does not go far enough.

Our bill would make Congress' intent clear and provide the public with the tools to finally gain access to important Medicare data.

I would like to provide one example of how valuable access to Medicare billing data can be.

In 2011, using only a small portion of Medicare claims data, the Wall Street Journal was able to identify suspicious billing patterns and potential abuses of the Medicare program.

The Wall Street Journal found cases where Medicare paid millions to a physician sometimes for several years, before those questionable payments stopped.

That was only one organization using a limited set of Medicare data. When it comes to public programs like Medicare, the Federal Government needs all the help it can get to identify and combat fraud, waste and abuse, and that is why a searchable Medicare claims database should be made available to the public.

I have often quoted Justice Brandeis, who said, ''Sunlight is the best disinfectant.'' That is what Senator WYDEN and I are aiming to accomplish with the Medicare Data Act.

Mr. WYDEN. Mr. President, I rise today with Senator GRASSLEY to introduce the Medicare Data Access for Transparency and Accountability Act. I would like to begin by thanking my friend and esteemed colleague for his unwavering commitment to greater transparency and accountability in government. This Medicare DATA Act advances that goal.

Sunshine continues to be the greatest disinfectant. In that light, the Medicare DATA Act ensures all taxpayers have access to Medicare Claims Database, both to aid them in making medical decisions, and in understanding what their money is paying for in this vital, yet enormous, health program. The Medicare Claims Database is an important resource for public and private stakeholders as it captures healthcare provider payment and claims information for roughly one-third of the United States healthcare system. But why isn't this information already available?

In 1978, the Department of Health Education and Welfare attempted to release this information, upon request, under the premise that accessibility to the source data was in the public interest and therefore should be made available for public consumption. An injunction by a Florida court, however, ordered otherwise.

I am pleased that the Florida court has reevaluated that decision and recently lifted the injunction. This is a step in the right direction, but the decision still leaves access to this data ''opaque.'' Data requests are still subject to the Freedom of Information Act and can be denied by Health and Human Services. Passage of the Medicare DATA Act would put an end to that loophole.

Information affecting the American taxpayer should be part of the public domain in a free society. With this principle in mind, I join with Senator GRASSLEY in changing ''business as usual.''

I urge my colleagues to support this legislation so that Medicare data is finally fully transparent and available to Medicare beneficiaries and taxpayers alike. I look forward to working with my colleagues in this effort.

By Mr. UDALL of Colorado (for himself, Mr. WYDEN, Ms. MURKOWSKI, Mr. UDALL of New Mexico, Mr. BEGICH, Mr. MERKLEY, and Mr. LEE):

S. 1182. A bill to modify the Foreign Intelligence Surveillance Act of 1978 to require specific evidence for access to business records and other tangible things, and provide appropriate transition procedures, and for other purposes; to the Committee on the Judiciary.

Mr. UDALL of Colorado. Mr. President, I rise to speak on an issue that is critical to our constitutional rights and our national security. The revelation and subsequent declassification of the National Security Agency's intelligence gathering programs have shocked Americans in ways that I long ago had telegraphed. We are having a spirited and critical debate about what the right balance between privacy and security ought to be. With regards to NSA activity, I am introducing bipartisan legislation today, with several senators of both parties, designed to narrow Section 215 of the USA PATRIOT Act, known also as the ''business records'' provision, to better balance the authorities we give the federal government while protecting our constitutional rights. More specifically, my legislation would prevent the federal government from collecting millions of law-abiding Americans' phone call records without first establishing some nexus to terrorism. We all expect the NSA to target terrorists, but the revelations in the past few weeks have made clear that the information of millions of law-abiding Americans is being swept up in the process.

Let me start by saying that I continue to feel that a number of the permanent PATRIOT Act provisions

should remain in place to give our intelligence community important tools to fight terrorism. But I also believe, as I stated two years ago when offering this same legislation as an amendment to the PATRIOT Act reauthorization bill, that Section 215 of this Act fails to strike the right balance between keeping us safe and protecting the privacy rights of Americans. Indeed, my concerns about this provision of the law have only grown since I was first briefed on its secret interpretation and implementation as a member of the Senate Intelligence Committee.

From the recent leaks and information since declassified about the Section 215 collection program, we know that the Foreign Intelligence Surveillance Court has interpreted this provision of the PATRIOT Act to permit the collection of millions of Americans' phone records on a daily, ongoing basis. As a member of the Senate Intelligence Committee, I have repeatedly expressed concern that the interpretation of this provision of the PATRIOT Act, which allows the government to obtain ''any tangible thing'' relevant to a national security investigation, is at odds with the plain meaning of the law. This secrecy has prevented Americans from understanding how these laws are being implemented in their name. That is unacceptable.

Even before the nature of the bulk phone records collection program was declassified, there was support for narrowing the language of Section 215 from many in Congress and many Americans who feel strongly about their constitutional right to privacy. In fact, the PATRIOT Act reauthorization that passed the Senate in 2005 by unanimous consent included language that would limit the government's ability to collect Americans' personal information without a demonstrated link to terrorism or espionage. While that language did not prevail in conference, it demonstrated that bipartisan agreement on reforms to Section 215 is possible.

In 2011, as the Senate took up the extension of a number of expiring provisions of the PATRIOT Act, I offered an amendment drawn directly from language in the 2005 Senate-passed bill to narrow the application of this provision. That amendment unfortunately did not receive a vote. But today, along with my colleague Sen. WYDEN and others, I am back at it again—introducing bipartisan legislation drawn from that same language.

Our bipartisan bill would narrow the PATRIOT Act Section 215 collection authority to make it consistent with what most Americans believe the law allows. While this legislation would still allow law enforcement and intelligence agencies to use the PATRIOT Act to obtain a wide range of records in the course of terrorism- and espionage-related investigations, it would require them to demonstrate that the records are in some way connected to terrorism or clandestine intelligence activities—which is not the case today. I don't think it is unreasonable to ask our law enforcement agencies to identify a terrorism or espionage investigation before collecting the private information of American citizens.

Many Coloradans share my belief that we need to place common-sense limits on government investigations and link data collection to terrorist- or espionage-related activities. If we cannot assert some nexus to terrorism, then the government should keep its hands off the phone data of law-abiding Americans.

Let me be very clear: our government must continue to diligently and aggressively combat terrorism. We all agree with that critically important goal. But I do not think that it is unreasonable to ask that collection of phone data be limited to investigations that are actually related to terrorism or espionage. And I do not believe that we need to sacrifice national security to strike this balance. In fact, as a member of the Intelligence Committee who has studied our surveillance programs closely, it has not been demonstrated to me that the bulk phone records collection program has provided uniquely valuable information that has stopped terrorist attacks, beyond what is available through less intrusive means. But if we are going to continue providing this authority to collect phone data from Americans' communications, let's at least limit it to require a link to terrorism or espionage. This is a commonsense step that we can take to strike a better balance between keeping our country safe and respecting constitutional rights.

I thank my colleagues who have cosponsored this legislation, and ask other colleagues to give it a close look. I will continue to press for the PATRIOT Act to be reopened for debate, and when that occurs, I will push for passage of this bipartisan bill that strikes a better balance between keeping our nation safe and unduly trampling our constitutional rights.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 173—DESIGNATING SEPTEMBER 2013 AS ''NATIONAL CHILD AWARENESS MONTH'' TO PROMOTE AWARENESS OF CHARITIES BENEFITTING CHILDREN AND YOUTH-SERVING ORGANIZATIONS THROUGHOUT THE UNITED STATES AND RECOGNIZING EFFORTS MADE BY THOSE CHARITIES AND ORGANIZATIONS ON BEHALF OF CHILDREN AND YOUTH AS CRITICAL CONTRIBUTIONS TO THE FUTURE OF THE UNITED STATES

Mrs. FEINSTEIN (for herself, Mr. BURR, Mr. COBURN, Mrs. MURRAY, Mr. ENZI, and Mr. DURBIN) submitted the following resolution; which was considered and agreed to:

S. RES. 173

Whereas millions of children and youth in the United States represent the hopes and future of the United States;

Whereas numerous individuals, charities benefitting children, and youth-serving organizations that work with children and youth collaborate to provide invaluable services to enrich and better the lives of children and youth throughout the United States;

Whereas raising awareness of, and increasing support for, organizations that provide access to healthcare, social services, education, the arts, sports, and other services will result in the development of character and the future success of the children and youth of the United States;

Whereas the month of September, as the school year begins, is a time when parents, families, teachers, school administrators, and communities increase their focus on children and youth throughout the United States;

Whereas the month of September is a time for the people of the United States to highlight and be mindful of the needs of children and youth;

Whereas private corporations and businesses have joined with hundreds of national and local charitable organizations throughout the United States in support of a month-long focus on children and youth; and

Whereas designating September 2013 as National Child Awareness Month recognizes that a long-term commitment to children and youth is in the public interest, and will encourage widespread support for charities and organizations that seek to provide a better future for the children and youth of the United States: Now, therefore, be it

Resolved, That the Senate designates September 2013 as National Child Awareness Month—

(1) to promote awareness of charities benefitting children and youth-serving organizations throughout the United States; and

(2) to recognize efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States.

SENATE RESOLUTION 174—DESIGNATING JUNE 20, 2013, AS ''AMERICAN EAGLE DAY'', AND CELEBRATING THE RECOVERY AND RESTORATION OF THE BALD EAGLE, THE NATIONAL SYMBOL OF THE UNITED STATES

Mr. ALEXANDER (for himself, Mr. DURBIN, Mr. SESSIONS, Mrs. FEINSTEIN, Mr. COCHRAN, Mr. SCHATZ, Mr. ROBERTS, and Mr. CORKER) submitted the following resolution; which was considered and agreed to:

S. RES. 174

Whereas on June 20, 1782, the bald eagle was officially designated as the national emblem of the United States by the founding fathers in the Congress of the Confederation;

Whereas the bald eagle is the central image of the Great Seal of the United States;

Whereas the image of the bald eagle is displayed in the official seal of many branches and departments of the Federal Government, including—

(1) the Office of the President;
(2) the Office of the Vice President;
(3) Congress;
(4) the Supreme Court;
(5) the Department of the Treasury;
(6) the Department of Defense;
(7) the Department of Justice;
(8) the Department of State;
(9) the Department of Commerce;

(10) the Department of Homeland Security;
(11) the Department of Veterans Affairs;
(12) the Department of Labor;
(13) the Department of Health and Human Services;
(14) the Department of Energy;
(15) the Department of Housing and Urban Development;
(16) the Central Intelligence Agency; and
(17) the Postal Service;

Whereas the bald eagle is an inspiring symbol of—
(1) the spirit of freedom; and
(2) the sovereignty of the United States;

Whereas since the founding of the Nation, the image, meaning, and symbolism of the bald eagle have played a significant role in the art, music, history, commerce, literature, architecture, and culture of the United States;

Whereas the bald eagle is prominently featured on the stamps, currency, and coinage of the United States;

Whereas the habitat of bald eagles exists only in North America;

Whereas by 1963, the population of bald eagles that nested in the lower 48 States had declined to approximately 417 nesting pairs;

Whereas due to the dramatic decline in the population of bald eagles in the lower 48 States, the Secretary of the Interior listed the bald eagle as an endangered species on the list of endangered species published under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1));

Whereas caring and concerned individuals from the Federal, State, and private sectors banded together to save, and help ensure the recovery and protection of, bald eagles;

Whereas on July 20, 1969, the first manned lunar landing occurred in the Apollo 11 Lunar Excursion Module, which was named ''Eagle'';

Whereas the ''Eagle'' played an integral role in achieving the goal of the United States of landing a man on the Moon and returning that man safely to Earth;

Whereas in 1995, as a result of the efforts of those caring and concerned individuals, the Secretary of the Interior listed the bald eagle as a threatened species on the list of threatened species published under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1));

Whereas by 2007, the population of bald eagles that nested in the lower 48 States had increased to approximately 10,000 nesting pairs, an increase of approximately 2,500 percent from the preceding 40 years;

Whereas in 2007, the population of bald eagles that nested in the State of Alaska was approximately 50,000 to 70,000;

Whereas on June 28, 2007, the Secretary of the Interior removed the bald eagle from the list of threatened species published under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1));

Whereas bald eagles remain protected in accordance with—
(1) the Act entitled ''An Act for the protection of the bald eagle'', approved June 8, 1940 (16 U.S.C. 668 et seq.) (commonly known as the ''Bald Eagle Protection Act of 1940''); and
(2) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

Whereas on January 15, 2008, the Secretary of the Treasury issued 3 limited edition bald eagle commemorative coins under the American Bald Eagle Recovery and National Emblem Commemorative Coin Act (Public Law 108–486; 118 Stat. 3934);

Whereas the sale of the limited edition bald eagle commemorative coins issued by the Secretary of the Treasury has raised approximately $7,800,000 for the nonprofit American Eagle Foundation of Pigeon Forge, Tennessee to support efforts to protect the bald eagle;

Whereas if not for the vigilant conservation efforts of concerned Americans and the enactment of conservation laws (including regulations), the bald eagle would face extinction;

Whereas the American Eagle Foundation has brought substantial public attention to the cause of the protection and care of the bald eagle nationally;

Whereas, November 4, 2010, marked the 25th anniversary of the American Eagle Foundation;

Whereas facilities around the United States, such as the Southeastern Raptor Center at Auburn University in the State of Alabama, rehabilitate injured eagles for release into the wild;

Whereas the dramatic recovery of the population of bald eagles—
(1) is an endangered species success story; and
(2) an inspirational example for other wildlife and natural resource conservation efforts around the world;

Whereas the initial recovery of the population of bald eagles was accomplished by the concerted efforts of numerous government agencies, corporations, organizations, and individuals; and

Whereas the continuation of recovery, management, and public awareness programs for bald eagles will be necessary to ensure—
(1) the continued progress of the recovery of bald eagles; and
(2) that the population and habitat of bald eagles will remain healthy and secure for future generations: Now, therefore, be it

Resolved, That the Senate—
(1) designates June 20, 2013, as ''American Eagle Day'';
(2) applauds the issuance of bald eagle commemorative coins by the Secretary of the Treasury as a means by which to generate critical funds for the protection of bald eagles; and
(3) encourages—
(A) educational entities, organizations, businesses, conservation groups, and government agencies with a shared interest in conserving endangered species to collaborate and develop educational tools for use in the public schools of the United States; and
(B) the people of the United States to observe American Eagle Day with appropriate ceremonies and other activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1316. Mrs. GILLIBRAND (for herself and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1317. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1318. Mr. WYDEN (for himself, Mrs. BOXER, Mr. SCHATZ, Mr. WHITEHOUSE, Mr. HEINRICH, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1319. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1320. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1321. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1322. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1323. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1324. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1325. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1326. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1327. Mr. BLUMENTHAL (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1328. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1329. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1330. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1331. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1332. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1333. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1334. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1335. Mr. HARKIN (for himself and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1336. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1337. Mr. SCHATZ (for himself, Ms. HIRONO, Mrs. BOXER, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1338. Ms. LANDRIEU (for herself, Mrs. SHAHEEN, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1339. Mr. WHITEHOUSE (for himself, Mr. REED, Mrs. GILLIBRAND, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1340. Ms. LANDRIEU (for herself, Ms. HIRONO, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1341. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1342. Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) submitted an

amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1316. Mrs. GILLIBRAND (for herself and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 2111, strike ''Except'' and insert the following:

(a) ELIGIBILITY FOR LEGAL ASSISTANCE.—Section 504(a)(11) of the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321–53) may not be construed to prevent a recipient of funds under the Legal Services Corporation Act (42 U.S.C. 2996 et seq.) from providing legal assistance related to an application for registered provisional immigrant (referred to in this subsection as ''RPI'') status under section 245B of the Immigration and Nationality Act, legal assistance to an individual who has been granted RPI status, or legal assistance related to an application for adjustment of status under section 245C or 245D of that Act.

(b) RIGHT OR BENEFIT.—Except

SA 1317. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1300, between lines 11 and 12, insert the following:

SEC. 2554. TAXPAYER ELIGIBILITY FOR FEDERAL PROGRAMS.

(a) IN GENERAL.—Any individual who—

(1) is lawfully present in the United States;

(2) is employed; and

(3) has satisfied any applicable Federal tax liability (as defined in section 245B(c)(2)(B) of the Immigration and Nationality Act),

shall not be ineligible for any federally-funded program or tax credit allowed under the Internal Revenue Code of 1986 solely on the basis of the individual's immigration status.

(b) SATISFACTION OF REQUIREMENTS.—An individual may demonstrate compliance with the requirements described in subsection (a) by submitting appropriate documentation, in accordance with regulations promulgated by the Secretary of Homeland Security, in consultation with the Secretary of the Treasury. For purposes of paragraph (2) of subsection (a), such regulations shall allow for brief periods of unemployment lasting not more than 60 days.

(c) APPLICATION TO SPOUSE OR DEPENDENT.—Subsection (a) shall apply to the spouse of an individual described in that subsection and to any dependent (as defined in section 152 of the Internal Revenue Code of 1986) of the individual without regard to paragraph (2) of that subsection.

(d) APPLICATION OF HEALTH INSURANCE REQUIREMENTS.—Notwithstanding any provision of this Act or any amendment made by this Act, for purposes of sections 36B(e) and 5000A(d)(3) of the Internal Revenue Code of 1986 and section 1402(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18071(e)), an individual described in subsection (a) or (c) of this section shall be treated as lawfully present in the United States.

(e) NONAPPLICATION.—This section shall apply notwithstanding any provision of this Act or any amendment made by this Act.

SA 1318. Mr. WYDEN (for himself, Mrs. BOXER, Mr. SCHATZ, Mr. WHITEHOUSE, Mr. HEINRICH, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 855, strike lines 13 through 19.

Beginning on page 858, strike line 11 and all that follows through page 859, line 22.

On page 864, strike lines 8 through 10 and insert the following:

SEC. 5. COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.

Beginning on page 870, strike line 3 and all that follows through page 871, line 22.

On page 877, beginning on line 1, strike ''technology'' and all that follows through line 6, and insert ''technology;''.

Beginning on page 908, strike line 8 and all that follows through page 911, line 3.

Beginning on page 1039, strike line 22 and all that follows through page 1040, line 2.

SA 1319. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PLACEMENT OF SERVICE CENTERS OF U.S. CITIZENSHIP AND IMMIGRATION SERVICES.

The Director of U.S. Citizenship and Immigration Services, in reviewing the future space and staffing needs for service centers of U.S. Citizenship and Immigration Services, shall develop, to the extent practicable, an effective facility model that encourages each service center to centralize its operations into a single headquarters campus in the original geographic location of the center.

SA 1320. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 896, strike line 11 and all that follow through page 942, line 17, and insert the following:

TITLE I—BORDER SECURITY

SEC. 1101. BORDER SECURITY REQUIREMENTS.

(a) IN GENERAL.—During the 3-year period beginning on the date of the enactment of this Act, the Secretary shall—

(1) triple the number of U.S. Border Patrol agents stationed along the international border between the United States and Mexico;

(2) quadruple the equipment and other assets stationed along such border, including cameras, sensors, drones, and helicopters, to enable continuous monitoring of the border;

(3) complete all of the fencing required under the Secure Fence Act of 2006 (Public Law 109–367);

(4) develop, in cooperation with the Department of Defense and all Federal law enforcement agencies, a policy ensuring real-time sharing of information among all Federal law enforcement agencies regarding—

(A) smuggling routes for humans and contraband;

(B) patterns in illegal border crossings;

(C) new techniques or methods used in cross-border illegal activity; and

(D) all other information pertinent to border security;

(5) complete and fully implement the United States Visitor and Immigrant Status Indicator Technology (US-VISIT), including the biometric entry-exist portion; and

(6) establish operational control (as defined in section 2(b) of the Secure Fence Act of 2006 (Public Law 109–367)) over 100 percent of the international border between the United States and Mexico.

(b) TRIGGERS.—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101, or blue card status under section 2111 until the Secretary has substantially complied with all of the requirements set forth in subsection (a).

(c) BUDGETARY EFFECTS OF NONCOMPLIANCE.—

(1) INITIAL REDUCTIONS.—If, on the date that is 3 years after the date of the enactment of this Act, the Secretary has failed to substantially comply with all of the requirements set forth in subsection (a)—

(A) the amount appropriated to the Department for the following fiscal year shall be automatically reduced by 20 percent;

(B) an amount equal to the reduction under subparagraph (A) shall be made available, in block grants, to the States of Arizona, California, New Mexico, and Texas for securing the international border between the United States and Mexico; and

(C) the salary of all political appointees at the Department shall be reduced by 20 percent.

(2) SUBSEQUENT YEARS.—If, on the date that is 4, 5, 6, or 7 years after the date of the enactment of this Act, the Secretary has failed to substantially comply with all of the requirements set forth in subsection (a)—

(A) the reductions and block grants authorized under subparagraphs (A) and (B) of paragraph (1) shall increase by an additional 5 percent of the amount appropriated to the Department before the reduction authorized under paragraph (1)(A); and

(B) the salary of all political appointees at the Department shall be reduced by an additional 5 percent.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), there are authorized to be appropriated to carry out this title such sums as may be necessary for each of the fiscal year 2014 through 2018.

(2) OFFSET.—

(A) IN GENERAL.—Any amounts appropriated pursuant to paragraph (1) shall be offset by an equal reduction in the amounts appropriated for other purposes.

(B) RESCISSION.—If the reductions required under subparagraph (A) are not made during the 180-day period beginning on the date of the enactment of this Act, there shall be rescinded, from all unobligated amounts appropriated for any Federal agency (other than the Department of Defense), on a proportionate basis, an amount equal to the amount appropriated pursuant to paragraph (1).

SA 1321. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INELIGIBILITY FOR MEANS-BASED BENEFITS OF ALIENS ENTERING OR REMAINING IN UNITED STATES WHILE NOT IN LAWFUL STATUS.

Notwithstanding any provision of this Act or any other provision of law, no alien who

has entered or remained in the United States while not in lawful status under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) shall be eligible for any Federal, State, or local government means-tested benefit, nor shall such alien be eligible for any benefit under the Patient Protection and Affordable Care Act (Pub. L. 111–148), regardless of the alien's legal status at the time of application for such benefit.

SA 1322. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1076, strike line 20 and insert the following:

SEC. 2215. IMMIGRANT CATEGORIES INELIGIBLE FOR UNITED STATES CITIZENSHIP.

Notwithstanding any other provision of law, aliens granted registered provisional immigrant status under section 245B of the Immigration and Nationality Act, as added by section 2101, including aliens described in section 245D(b)(1) of such Act, and aliens granted blue card status under section 2211 are permanently ineligible to become naturalized citizens of the United States, except for aliens granted asylum pursuant to section 208 of such Act (8 U.S.C. 1158).

SEC. 2216. AUTHORIZATION OF APPROPRIATIONS.

SA 1323. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1076, strike line 20 and insert the following:

SEC. 2215. INELIGIBILITY FOR MEANS-BASED BENEFITS OF ALIENS ENTERING OR REMAINING IN UNITED STATES WHILE NOT IN LAWFUL STATUS.

Notwithstanding any provision of this Act or any other provision of law, any alien who, after entering or remaining in the United States while not in lawful status under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), was granted legal status under section 245B of the Immigration and Nationality Act, as added by section 2101, including aliens described in section 245D(b)(1) of such Act, or blue card status under section 2211, regardless of the alien's legal status at the time the alien applies for a benefit described in paragraph (1) or (2), shall not be eligible for—

(1) any Federal, State, or local government means-tested benefit; or

(2) any benefit under the Patient Protection and Affordable Care Act (Pub. L. 111–148).

SEC. 2216. IMMIGRANT CATEGORIES INELIGIBLE FOR UNITED STATES CITIZENSHIP.

Notwithstanding any other provision of law, aliens granted registered provisional immigrant status under section 245B of the Immigration and Nationality Act, as added by section 2101, including aliens described in section 245D(b)(1) of such Act, and aliens granted blue card status under section 2211 are permanently ineligible to become naturalized citizens of the United States, except for aliens granted asylum pursuant to section 208 of such Act (8 U.S.C. 1158).

SEC. 2217. AUTHORIZATION OF APPROPRIATIONS.

SA 1324. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1166, strike line 3 and all that follows through ''(d)'' on page 1217, line 8, and insert the following:

SEC. 2303. ELIMINATION OF ARBITRARY LIMITATION OF FOREIGN NATIONALITIES.

(a) REPEAL.—Section 202 (8 U.S.C. 1152) is repealed.

(b) CONFORMING AMENDMENT.—Section 203(b) (8 U.S.C. 1153(b)) is amended by striking paragraph (6).

SEC. 2304. ELIMINATION OF DIVERSITY VISA LOTTERY.

(a) REPEAL.—Section 203(c) (8 U.S.C. 1153(c)) is repealed.

(b) CONFORMING AMENDMENTS.—Title II (8 U.S.C. 1151 et seq.) is amended—

(1) in section 201—

(A) in subsection (a), by striking paragraph (3); and

(B) by striking subsection (e); and

(2) in section 204(a)(1), by striking subparagraph (I).

SEC. 2305. FAMILY-SPONSORED IMMIGRANTS.

(a) NUMERICAL LIMITATIONS.—Section 201(c) (8 U.S.C. 1151(c)) is amended to read as follows:

''(c) WORLDWIDE LEVEL OF FAMILY-SPONSORED IMMIGRANTS.—The maximum worldwide level of family-sponsored immigrants for each fiscal year shall be 337,500.''.

(b) VISA ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS .—Section 203(a) (8 U.S.C. 1153(a)) is amended to read as follows:

''(a) VISA ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS.—Qualified immigrants who are the unmarried sons or unmarried daughters (but not children) of a citizen of the United States or an alien lawfully admitted for permanent residence shall be allocated all of the visas made available under section 201(c).''.

(c) EXPANSION OF IMMEDIATE RELATIVE DEFINITION.—Section 201(b)(2)(A) (8 U.S.C. 1151(b)(2)(A)) is amended to read as follows:

''(A)(i) Immediate relatives.

''(ii) Aliens admitted under section 211(a) on the basis of a prior issuance of a visa to their accompanying parent who is an immediate relative.

''(iii) In this subparagraph the term 'immediate relatives' means the children, spouse, and parents of a citizen of the United States or of a lawful permanent resident. If the immediate relative is a parent, the citizen or permanent resident shall be at least 21 years of age. If the alien was the spouse of a citizen of the United States or of a lawful permanent resident and was not legally separated from the citizen or permanent resident at the time of the citizen's or permanent resident's death, the alien (and each child of the alien) shall be considered, for purposes of this subparagraph, to remain an immediate relative after the date of the citizen's or permanent resident's death and until the date the spouse remarries if the spouse files a petition under section 204(a)(1)(A)(ii) not later than 2 years after such death. An alien who has filed a petition under clause (iii) or (iv) of section 204(a)(1)(A) shall remain an immediate relative if the United States citizen or lawful permanent resident spouse or parent loses United States citizenship or lawful permanent resident status on account of the abuse.''.

(d) CONFORMING AMENDMENTS.—The Act (8 U.S.C. 1101 et seq.) is amended—

(1) in section 101(a)(15)(V), by striking ''203(a)(2)(A)'' each place it appears and inserting ''203(a)'';

(2) in section 201(f)—

(A) in paragraph (2), by striking ''203(a)(2)(A)'' and inserting ''203(a)''; and

(B) by striking paragraph (3); and

(C) by redesignating paragraph (4) as paragraph (3); and

(D) in paragraph (3), as redesignated, by striking ''(1) through (3)'' and inserting ''(1) and (2)''; and

(3) in section 204—

(A) in subsection (a)(1)—

(i) in subparagraph (A)(i), by striking ''paragraph (1), (3), or (4) of section 203(a)'' and inserting ''section 203(a)''; and

(ii) in subparagraph (B)—

(I) in clause (i)(I), by striking ''section 203(a)(2)'' and inserting ''section 203(a)''; and

(II) in clause (ii), by striking ''clause (iii) of section 203(a)(2)(A)'' each place it appears and inserting ''section 203(a)''; and

(III) in clause (iii), by striking ''section 203(a)(2)(A)'' and inserting ''section 203(a)''; and

(iii) in subparagraph (D)(i)(I), by striking ''paragraph (1), (2), or (3) of section 203(a)'' and inserting ''section 203(a)'';

(B) in subsection (a)(2)(A), in the undesignated matter after clause (ii), by striking ''preference status under section 203(a)(2)'' and inserting ''status as an immediate relative under section 201(b)(2)(A)''; and

(C) in subsection (k)(1), by striking ''section 203(a)(2)(B)'' and inserting ''section 203(a)''.

SEC. 2306. EMPLOYMENT-BASED IMMIGRANTS.

(a) NUMERICAL LIMITATIONS.—Section 201(d) (8 U.S.C. 1151(c)) is amended to read as follows:

''(d) WORLDWIDE LEVEL OF EMPLOYMENT-BASED IMMIGRANTS.—The maximum worldwide level of employment-based immigrants for each fiscal year shall be 1,012,500.''.

(b) VISA ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS .—Section 203(b) (8 U.S.C. 1153(a)) is amended to read as follows:

''(b) VISA ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS.—Aliens subject to the worldwide level specified in section 201(d) for employment-based immigrants in a fiscal year shall be allocated visas as follows:

''(1) HIGHLY-SKILLED WORKERS.—Up to 607,500 visas shall be allocated each fiscal year to qualified immigrants described in this paragraph, with preference to be given to immigrants described in subparagraph (A).

''(A) ADVANCED DEGREES IN STEM FIELD.—An alien described in this paragraph holds an advanced degree in science, technology, engineering, or mathematics from an accredited institution of higher education in the United States.

''(B) ALIENS WITH EXTRAORDINARY ABILITY.—An alien described in this subparagraph—

''(i) has extraordinary ability in the sciences, arts, education, business, or athletics which has been demonstrated by sustained national or international acclaim and whose achievements have been recognized in the field through extensive documentation;

''(ii) seeks to enter the United States to continue work in the area of extraordinary ability; and

''(iii) will substantially benefit the United States.

''(C) OUTSTANDING PROFESSORS AND RESEARCHERS.—An alien described in this subparagraph—

''(i) is recognized internationally as outstanding in a specific academic area;

''(ii) has at least 3 years of experience in teaching or research in the academic area; and

''(iii) seeks to enter the United States—

''(I) for a tenured position (or tenure-track position) within a university or institution of higher education to teach in the academic area;

''(II) for a comparable position with a university or institution of higher education to conduct research in the area; or

''(III) for a comparable position to conduct research in the area with a department, division, or institute of a private employer, if the department, division, or institute employs at least 3 persons full-time in research activities and has achieved documented accomplishments in an academic field.

''(D) CERTAIN MULTINATIONAL EXECUTIVES AND MANAGERS.—An alien described in this subparagraph, in the 3 years preceding the time of the alien's application for classification and admission into the United States under this subparagraph, has been employed for at least 1 year by a firm or corporation or other legal entity or an affiliate or subsidiary thereof and the alien seeks to enter the United States in order to continue to render services to the same employer or to a subsidiary or affiliate thereof in a capacity that is managerial or executive.

''(E) SKILLED WORKERS, PROFESSIONALS, AND OTHER WORKERS.—An alien described in this subparagraph—

''(i) is capable, at the time of petitioning for classification under this paragraph, of performing skilled labor (requiring at least 2 years training or experience), not of a temporary or seasonal nature, for which qualified workers are not available in the United States; or

''(ii) holds a baccalaureate degree and is a members of the professions.

''(F) EMPLOYMENT CREATION.—An alien described in this subparagraph seeks to enter the United States for the purpose of engaging in a new commercial enterprise (including a limited partnership)—

''(i) in which such alien has invested (after the date of the enactment of the Immigration Act of 1990) or, is actively in the process of investing, capital in an amount not less than $1,000,000; and

''(ii) which will benefit the United States economy and create full-time employment for not fewer than 10 United States citizens or aliens lawfully admitted for permanent residence or other immigrants lawfully authorized to be employed in the United States (other than the immigrant and the immigrant's spouse, sons, or daughters).

''(2) WORKERS IN DESIGNATED SHORTAGE OCCUPATIONS.—Up to 405,000 visas shall be allocated each fiscal year to qualified immigrants who—

''(A) are not described in paragraph (1); and

''(B) have at least 2 years experience in an occupation designated by the Bureau of Labor Statistics as experiencing a shortage of labor throughout the United States.''.

(c) TREATMENT OF FAMILY MEMBERS.—Section 203(d) (8 U.S.C. 1153(d)) is amended—

(1) by striking ''(a), (b), or (c)'' and inserting ''(a) or (b)''; and

(2) by adding at the end the following: ''The spouse, children, or parents of an alien receiving a visa under subsection 203(b) who are accompanying or following to join the alien shall be counted against the numerical limitations set forth in subsection (b).''.

SEC. 2307. ONLINE PORTAL FOR LAWFUL PERMANENT RESIDENT APPLICATIONS.

(a) ESTABLISHMENT.—The Secretary shall establish an online portal through which individuals may submit applications for lawful permanent resident status.

(b) FEATURES.—The online portal established pursuant to subsection (a) shall provide—

(1) step-by-step instructions, in plain English, describing what information and supporting documentation is required to be submitted;

(2) an e-mail or text message to notify applicants of changes in the status of their application.

(c) USER FEE.—In addition to any other fees required of applicants for lawful permanent under any other provision of law, the Secretary may charge individuals who apply for such status through the online portal established pursuant to subsection (a) a fee in an amount sufficient to pay for the costs of maintaining the online portal.

(d) TIME LIMITATION.—All petitions submitted through the online portal established pursuant to subsection (a) shall be adjudicated in 60 days or less.

(e)

SA 1325. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1629, strike line 7 and all that follows through page 1714, line 19, and insert the following:

SEC. 4101. MARKET-BASED H–1B VISA LIMITS.

(a) IN GENERAL.—Section 214(g)(1) (8 U.S.C. 1184(g)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''(beginning with fiscal year 1992)''; and

(2) by amending subparagraph (A) to read as follows:

''(A) under section 101(a)(15)(H)(i)(b) may not exceed—

''(i) 65,000 in fiscal year 2013; and

''(ii) 325,000 in each subsequent fiscal year; and'';

SEC. 4102. WORK AUTHORIZATION FOR DEPENDENT SPOUSES OF H–1B NONIMMIGRANTS.

Section 214(n) (8 U.S.C. 1184(n)) is amended—

(1) by amending the subsection heading to read as follows ''EMPLOYMENT AUTHORIZATION FOR H–1B NONIMMIGRANTS AND THEIR SPOUSES''; and

(2) by adding at the end the following:

''(3) The spouse of an alien provided nonimmigrant status under section 101(a)(15)(H)(i)(b) is authorized to accept employment in the United States while his or her principal alien spouse lawfully maintains such status while in the United States.''.

SEC. 4103. AUTHORIZATION OF DUAL INTENT.

(a) DEFINITION.—Section 101(a)(15)(F)(i) (8 U.S.C. 1101(a)(15)(F)(i)) is amended by striking ''which he has no intention of abandoning'' and inserting ''which, if the alien is not pursuing a course of study at an accredited institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), the alien has no intention of abandoning''.

(b) PRESUMPTION OF STATUS; INTENTION TO ABANDON FOREIGN RESIDENCE.—Section 214 (8 U.S.C. 1184) is amended—

(1) in subsection (b), by striking ''(L) or (V)'' and inserting ''(F), (L), or (V)''; and

(2) in subsection (h), by striking ''(H)(i)(b) or (c)'' and inserting ''(F), (H)(i)(b), (H)(i)(c)''.

SEC. 4104. H–1B FEE INCREASE.

(a) IN GENERAL.—Section 214(c)(9) (8 U.S.C. 1184(c)(9)) is amended by striking subparagraphs (B) and (C) and inserting the following:

''(B) The amount of the fee imposed under subparagraph (A) shall be—

''(i) $2,500 for each such petition by an employer with more than 25 full-time equivalent employees who are employed in the United States, including any affiliate or subsidiary of such employer; or

''(ii) $1,250 for each such petition by any employer with not more than 25 full-time equivalent employees who are employed in the United States , including any affiliate or subsidiary of such employer.

''(C) Of the amounts collected under this paragraph—

''(i) 60 percent shall be deposited in the H–1B Nonimmigrant Petitioner Account in accordance with section 286(s); and

''(ii) 40 percent shall be deposited in the STEM Education and Training Account established under section 286(w).''.

(b) STEM EDUCATION AND TRAINING ACCOUNT.—Section 286 (8 U.S.C. 1356) is amended by adding at the end the following:

''(w) STEM EDUCATION AND TRAINING ACCOUNT.—

''(1) IN GENERAL.—There is established in the general fund of the Treasury a separate account, which shall be known as the 'STEM Education and Training Account' (referred to in this subsection as the 'Account').

''(2) DEPOSITS.—There shall be deposited as offsetting receipts into the Account 40 percent of the fees collected under section 214(c)(9)(B).

''(3) USE OF FUNDS.—Amounts deposited in the Account may be used to enhance the economic competitiveness of the United States by—

''(A) establishing a block grant program for States to promote STEM education; and

''(B) carrying out programs to bridge STEM education with employment, such as work-study program.''.

SA 1326. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1166, strike line 3 and all that follows through ''(d)'' on page 1217, line 8, and insert the following:

SEC. 2303. ELIMINATION OF ARBITRARY LIMITATION OF FOREIGN NATIONALITIES.

(a) REPEAL.—Section 202 (8 U.S.C. 1152) is repealed.

(b) CONFORMING AMENDMENT.—Section 203(b) (8 U.S.C. 1153(b)) is amended by striking paragraph (6).

SEC. 2304. ELIMINATION OF DIVERSITY VISA LOTTERY.

(a) REPEAL.—Section 203(c) (8 U.S.C. 1153(c)) is repealed.

(b) CONFORMING AMENDMENTS.—Title II (8 U.S.C. 1151 et seq.) is amended—

(1) in section 201—

(A) in subsection (a), by striking paragraph (3); and

(B) by striking subsection (e); and

(2) in section 204(a)(1), by striking subparagraph (I).

SEC. 2305. FAMILY-SPONSORED IMMIGRANTS.

(a) NUMERICAL LIMITATIONS.—Section 201(c) (8 U.S.C. 1151(c)) is amended to read as follows:

''(c) WORLDWIDE LEVEL OF FAMILY-SPONSORED IMMIGRANTS.—The maximum worldwide level of family-sponsored immigrants for each fiscal year shall be 337,500.''.

(b) VISA ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS .—Section 203(a) (8 U.S.C. 1153(a)) is amended to read as follows:

''(a) VISA ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS.—Qualified immigrants who are the unmarried sons or unmarried daughters (but not children) of a citizen of the United States or an alien lawfully admitted for permanent residence shall be allocated all of the visas made available under section 201(c).''.

(c) EXPANSION OF IMMEDIATE RELATIVE DEFINITION.—Section 201(b)(2)(A) (8 U.S.C. 1151(b)(2)(A)) is amended to read as follows:

''(A)(i) Immediate relatives.

''(ii) Aliens admitted under section 211(a) on the basis of a prior issuance of a visa to their accompanying parent who is an immediate relative.

''(iii) In this subparagraph the term 'immediate relatives' means the children, spouse,

and parents of a citizen of the United States or of a lawful permanent resident. If the immediate relative is a parent, the citizen or permanent resident shall be at least 21 years of age. If the alien was the spouse of a citizen of the United States or of a lawful permanent resident and was not legally separated from the citizen or permanent resident at the time of the citizen's or permanent resident's death, the alien (and each child of the alien) shall be considered, for purposes of this subparagraph, to remain an immediate relative after the date of the citizen's or permanent resident's death and until the date the spouse remarries if the spouse files a petition under section 204(a)(1)(A)(ii) not later than 2 years after such death. An alien who has filed a petition under clause (iii) or (iv) of section 204(a)(1)(A) shall remain an immediate relative if the United States citizen or lawful permanent resident spouse or parent loses United States citizenship or lawful permanent resident status on account of the abuse.''.

(d) CONFORMING AMENDMENTS.—The Act (8 U.S.C. 1101 et seq.) is amended—

(1) in section 101(a)(15)(V), by striking ''203(a)(2)(A)'' each place it appears and inserting ''203(a)'';

(2) in section 201(f)—

(A) in paragraph (2), by striking ''203(a)(2)(A)'' and inserting ''203(a)''; and

(B) by striking paragraph (3); and

(C) by redesignating paragraph (4) as paragraph (3); and

(D) in paragraph (3), as redesignated, by striking ''(1) through (3)'' and inserting ''(1) and (2)''; and

(3) in section 204—

(A) in subsection (a)(1)—

(i) in subparagraph (A)(i), by striking ''paragraph (1), (3), or (4) of section 203(a)'' and inserting ''section 203(a)''; and

(ii) in subparagraph (B)—

(I) in clause (i)(I), by striking ''section 203(a)(2)'' and inserting ''section 203(a)''; and

(II) in clause (ii), by striking ''clause (iii) of section 203(a)(2)(A)'' each place it appears and inserting ''section 203(a)''; and

(III) in clause (iii), by striking ''section 203(a)(2)(A)'' and inserting ''section 203(a)''; and

(iii) in subparagraph (D)(i)(I), by striking ''paragraph (1), (2), or (3) of section 203(a)'' and inserting ''section 203(a)'';

(B) in subsection (a)(2)(A), in the undesignated matter after clause (ii), by striking ''preference status under section 203(a)(2)'' and inserting ''status as an immediate relative under section 201(b)(2)(A)''; and

(C) in subsection (k)(1), by striking ''section 203(a)(2)(B)'' and inserting ''section 203(a)''.

SEC. 2306. EMPLOYMENT-BASED IMMIGRANTS.

(a) NUMERICAL LIMITATIONS.—Section 201(d) (8 U.S.C. 1151(c)) is amended to read as follows:

''(d) WORLDWIDE LEVEL OF EMPLOYMENT-BASED IMMIGRANTS.—The maximum worldwide level of employment-based immigrants for each fiscal year shall be 1,012,500.''.

(b) VISA ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS .—Section 203(b) (8 U.S.C. 1153(a)) is amended to read as follows:

''(b) VISA ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS.—Aliens subject to the worldwide level specified in section 201(d) for employment-based immigrants in a fiscal year shall be allocated visas as follows:

''(1) HIGHLY-SKILLED WORKERS.—Up to 607,500 visas shall be allocated each fiscal year to qualified immigrants described in this paragraph, with preference to be given to immigrants described in subparagraph (A).

''(A) ADVANCED DEGREES IN STEM FIELD.—An alien described in this paragraph holds an advanced degree in science, technology, engineering, or mathematics from an accredited institution of higher education in the United States.

''(B) ALIENS WITH EXTRAORDINARY ABILITY.—An alien described in this subparagraph—

''(i) has extraordinary ability in the sciences, arts, education, business, or athletics which has been demonstrated by sustained national or international acclaim and whose achievements have been recognized in the field through extensive documentation;

''(ii) seeks to enter the United States to continue work in the area of extraordinary ability; and

''(iii) will substantially benefit the United States.

''(C) OUTSTANDING PROFESSORS AND RESEARCHERS.—An alien described in this subparagraph—

''(i) is recognized internationally as outstanding in a specific academic area;

''(ii) has at least 3 years of experience in teaching or research in the academic area; and

''(iii) seeks to enter the United States—

''(I) for a tenured position (or tenure-track position) within a university or institution of higher education to teach in the academic area;

''(II) for a comparable position with a university or institution of higher education to conduct research in the area; or

''(III) for a comparable position to conduct research in the area with a department, division, or institute of a private employer, if the department, division, or institute employs at least 3 persons full-time in research activities and has achieved documented accomplishments in an academic field.

''(D) CERTAIN MULTINATIONAL EXECUTIVES AND MANAGERS.—An alien described in this subparagraph, in the 3 years preceding the time of the alien's application for classification and admission into the United States under this subparagraph, has been employed for at least 1 year by a firm or corporation or other legal entity or an affiliate or subsidiary thereof and the alien seeks to enter the United States in order to continue to render services to the same employer or to a subsidiary or affiliate thereof in a capacity that is managerial or executive.

''(E) SKILLED WORKERS, PROFESSIONALS, AND OTHER WORKERS.—An alien described in this subparagraph—

''(i) is capable, at the time of petitioning for classification under this paragraph, of performing skilled labor (requiring at least 2 years training or experience), not of a temporary or seasonal nature, for which qualified workers are not available in the United States; or

''(ii) holds a baccalaureate degree and is a members of the professions.

''(F) EMPLOYMENT CREATION.—An alien described in this subparagraph seeks to enter the United States for the purpose of engaging in a new commercial enterprise (including a limited partnership)—

''(i) in which such alien has invested (after the date of the enactment of the Immigration Act of 1990) or, is actively in the process of investing, capital in an amount not less than $1,000,000; and

''(ii) which will benefit the United States economy and create full-time employment for not fewer than 10 United States citizens or aliens lawfully admitted for permanent residence or other immigrants lawfully authorized to be employed in the United States (other than the immigrant and the immigrant's spouse, sons, or daughters).

''(2) WORKERS IN DESIGNATED SHORTAGE OCCUPATIONS.—Up to 405,000 visas shall be allocated each fiscal year to qualified immigrants who—

''(A) are not described in paragraph (1); and

''(B) have at least 2 years experience in an occupation designated by the Bureau of Labor Statistics as experiencing a shortage of labor throughout the United States.''.

(c) TREATMENT OF FAMILY MEMBERS.—Section 203(d) (8 U.S.C. 1153(d)) is amended—

(1) by striking ''(a), (b), or (c)'' and inserting ''(a) or (b)''; and

(2) by adding at the end the following: ''The spouse, children, or parents of an alien receiving a visa under subsection 203(b) who are accompanying or following to join the alien shall be counted against the numerical limitations set forth in subsection (b).''.

SEC. 2307. ONLINE PORTAL FOR LAWFUL PERMANENT RESIDENT APPLICATIONS.

(a) ESTABLISHMENT.—The Secretary shall establish an online portal through which individuals may submit applications for lawful permanent resident status.

(b) FEATURES.—The online portal established pursuant to subsection (a) shall provide—

(1) step-by-step instructions, in plain English, describing what information and supporting documentation is required to be submitted;

(2) an e-mail or text message to notify applicants of changes in the status of their application.

(c) USER FEE.—In addition to any other fees required of applicants for lawful permanent under any other provision of law, the Secretary may charge individuals who apply for such status through the online portal established pursuant to subsection (a) a fee in an amount sufficient to pay for the costs of maintaining the online portal.

(d) TIME LIMITATION.—All petitions submitted through the online portal established pursuant to subsection (a) shall be adjudicated in 60 days or less.

(e)

Beginning on page 1629, strike line 7 and all that follows through page 1714, line 19, and insert the following:

SEC. 4101. MARKET-BASED H–1B VISA LIMITS.

(a) IN GENERAL.—Section 214(g)(1) (8 U.S.C. 1184(g)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''(beginning with fiscal year 1992)''; and

(2) by amending subparagraph (A) to read as follows:

''(A) under section 101(a)(15)(H)(i)(b) may not exceed—

''(i) 65,000 in fiscal year 2013; and

''(ii) 325,000 in each subsequent fiscal year; and'';

SEC. 4102. WORK AUTHORIZATION FOR DEPENDENT SPOUSES OF H–1B NONIMMIGRANTS.

Section 214(n) (8 U.S.C. 1184(n)) is amended—

(1) by amending the subsection heading to read as follows ''EMPLOYMENT AUTHORIZATION FOR H–1B NONIMMIGRANTS AND THEIR SPOUSES''; and

(2) by adding at the end the following:

''(3) The spouse of an alien provided nonimmigrant status under section 101(a)(15)(H)(i)(b) is authorized to accept employment in the United States while his or her principal alien spouse lawfully maintains such status while in the United States.''.

SEC. 4103. AUTHORIZATION OF DUAL INTENT.

(a) DEFINITION.—Section 101(a)(15)(F)(i) (8 U.S.C. 1101(a)(15)(F)(i)) is amended by striking ''which he has no intention of abandoning'' and inserting ''which, if the alien is not pursuing a course of study at an accredited institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), the alien has no intention of abandoning''.

(b) PRESUMPTION OF STATUS; INTENTION TO ABANDON FOREIGN RESIDENCE.—Section 214 (8 U.S.C. 1184) is amended—

(1) in subsection (b), by striking ''(L) or (V)'' and inserting ''(F), (L), or (V)''; and

(2) in subsection (h), by striking ''(H)(i)(b) or (c)'' and inserting ''(F), (H)(i)(b), (H)(i)(c)''.

SEC. 4104. H–1B FEE INCREASE.

(a) IN GENERAL.—Section 214(c)(9) (8 U.S.C. 1184(c)(9)) is amended by striking subparagraphs (B) and (C) and inserting the following:

''(B) The amount of the fee imposed under subparagraph (A) shall be—

''(i) $2,500 for each such petition by an employer with more than 25 full-time equivalent employees who are employed in the United States, including any affiliate or subsidiary of such employer; or

''(ii) $1,250 for each such petition by any employer with not more than 25 full-time equivalent employees who are employed in the United States , including any affiliate or subsidiary of such employer.

''(C) Of the amounts collected under this paragraph—

''(i) 60 percent shall be deposited in the H–1B Nonimmigrant Petitioner Account in accordance with section 286(s); and

''(ii) 40 percent shall be deposited in the STEM Education and Training Account established under section 286(w).''.

(b) STEM EDUCATION AND TRAINING ACCOUNT.—Section 286 (8 U.S.C. 1356) is amended by adding at the end the following:

''(w) STEM EDUCATION AND TRAINING ACCOUNT.—

''(1) IN GENERAL.—There is established in the general fund of the Treasury a separate account, which shall be known as the 'STEM Education and Training Account' (referred to in this subsection as the 'Account').

''(2) DEPOSITS.—There shall be deposited as offsetting receipts into the Account 40 percent of the fees collected under section 214(c)(9)(B).

''(3) USE OF FUNDS.—Amounts deposited in the Account may be used to enhance the economic competitiveness of the United States by—

''(A) establishing a block grant program for States to promote STEM education; and

''(B) carrying out programs to bridge STEM education with employment, such as work-study program.''.

SA 1327. Mr. BLUMENTHAL (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1004, between lines 4 and 5, insert the following:

''(F) SPECIAL RULE FOR CHILDREN.—Notwithstanding subparagraph (A), the Secretary may adjust the status of a registered provisional immigrant to the status of an alien lawfully admitted for permanent residence if the alien—

''(i) satisfies the requirements under clauses (i) and (ii) of subparagraph (A);

''(ii) is under 18 years of age on the date the alien submits an application for such adjustment; and

''(iii) is enrolled in school or has completed a general education development certificate on the date the alien submits an application for such adjustment.

SA 1328. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. IMPROVED COLLECTION AND USE OF LABOR MARKET INFORMATION.

(a) IN GENERAL.—Section 1137 of the Social Security Act (42 U.S.C. 1320b–7) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting ''(including the occupational information under subsection (g))'' after ''paragraph (3) of this subsection''; and

(B) in paragraph (3), by striking ''employers (as defined'' and inserting ''subject to subsection (g), employers (as defined''; and

(2) by adding at the end the following new subsection:

''(g)(1) Beginning January 1, 2016, each quarterly wage report required to be submitted by an employer under subsection (a)(3) shall include such occupational information with respect to each employee of the employer that permits the classification of such employees into occupational categories as found in the Standard Occupational Classification (SOC) system.

''(2) The State agency receiving the occupational information described in paragraph (1) shall make such information available to the Secretary of Labor pursuant to procedures established by the Secretary of Labor.

''(3)(A)(i) The Secretary of Labor shall make occupational information submitted under paragraph (2) available to other State and Federal agencies, including the United States Census Bureau, the Bureau of Labor Statistics, and other State and Federal research agencies.

''(ii) Disclosure of occupational information under clause (i) shall be subject to the agency having safeguards in place that meet the requirements under paragraph (4).

''(4) The Secretary of Labor shall establish and implement safeguards for the dissemination and, subject to paragraph (5), the use of occupational information received under this subsection.

''(5) Occupational information received under this subsection shall only be used to classify employees into occupational categories as found in the Standard Occupational Classification (SOC) system and to analyze and evaluate occupations in order to improve the labor market for workers and industries.

''(6) The Secretary of Labor shall establish procedures to verify the accuracy of information received under paragraph (2).''.

(b) ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Labor shall establish an advisory committee to advise the Secretary on the implementation of subsection (g) of section 1137 of the Social Security Act, as added by subsection (a).

(2) MEMBERSHIP.—The advisory committee shall include—

(A) State government officials, representatives of small, medium, and large businesses, representatives of labor organizations, labor market analysts, privacy and data experts, and non-profit stakeholders; and

(B) such other individuals determined appropriate by the Secretary of Labor.

(3) MEETINGS.—The advisory committee shall meet no less than annually.

(4) TERMINATION.—The advisory committee shall terminate on the date that is 3 years after the date of the first meeting of the committee.

SA 1329. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1743, strike lines 1 through 4, and insert the following:

SEC. 4408. J VISA ELIGIBILITY.

(a) SPEAKERS OF CERTAIN FOREIGN LANGUAGES.—Section 101(a)(15)(J) (8 U.S.C. 1101(a)(15)(J)) is amended to read as follows:

On page 1744, between lines 16 and 17, insert the following:

(c) SUMMER WORK TRAVEL PROGRAM EMPLOYMENT IN SEAFOOD PROCESSING.—Notwithstanding any other provision of law or regulation, including part 62 of title 22, Code of Federal Regulations or any proposed rule, the Secretary of State shall permit participants in the Summer Work Travel program described in section 62.32 of such title 22 who are admitted under section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)), as amended by subsection (a), to be employed in seafood processing positions in Alaska.

SA 1330. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 945, between lines 20 and 21, insert the following:

''(III) an offense, unless the applicant demonstrates to the Secretary, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or that no offense occurred, that—

''(aa) is classified as a misdemeanor in the convicting jurisdiction; and

''(bb) involved—

''(AA) domestic violence (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or

''(BB) child abuse and neglect (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

SA 1331. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PREVENTING UNAUTHORIZED IMMIGRATION TRANSITING THROUGH MEXICO.

(a) IN GENERAL.—The Secretary of State, in conjunction with the Secretary of Homeland Security, shall develop and submit to Congress a strategy to address the unauthorized immigration of individuals who transit through Mexico.

(b) REQUIREMENTS.—The strategy developed under subsection (a) shall include specific steps—

(1) to enhance the training, resources, and professionalism of border and law enforcement officials in Mexico, Honduras, El Salvador, Guatemala, and other countries, as appropriate; and

(2) to educate nationals of the countries described in paragraph (1) about the perils of the journey to the United States, including how this Act will increase the likelihood of apprehension, increase criminal penalties associated with illegal entry, and make finding employment in the United States more difficult.

(c) IMPLEMENTATION OF STRATEGY.—In carrying out the strategy developed under subsection (a)—

(1) the Secretary of Homeland Security, in coordination with the Secretary of State, shall produce an educational campaign and disseminate information about the perils of the journey across Mexico, the likelihood of apprehension, and the difficulty of finding employment in the United States; and

(2) the Secretary of State, in conjunction with the Secretary of Homeland Security, shall offer—

(A) training to border and law enforcement officials to enable these officials to operate more effectively, by using, to the greatest extent practicable, Department of Homeland Security personnel to conduct the training; and

(B) technical assistance and equipment to border officials, including computers, document readers, and other forms of technology that may be needed.

(d) AVAILABILITY OF FUNDS.—The Secretary of Homeland Security may use such sums as are necessary from the Comprehensive Immigration Trust Fund established under section 6(a)(1) to carry out this section.

SA 1332. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CHANGES TO EXISTING VISA PROGRAMS.

(a) SHORT TITLE.—This section may be cited as the ''No New Pathway to Citizenship Act''.

(b) REGISTERED PROVISIONAL IMMIGRANT STATUS SUSPENDED.—Notwithstanding any other provision of law, the Secretary shall not process applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by this Act.

(c) BLUE CARD STATUS SUSPENDED.—Notwithstanding any other provision of law, the Secretary shall not process applications for blue card status pursuant to section 2211 of this Act.

(d) ALL NUMERICAL CAPS TO EMPLOYMENT-BASED IMMIGRANT AND NONIMMIGRANT VISA CATEGORIES SUSPENDED.—Notwithstanding any other provision of law, all numerical caps on the numbers of visas allowed to be issued in different categories of nonimmigrant visas and employment-based immigrant visas pursuant to the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), as amended by this Act, are null and void.

(e) SUSPENSION OF GOVERNMENT MANDATED WAGES.—Notwithstanding any other provision of law, all wage requirements and authority in the Immigration and Nationality Act, as amended by this Act, are null and void.

(f) EMPLOYERS CERTIFY EMPLOYMENT NEEDS.—Notwithstanding any other provision of law, in the Immigration and Nationality Act, as amended by this Act, employers shall be permitted to certify to the Federal Government a numerical need for employees and shall be allowed visa allocations to fill the numbers requested by the employer.

(g) INDIVIDUALS ELIGIBLE FOR REGISTERED PROVISIONAL STATUS OR BLUE CARD STATUS ELIGIBLE FOR WORK VISA.—Notwithstanding any other provision of law, all persons eligible for the suspended registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by this Act, and all persons eligible for the suspended blue card status pursuant to section 2211 of this Act shall be deemed eligible for the existing immigrant and non-immigrant visa programs.

(h) NO BAR TO EXISTING ADJUSTMENT OF STATUS.—Notwithstanding any other provision of law, all persons eligible for the suspended registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by this Act, and all persons eligible for the suspended blue card status pursuant to section 2211 of this Act shall be allowed to file paperwork to adjust status from nonimmigrant to immigrant or any work visa status.

(i) TIME PERIOD FOR APPLICATION.—Notwithstanding any other provision of law, all persons eligible for the suspended registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by this Act, and all persons eligible for the suspended blue card status pursuant to section 2211 of this Act shall be and are prima facie eligible for a work visa and may not be removed by the Secretary for a period of 1 year after the date of the enactment of this Act and shall be allowed to apply for an existing visa.

(j) NO SPECIAL PREFERENCE FOR UNDOCUMENTED INDIVIDUALS PATHWAY TO CITIZENSHIP.—Notwithstanding any other provision of law, all persons eligible for the suspended registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by this Act, and all persons eligible for the suspended blue card status pursuant to section 2211 of this Act shall not be granted special preference with regard to permanent resident status or United States citizenship.

(k) APPLICANTS CAN STAY IN UNITED STATES WHILE APPLYING FOR VISA.—Notwithstanding any other provision of law, all persons eligible for the suspended registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by this Act, and all persons eligible for the suspended blue card status pursuant to section 2211 of this Act shall be allowed to apply for immigrant visas simultaneously without having to leave the country and subject to existing law, as amended by this Act, to petition for legal permanent resident status and citizenship if they qualify under this Act or the Immigration and Nationality Act, as amended.

(l) RULE OF CONSTRUCTION.—Section 245C(c)(2) of the Immigration and Nationality Act, as added by section 2102, shall apply to all persons eligible for the suspended registered provisional immigrant and suspended blue card status seeking to adjust status to that of an alien lawfully admitted for permanent residence.

(m) CAP ON REFUGEES AND ASYLEES.—Notwithstanding any other provision of law, the total cap on aliens admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) and granted asylum under section 208 of such Act (8 U.S.C. 1158), as amended by this Act, shall be 50,000 per year.

(n) REFUGEES AND ASYLEES ELIGIBLE FOR WELFARE FOR ONE YEAR.—Notwithstanding any other provision of law, aliens admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) or granted asylum under section 208 of such Act (8 U.S.C. 1158), as amended by this Act, shall not be eligible for any assistance, any Federal means tested welfare benefits, or the earned income tax credit under section 32 of the Internal Revenue Code of 1986, after the date that is 1 year after the date on which the alien is admitted to the United States under such section 207 or granted asylum under such section 208.

(o) REFUGEES AND ASYLEES BARRIERS TO WORK.—Notwithstanding any other provision of law, all Federal legal barriers to work for aliens admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) and granted asylum under section 208 of such Act (8 U.S.C. 1158), as amended by this Act, shall be null and void.

SA 1333. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

SEC. _____. PROHIBITION OF A NATIONAL IDENTIFICATION CARD OR A NATIONAL CITIZEN REGISTRY.

(a) SHORT TITLE.—This section may be cited as the ''Protect Our Privacy Act''.

(b) RULE OF CONSTRUCTION.—Nothing in this Act, the amendments made by this Act, or any other provision of law may be construed as authorizing, directly or indirectly, the issuance, use, or establishment of a national identification card or system.

(c) LIMITATIONS ON IDENTIFICATION OF UNITED STATES CITIZENS.—

(1) BIOMETRIC INFORMATION.—United States citizens shall not be subject to any Federal or State law, mandate, or requirement that they provide photographs or biometric information without probable cause.

(2) PHOTO TOOL.—As used in section 274A of the Immigration and Nationality Act, as amended by section 3101, the term ''photo tool'' may not be construed to allow the Federal Government to require United States citizens to provide a photograph to the Federal Government, other than photographs for Federal employment identification documents and United States passports.

(3) BIOMETRIC SOCIAL SECURITY CARDS.—Notwithstanding section 3102, any other provision of this Act, the amendments made by this Act, or any other provision of law, the Federal Government may not require United States citizens to carry, or to be issued, a biometric social security card.

(4) CITIZEN REGISTRY.—Notwithstanding any provision of this Act, the amendments made by this Act, or any other law, the Federal Government is not authorized to create a de facto national registry of citizens.

SA 1334. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3103 and inserting the following:

SEC. 3103. EXTENSION OF IDENTITY THEFT OFFENSES.

(a) FRAUD AND RELATED ACTIVITIES RELATING TO IDENTIFICATION DOCUMENTS.—Section 1028 of title 18, United States Code, is amended in subsection (a)(7), by striking ''of another person'' and inserting ''that is not his or her own''.

(b) AGGRAVATED IDENTITY THEFT.—Section 1028A(a) of title 18, United States Code, is amended by striking ''of another person'' both places it appears and inserting ''that is not his or her own''.

On page 1452, between lines 21 and 22, insert the following:

(8) $300,000,000 to carry out title III and subtitles D and G of title IV and the amendments made by title III and such subtitles.

At the end of subtitle C of title III, add the following:

SEC. 3307. WAIVER OF FEDERAL LAWS WITH RESPECT TO BORDER SECURITY ACTIONS ON DEPARTMENT OF THE INTERIOR AND DEPARTMENT OF AGRICULTURE LANDS.

(a) PROHIBITION ON SECRETARIES OF THE INTERIOR AND AGRICULTURE.—The Secretary of the Interior or the Secretary of Agriculture shall not impede, prohibit, or restrict activities of U.S. Customs and Border Protection on Federal land located within 100 miles of an international land border that is under

the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, to execute search and rescue operations and to prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States.

(b) AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION.—U.S. Customs and Border Protection shall have immediate access to Federal land within 100 miles of the international land border under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land that prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States:

(1) Construction and maintenance of roads.

(2) Construction and maintenance of barriers.

(3) Use of vehicles to patrol, apprehend, or rescue.

(4) Installation, maintenance, and operation of communications and surveillance equipment and sensors.

(5) Deployment of temporary tactical infrastructure.

(c) CLARIFICATION RELATING TO WAIVER AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law (including any termination date relating to the waiver referred to in this subsection), the waiver by the Secretary of Homeland Security on April 1, 2008, under section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public Law 104–208) of the laws described in paragraph (2) with respect to certain sections of the international border between the United States and Mexico and between the United States and Canada shall be considered to apply to all Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture within 100 miles of the international land borders of the United States for the activities of U.S. Customs and Border Protection described in subsection (c).

(2) DESCRIPTION OF LAWS WAIVED.—The laws referred to in paragraph (1) are limited to the Wilderness Act (16 U.S.C. 1131 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), Public Law 86–523 (16 U.S.C. 469 et seq.), the Act of June 8, 1906 (commonly known as the ''Antiquities Act of 1906''; 16 U.S.C. 431 et seq.), the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act''), the National Park Service Organic Act (16 U.S.C. 1 et seq.), the General Authorities Act of 1970 (Public Law 91–383) (16 U.S.C. 1a-1 et seq.), sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95–625, 92 Stat. 3467), and the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101–628).

(d) PROTECTION OF LEGAL USES.—This section shall not be construed to provide—

(1) authority to restrict legal uses, such as grazing, hunting, mining, or public-use recreational and backcountry airstrips on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture; or

(2) any additional authority to restrict legal access to such land.

(e) EFFECT ON STATE AND PRIVATE LAND.—This Act shall—

(1) have no force or effect on State or private lands; and

(2) not provide authority on or access to State or private lands.

(f) TRIBAL SOVEREIGNTY.—Nothing in this section supersedes, replaces, negates, or diminishes treaties or other agreements between the United States and Indian tribes.

(g) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of Homeland Security shall submit to the appropriate committees of Congress a report describing the extent to which implementation of this section has affected the operations of U.S. Customs and Border Protection in the year preceding the report.

Strike subtitle G of title III and insert the following:

Subtitle G—Interior Enforcement

SEC. 3700. SHORT TITLE.

This subtitle may be cited as the ''Strengthen and Fortify Enforcement Act'' or the ''SAFE Act''.

CHAPTER 1—IMMIGRATION LAW ENFORCEMENT BY STATES AND LOCALITIES

SEC. 3701. DEFINITION AND SEVERABILITY.

(a) STATE DEFINED.—For the purposes of this chapter, the term ''State'' has the meaning given to such term in section 101(a)(36) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(36)).

(b) SEVERABILITY.—If any provision of this chapter, or the application of such provision to any person or circumstance, is held invalid, the remainder of this chapter, and the application of such provision to other persons not similarly situated or to other circumstances, shall not be affected by such invalidation.

SEC. 3702. IMMIGRATION LAW ENFORCEMENT BY STATES AND LOCALITIES.

(a) IN GENERAL.—Subject to section 274A(h)(2) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(2)), States, or political subdivisions of States, may enact, implement and enforce criminal penalties that penalize the same conduct that is prohibited in the criminal provisions of immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))), as long as the criminal penalties do not exceed the relevant Federal criminal penalties. States, or political subdivisions of States, may enact, implement and enforce civil penalties that penalize the same conduct that is prohibited in the civil violations of immigration laws (as defined in such section 101(a)(17)), as long as the civil penalties do not exceed the relevant Federal civil penalties.

(b) LAW ENFORCEMENT PERSONNEL.—Law enforcement personnel of a State, or of a political subdivision of a State, may investigate, identify, apprehend, arrest, detain, or transfer to Federal custody aliens for the purposes of enforcing the immigration laws of the United States to the same extent as Federal law enforcement personnel. Law enforcement personnel of a State, or of a political subdivision of a State, may also investigate, identify, apprehend, arrest, or detain aliens for the purposes of enforcing the immigration laws of a State or of a political subdivision of State, as long as those immigration laws are permissible under this section. Law enforcement personnel of a State, or of a political subdivision of a State, may not remove aliens from the United States.

SEC. 3703. LISTING OF IMMIGRATION VIOLATORS IN THE NATIONAL CRIME INFORMATION CENTER DATABASE.

(a) PROVISION OF INFORMATION TO THE NCIC.—Not later than 180 days after the date of the enactment of this Act and periodically thereafter as updates may require, the Secretary shall provide the National Crime Information Center of the Department of Justice with all information that the Secretary may possess regarding any alien against whom a final order of removal has been issued, any alien who has entered into a voluntary departure agreement, any alien who has overstayed their authorized period of stay, and any alien whose visas has been revoked. The National Crime Information Center shall enter such information into the Immigration Violators File of the National Crime Information Center database, regardless of whether—

(1) the alien received notice of a final order of removal;

(2) the alien has already been removed; or

(3) sufficient identifying information is available with respect to the alien.

(b) INCLUSION OF INFORMATION IN THE NCIC DATABASE.—

(1) IN GENERAL.—Section 534(a) of title 28, United States Code, is amended—

(A) in paragraph (3), by striking ''and'' at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

''(4) acquire, collect, classify, and preserve records of violations by aliens of the immigration laws of the United States, regardless of whether any such alien has received notice of the violation or whether sufficient identifying information is available with respect to any such alien or whether any such alien has already been removed from the United States; and''.

(2) EFFECTIVE DATE.—The Attorney General and the Secretary shall ensure that the amendment made by paragraph (1) is implemented by not later than 6 months after the date of the enactment of this Act.

SEC. 3704. TECHNOLOGY ACCESS.

States shall have access to Federal programs or technology directed broadly at identifying inadmissible or deportable aliens.

SEC. 3705. STATE AND LOCAL LAW ENFORCEMENT PROVISION OF INFORMATION ABOUT APPREHENDED ALIENS.

(a) PROVISION OF INFORMATION.—In compliance with section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) and section 434 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1644), each State, and each political subdivision of a State, shall provide the Secretary in a timely manner with the information specified in subsection (b) with respect to each alien apprehended in the jurisdiction of the State, or in the political subdivision of the State, who is believed to be inadmissible or deportable.

(b) INFORMATION REQUIRED.—The information referred to in subsection (a) is as follows:

(1) The alien's name.

(2) The alien's address or place of residence.

(3) A physical description of the alien.

(4) The date, time, and location of the encounter with the alien and reason for stopping, detaining, apprehending, or arresting the alien.

(5) If applicable, the alien's driver's license number and the State of issuance of such license.

(6) If applicable, the type of any other identification document issued to the alien, any

designation number contained on the identification document, and the issuing entity for the identification document.

(7) If applicable, the license plate number, make, and model of any automobile registered to, or driven by, the alien.

(8) A photo of the alien, if available or readily obtainable.

(9) The alien's fingerprints, if available or readily obtainable.

(c) ANNUAL REPORT ON REPORTING.—The Secretary shall maintain and annually submit to the Congress a detailed report listing the States, or the political subdivisions of States, that have provided information under subsection (a) in the preceding year.

(d) REIMBURSEMENT.—The Secretary shall reimburse States, and political subdivisions of a State, for all reasonable costs, as determined by the Secretary, incurred by the State, or the political subdivision of a State, as a result of providing information under subsection (a).

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

(f) CONSTRUCTION.—Nothing in this section shall require law enforcement officials of a State, or of a political subdivision of a State, to provide the Secretary with information related to a victim of a crime or witness to a criminal offense.

(g) EFFECTIVE DATE.—This section shall take effect on the date that is 120 days after the date of the enactment of this Act and shall apply with respect to aliens apprehended on or after such date.

SEC. 3706. FINANCIAL ASSISTANCE TO STATE AND LOCAL POLICE AGENCIES THAT ASSIST IN THE ENFORCEMENT OF IMMIGRATION LAWS.

(a) GRANTS FOR SPECIAL EQUIPMENT FOR HOUSING AND PROCESSING CERTAIN ALIENS.—From amounts made available to make grants under this section, the Secretary shall make grants to States, and to political subdivisions of States, for procurement of equipment, technology, facilities, and other products that facilitate and are directly related to investigating, apprehending, arresting, detaining, or transporting aliens who are inadmissible or deportable, including additional administrative costs incurred under this chapter.

(b) ELIGIBILITY.—To be eligible to receive a grant under this section, a State, or a political subdivision of a State, must have the authority to, and shall have a written policy and a practice to, assist in the enforcement of the immigration laws of the United States in the course of carrying out the routine law enforcement duties of such State or political subdivision of a State. Entities covered under this section may not have any policy or practice that prevents local law enforcement from inquiring about a suspect's immigration status.

(c) FUNDING.—There is authorized to be appropriated for grants under this section such sums as may be necessary for fiscal year 2014 and each subsequent fiscal year.

(d) GAO AUDIT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an audit of funds distributed to States, and to political subdivisions of a State, under subsection (a).

SEC. 3707. INCREASED FEDERAL DETENTION SPACE.

(a) CONSTRUCTION OR ACQUISITION OF DETENTION FACILITIES.—

(1) IN GENERAL.—The Secretary shall construct or acquire, in addition to existing facilities for the detention of aliens, detention facilities in the United States, for aliens detained pending removal from the United States or a decision regarding such removal. Each facility shall have a number of beds necessary to effectuate this purposes of this chapter.

(2) DETERMINATIONS.—The location of any detention facility built or acquired in accordance with this subsection shall be determined by the Secretary.

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

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 241(g)(1) of the Immigration and Nationality Act (8 U.S.C. 1231(g)(1)) is amended by striking ''may expend'' and inserting ''shall expend''.

SEC. 3708. FEDERAL CUSTODY OF INADMISSIBLE AND DEPORTABLE ALIENS IN THE UNITED STATES APPREHENDED BY STATE OR LOCAL LAW ENFORCEMENT.

(a) STATE APPREHENSION.—

(1) IN GENERAL.—Title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.) is amended by inserting after section 240C the following:

''CUSTODY OF INADMISSIBLE AND DEPORTABLE ALIENS PRESENT IN THE UNITED STATES

''SEC. 240D. (a) TRANSFER OF CUSTODY BY STATE AND LOCAL OFFICIALS.—If a State, or a political subdivision of the State, exercising authority with respect with respect to the apprehension or arrest of an inadmissible or deportable alien submits to the Secretary of Homeland Security a request that the alien be taken into Federal custody, notwithstanding any other provision of law, regulation, or policy the Secretary—

''(1) shall take the alien into custody not later than 48 hours after the detainer has been issued following the conclusion of the State or local charging process or dismissal process, or if no State or local charging or dismissal process is required, the Secretary should issue a detainer and take the alien into custody not later than 48 hours after the alien is apprehended; and

''(2) shall request that the relevant State or local law enforcement agency temporarily hold the alien in their custody or transport the alien for transfer to Federal custody.

''(b) POLICY ON DETENTION IN FEDERAL, CONTRACT, STATE, OR LOCAL DETENTION FACILITIES.—In carrying out section 241(g)(1), the Attorney General or Secretary of Homeland Security shall ensure that an alien arrested under this title shall be held in custody, pending the alien's examination under this section, in a Federal, contract, State, or local prison, jail, detention center, or other comparable facility. Notwithstanding any other provision of law, regulation or policy, such facility is adequate for detention, if—

''(1) such a facility is the most suitably located Federal, contract, State, or local facility available for such purpose under the circumstances;

''(2) an appropriate arrangement for such use of the facility can be made; and

''(3) the facility satisfies the standards for the housing, care, and security of persons held in custody by a United States Marshal.

''(c) REIMBURSEMENT.—The Secretary of Homeland Security shall reimburse a State, and a political subdivision of a State, for all reasonable expenses, as determined by the Secretary, incurred by the State, or political subdivision, as a result of the incarceration and transportation of an alien who is inadmissible or deportable as described in subsections (a) and (b). Compensation provided for costs incurred under such subsections shall be the average cost of incarceration of a prisoner in the relevant State, as determined by the chief executive officer of a State, or of a political subdivision of a State, plus the cost of transporting the alien from the point of apprehension to the place of detention, and to the custody transfer point if the place of detention and place of custody are different.

''(d) SECURE FACILITIES.—The Secretary of Homeland Security shall ensure that aliens incarcerated pursuant to this title are held in facilities that provide an appropriate level of security.

''(e) TRANSFER.—

''(1) IN GENERAL.—In carrying out this section, the Secretary of Homeland Security shall establish a regular circuit and schedule for the prompt transfer of apprehended aliens from the custody of States, and political subdivisions of a State, to Federal custody.

''(2) CONTRACTS.—The Secretary may enter into contracts, including appropriate private contracts, to implement this subsection.''.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 240C the following new item:

''Sec. 240D. Custody of aliens unlawfully present in the United States.''.

(b) GAO AUDIT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an audit of compensation to States, and to political subdivisions of a State, for the incarceration of inadmissible or deportable aliens under section 240D(a) of the Immigration and Nationality Act (as added by subsection (a)(1)).

(c) EFFECTIVE DATE.—Section 240D of the Immigration and Nationality Act, as added by subsection (a), shall take effect on the date of the enactment of this Act, except that subsection (e) of such section shall take effect on the date that is 120 day after the date of the enactment of this Act.

SEC. 3709. TRAINING OF STATE AND LOCAL LAW ENFORCEMENT PERSONNEL RELATING TO THE ENFORCEMENT OF IMMIGRATION LAWS.

(a) ESTABLISHMENT OF TRAINING MANUAL AND POCKET GUIDE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish—

(1) a training manual for law enforcement personnel of a State, or of a political subdivision of a State, to train such personnel in the investigation, identification, apprehension, arrest, detention, and transfer to Federal custody of inadmissible and deportable aliens in the United States (including the transportation of such aliens across State lines to detention centers and the identification of fraudulent documents); and

(2) an immigration enforcement pocket guide for law enforcement personnel of a State, or of a political subdivision of a State, to provide a quick reference for such personnel in the course of duty.

(b) AVAILABILITY.—The training manual and pocket guide established in accordance with subsection (a) shall be made available to all State and local law enforcement personnel.

(c) APPLICABILITY.—Nothing in this section shall be construed to require State or local law enforcement personnel to carry the training manual or pocket guide with them while on duty.

(d) COSTS.—The Secretary shall be responsible for any costs incurred in establishing the training manual and pocket guide.

(e) TRAINING FLEXIBILITY.—

(1) IN GENERAL.—The Secretary shall make training of State and local law enforcement officers available through as many means as possible, including through residential training at the Center for Domestic Preparedness, onsite training held at State or local police agencies or facilities, online training courses by computer, teleconferencing, and videotape, or the digital video display (DVD) of a

training course or courses. E-learning through a secure, encrypted distributed learning system that has all its servers based in the United States, is scalable, survivable, and can have a portal in place not later than 30 days after the date of the enactment of this Act, shall be made available by the Federal Law Enforcement Training Center Distributed Learning Program for State and local law enforcement personnel.

(2) FEDERAL PERSONNEL TRAINING.—The training of State and local law enforcement personnel under this section shall not displace the training of Federal personnel.

(3) CLARIFICATION.—Nothing in this chapter or any other provision of law shall be construed as making any immigration-related training a requirement for, or prerequisite to, any State or local law enforcement officer to assist in the enforcement of Federal immigration laws.

(4) PRIORITY.—In carrying out this subsection, priority funding shall be given for existing web-based immigration enforcement training systems.

SEC. 3710. IMMUNITY.

Notwithstanding any other provision of law, a law enforcement officer of a State or local law enforcement agency who is acting within the scope of the officer's official duties shall be immune, to the same extent as a Federal law enforcement officer, from personal liability arising out of the performance of any duty described in this chapter, including the authorities to investigate, identify, apprehend, arrest, detain, or transfer to Federal custody, an alien for the purposes of enforcing the immigration laws of the United States (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)) or the immigration laws of a State or a political subdivision of a State.

SEC. 3711. CRIMINAL ALIEN IDENTIFICATION PROGRAM.

(a) CONTINUATION AND EXPANSION.—

(1) IN GENERAL.—The Secretary shall continue to operate and implement a program that—

(A) identifies removable criminal aliens in Federal and State correctional facilities;

(B) ensures such aliens are not released into the community; and

(C) removes such aliens from the United States after the completion of their sentences.

(2) EXPANSION.—The program shall be extended to all States. Any State that receives Federal funds for the incarceration of criminal aliens (pursuant to the State Criminal Alien Assistance Program authorized under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) or other similar program) shall—

(A) cooperate with officials of the program;

(B) expeditiously and systematically identify criminal aliens in its prison and jail populations; and

(C) promptly convey such information to officials of such program as a condition of receiving such funds.

(b) AUTHORIZATION FOR DETENTION AFTER COMPLETION OF STATE OR LOCAL PRISON SENTENCE.—Law enforcement officers of a State, or of a political subdivision of a State, are authorized to—

(1) hold a criminal alien for a period of up to 14 days after the alien has completed the alien's sentence under State or local law in order to effectuate the transfer of the alien to Federal custody when the alien is inadmissible or deportable; or

(2) issue a detainer that would allow aliens who have served a prison sentence under State or local law to be detained by the State or local prison or jail until the Secretary can take the alien into custody.

(c) TECHNOLOGY USAGE.—Technology, such as video conferencing, shall be used to the maximum extent practicable in order to make the program available in remote locations. Mobile access to Federal databases of aliens and live scan technology shall be used to the maximum extent practicable in order to make these resources available to State and local law enforcement agencies in remote locations.

(d) EFFECTIVE DATE.—This section shall take effect of the date of the enactment of this Act, except that subsection (a)(2) shall take effect on the date that is 180 days after such date.

SEC. 3712. CLARIFICATION OF CONGRESSIONAL INTENT.

Section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) is amended—

(1) in paragraph (1) by striking ''may enter'' and all that follows through the period at the end and inserting the following: ''shall enter into a written agreement with a State, or any political subdivision of a State, upon request of the State or political subdivision, pursuant to which an officer or employee of the State or subdivision, who is determined by the Secretary to be qualified to perform a function of an immigration officer in relation to the investigation, apprehension, or detention of aliens in the United States (including the transportation of such aliens across State lines to detention centers), may carry out such function at the expense of the State or political subdivision and to extent consistent with State and local law. No request from a bona fide State or political subdivision or bona fide law enforcement agency shall be denied absent a compelling reason. No limit on the number of agreements under this subsection may be imposed. The Secretary shall process requests for such agreements with all due haste, and in no case shall take not more than 90 days from the date the request is made until the agreement is consummated.'';

(2) by redesignating paragraph (2) as paragraph (5) and paragraphs (3) through (10) as paragraphs (7) through (14), respectively;

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

''(2) An agreement under this subsection shall accommodate a requesting State or political subdivision with respect to the enforcement model or combination of models, and shall accommodate a patrol model, task force model, jail model, any combination thereof, or any other reasonable model the State or political subdivision believes is best suited to the immigration enforcement needs of its jurisdiction.

''(3) No Federal program or technology directed broadly at identifying inadmissible or deportable aliens shall substitute for such agreements, including those establishing a jail model, and shall operate in addition to any agreement under this subsection.

''(4)(A) No agreement under this subsection shall be terminated absent a compelling reason.

''(B)(i) The Secretary shall provide a State or political subdivision written notice of intent to terminate at least 180 days prior to date of intended termination, and the notice shall fully explain the grounds for termination, along with providing evidence substantiating the Secretary's allegations.

''(ii) The State or political subdivision shall have the right to a hearing before an administrative law judge and, if the ruling is against the State or political subdivision, to appeal the ruling to the Federal Circuit Court of Appeals and, if the ruling is against the State or political subdivision, to the Supreme Court.

''(C) The agreement shall remain in full effect during the course of any and all legal proceedings.''; and

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

''(6) The Secretary of Homeland Security shall make training of State and local law enforcement officers available through as many means as possible, including through residential training at the Center for Domestic Preparedness and the Federal Law Enforcement Training Center, onsite training held at State or local police agencies or facilities, online training courses by computer, teleconferencing, and videotape, or the digital video display (DVD) of a training course or courses. Distance learning through a secure, encrypted distributed learning system that has all its servers based in the United States, is scalable, survivable, and can have a portal in place not later than 30 days after the date of the enactment of this Act, shall be made available by the COPS Office of the Department of Justice and the Federal Law Enforcement Training Center Distributed Learning Program for State and local law enforcement personnel. Preference shall be given to private sector-based web-based immigration enforcement training programs for which the Federal Government has already provided support to develop.''.

SEC. 3713. STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP).

Section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) is amended—

(1) by striking ''Attorney General'' the first place such term appears and inserting ''Secretary of Homeland Security'';

(2) by striking ''Attorney General'' each place such term appears thereafter and inserting ''Secretary'';

(3) in paragraph (3)(A), by inserting ''charged with or'' before ''convicted''; and

(4) by amending paragraph (5) to read as follows:

''(5) There are authorized to be appropriated to carry out this subsection such sums as may be necessary for fiscal year 2014 and each subsequent fiscal year.''.

SEC. 3714. STATE VIOLATIONS OF ENFORCEMENT OF IMMIGRATION LAWS.

(a) IN GENERAL.—Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended—

(1) by striking ''Immigration and Naturalization Service'' in each place it appears and inserting ''Department of Homeland Security'';

(2) in subsection (a), by striking ''may'' and inserting ''shall'';

(3) in subsection (b)—

(A) by striking ''no person or agency may'' and inserting ''a person or agency shall not'';

(B) by striking ''doing any of the following with respect to information'' and inserting ''undertaking any of the following law enforcement activities''; and

(C) by striking paragraphs (1) through (3) and inserting the following:

''(1) Notifying the Federal Government regarding the presence of inadmissible and deportable aliens who are encountered by law enforcement personnel of a State or political subdivision of a State.

''(2) Complying with requests for information from Federal law enforcement.

''(3) Complying with detainers issued by the Department of Homeland Security.

''(4) Issuing policies in the form of a resolutions, ordinances, administrative actions, general or special orders, or departmental policies that violate Federal law or restrict a State or political subdivision of a State from complying with Federal law or coordinating with Federal law enforcement.''; and

(4) by adding at the end the following:

''(d) COMPLIANCE.—

''(1) IN GENERAL.—A State, or a political subdivision of a State, that has in effect a statute, policy, or practice that prohibits law enforcement officers of the State, or of a

political subdivision of the State, from assisting or cooperating with Federal immigration law enforcement in the course of carrying out the officers' routine law enforcement duties shall not be eligible to receive—

''(A) any of the funds that would otherwise be allocated to the State or political subdivision under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) or the 'Cops on the Beat' program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.); or

''(B) any other law enforcement or Department of Homeland Security grant.

''(2) ANNUAL DETERMINATION.—The Secretary shall determine annually which State or political subdivision of a State are not in compliance with section and shall report such determinations to Congress on March 1 of each year.

''(3) REPORTS.—The Attorney General shall issue a report concerning the compliance of any particular State or political subdivision at the request of the House or Senate Judiciary Committee. Any jurisdiction that is found to be out of compliance shall be ineligible to receive Federal financial assistance as provided in paragraph (1) for a minimum period of 1 year, and shall only become eligible again after the Attorney General certifies that the jurisdiction is in compliance.

''(4) REALLOCATION.—Any funds that are not allocated to a State or to a political subdivision of a State, due to the failure of the State, or of the political subdivision of the State, to comply with subsection (c) shall be reallocated to States, or to political subdivisions of States, that comply with such subsection.

''(e) CONSTRUCTION.—Nothing in this section shall require law enforcement officials from States, or from political subdivisions of States, to report or arrest victims or witnesses of a criminal offense.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, except that subsection (d) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373), as added by this section, shall take effect beginning one year after the date of the enactment of this Act.

SEC. 3715. CLARIFYING THE AUTHORITY OF ICE DETAINERS.

Except as otherwise provided by Federal law or rule of procedure, the Secretary shall execute all lawful writs, process, and orders issued under the authority of the United States, and shall command all necessary assistance to execute the Secretary's duties.

CHAPTER 2—NATIONAL SECURITY

SEC. 3721. REMOVAL OF, AND DENIAL OF BENEFITS TO, TERRORIST ALIENS.

(a) ASYLUM.—Section 208(b)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)(A)) is amended—

(1) by inserting ''or the Secretary of Homeland Security'' after ''if the Attorney General''; and

(2) by amending clause (v) to read as follows:

''(v) the alien is described in subparagraph (B)(i) or (F) of section 212(a)(3), unless, in the case of an alien described in subparagraph (IV), (V), or (IX) of section 212(a)(3)(B)(i), the Secretary of Homeland Security or the Attorney General determines, in the discretion of the Secretary or the Attorney General, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States; or''.

(b) CANCELLATION OF REMOVAL.—Section 240A(c)(4) of such Act (8 U.S.C. 1229b(c)(4)) is amended—

(1) by striking ''inadmissible under'' and inserting ''described in''; and

(2) by striking ''deportable under'' and inserting ''described in''.

(c) VOLUNTARY DEPARTURE.—Section 240B(b)(1)(C) of such Act (8 U.S.C. 1229c(b)(1)(C)) is amended by striking ''deportable under section 237(a)(2)(A)(iii) or section 237(a)(4);'' and inserting ''described in paragraph (2)(A)(iii) or (4) of section 237(a);''.

(d) RESTRICTION ON REMOVAL.—Section 241(b)(3)(B) of such Act (8 U.S.C. 1231(b)(3)(B)) is amended—

(1) by inserting ''or the Secretary of Homeland Security'' after ''Attorney General'' wherever that term appears;

(2) in clause (iii), by striking ''or'' at the end;

(3) in clause (iv), by striking the period at the end and inserting ''; or'';

(4) by inserting after clause (iv) the following:

''(v) the alien is described in subparagraph (B)(i) or (F) of section 212(a)(3), unless, in the case of an alien described in subparagraph (IV), (V), or (IX) of section 212(a)(3)(B)(i), the Secretary of Homeland Security or the Attorney General determines, in discretion of the Secretary or the Attorney General, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States.''; and

(5) by striking the final sentence.

(e) RECORD OF ADMISSION.—

(1) IN GENERAL.—Section 249 of such Act (8 U.S.C. 1259) is amended to read as follows:

''RECORD OF ADMISSION FOR PERMANENT RESIDENCE IN THE CASE OF CERTAIN ALIENS WHO ENTERED THE UNITED STATES PRIOR TO JANUARY 1, 1972

''SEC. 249. The Secretary of Homeland Security, in the discretion of the Secretary and under such regulations as the Secretary may prescribe, may enter a record of lawful admission for permanent residence in the case of any alien, if no such record is otherwise available and the alien—

''(1) entered the United States before January 1, 1972;

''(2) has continuously resided in the United States since such entry;

''(3) has been a person of good moral character since such entry;

''(4) is not ineligible for citizenship;

''(5) is not described in paragraph (1)(A)(iv), (2), (3), (6)(C), (6)(E), or (8) of section 212(a); and

''(6) did not, at any time, without reasonable cause fail or refuse to attend or remain in attendance at a proceeding to determine the alien's inadmissibility or deportability.

Such recordation shall be effective as of the date of approval of the application or as of the date of entry if such entry occurred prior to July 1, 1924.''.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by amending the item relating to section 249 to read as follows:

''Sec. 249. Record of admission for permanent residence in the case of certain aliens who entered the United States prior to January 1, 1972.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act and sections 208(b)(2)(A), 212(a), 240A, 240B, 241(b)(3), and 249 of the Immigration and Nationality Act, as so amended, shall apply to—

(1) all aliens in removal, deportation, or exclusion proceedings;

(2) all applications pending on, or filed after, the date of the enactment of this Act; and

(3) with respect to aliens and applications described in paragraph (1) or (2) of this subsection, acts and conditions constituting a ground for exclusion, deportation, or removal occurring or existing before, on, or after the date of the enactment of this Act.

SEC. 3722. TERRORIST BAR TO GOOD MORAL CHARACTER.

(a) DEFINITION OF GOOD MORAL CHARACTER.—Section 101(f) of the Immigration and Nationality Act (8 U.S.C. 1101(f)) is amended—

(1) by redesignating paragraphs (1) through (9) as paragraphs (2) through (10), respectively;

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

''(2) one who the Secretary of Homeland Security or Attorney General determines to have been at any time an alien described in section 212(a)(3) or 237(a)(4), which determination may be based upon any relevant information or evidence, including classified, sensitive, or national security information;'';

(3) in paragraph (9) (as redesignated), by inserting '', regardless whether the crime was classified as an aggravated felony at the time of conviction, except that the Secretary of Homeland Security or Attorney General may, in the unreviewable discretion of the Secretary or Attorney General, determine that this paragraph shall not apply in the case of a single aggravated felony conviction (other than murder, manslaughter, homicide, rape, or any sex offense when the victim of such sex offense was a minor) for which completion of the term of imprisonment or the sentence (whichever is later) occurred 10 or more years prior to the date of application'' after ''(as defined in subsection (a)(43))''; and

(4) by striking the first sentence the follows paragraph (10) (as redesignated) and inserting following: ''The fact that any person is not within any of the foregoing classes shall not preclude a discretionary finding for other reasons that such a person is or was not of good moral character. The Secretary or the Attorney General shall not be limited to the applicant's conduct during the period for which good moral character is required, but may take into consideration as a basis for determination the applicant's conduct and acts at any time.''

(b) AGGRAVATED FELONS.—Section 509(b) of the Immigration Act of 1990 (8 U.S.C. 1101 note) is amended to read as follows:

''(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on November 29, 1990, and shall apply to convictions occurring before, on or after such date.''.

(c) TECHNICAL CORRECTION TO THE INTELLIGENCE REFORM ACT.—Section 5504(2) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458) is amended by striking ''adding at the end'' and inserting ''inserting after paragraph (8)''.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date of enactment of this Act, shall apply to any act that occurred before, on, or after such date and shall apply to any application for naturalization or any other benefit or relief, or any other case or matter under the immigration laws pending on or filed after such date. The amendments made by subsection (c) shall take effect as if enacted in the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458).

SEC. 3723. TERRORIST BAR TO NATURALIZATION.

(a) NATURALIZATION OF PERSONS ENDANGERING THE NATIONAL SECURITY.—Section 316 of the Immigration and Nationality Act (8 U.S.C. 1426) is amended by adding at the end the following:

''(g) PERSONS ENDANGERING THE NATIONAL SECURITY.—No person shall be naturalized who the Secretary of Homeland Security determines to have been at any time an alien

described in section 212(a)(3) or 237(a)(4). Such determination may be based upon any relevant information or evidence, including classified, sensitive, or national security information.''.

(b) CONCURRENT NATURALIZATION AND REMOVAL PROCEEDINGS.—Section 318 of the Immigration and Nationality Act (8 U.S.C. 1429) is amended by striking ''other Act;'' and inserting ''other Act; and no application for naturalization shall be considered by the Secretary of Homeland Security or any court if there is pending against the applicant any removal proceeding or other proceeding to determine the applicant's inadmissibility or deportability, or to determine whether the applicant's lawful permanent resident status should be rescinded, regardless of when such proceeding was commenced: *Provided*, That the findings of the Attorney General in terminating removal proceedings or in canceling the removal of an alien pursuant to the provisions of this Act, shall not be deemed binding in any way upon the Secretary of Homeland Security with respect to the question of whether such person has established his eligibility for naturalization as required by this title;''.

(c) PENDING DENATURALIZATION OR REMOVAL PROCEEDINGS.—Section 204(b) of the Immigration and Nationality Act (8 U.S.C. 1154(b)) is amended by adding at the end the following: ''No petition shall be approved pursuant to this section if there is any administrative or judicial proceeding (whether civil or criminal) pending against the petitioner that could (whether directly or indirectly) result in the petitioner's denaturalization or the loss of the petitioner's lawful permanent resident status.''.

(d) CONDITIONAL PERMANENT RESIDENTS.—Sections 216(e) and section 216A(e) of the Immigration and Nationality Act (8 U.S.C. 1186a(e) and 1186b(e)) are each amended by striking the period at the end and inserting '', if the alien has had the conditional basis removed pursuant to this section.''.

(e) DISTRICT COURT JURISDICTION.—Subsection 336(b) of the Immigration and Nationality Act, 8 U.S.C. 1447(b), is amended to read as follows:

''(b) If there is a failure to render a final administrative decision under section 335 before the end of the 180-day period after the date on which the Secretary of Homeland Security completes all examinations and interviews conducted under such section, as such terms are defined by the Secretary of Homeland Security pursuant to regulations, the applicant may apply to the district court for the district in which the applicant resides for a hearing on the matter. Such court shall only have jurisdiction to review the basis for delay and remand the matter to the Secretary of Homeland Security for the Secretary's determination on the application.''.

(f) CONFORMING AMENDMENT.—Section 310(c) of the Immigration and Nationality Act (8 U.S.C. 1421(c)) is amended—

(1) by inserting '', not later than the date that is 120 days after the Secretary of Homeland Security's final determination,'' after ''seek''; and

(2) by striking the second sentence and inserting the following: ''The burden shall be upon the petitioner to show that the Secretary's denial of the application was not supported by facially legitimate and bona fide reasons. Except in a proceeding under section 340, notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to determine, or to review a determination of the Secretary made at any time regarding, whether, for purposes of an application for naturalization, an alien is a person of good moral character, whether the alien understands and is attached to the principles of the Constitution of the United States, or whether an alien is well disposed to the good order and happiness of the United States.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act, shall apply to any act that occurred before, on, or after such date, and shall apply to any application for naturalization or any other case or matter under the immigration laws pending on, or filed after, such date.

SEC. 3724. DENATURALIZATION FOR TERRORISTS.

(a) IN GENERAL.—Section 340 of the Immigration and Nationality Act is amended—

(1) by redesignating subsections (f) through (h) as subsections (g) through (i), respectively; and

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

''(f)(1) If a person who has been naturalized participates in any act described in paragraph (2), the Attorney General is authorized to find that, as of the date of such naturalization, such person was not attached to the principles of the Constitution of the United States and was not well disposed to the good order and happiness of the United States at the time of naturalization, and upon such finding shall set aside the order admitting such person to citizenship and cancel the certificate of naturalization as having been obtained by concealment of a material fact or by willful misrepresentation, and such revocation and setting aside of the order admitting such person to citizenship and such canceling of certificate of naturalization shall be effective as of the original date of the order and certificate, respectively.

''(2) The acts described in this paragraph are the following:

''(A) Any activity a purpose of which is the opposition to, or the control or overthrow of, the Government of the United States by force, violence, or other unlawful means.

''(B) Engaging in a terrorist activity (as defined in clauses (iii) and (iv) of section 212(a)(3)(B)).

''(C) Incitement of terrorist activity under circumstances indicating an intention to cause death or serious bodily harm.

''(D) Receiving military-type training (as defined in section 2339D(c)(1) of title 18, United States Code) from or on behalf of any organization that, at the time the training was received, was a terrorist organization (as defined in section 212(a)(3)(B)(vi)).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to acts that occur on or after such date.

SEC. 3725. USE OF 1986 IRCA LEGALIZATION INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) SPECIAL AGRICULTURAL WORKERS.—Section 210(b)(6) of the Immigration and Nationality Act (8 U.S.C. 1160(b)(6)) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(2) in subparagraph (A), by striking ''Department of Justice,'' and inserting ''Department of Homeland Security,'';

(3) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(4) by inserting after subparagraph (B) the following:

''(C) AUTHORIZED DISCLOSURES.—

''(i) CENSUS PURPOSE.—The Secretary of Homeland Security may provide, in his discretion, for the furnishing of information furnished under this section in the same manner and circumstances as census information may be disclosed under section 8 of title 13, United States Code.

''(ii) NATIONAL SECURITY PURPOSE.—The Secretary of Homeland Security may provide, in his discretion, for the furnishing, use, publication, or release of information furnished under this section in any investigation, case, or matter, or for any purpose, relating to terrorism, national intelligence or the national security.''; and

(5) in subparagraph (D), as redesignated, by striking ''Service'' and inserting ''Department of Homeland Security''.

(b) ADJUSTMENT OF STATUS UNDER THE IMMIGRATION REFORM AND CONTROL ACT OF 1986.—Section 245A(c)(5) of the Immigration and Nationality Act (8 U.S.C. 1255a(c)(5)), is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(2) in subparagraph (A), by striking ''Department of Justice,'' and inserting ''Department of Homeland Security,'';

(3) by amending subparagraph (C) to read as follows:

''(C) AUTHORIZED DISCLOSURES.—

''(i) CENSUS PURPOSE.—The Secretary of Homeland Security may provide, in his discretion, for the furnishing of information furnished under this section in the same manner and circumstances as census information may be disclosed under section 8 of title 13, United States Code.

''(ii) NATIONAL SECURITY PURPOSE.—The Secretary of Homeland Security may provide, in his discretion, for the furnishing, use, publication, or release of information furnished under this section in any investigation, case, or matter, or for any purpose, relating to terrorism, national intelligence or the national security.''; and

(4) in subparagraph (D), striking ''Service'' and inserting ''Department of Homeland Security''.

SEC. 3726. BACKGROUND AND SECURITY CHECKS.

(a) REQUIREMENT TO COMPLETE BACKGROUND AND SECURITY CHECKS.—Section 103 of the Immigration and Nationality Act (8 U.S.C. 1103) is amended by adding at the end the following:

''(h) Notwithstanding any other provision of law (statutory or nonstatutory), including but not limited to section 309 of Public Law 107–173, sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, neither the Secretary of Homeland Security, the Attorney General, nor any court may—

''(1) grant, or order the grant of or adjudication of an application for adjustment of status to that of an alien lawfully admitted for permanent residence;

''(2) grant, or order the grant of or adjudication of an application for United States citizenship or any other status, relief, protection from removal, employment authorization, or other benefit under the immigration laws;

''(3) grant, or order the grant of or adjudication of, any immigrant or nonimmigrant petition; or

''(4) issue or order the issuance of any documentation evidencing or related to any such grant, until such background and security checks as the Secretary may in his discretion require have been completed or updated to the satisfaction of the Secretary.

''(i) Notwithstanding any other provision of law (statutory or nonstatutory), including but not limited to section 309 of Public Law 107–173, sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, neither the Secretary of Homeland Security nor the Attorney General may be required to—

''(1) grant, or order the grant of or adjudication of an application for adjustment of status to that of an alien lawfully admitted for permanent residence,

''(2) grant, or order the grant of or adjudication of an application for United States citizenship or any other status, relief, protection from removal, employment authorization, or other benefit under the immigration laws,

''(3) grant, or order the grant of or adjudication of, any immigrant or nonimmigrant petition, or

''(4) issue or order the issuance of any documentation evidencing or related to any such grant, until any suspected or alleged materially false information, material misrepresentation or omission, concealment of a material fact, fraud or forgery, counterfeiting, or alteration, or falsification of a document, as determined by the Secretary, relating to the adjudication of an application or petition for any status (including the granting of adjustment of status), relief, protection from removal, or other benefit under this subsection has been investigated and resolved to the Secretary's satisfaction.

''(j) Notwithstanding any other provision of law (statutory or nonstatutory), including section 309 of the Enhanced Border Security and Visa Entry Reform Act (8 U.S.C. 1738), sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, no court shall have jurisdiction to require any of the acts in subsection (h) or (i) to be completed by a certain time or award any relief for failure to complete or delay in completing such acts.''.

(b) CONSTRUCTION.—

(1) IN GENERAL.—Chapter 4 of title III of the Immigration and Nationality Act (8 U.S.C. 1501 et seq.) is amended by adding at the end the following:

''CONSTRUCTION

''SEC. 362. (a) IN GENERAL.—Nothing in this Act or any other law, except as provided in subsection (d), shall be construed to require the Secretary of Homeland Security, the Attorney General, the Secretary of State, the Secretary of Labor, or a consular officer to grant any application, approve any petition, or grant or continue any relief, protection from removal, employment authorization, or any other status or benefit under the immigration laws by, to, or on behalf of—

''(1) any alien deemed by the Secretary to be described in section 212(a)(3) or section 237(a)(4); or

''(2) any alien with respect to whom a criminal or other proceeding or investigation is open or pending (including, but not limited to, issuance of an arrest warrant, detainer, or indictment), where such proceeding or investigation is deemed by the official described in subsection (a) to be material to the alien's eligibility for the status or benefit sought.

''(b) DENIAL OR WITHHOLDING OF ADJUDICATION.—An official described in subsection (a) may, in the discretion of the official, deny (with respect to an alien described in paragraph (1) or (2) of subsection (a)) or withhold adjudication of pending resolution of the investigation or case (with respect to an alien described in subsection (a)(2) of this section) any application, petition, relief, protection from removal, employment authorization, status or benefit.

''(c) JURISDICTION.—Notwithstanding any other provision of law (statutory or nonstatutory), including section 309 of the Enhanced Border Security and Visa Entry Reform Act (8 U.S.C. 1738), sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, no court shall have jurisdiction to review a decision to deny or withhold adjudication pursuant to subsection (b) of this section.

''(d) WITHHOLDING OF REMOVAL AND TORTURE CONVENTION.—This section does not limit or modify the applicability of section 241(b)(3) or the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, subject to any reservations, understandings, declarations and provisos contained in the United States Senate resolution of ratification of the Convention, as implemented by section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105–277) with respect to an alien otherwise eligible for protection under such provisions.''.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 361 the following:

''362. Construction.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to applications for immigration benefits pending on or after such date.

SEC. 3727. TECHNICAL AMENDMENTS RELATING TO THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

(a) TRANSIT WITHOUT VISA PROGRAM.—Section 7209(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1185 note) is amended by striking ''the Secretary, in conjunction with the Secretary of Homeland Security,'' and inserting ''the Secretary of Homeland Security, in consultation with the Secretary of State,''.

(b) TECHNOLOGY ACQUISITION AND DISSEMINATION PLAN.—Section 7201(c)(1) of such Act is amended by inserting ''and the Department of State'' after ''used by the Department of Homeland Security''.

CHAPTER 3—REMOVAL OF CRIMINAL ALIENS

SEC. 3731. DEFINITION OF AGGRAVATED FELONY AND CONVICTION.

(a) DEFINITION OF AGGRAVATED FELONY.—Section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) is amended—

(1) by striking ''The term 'aggravated felony' means—'' and inserting ''Notwithstanding any other provision of law, the term 'aggravated felony' applies to an offense described in this paragraph, whether in violation of Federal or State law, or in violation of the law of a foreign country for which the term of imprisonment was completed within the previous 15 years, even if the length of the term of imprisonment for the offense is based on recidivist or other enhancements and regardless of whether the conviction was entered before, on, or after September 30, 1996, and means—'';

(2) in subparagraph (A), by striking ''murder, rape, or sexual abuse of a minor;'' and inserting ''murder, manslaughter, homicide, rape (whether the victim was conscious or unconscious), or any offense of a sexual nature involving a victim under the age of 18 years;'';

(3) in subparagraph (I), by striking ''or 2252'' and inserting ''2252, or 2252A''.

(4) in subparagraph (F), by striking ''at least one year;'' and inserting ''is at least one year, except that if the conviction records do not conclusively establish whether a crime constitutes a crime of violence, the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence;''

(5) in subparagraph (N), by striking paragraph ''(1)(A) or (2) of'';

(6) in subparagraph (O), by striking ''section 275(a) or 276 committed by an alien who was previously deported on the basis of a conviction for an offense described in another subparagraph of this paragraph'' and inserting ''section 275 or 276 for which the term of imprisonment is at least 1 year'';

(7) in subparagraph (U), by striking ''an attempt or conspiracy to commit an offense described in this paragraph'' and inserting ''attempting or conspiring to commit an offense described in this paragraph, or aiding, abetting, counseling, procuring, commanding, inducing, or soliciting the commission of such an offense.''; and

(8) by striking the undesignated matter following subparagraph (U).

(b) DEFINITION OF CONVICTION.—Section 101(a)(48) of such Act (8 U.S.C. 1101(a)(48)) is amended by adding at the end the following:

''(C) Any reversal, vacatur, expungement, or modification to a conviction, sentence, or conviction record that was granted to ameliorate the consequences of the conviction, sentence, or conviction record, or was granted for rehabilitative purposes, or for failure to advise the alien of the immigration consequences of a determination of guilt or of a guilty plea (except in the case of a guilty plea that was made on or after March 31, 2010, shall have no effect on the immigration consequences resulting from the original conviction. The alien shall have the burden of demonstrating that any reversal, vacatur, expungement, or modification was not granted to ameliorate the consequences of the conviction, sentence, or conviction record, for rehabilitative purposes, or for failure to advise the alien of the immigration consequences of a determination of guilt or of a guilty plea (except in the case of a guilty plea that was made on or after March 31, 2010), except where the alien establishes a pardon consistent with section 237(a)(2)(A)(vi).''.

(c) EFFECTIVE DATE; APPLICATION OF AMENDMENTS.—

(1) IN GENERAL.—The amendments made by subsection (a)—

(A) shall take effect on the date of the enactment of this Act; and

(B) shall apply to any act or conviction that occurred before, on, or after such date.

(2) APPLICATION OF IIRIRA AMENDMENTS.—The amendments to section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) made by section 321 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 110 Stat. 3009-627) shall continue to apply, whether the conviction was entered before, on, or after September 30, 1996.

SEC. 3732. PRECLUDING ADMISSIBILITY OF ALIENS CONVICTED OF AGGRAVATED FELONIES OR OTHER SERIOUS OFFENSES.

(a) INADMISSIBILITY ON CRIMINAL AND RELATED GROUNDS; WAIVERS.—Section 212 of the Immigration and Nationality Act (8 U.S.C. 1182) is amended—

(1) in subparagraph (a)(2)(A)(i)—

(A) in subclause (I), by striking ''or'' at the end;

(B) in subclause (II), by adding ''or'' at the end; and

(C) by inserting after subclause (II) the following:

''(III) a violation of (or a conspiracy or attempt to violate) an offense described in section 408 of title 42, United States Code (relating to social security account numbers or social security cards) or section 1028 of title 18, United States Code (relating to fraud and related activity in connection with identification documents, authentication features, and information);''.

(2) by adding at the end of subsection (a)(2) the following :

''(J) PROCUREMENT OF CITIZENSHIP OR NATURALIZATION UNLAWFULLY.—Any alien convicted of, or who admits having committed,

or who admits committing acts which constitute the essential elements of, a violation of, or an attempt or a conspiracy to violate, subsection (a) or (b) of section 1425 of title 18, United States Code (relating to the procurement of citizenship or naturalization unlawfully) is inadmissible.

''(K) CERTAIN FIREARM OFFENSES.—Any alien who at any time has been convicted under any law of, or who admits having committed or admits committing acts which constitute the essential elements of, purchasing, selling, offering for sale, exchanging, using, owning, possessing, or carrying, or of attempting or conspiring to purchase, sell, offer for sale, exchange, use, own, possess, or carry, any weapon, part, or accessory which is a firearm or destructive device (as defined in section 921(a) of title 18, United States Code) in violation of any law is inadmissible.

''(L) AGGRAVATED FELONS.—Any alien who has been convicted of an aggravated felony at any time is inadmissible.

''(M) CRIMES OF DOMESTIC VIOLENCE, STALKING, OR VIOLATION OF PROTECTION ORDERS, CRIMES AGAINST CHILDREN.—

''(i) DOMESTIC VIOLENCE, STALKING, AND CHILD ABUSE.—Any alien who at any time is convicted of, or who admits having committed or admits committing acts which constitute the essential elements of, a crime of domestic violence, a crime of stalking, or a crime of child abuse, child neglect, or child abandonment is inadmissible. For purposes of this clause, the term 'crime of domestic violence' means any crime of violence (as defined in section 16 of title 18, United States Code) against a person committed by a current or former spouse of the person, by an individual with whom the person shares a child in common, by an individual who is cohabiting with or has cohabited with the person as a spouse, by an individual similarly situated to a spouse of the person under the domestic or family violence laws of the jurisdiction where the offense occurs, or by any other individual against a person who is protected from that individual's acts under the domestic or family violence laws of the United States or any State, Indian tribal government, or unit of local or foreign government.

''(ii) VIOLATORS OF PROTECTION ORDERS.—Any alien who at any time is enjoined under a protection order issued by a court and whom the court determines has engaged in conduct that violates the portion of a protection order that involves protection against credible threats of violence, repeated harassment, or bodily injury to the person or persons for whom the protection order was issued is inadmissible. For purposes of this clause, the term 'protection order' means any injunction issued for the purpose of preventing violent or threatening acts of domestic violence, including temporary or final orders issued by civil or criminal courts (other than support or child custody orders or provisions) whether obtained by filing an independent action or as a independent order in another proceeding.

''(iii) WAIVER AUTHORIZED.—The waiver authority available under section 237(a)(7) with respect to section 237(a)(2)(E)(i) shall be available on a comparable basis with respect to this subparagraph.

''(iv) CLARIFICATION.—If the conviction records do not conclusively establish whether a crime of domestic violence constitutes a crime of violence (as defined in section 16 of title 18, United States Code), the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence.''; and

(3) in subsection (h)—

(A) by striking ''The Attorney General may, in his discretion, waive the application of subparagraphs (A)(i)(I), (B), (D), and (E) of subsection (a)(2)'' and inserting ''The Attorney General or the Secretary of Homeland Security may, in the discretion of the Attorney General or the Secretary, waive the application of subparagraphs (A)(i)(I), (III), (B), (D), (E), (K), and (M) of subsection (a)(2)'';

(B) by striking ''a criminal act involving torture.'' and inserting ''a criminal act involving torture, or has been convicted of an aggravated felony.'';

(C) by striking ''if either since the date of such admission the alien has been convicted of an aggravated felony or the alien'' and inserting ''if since the date of such admission the alien''; and

(D) by inserting ''or Secretary of Homeland Security'' after ''the Attorney General'' wherever that phrase appears.

(b) DEPORTABILITY; CRIMINAL OFFENSES.—Section 237(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(3)(B)) is amended—

(1) in clause (ii), by striking ''or'' at the end;

(2) in clause (iii), by inserting ''or'' at the end; and

(3) by inserting after clause (iii) the following:

''(iv) of a violation of, or an attempt or a conspiracy to violate, section 1425(a) or (b) of Title 18 (relating to the procurement of citizenship or naturalization unlawfully),''.

(c) DEPORTABILITY; CRIMINAL OFFENSES.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(G) Any alien who at any time after admission has been convicted of a violation of (or a conspiracy or attempt to violate) section 408 of title 42, United States Code (relating to social security account numbers or social security cards) or section 1028 of title 18, United States Code (relating to fraud and related activity in connection with identification) is deportable.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply—

(1) to any act that occurred before, on, or after the date of the enactment of this Act; and

(2) to all aliens who are required to establish admissibility on or after such date, and in all removal, deportation, or exclusion proceedings that are filed, pending, or reopened, on or after such date.

(e) CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to create eligibility for relief from removal under former section 212(c) of the Immigration and Nationality Act where such eligibility did not exist before these amendments became effective.

SEC. 3733. ESPIONAGE CLARIFICATION.

Section 212(a)(3)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(A)), is amended to read as follows:

''(A) Any alien who a consular officer, the Attorney General, or the Secretary of Homeland Security knows, or has reasonable ground to believe, seeks to enter the United States to engage solely, principally, or incidentally in, or who is engaged in, or with respect to clauses (i) and (iii) of this subparagraph has engaged in—

''(i) any activity—

''(I) to violate any law of the United States relating to espionage or sabotage; or

''(II) to violate or evade any law prohibiting the export from the United States of goods, technology, or sensitive information;

''(ii) any other unlawful activity; or

''(iii) any activity a purpose of which is the opposition to, or the control or overthrow of, the Government of the United States by force, violence, or other unlawful means;

is inadmissible.''.

SEC. 3734. UNIFORM STATUTE OF LIMITATIONS FOR CERTAIN IMMIGRATION, NATURALIZATION, AND PEONAGE OFFENSES.

Section 3291 of title 18, United States Code, is amended by striking ''No person'' through the period at the end and inserting the following: ''No person shall be prosecuted, tried, or punished for a violation of any section of chapters 69 (relating to nationality and citizenship offenses) and 75 (relating to passport, visa, and immigration offenses), or for a violation of any criminal provision of sections 243, 266, 274, 275, 276, 277, or 278 of the Immigration and Nationality Act, or for an attempt or conspiracy to violate any such section, unless the indictment is returned or the information is filed within ten years after the commission of the offense.''.

SEC. 3735. CONFORMING AMENDMENT TO THE DEFINITION OF RACKETEERING ACTIVITY.

Section 1961(1) of title 18, United States Code, is amended by striking ''section 1542'' through ''section 1546 (relating to fraud and misuse of visas, permits, and other documents)'' and inserting ''sections 1541-1548 (relating to passports and visas)''.

SEC. 3736. CONFORMING AMENDMENTS FOR THE AGGRAVATED FELONY DEFINITION.

(a) IN GENERAL.—Subparagraph (P) of section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) is amended—

(1) by striking ''(i) which either is falsely making, forging, counterfeiting, mutilating, or altering a passport or instrument in violation of section 1543 of title 18, United States Code, or is described in section 1546(a) of such title (relating to document fraud) and (ii)'' and inserting ''which is described in any section of chapter 75 of title 18, United States Code,''; and

(2) by inserting after ''first offense'' the following: ''(i) that is not described in section 1548 of such title (relating to increased penalties), and (ii)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 3737. PRECLUDING REFUGEE OR ASYLEE ADJUSTMENT OF STATUS FOR AGGRAVATED FELONS.

(a) IN GENERAL.—Section 209(c) of the Immigration and Nationality Act (8 U.S.C. 1159(c)) is amended by adding at the end thereof the following: ''However, an alien who is convicted of an aggravated felony is not eligible for a waiver or for adjustment of status under this section.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply—

(1) to any act that occurred before, on, or after the date of the enactment of this Act; and

(2) to all aliens who are required to establish admissibility on or after such date, and in all removal, deportation, or exclusion proceedings that are filed, pending, or reopened, on or after such date.

SEC. 3738. INADMISSIBILITY AND DEPORTABILITY OF DRUNK DRIVERS.

(a) IN GENERAL.—Section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) is amended—

(1) in subparagraph (T), by striking ''and'';

(2) in subparagraph (U); by striking the period at the end and inserting ''; and''; and

(3) by inserting after subparagraph (U) the following:.

''(V) A second conviction for driving while intoxicated (including a conviction for driving while under the influence of or impaired by alcohol or drugs) without regard to whether the conviction is classified as a misdemeanor or felony under State law.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and apply to convictions entered on or after such date.

SEC. 3739. DETENTION OF DANGEROUS ALIENS.

(a) IN GENERAL.—Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—

(1) by striking ''Attorney General'' each place it appears, except for the first reference in paragraph (4)(B)(i), and inserting ''Secretary of Homeland Security'';

(2) in paragraph (1), by amending subparagraph (B) to read as follows:

''(B) BEGINNING OF PERIOD.—The removal period begins on the latest of the following:

''(i) The date the order of removal becomes administratively final.

''(ii) If the alien is not in the custody of the Secretary on the date the order of removal becomes administratively final, the date the alien is taken into such custody.

''(iii) If the alien is detained or confined (except under an immigration process) on the date the order of removal becomes administratively final, the date the alien is taken into the custody of the Secretary, after the alien is released from such detention or confinement.'';

(3) in paragraph (1), by amending subparagraph (C) to read as follows:

''(C) SUSPENSION OF PERIOD.—

''(i) EXTENSION.—The removal period shall be extended beyond a period of 90 days and the Secretary may, in the Secretary's sole discretion, keep the alien in detention during such extended period if—

''(I) the alien fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure or conspires or acts to prevent the alien's removal that is subject to an order of removal;

''(II) a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to an administratively final order of removal;

''(III) the Secretary transfers custody of the alien pursuant to law to another Federal agency or a State or local government agency in connection with the official duties of such agency; or

''(IV) a court or the Board of Immigration Appeals orders a remand to an immigration judge or the Board of Immigration Appeals, during the time period when the case is pending a decision on remand (with the removal period beginning anew on the date that the alien is ordered removed on remand).

''(ii) RENEWAL.—If the removal period has been extended under clause (C)(i), a new removal period shall be deemed to have begun on the date—

''(I) the alien makes all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order;

''(II) the stay of removal is no longer in effect; or

''(III) the alien is returned to the custody of the Secretary.

''(iii) MANDATORY DETENTION FOR CERTAIN ALIENS.—In the case of an alien described in subparagraphs (A) through (D) of section 236(c)(1), the Secretary shall keep that alien in detention during the extended period described in clause (i).

''(iv) SOLE FORM OF RELIEF.—An alien may seek relief from detention under this subparagraph only by filing an application for a writ of habeas corpus in accordance with chapter 153 of title 28, United States Code. No alien whose period of detention is extended under this subparagraph shall have the right to seek release on bond.'';

(4) in paragraph (3)—

(A) by adding after ''If the alien does not leave or is not removed within the removal period'' the following: ''or is not detained pursuant to paragraph (6) of this subsection''; and

(B) by striking subparagraph (D) and inserting the following:

''(D) to obey reasonable restrictions on the alien's conduct or activities that the Secretary prescribes for the alien, in order to prevent the alien from absconding, for the protection of the community, or for other purposes related to the enforcement of the immigration laws.'';

(5) in paragraph (4)(A), by striking ''paragraph (2)'' and inserting ''subparagraph (B)''; and

(6) by striking paragraph (6) and inserting the following:

''(6) ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS.—

''(A) DETENTION REVIEW PROCESS FOR COOPERATIVE ALIENS ESTABLISHED.—For an alien who is not otherwise subject to mandatory detention, who has made all reasonable efforts to comply with a removal order and to cooperate fully with the Secretary of Homeland Security's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, and who has not conspired or acted to prevent removal, the Secretary shall establish an administrative review process to determine whether the alien should be detained or released on conditions. The Secretary shall make a determination whether to release an alien after the removal period in accordance with subparagraph (B). The determination shall include consideration of any evidence submitted by the alien, and may include consideration of any other evidence, including any information or assistance provided by the Secretary of State or other Federal official and any other information available to the Secretary of Homeland Security pertaining to the ability to remove the alien.

''(B) AUTHORITY TO DETAIN BEYOND REMOVAL PERIOD.—

''(i) IN GENERAL.—The Secretary of Homeland Security, in the exercise of the Secretary's sole discretion, may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period as provided in paragraph (1)(C)). An alien whose detention is extended under this subparagraph shall have no right to seek release on bond.

''(ii) SPECIFIC CIRCUMSTANCES.—The Secretary of Homeland Security, in the exercise of the Secretary's sole discretion, may continue to detain an alien beyond the 90 days authorized in clause (i)—

''(I) until the alien is removed, if the Secretary, in the Secretary's sole discretion, determines that there is a significant likelihood that the alien—

''(aa) will be removed in the reasonably foreseeable future; or

''(bb) would be removed in the reasonably foreseeable future, or would have been removed, but for the alien's failure or refusal to make all reasonable efforts to comply with the removal order, or to cooperate fully with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, or conspires or acts to prevent removal;

''(II) until the alien is removed, if the Secretary of Homeland Security certifies in writing—

''(aa) in consultation with the Secretary of Health and Human Services, that the alien has a highly contagious disease that poses a threat to public safety;

''(bb) after receipt of a written recommendation from the Secretary of State, that release of the alien is likely to have serious adverse foreign policy consequences for the United States;

''(cc) based on information available to the Secretary of Homeland Security (including classified, sensitive, or national security information, and without regard to the grounds upon which the alien was ordered removed), that there is reason to believe that the release of the alien would threaten the national security of the United States; or

''(dd) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or any person, and either (AA) the alien has been convicted of one or more aggravated felonies (as defined in section 101(a)(43)(A)) or of one or more crimes identified by the Secretary of Homeland Security by regulation, or of one or more attempts or conspiracies to commit any such aggravated felonies or such identified crimes, if the aggregate term of imprisonment for such attempts or conspiracies is at least 5 years; or (BB) the alien has committed one or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder and behavior associated with that condition or disorder, the alien is likely to engage in acts of violence in the future; or

''(III) pending a certification under subclause (II), so long as the Secretary of Homeland Security has initiated the administrative review process not later than 30 days after the expiration of the removal period (including any extension of the removal period, as provided in paragraph (1)(C)).

''(iii) NO RIGHT TO BOND HEARING.—An alien whose detention is extended under this subparagraph shall have no right to seek release on bond, including by reason of a certification under clause (ii)(II).

''(C) RENEWAL AND DELEGATION OF CERTIFICATION.—

''(i) RENEWAL.—The Secretary of Homeland Security may renew a certification under subparagraph (B)(ii)(II) every 6 months, after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew a certification, the Secretary may not continue to detain the alien under subparagraph (B)(ii)(II).

''(ii) DELEGATION.—Notwithstanding section 103, the Secretary of Homeland Security may not delegate the authority to make or renew a certification described in item (bb), (cc), or (dd) of subparagraph (B)(ii)(II) below the level of the Assistant Secretary for Immigration and Customs Enforcement.

''(iii) HEARING.—The Secretary of Homeland Security may request that the Attorney General or the Attorney General's designee provide for a hearing to make the determination described in item (dd)(BB) of subparagraph (B)(ii)(II).

''(D) RELEASE ON CONDITIONS.—If it is determined that an alien should be released from detention by a Federal court, the Board of Immigration Appeals, or if an immigration judge orders a stay of removal, the Secretary of Homeland Security, in the exercise of the Secretary's discretion, may impose conditions on release as provided in paragraph (3).

''(E) REDETENTION.—The Secretary of Homeland Security, in the exercise of the Secretary's discretion, without any limitations other than those specified in this section, may again detain any alien subject to a final removal order who is released from custody, if removal becomes likely in the reasonably foreseeable future, the alien fails to comply with the conditions of release, or to continue to satisfy the conditions described in subparagraph (A), or if, upon reconsideration, the Secretary, in the Secretary's sole discretion, determines that the alien can be detained under subparagraph (B). This section shall apply to any alien returned to custody pursuant to this subparagraph, as if the removal period terminated on the day of the redetention.

''(F) REVIEW OF DETERMINATIONS BY SECRETARY.—A determination by the Secretary under this paragraph shall not be subject to review by any other agency.''.

(b) DETENTION OF ALIENS DURING REMOVAL PROCEEDINGS.—

(1) CLERICAL AMENDMENT.—(A) Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended by striking ''Attorney General'' each place it appears (except in the second place that term appears in section 236(a)) and inserting ''Secretary of Homeland Security''.

(B) Section 236(a) of such Act (8 U.S.C. 1226(a)) is amended by inserting ''the Secretary of Homeland Security or'' before ''the Attorney General—''.

(C) Section 236(e) of such Act (8 U.S.C. 1226(e)) is amended by striking ''Attorney General's'' and inserting ''Secretary of Homeland Security's''.

(2) LENGTH OF DETENTION.—Section 236 of such Act (8 U.S.C. 1226) is amended by adding at the end the following:

''(f) LENGTH OF DETENTION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, an alien may be detained under this section for any period, without limitation, except as provided in subsection (h), until the alien is subject to a final order of removal.

''(2) CONSTRUCTION.—The length of detention under this section shall not affect detention under section 241.''.

(3) DETENTION OF CRIMINAL ALIENS.—Section 236(c)(1) of the Immigration and Nationality Act (8 U.S.C. 1226(c)(1)) is amended, in the matter following subparagraph (D) to read as follows:

''any time after the alien is released, without regard to whether an alien is released related to any activity, offense, or conviction described in this paragraph; to whether the alien is released on parole, supervised release, or probation; or to whether the alien may be arrested or imprisoned again for the same offense. If the activity described in this paragraph does not result in the alien being taken into custody by any person other than the Secretary, then when the alien is brought to the attention of the Secretary or when the Secretary determines it is practical to take such alien into custody, the Secretary shall take such alien into custody.''.

(4) ADMINISTRATIVE REVIEW.—Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226), as amended by paragraph (2), is further amended by adding at the end the following:

''(g) ADMINISTRATIVE REVIEW.—

''(1) IN GENERAL.—The Attorney General's review of the Secretary's custody determinations under subsection (a) for the following classes of aliens shall be limited to whether the alien may be detained, released on bond (of at least $1,500 with security approved by the Secretary), or released with no bond:

''(A) Aliens in exclusion proceedings.

''(B) Aliens described in section 212(a)(3) or 237(a)(4).

''(C) Aliens described in subsection (c).

''(2) SPECIAL RULE.—The Attorney General's review of the Secretary's custody determinations under subsection (a) for aliens in deportation proceedings subject to section 242(a)(2) of the Act (as in effect prior to April 1, 1997, and as amended by section 440(c) of Public Law 104–132) shall be limited to a determination of whether the alien is properly included in such category.

''(h) RELEASE ON BOND.—

''(1) IN GENERAL.—An alien detained under subsection (a) may seek release on bond. No bond may be granted except to an alien who establishes by clear and convincing evidence that the alien is not a flight risk or a risk to another person or the community.

''(2) CERTAIN ALIENS INELIGIBLE.—No alien detained under subsection (c) may seek release on bond.''.

(5) CLERICAL AMENDMENTS.—(A) Section 236(a)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1226(a)(2)(B)) is amended by striking ''conditional parole'' and inserting ''recognizance''.

(B) Section 236(b) of such Act (8 U.S.C. 1226(b)) is amended by striking ''parole'' and inserting ''recognizance''.

(c) SEVERABILITY.—If any of the provisions of this section or any amendment by this section, or the application of any such provision to any person or circumstance, is held to be invalid for any reason, the remainder of this section and of amendments made by this section, and the application of the provisions and of the amendments made by this section to any other person or circumstance shall not be affected by such holding.

(d) EFFECTIVE DATES.—

(1) The amendments made by subsection (a) shall take effect upon the date of enactment of this Act, and section 241 of the Immigration and Nationality Act, as so amended, shall in addition apply to—

(A) all aliens subject to a final administrative removal, deportation, or exclusion order that was issued before, on, or after the date of the enactment of this Act; and

(B) acts and conditions occurring or existing before, on, or after such date.

(2) The amendments made by subsection (b) shall take effect upon the date of the enactment of this Act, and section 236 of the Immigration and Nationality Act, as so amended, shall in addition apply to any alien in detention under provisions of such section on or after such date.

SEC. 3740. GROUNDS OF INADMISSIBILITY AND DEPORTABILITY FOR ALIEN GANG MEMBERS.

(a) DEFINITION OF GANG MEMBER.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended by adding at the end the following:

''(53)(A) The term 'criminal gang' means an ongoing group, club, organization, or association of 5 or more persons that has as one of its primary purposes the commission of 1 or more of the following criminal offenses and the members of which engage, or have engaged within the past 5 years, in a continuing series of such offenses, or that has been designated as a criminal gang by the Secretary of Homeland Security, in consultation with the Attorney General, as meeting these criteria. The offenses described, whether in violation of Federal or State law or foreign law and regardless of whether the offenses occurred before, on, or after the date of the enactment of this paragraph, are the following:

''(i) A 'felony drug offense' (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

''(ii) An offense under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose).

''(iii) A crime of violence (as defined in section 16 of title 18, United States Code).

''(iv) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary.

''(v) Any conduct punishable under sections 1028 and 1029 of title 18, United States Code (relating to fraud and related activity in connection with identification documents or access devices), sections 1581 through 1594 of such title (relating to peonage, slavery and trafficking in persons), section 1952 of such title (relating to interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title (relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title (relating to interstate transportation of stolen motor vehicles or stolen property).

''(vi) A conspiracy to commit an offense described in clauses (i) through (v).

''(B) Notwithstanding any other provision of law (including any effective date), the term applies regardless of whether the conduct occurred before, on, or after the date of the enactment of this paragraph.''.

(b) INADMISSIBILITY.—Section 212(a)(2) of such Act (8 U.S.C. 1182(a)(2)), as amended by section 302(a)(2) of this Act, is further amended by adding at the end the following:

''(N) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is inadmissible who a consular officer, the Secretary of Homeland Security, or the Attorney General knows or has reason to believe—

''(i) to be or to have been a member of a criminal gang (as defined in section 101(a)(53)); or

''(ii) to have participated in the activities of a criminal gang (as defined in section 101(a)(53)), knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.''.

(c) DEPORTABILITY.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)), as amended by section 302(c) of this Act, is further amended by adding at the end the following:

''(H) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is deportable who the Secretary of Homeland Security or the Attorney General knows or has reason to believe—

''(i) is or has been a member of a criminal gang (as defined in section 101(a)(53)); or

''(ii) has participated in the activities of a criminal gang (as so defined), knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.''.

(d) DESIGNATION.—

(1) IN GENERAL.—Chapter 2 of title II of the Immigration and Nationality Act (8 U.S.C. 1182) is amended by inserting after section 219 the following:

''DESIGNATION

''SEC. 220. (a) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Attorney General, and the Secretary of State may designate a groups or association as a criminal street gangs if their conduct is described in section 101(a)(53) or if the group or association conduct poses a significant risk that threatens the security and the public safety of United States nationals or the national security, homeland security, foreign policy, or economy of the United States.

''(b) EFFECTIVE DATE.—Designations under subsection (a) shall remain in effect until the designation is revoked after consultation

between the Secretary of Homeland Security, the Attorney General, and the Secretary of State or is terminated in accordance with Federal law.''.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 219 the following:

''220. Designation.''.

(e) MANDATORY DETENTION OF CRIMINAL STREET GANG MEMBERS.—

(1) IN GENERAL.—Section 236(c)(1)(D) of the Immigration and Nationality Act (8 U.S.C. 1226(c)(1)(D)) is amended—

(A) by inserting ''or 212(a)(2)(N)'' after ''212(a)(3)(B)''; and

(B) by inserting ''or 237(a)(2)(H)'' before ''237(a)(4)(B)''.

(2) ANNUAL REPORT.—Not later than March 1 of each year (beginning 1 year after the date of the enactment of this Act), the Secretary of Homeland Security, after consultation with the appropriate Federal agencies, shall submit a report to the Committees on the Judiciary of the House of Representatives and of the Senate on the number of aliens detained under the amendments made by paragraph (1).

(f) ASYLUM CLAIMS BASED ON GANG AFFILIATION.—

(1) INAPPLICABILITY OF RESTRICTION ON REMOVAL TO CERTAIN COUNTRIES.—Section 241(b)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1251(b)(3)(B)) is amended, in the matter preceding clause (i), by inserting ''who is described in section 212(a)(2)(N)(i) or section 237(a)(2)(H)(i) or who is'' after ''to an alien''.

(2) INELIGIBILITY FOR ASYLUM.—Section 208(b)(2)(A) of such Act (8 U.S.C. 1158(b)(2)(A)) is amended—

(A) in clause (v), by striking ''or'' at the end;

(B) by redesignating clause (vi) as clause (vii); and

(C) by inserting after clause (v) the following:

''(vi) the alien is described in section 212(a)(2)(N)(i) or section 237(a)(2)(H)(i) (relating to participation in criminal street gangs); or''.

(g) TEMPORARY PROTECTED STATUS.—Section 244 of such Act (8 U.S.C. 1254a) is amended—

(1) by striking ''Attorney General'' each place it appears and inserting ''Secretary of Homeland Security'';

(2) in subparagraph (c)(2)(B), by adding at the end the following:

''(iii) the alien is, or at any time after admission has been, a member of a criminal gang (as defined in section 101(a)(53)).''; and

(3) in subsection (d)——

(A) by striking paragraph (3); and

(B) in paragraph (4), by adding at the end the following: ''The Secretary of Homeland Security may detain an alien provided temporary protected status under this section whenever appropriate under any other provision of law.''.

(h) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 3741. LAUNDERING OF MONETARY INSTRUMENTS.

(a) ADDITIONAL PREDICATE OFFENSES.—Section 1956(c)(7)(D) of title 18, United States Code, is amended—

(1) by inserting ''section 1590 (relating to trafficking with respect to peonage, slavery, involuntary servitude, or forced labor),'' after ''section 1363 (relating to destruction of property within the special maritime and territorial jurisdiction),''; and

(2) by inserting ''section 274(a) of the Immigration and Nationality Act (8 U.S.C.1324(a)) (relating to bringing in and harboring certain aliens),'' after ''section 590 of the Tariff Act of 1930 (19 U.S.C. 1590) (relating to aviation smuggling),''.

(b) INTENT TO CONCEAL OR DISGUISE.—Section 1956(a) of title 18, United States Code, is amended—

(1) in paragraph (1) so that subparagraph (B) reads as follows:

''(B) knowing that the transaction—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''; and

(2) in paragraph (2) so that subparagraph (B) reads as follows:

''(B) knowing that the monetary instrument or funds involved in the transportation, transmission, or transfer represent the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, or transfer—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''.

SEC. 3742. INCREASED CRIMINAL PENALTIES RELATING TO ALIEN SMUGGLING AND RELATED OFFENSES.

(a) IN GENERAL.—Section 274 of the Immigration and Nationality Act (8 U.S.C. 1324), is amended to read as follows:

''SEC. 274. ALIEN SMUGGLING AND RELATED OFFENSES.

''(a) CRIMINAL OFFENSES AND PENALTIES.—

''(1) PROHIBITED ACTIVITIES.—Except as provided in paragraph (3), a person shall be punished as provided under paragraph (2), if the person—

''(A) facilitates, encourages, directs, or induces a person to come to or enter the United States, or to cross the border to the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to come to, enter, or cross the border to the United States;

''(B) facilitates, encourages, directs, or induces a person to come to or enter the United States, or to cross the border to the United States, at a place other than a designated port of entry or place other than as designated by the Secretary of Homeland Security, knowing or in reckless disregard of the fact that such person is an alien and regardless of whether such alien has official permission or lawful authority to be in the United States;

''(C) transports, moves, harbors, conceals, or shields from detection a person outside of the United States knowing or in reckless disregard of the fact that such person is an alien in unlawful transit from one country to another or on the high seas, under circumstances in which the alien is seeking to enter the United States without official permission or lawful authority;

''(D) encourages or induces a person to reside in the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to reside in the United States;

''(E) transports or moves a person in the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to enter or be in the United States, if the transportation or movement will further the alien's illegal entry into or illegal presence in the United States;

''(F) harbors, conceals, or shields from detection a person in the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to be in the United States; or

''(G) conspires or attempts to commit any of the acts described in subparagraphs (A) through (F).

''(2) CRIMINAL PENALTIES.—A person who violates any provision under paragraph (1) shall, for each alien in respect to whom a violation of paragraph (1) occurs—

''(A) except as provided in subparagraphs (C) through (G), if the violation was not committed for commercial advantage, profit, or private financial gain, be fined under title 18, United States Code, imprisoned for not more than 5 years, or both;

''(B) except as provided in subparagraphs (C) through (G), if the violation was committed for commercial advantage, profit, or private financial gain—

''(i) be fined under such title, imprisoned for not more than 20 years, or both, if the violation is the offender's first violation under this subparagraph; or

''(ii) be fined under such title, imprisoned for not more than 25 years, or both, if the violation is the offender's second or subsequent violation of this subparagraph;

''(C) if the violation furthered or aided the commission of any other offense against the United States or any State that is punishable by imprisonment for more than 1 year, be fined under such title, imprisoned for not more than 20 years, or both;

''(D) be fined under such title, imprisoned not more than 20 years, or both, if the violation created a substantial and foreseeable risk of death, a substantial and foreseeable risk of serious bodily injury (as defined in section 2119(2) of title 18, United States Code), or inhumane conditions to another person, including—

''(i) transporting the person in an engine compartment, storage compartment, or other confined space;

''(ii) transporting the person at an excessive speed or in excess of the rated capacity of the means of transportation; or

''(iii) transporting the person in, harboring the person in, or otherwise subjecting the person to crowded or dangerous conditions;

''(E) if the violation caused serious bodily injury (as defined in section 2119(2) of title 18, United States Code) to any person, be fined under such title, imprisoned for not more than 30 years, or both;

''(F) be fined under such title and imprisoned for not more than 30 years if the violation involved an alien who the offender knew or had reason to believe was—

''(i) engaged in terrorist activity (as defined in section 212(a)(3)(B)); or

''(ii) intending to engage in terrorist activity;

''(G) if the violation caused or resulted in the death of any person, be punished by death or imprisoned for a term of years up to life, and fined under title 18, United States Code.

''(3) LIMITATION.—It is not a violation of subparagraph (D), (E), or (F) of paragraph (1) for a religious denomination having a bona fide nonprofit, religious organization in the United States, or the agents or officers of such denomination or organization, to encourage, invite, call, allow, or enable an alien who is present in the United States to perform the vocation of a minister or missionary for the denomination or organization in the United States as a volunteer who is not compensated as an employee, notwithstanding the provision of room, board, travel, medical assistance, and other basic living expenses, provided the minister or missionary has been a member of the denomination for at least 1 year.

''(4) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction

over the offenses described in this subsection.

''(b) SEIZURE AND FORFEITURE.—

''(1) IN GENERAL.—Any real or personal property used to commit or facilitate the commission of a violation of this section, the gross proceeds of such violation, and any property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this subsection shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security.

''(3) PRIMA FACIE EVIDENCE IN DETERMINATIONS OF VIOLATIONS.—In determining whether a violation of subsection (a) has occurred, prima facie evidence that an alien involved in the alleged violation lacks lawful authority to come to, enter, reside in, remain in, or be in the United States or that such alien had come to, entered, resided in, remained in, or been present in the United States in violation of law may include:

''(A) any order, finding, or determination concerning the alien's status or lack of status made by a Federal judge or administrative adjudicator (including an immigration judge or immigration officer) during any judicial or administrative proceeding authorized under Federal immigration law;

''(B) official records of the Department of Homeland Security, the Department of Justice, or the Department of State concerning the alien's status or lack of status; and

''(C) testimony by an immigration officer having personal knowledge of the facts concerning the alien's status or lack of status.

''(c) AUTHORITY TO ARREST.—No officer or person shall have authority to make any arrests for a violation of any provision of this section except:

''(1) officers and employees designated by the Secretary of Homeland Security, either individually or as a member of a class; and

''(2) other officers responsible for the enforcement of Federal criminal laws.

''(d) ADMISSIBILITY OF VIDEOTAPED WITNESS TESTIMONY.—Notwithstanding any provision of the Federal Rules of Evidence, the videotaped or otherwise audiovisually preserved deposition of a witness to a violation of subsection (a) who has been deported or otherwise expelled from the United States, or is otherwise unavailable to testify, may be admitted into evidence in an action brought for that violation if:

''(1) the witness was available for cross examination at the deposition by the party, if any, opposing admission of the testimony; and

''(2) the deposition otherwise complies with the Federal Rules of Evidence.

''(e) DEFINITIONS.—In this section:

''(1) CROSS THE BORDER TO THE UNITED STATES.—The term 'cross the border' refers to the physical act of crossing the border, regardless of whether the alien is free from official restraint.

''(2) LAWFUL AUTHORITY.—The term 'lawful authority' means permission, authorization, or license that is expressly provided for in the immigration laws of the United States or accompanying regulations. The term does not include any such authority secured by fraud or otherwise obtained in violation of law or authority sought, but not approved. No alien shall be deemed to have lawful authority to come to, enter, reside in, remain in, or be in the United States if such coming to, entry, residence, remaining, or presence was, is, or would be in violation of law.

''(3) PROCEEDS.—The term 'proceeds' includes any property or interest in property obtained or retained as a consequence of an act or omission in violation of this section.

''(4) UNLAWFUL TRANSIT.—The term 'unlawful transit' means travel, movement, or temporary presence that violates the laws of any country in which the alien is present or any country from which or to which the alien is traveling or moving.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act is amended by striking the item relating to section 274 and inserting the following:

''Sec. 274. Alien smuggling and related offenses.''.

(c) PROHIBITING CARRYING OR USING A FIREARM DURING AND IN RELATION TO AN ALIEN SMUGGLING CRIME.—Section 924(c) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)——

(i) by inserting '', alien smuggling crime,'' after ''any crime of violence''; and

(ii) by inserting '', alien smuggling crime,'' after ''such crime of violence''; and

(B) in subparagraph (D)(ii), by inserting '', alien smuggling crime,'' after ''crime of violence''; and

(2) by adding at the end the following:

''(6) For purposes of this subsection, the term 'alien smuggling crime' means any felony punishable under section 274(a), 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1324(a), 1327, and 1328).''.

SEC. 3743. PENALTIES FOR ILLEGAL ENTRY OR PRESENCE.

(a) IN GENERAL.—Section 275 of the Immigration and Nationality Act (8 U.S.C. 1325) is amended to read as follows:

''ILLEGAL ENTRY

''SEC. 275. (a) IN GENERAL.—

''(1) ILLEGAL ENTRY OR PRESENCE.—An alien shall be subject to the penalties set forth in paragraph (2) if the alien—

''(A) knowingly enters or crosses the border into the United States at any time or place other than as designated by the Secretary of Homeland Security;

''(B) knowingly eludes, at any time or place, examination or inspection by an authorized immigration, customs, or agriculture officer (including by failing to stop at the command of such officer);

''(C) knowingly enters or crosses the border to the United States and, upon examination or inspection, knowingly makes a false or misleading representation or the knowing concealment of a material fact (including such representation or concealment in the context of arrival, reporting, entry, or clearance requirements of the customs laws, immigration laws, agriculture laws, or shipping laws);

''(D) knowingly violates the terms or conditions of the alien's admission or parole into the United States; or

''(E) knowingly is unlawfully present in the United States (as defined in section 212(a)(9)(B)(ii) subject to the exceptions set forth in section 212(a)(9)(B)(iii)).

''(2) CRIMINAL PENALTIES.—Any alien who violates any provision under paragraph (1):

''(A) shall, for the first violation, be fined under title 18, United States Code, imprisoned not more than 6 months, or both;

''(B) shall, for a second or subsequent violation, or following an order of voluntary departure, be fined under such title, imprisoned not more than 2 years, or both;

''(C) if the violation occurred after the alien had been convicted of 3 or more misdemeanors or for a felony, shall be fined under such title, imprisoned not more than 10 years, or both;

''(D) if the violation occurred after the alien had been convicted of a felony for which the alien received a term of imprisonment of not less than 30 months, shall be fined under such title, imprisoned not more than 15 years, or both; and

''(E) if the violation occurred after the alien had been convicted of a felony for which the alien received a term of imprisonment of not less than 60 months, such alien shall be fined under such title, imprisoned not more than 20 years, or both.

''(3) PRIOR CONVICTIONS.—The prior convictions described in subparagraphs (C) through (E) of paragraph (2) are elements of the offenses described and the penalties in such subparagraphs shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(A) alleged in the indictment or information; and

''(B) proven beyond a reasonable doubt at trial or admitted by the defendant.

''(4) DURATION OF OFFENSE.—An offense under this subsection continues until the alien is discovered within the United States by an immigration, customs, or agriculture officer.

''(5) ATTEMPT.—Whoever attempts to commit any offense under this section shall be punished in the same manner as for a completion of such offense.

''(b) IMPROPER TIME OR PLACE; CIVIL PENALTIES.—

''(1) IN GENERAL.—Any alien who is apprehended while entering, attempting to enter, or knowingly crossing or attempting to cross the border to the United States at a time or place other than as designated by immigration officers shall be subject to a civil penalty, in addition to any criminal or other civil penalties that may be imposed under any other provision of law, in an amount equal to—

''(A) not less than $50 or more than $250 for each such entry, crossing, attempted entry, or attempted crossing; or

''(B) twice the amount specified in paragraph (1) if the alien had previously been subject to a civil penalty under this subsection.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act is amended by striking the item relating to section 275 and inserting the following:

''275. Illegal entry.''.

SEC. 3744. ILLEGAL REENTRY.

Section 276 of the Immigration and Nationality Act (8 U.S.C. 1326) is amended to read as follows:

''REENTRY OF REMOVED ALIEN

''SEC. 276. (a) REENTRY AFTER REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed, or who has departed the United States while an order of exclusion, deportation, or removal is outstanding, and subsequently enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 2 years, or both.

''(b) REENTRY OF CRIMINAL OFFENDERS.—Notwithstanding the penalty provided in subsection (a), if an alien described in that subsection was convicted before such removal or departure:

''(1) for 3 or more misdemeanors or for a felony, the alien shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both;

''(2) for a felony for which the alien was sentenced to a term of imprisonment of not less than 30 months, the alien shall be fined under such title, imprisoned not more than 15 years, or both;

''(3) for a felony for which the alien was sentenced to a term of imprisonment of not

less than 60 months, the alien shall be fined under such title, imprisoned not more than 20 years, or both;

''(4) for murder, rape, kidnapping, or a felony offense described in chapter 77 (relating to peonage and slavery) or 113B (relating to terrorism) of such title, or for 3 or more felonies of any kind, the alien shall be fined under such title, imprisoned not more than 25 years, or both.

''(c) REENTRY AFTER REPEATED REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed 3 or more times and thereafter enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both.

''(d) PROOF OF PRIOR CONVICTIONS.—The prior convictions described in subsection (b) are elements of the crimes described, and the penalties in that subsection shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(1) alleged in the indictment or information; and

''(2) proven beyond a reasonable doubt at trial or admitted by the defendant.

''(e) AFFIRMATIVE DEFENSES.—It shall be an affirmative defense to a violation of this section that—

''(1) prior to the alleged violation, the alien had sought and received the express consent of the Secretary of Homeland Security to reapply for admission into the United States; or

''(2) with respect to an alien previously denied admission and removed, the alien—

''(A) was not required to obtain such advance consent under the Immigration and Nationality Act or any prior Act; and

''(B) had complied with all other laws and regulations governing the alien's admission into the United States.

''(f) LIMITATION ON COLLATERAL ATTACK ON UNDERLYING REMOVAL ORDER.—In a criminal proceeding under this section, an alien may not challenge the validity of any prior removal order concerning the alien.

''(g) REENTRY OF ALIEN REMOVED PRIOR TO COMPLETION OF TERM OF IMPRISONMENT.—Any alien removed pursuant to section 241(a)(4) who enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in, the United States shall be incarcerated for the remainder of the sentence of imprisonment which was pending at the time of deportation without any reduction for parole or supervised release unless the alien affirmatively demonstrates that the Secretary of Homeland Security has expressly consented to the alien's reentry. Such alien shall be subject to such other penalties relating to the reentry of removed aliens as may be available under this section or any other provision of law.

''(h) DEFINITIONS.—For purposes of this section and section 275, the following definitions shall apply:

''(1) CROSSES THE BORDER TO THE UNITED STATES.—The term 'crosses the border' refers to the physical act of crossing the border, regardless of whether the alien is free from official restraint.

''(2) FELONY.—The term 'felony' means any criminal offense punishable by a term of imprisonment of more than 1 year under the laws of the United States, any State, or a foreign government.

''(3) MISDEMEANOR.—The term 'misdemeanor' means any criminal offense punishable by a term of imprisonment of not more than 1 year under the applicable laws of the United States, any State, or a foreign government.

''(4) REMOVAL.—The term 'removal' includes any denial of admission, exclusion, deportation, or removal, or any agreement by which an alien stipulates or agrees to exclusion, deportation, or removal.

''(5) STATE.—The term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

SEC. 3745. REFORM OF PASSPORT, VISA, AND IMMIGRATION FRAUD OFFENSES.

Chapter 75 of title 18, United States Code, is amended to read as follows:

''CHAPTER 75—PASSPORTS AND VISAS

''§ 1541. Issuance without authority

''(a) IN GENERAL.—Whoever—

''(1) acting or claiming to act in any office or capacity under the United States, or a State, without lawful authority grants, issues, or verifies any passport or other instrument in the nature of a passport to or for any person; or

''(2) being a consular officer authorized to grant, issue, or verify passports, knowingly grants, issues, or verifies any such passport to or for any person not owing allegiance, to the United States, whether a citizen or not;

shall be fined under this title or imprisoned not more than 15 years, or both.

''(b) DEFINITION.—In this section, the term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

''§ 1542. False statement in application and use of passport

''Whoever knowingly—

''(1) makes any false statement in an application for passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for his own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws; or

''(2) uses or attempts to use, or furnishes to another for use any passport the issue of which was secured in any way by reason of any false statement;

shall be fined under this title or imprisoned not more than 15 years, or both.

''§ 1543. Forgery or false use of passport

''Whoever—

''(1) falsely makes, forges, counterfeits, mutilates, or alters any passport or instrument purporting to be a passport, with intent that the same may be used; or

''(2) knowingly uses, or attempts to use, or furnishes to another for use any such false, forged, counterfeited, mutilated, or altered passport or instrument purporting to be a passport, or any passport validly issued which has become void by the occurrence of any condition therein prescribed invalidating the same;

shall be fined under this title or imprisoned not more than 15 years, or both.

''§ 1544. Misuse of a passport

''Whoever knowingly—

''(1) uses any passport issued or designed for the use of another;

''(2) uses any passport in violation of the conditions or restrictions therein contained, or in violation of the laws, regulations, or rules governing the issuance and use of the passport;

''(3) secures, possesses, uses, receives, buys, sells, or distributes any passport knowing it to be forged, counterfeited, altered, falsely made, procured by fraud, stolen, or produced or issued without lawful authority; or

''(4) violates the terms and conditions of any safe conduct duly obtained and issued under the authority of the United States;

shall be fined under this title, imprisoned not more than 15 years, or both.

''§ 1545. Schemes to defraud aliens

''Whoever inside the United States, or in or affecting interstate or foreign commerce, in connection with any matter that is authorized by or arises under the immigration laws of the United States or any matter the offender claims or represents is authorized by or arises under the immigration laws of the United States, knowingly executes a scheme or artifice—

''(1) to defraud any person, or

''(2) to obtain or receive money or anything else of value from any person by means of false or fraudulent pretenses, representations, or promises;

shall be fined under this title, imprisoned not more than 15 years, or both.

''§ 1546. Immigration and visa fraud

''Whoever knowingly—

''(1) uses any immigration document issued or designed for the use of another;

''(2) forges, counterfeits, alters, or falsely makes any immigration document;

''(3) mails, prepares, presents, or signs any immigration document knowing it to contain any materially false statement or representation;

''(4) secures, possesses, uses, transfers, receives, buys, sells, or distributes any immigration document knowing it to be forged, counterfeited, altered, falsely made, stolen, procured by fraud, or produced or issued without lawful authority;

''(5) adopts or uses a false or fictitious name to evade or to attempt to evade the immigration laws;

''(6) transfers or furnishes, without lawful authority, an immigration document to another person for use by a person other than the person for whom the immigration document was issued or designed; or

''(7) produces, issues, authorizes, or verifies, without lawful authority, an immigration document;

shall be fined under this title, imprisoned not more than 15 years, or both.

''§ 1547. Attempts and conspiracies

''Whoever attempts or conspires to violate this chapter shall be punished in the same manner as a person who completes that violation.

''§ 1548. Alternative penalties for certain offenses

''(a) TERRORISM.—Whoever violates any section in this chapter to facilitate an act of international terrorism or domestic terrorism (as such terms are defined in section 2331), shall be fined under this title or imprisoned not more than 25 years, or both.

''(b) DRUG TRAFFICKING OFFENSES.—Whoever violates any section in this chapter to facilitate a drug trafficking crime (as defined in section 929(a)) shall be fined under this title or imprisoned not more than 20 years, or both.

''§ 1549. Definitions

''In this chapter:

''(1) An 'application for a United States passport' includes any document, photograph, or other piece of evidence attached to or submitted in support of the application.

''(2) The term 'immigration document' means any instrument on which is recorded, by means of letters, figures, or marks, matters which may be used to fulfill any requirement of the Immigration and Nationality Act.''.

SEC. 3746. FORFEITURE.

Section 981(a)(1) of title 18, United States Code, is amended by adding at the end the following:

''(I) Any property, real or personal, that has been used to commit or facilitate the commission of a violation of chapter 75, the gross proceeds of such violation, and any property traceable to any such property or proceeds.''.

SEC. 3747. EXPEDITED REMOVAL FOR ALIENS INADMISSIBLE ON CRIMINAL OR SECURITY GROUNDS.

(a) IN GENERAL.—Section 238(b) of the Immigration and Nationality Act (8 U.S.C. 1228(b)) is amended–

(1) in paragraph (1)—

(A) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security in the exercise of discretion''; and

(B) by striking ''set forth in this subsection or'' and inserting ''set forth in this subsection, in lieu of removal proceedings under'';

(2) in paragraph (3), by striking ''paragraph (1) until 14 calendar days'' and inserting ''paragraph (1) or (3) until 7 calendar days'';

(3) by striking ''Attorney General'' each place it appears in paragraphs (3) and (4) and inserting ''Secretary of Homeland Security'';

(4) in paragraph (5)—

(A) by striking ''described in this section'' and inserting ''described in paragraph (1) or (2)''; and

(B) by striking ''the Attorney General may grant in the Attorney General's discretion'' and inserting ''the Secretary of Homeland Security or the Attorney General may grant, in the discretion of the Secretary or Attorney General, in any proceeding'';

(5) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively; and

(6) by inserting after paragraph (2) the following new paragraph:

''(3) The Secretary of Homeland Security in the exercise of discretion may determine inadmissibility under section 212(a)(2) (relating to criminal offenses) and issue an order of removal pursuant to the procedures set forth in this subsection, in lieu of removal proceedings under section 240, with respect to an alien who

''(A) has not been admitted or paroled;

''(B) has not been found to have a credible fear of persecution pursuant to the procedures set forth in section 235(b)(1)(B); and

''(C) is not eligible for a waiver of inadmissibility or relief from removal.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act but shall not apply to aliens who are in removal proceedings under section 240 of the Immigration and Nationality Act as of such date.

SEC. 3748. INCREASED PENALTIES BARRING THE ADMISSION OF CONVICTED SEX OFFENDERS FAILING TO REGISTER AND REQUIRING DEPORTATION OF SEX OFFENDERS FAILING TO REGISTER.

(a) INADMISSIBILITY.—Section 212(a)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(A)(i)), as amended by section 302(a) of this Act, is further amended—

(1) in subclause (II), by striking ''or'' at the end;

(2) in subclause (III), by adding ''or'' at the end; and

(3) by inserting after subclause (III) the following:

''(IV) a violation of section 2250 of title 18, United States Code (relating to failure to register as a sex offender);''.

(b) DEPORTABILITY.—Section 237(a)(2) of such Act (8 U.S.C. 1227(a)(2)), as amended by sections 302(c) and 311(c) of this Act, is further amended—

(1) in subparagraph (A), by striking clause (v); and

(2) by adding at the end the following:

''(I) Any alien convicted of, or who admits having committed, or who admits committing acts which constitute the essential elements of a violation of section 2250 of title 18, United States Code (relating to failure to register as a sex offender) is deportable.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 3749. PROTECTING IMMIGRANTS FROM CONVICTED SEX OFFENDERS.

(a) IMMIGRANTS.—Section 204(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)), is amended—

(1) in subparagraph (A), by amending clause (viii) to read as follows:

''(viii) Clause (i) shall not apply to a citizen of the United States who has been convicted of an offense described in subparagraph (A), (I), or (K) of section 101(a)(43), unless the Secretary of Homeland Security, in the Secretary's sole and unreviewable discretion, determines that the citizen poses no risk to the alien with respect to whom a petition described in clause (i) is filed.''; and

(2) in subparagraph (B)(i)—

(A) by redesignating the second subclause (I) as subclause (II); and

(B) by amending such subclause (II) to read as follows:

''(II) Subclause (I) shall not apply in the case of an alien admitted for permanent residence who has been convicted of an offense described in subparagraph (A), (I), or (K) of section 101(a)(43), unless the Secretary of Homeland Security, in the Secretary's sole and unreviewable discretion, determines that the alien lawfully admitted for permanent residence poses no risk to the alien with respect to whom a petition described in subclause (I) is filed.''.

(b) NONIMMIGRANTS.—Section 101(a)(15)(K) of such Act (8 U.S.C. 1101(a)(15)(K)), is amended by striking ''204(a)(1)(A)(viii)(I))'' each place such term appears and inserting ''204(a)(1)(A)(viii))''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to petitions filed on or after such date.

SEC. 3750. CLARIFICATION TO CRIMES OF VIOLENCE AND CRIMES INVOLVING MORAL TURPITUDE.

(a) INADMISSIBLE ALIENS.—Section 212(a)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(A)) is amended by adding at the end the following:

''(iii) CLARIFICATION.—If the conviction records do not conclusively establish whether a crime constitutes a crime involving moral turpitude, the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime involving moral turpitude.''.

(b) DEPORTABLE ALIENS.—

(1) GENERAL CRIMES.—Section 237(a)(2)(A) of such Act (8 U.S.C. 1227(a)(2)(A)), as amended by section 320(b) of this Act, is further amended by inserting after clause (iv) the following:

''(v) CRIMES INVOLVING MORAL TURPITUDE.—If the conviction records do not conclusively establish whether a crime constitutes a crime involving moral turpitude, the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime involving moral turpitude.''.

(2) DOMESTIC VIOLENCE.—Section 237(a)(2)(E) of such Act (8 U.S.C. 1227(a)(2)(E)) is amended by adding at the end the following:

''(iii) CRIMES OF VIOLENCE.—If the conviction records do not conclusively establish whether a crime of domestic violence constitutes a crime of violence (as defined in section 16 of title 18, United States Code), the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 3751. PENALTIES FOR FAILURE TO OBEY REMOVAL ORDERS.

(a) IN GENERAL.—Section 243(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1253(a)(1)) is amended—

(1) by inserting ''212(a) or'' before ''237(a),''; and

(2) by striking paragraph (3).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to acts that are described in subparagraphs (A) through (D) of section 243(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1253(a)(1)) that occur on or after the date of the enactment of this Act.

SEC. 3752. PARDONS.

(a) DEFINITION.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)), as amended by section 311(a) of this Act, is further amended by adding at the end the following:

''(54) The term 'pardon' means a full and unconditional pardon granted by the President of the United States, Governor of any of the several States or constitutionally recognized body.''.

(b) DEPORTABILITY.—Section 237(a) of such Act (8 U.S.C. 1227(a)) is amended—

(1) in paragraph (2)(A), by striking clause (vi); and

(2) by adding at the end the following:

''(8) PARDONS.—

''(A) IN GENERAL.—In the case of an alien who has been convicted of a crime and is subject to removal due to that conviction, if the alien, subsequent to receiving the criminal conviction, is granted a pardon, the alien shall not be deportable by reason of that criminal conviction.

''(B) EXCEPTION.—Subparagraph (A) shall not apply in the case of an alien granted a pardon if the pardon is granted in whole or in part to eliminate that alien's condition of deportability.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to a pardon granted before, on, or after such date.

CHAPTER 4—AID TO U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICERS

SEC. 3761. ICE IMMIGRATION ENFORCEMENT AGENTS.

(a) IN GENERAL.—The Secretary shall authorize all immigration enforcement agents and deportation officers of the Department who have successfully completed basic immigration law enforcement training to exercise the powers conferred by—

(1) section 287(a)(5)(A) of the Immigration and Nationality Act to arrest for any offense against the United States;

(2) section 287(a)(5)(B) of such Act to arrest for any felony;

(3) section 274(a) of such Act to arrest for bringing in, transporting, or harboring certain aliens, or inducing them to enter;

(4) section 287(a) of such Act to execute warrants of arrest for administrative immigration violations issued under section 236 of the Act or to execute warrants of criminal

arrest issued under the authority of the United States; and

(5) section 287(a) of such Act to carry firearms, provided that they are individually qualified by training and experience to handle and safely operate the firearms they are permitted to carry, maintain proficiency in the use of such firearms, and adhere to the provisions of the enforcement standard governing the use of force.

(b) PAY.—Immigration enforcement agents shall be paid on the same scale as Immigration and Customs Enforcement deportation officers and shall receive the same benefits.

SEC. 3762. ICE DETENTION ENFORCEMENT OFFICERS.

(a) AUTHORIZATION.—The Secretary is authorized to hire 2,500 Immigration and Customs Enforcement detention enforcement officers.

(b) DUTIES.—Immigration and Customs Enforcement detention enforcement officers who have successfully completed detention enforcement officers' basic training shall be responsible for—

(1) taking and maintaining custody of any person who has been arrested by an immigration officer;

(2) transporting and guarding immigration detainees;

(3) securing Department detention facilities; and

(4) assisting in the processing of detainees.

SEC. 3763. ENSURING THE SAFETY OF ICE OFFICERS AND AGENTS.

(a) BODY ARMOR.—The Secretary shall ensure that every Immigration and Customs Enforcement deportation officer and immigration enforcement agent on duty is issued high-quality body armor that is appropriate for the climate and risks faced by the agent. Enough body armor must be purchased to cover every agent in the field.

(b) WEAPONS.—Such Secretary shall ensure that Immigration and Customs Enforcement deportation officers and immigration enforcement agents are equipped with weapons that are reliable and effective to protect themselves, their fellow agents, and innocent third parties from the threats posed by armed criminals. Such weapons shall include, at a minimum, standard-issue handguns, M–4 (or equivalent) rifles, and Tasers.

(c) EFFECTIVE DATE.—This section shall take effect 90 days after the date of the enactment of this Act.

SEC. 3764. ICE ADVISORY COUNCIL.

(a) ESTABLISHMENT.—An ICE Advisory Council shall be established not later than 3 months after the date of the enactment of this Act.

(b) MEMBERSHIP.—The ICE Advisory Council shall be comprised of 7 members.

(c) APPOINTMENT.—Members shall to be appointed in the following manner:

(1) One member shall be appointed by the President;

(2) One member shall be appointed by the Chairman of the Judiciary Committee of the House of Representatives;

(3) One member shall be appointed by the Chairman of the Judiciary Committee of the Senate;

(4) One member shall be appointed by the Local 511, the ICE prosecutor's union; and

(5) Three members shall be appointed by the National Immigration and Customs Enforcement Council.

(d) TERM.—Members shall serve renewable, 2-year terms.

(e) VOLUNTARY.—Membership shall be voluntary and non-remunerated, except that members will receive reimbursement from the Secretary for travel and other related expenses.

(f) RETALIATION PROTECTION.—Members who are employed by the Secretary shall be protected from retaliation by their supervisors, managers, and other Department employees for their participation on the Council.

(g) PURPOSE.—The purpose of the Council is to advise Congress and the Secretary on issues including the following:

(1) The current status of immigration enforcement efforts, including prosecutions and removals, the effectiveness of such efforts, and how enforcement could be improved;

(2) The effectiveness of cooperative efforts between the Secretary and other law enforcement agencies, including additional types of enforcement activities that the Secretary should be engaged in, such as State and local criminal task forces;

(3) Personnel, equipment, and other resource needs of field personnel;

(4) Improvements that should be made to the organizational structure of the Department, including whether the position of immigration enforcement agent should be merged into the deportation officer position; and

(5) The effectiveness of specific enforcement policies and regulations promulgated by the Secretary, and whether other enforcement priorities should be considered.

(h) REPORTS.—The Council shall provide quarterly reports to the Chairmen and Ranking Members of the Judiciary Committees of the Senate and the House of Representatives and to the Secretary. The Council members shall meet directly with the Chairmen and Ranking Members (or their designated representatives) and with the Secretary to discuss their reports every 6 months.

SEC. 3765. PILOT PROGRAM FOR ELECTRONIC FIELD PROCESSING.

(a) IN GENERAL.—The Secretary shall establish a pilot program in at least five of the 10 Immigration and Customs Enforcement field offices with the largest removal caseloads to allow Immigration and Customs deportation officers and immigration enforcement agents to—

(1) electronically process and serve charging documents, including Notices to Appear, while in the field; and

(2) electronically process and place detainers while in the field.

(b) DUTIES.—The pilot program described in subsection (a) shall be designed to allow deportation officers and immigration enforcement agents to use handheld or vehicle-mounted computers to—

(1) enter any required data, including personal information about the alien subject and the reason for issuing the document;

(2) apply the electronic signature of the issuing officer or agent;

(3) set the date the alien is required to appear before an immigration judge, in the case of Notices to Appear;

(4) print any documents the alien subject may be required to sign, along with additional copies of documents to be served on the alien; and

(5) interface with the ENFORCE database so that all data is stored and retrievable.

(c) CONSTRUCTION.—The pilot program described in subsection (a) shall be designed to replace, to the extent possible, the current paperwork and data-entry process used for issuing such charging documents and detainers.

(d) DEADLINE.—The Secretary shall initiate the pilot program described in subsection (a) within 6 months of the date of enactment of this Act.

(e) REPORT.—The Government Accountability Office shall report to the Judiciary Committee of the Senate and the House of Representatives no later than 18 months after the date of enactment of this Act on the effectiveness of the pilot program and provide recommendations for improving it.

(f) ADVISORY COUNCIL.—The ICE Advisory Council established by section 3764 shall include an recommendations on how the pilot program should work in the first quarterly report of the Council, and shall include assessments of the program and recommendations for improvement in each subsequent report.

(g) EFFECTIVE DATE.—This section shall take effect 180 days after the date of the enactment of this Act.

SEC. 3766. ADDITIONAL ICE DEPORTATION OFFICERS AND SUPPORT STAFF.

(a) IN GENERAL.—The Secretary shall, subject to the availability of appropriations for such purpose, increase the number of positions for full-time active-duty Immigration and Customs Enforcement deportation officers by 5,000 above the number of full-time positions for which funds were appropriated for fiscal year 2013.

(b) SUPPORT STAFF.—The Secretary shall, subject to the availability of appropriations for such purpose, increase the number of positions for full-time support staff for Immigration and Customs Enforcement deportation officers by 700 above the number of full-time positions for which funds were appropriated for fiscal year 2013.

SEC. 3767. ADDITIONAL ICE PROSECUTORS.

The Secretary shall increase by 60 the number of full-time trial attorneys working for the Immigration and Customs Enforcement Office of the Principal Legal Advisor.

CHAPTER 5—MISCELLANEOUS ENFORCEMENT PROVISIONS

SEC. 3771. ENCOURAGING ALIENS TO DEPART VOLUNTARILY.

(a) IN GENERAL.—Section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c) is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

''(1) INSTEAD OF REMOVAL PROCEEDINGS.—If an alien is not described in paragraph (2)(A)(iii) or (4) of section 237(a), the Secretary of Homeland Security may permit the alien to voluntarily depart the United States at the alien's own expense under this subsection instead of being subject to proceedings under section 240.'';

(B) by striking paragraph (3);

(C) by redesignating paragraph (2) as paragraph (3);

(D) by adding after paragraph (1) the following:

''(2) BEFORE THE CONCLUSION OF REMOVAL PROCEEDINGS.—If an alien is not described in paragraph (2)(A)(iii) or (4) of section 237(a), the Attorney General may permit the alien to voluntarily depart the United States at the alien's own expense under this subsection after the initiation of removal proceedings under section 240 and before the conclusion of such proceedings before an immigration judge.'';

(E) in paragraph (3), as redesignated—

(i) by amending subparagraph (A) to read as follows:

''(A) INSTEAD OF REMOVAL.—Subject to subparagraph (C), permission to voluntarily depart under paragraph (1) shall not be valid for any period in excess of 120 days. The Secretary may require an alien permitted to voluntarily depart under paragraph (1) to post a voluntary departure bond, to be surrendered upon proof that the alien has departed the United States within the time specified.'';

(ii) by redesignating subparagraphs (B), (C), and (D) as paragraphs (C), (D), and (E), respectively;

(iii) by adding after subparagraph (A) the following:

''(B) BEFORE THE CONCLUSION OF REMOVAL PROCEEDINGS.—Permission to voluntarily depart under paragraph (2) shall not be valid

for any period in excess of 60 days, and may be granted only after a finding that the alien has the means to depart the United States and intends to do so. An alien permitted to voluntarily depart under paragraph (2) shall post a voluntary departure bond, in an amount necessary to ensure that the alien will depart, to be surrendered upon proof that the alien has departed the United States within the time specified. An immigration judge may waive the requirement to post a voluntary departure bond in individual cases upon a finding that the alien has presented compelling evidence that the posting of a bond will pose a serious financial hardship and the alien has presented credible evidence that such a bond is unnecessary to guarantee timely departure.''.

(iv) in subparagraph (C), as redesignated, by striking ''subparagraphs (C) and(D)(ii)'' and inserting ''subparagraphs (D) and (E)(ii)'';

(v) in subparagraph (D), as redesignated, by striking ''subparagraph (B)'' each place that term appears and inserting ''subparagraph (C)'';

(vi) in subparagraph (E), as redesignated, by striking ''subparagraph (B)'' each place that term appears and inserting ''subparagraph (C)'';

(F) in paragraph (4), by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)'';

(2) in subsection (b)(2), by striking ''a period exceeding 60 days'' and inserting ''any period in excess of 45 days'';

(3) by amending subsection (c) to read as follows:

''(c) CONDITIONS ON VOLUNTARY DEPARTURE.—

''(1) VOLUNTARY DEPARTURE AGREEMENT.—Voluntary departure may only be granted as part of an affirmative agreement by the alien. A voluntary departure agreement under subsection (b) shall include a waiver of the right to any further motion, appeal, application, petition, or petition for review relating to removal or relief or protection from removal.

''(2) CONCESSIONS BY THE SECRETARY.—In connection with the alien's agreement to depart voluntarily under paragraph (1), the Secretary of Homeland Security may agree to a reduction in the period of inadmissibility under subparagraph (A) or (B)(i) of section 212(a)(9).

''(3) ADVISALS.—Agreements relating to voluntary departure granted during removal proceedings under section 240, or at the conclusion of such proceedings, shall be presented on the record before the immigration judge. The immigration judge shall advise the alien of the consequences of a voluntary departure agreement before accepting such agreement.

''(4) FAILURE TO COMPLY WITH AGREEMENT.—

''(A) IN GENERAL.—If an alien agrees to voluntary departure under this section and fails to depart the United States within the time allowed for voluntary departure or fails to comply with any other terms of the agreement (including failure to timely post any required bond), the alien is—

''(i) ineligible for the benefits of the agreement;

''(ii) subject to the penalties described in subsection (d); and

''(iii) subject to an alternate order of removal if voluntary departure was granted under subsection (a)(2) or (b).

''(B) EFFECT OF FILING TIMELY APPEAL.—If, after agreeing to voluntary departure, the alien files a timely appeal of the immigration judge's decision granting voluntary departure, the alien may pursue the appeal instead of the voluntary departure agreement. Such appeal operates to void the alien's voluntary departure agreement and the consequences of such agreement, but precludes the alien from another grant of voluntary departure while the alien remains in the United States.

''(5) VOLUNTARY DEPARTURE PERIOD NOT AFFECTED.—Except as expressly agreed to by the Secretary in writing in the exercise of the Secretary's discretion before the expiration of the period allowed for voluntary departure, no motion, appeal, application, petition, or petition for review shall affect, reinstate, enjoin, delay, stay, or toll the alien's obligation to depart from the United States during the period agreed to by the alien and the Secretary.'';

(4) by amending subsection (d) to read as follows:

''(d) PENALTIES FOR FAILURE TO DEPART.—If an alien is permitted to voluntarily depart under this section and fails to voluntarily depart from the United States within the time period specified or otherwise violates the terms of a voluntary departure agreement, the alien will be subject to the following penalties:

''(1) CIVIL PENALTY.—The alien shall be liable for a civil penalty of $3,000. The order allowing voluntary departure shall specify the amount of the penalty, which shall be acknowledged by the alien on the record. If the Secretary thereafter establishes that the alien failed to depart voluntarily within the time allowed, no further procedure will be necessary to establish the amount of the penalty, and the Secretary may collect the civil penalty at any time thereafter and by whatever means provided by law. An alien will be ineligible for any benefits under this chapter until this civil penalty is paid.

''(2) INELIGIBILITY FOR RELIEF.—The alien shall be ineligible during the time the alien remains in the United States and for a period of 10 years after the alien's departure for any further relief under this section and sections 240A, 245, 248, and 249. The order permitting the alien to depart voluntarily shall inform the alien of the penalties under this subsection.

''(3) REOPENING.—The alien shall be ineligible to reopen the final order of removal that took effect upon the alien's failure to depart, or upon the alien's other violations of the conditions for voluntary departure, during the period described in paragraph (2). This paragraph does not preclude a motion to reopen to seek withholding of removal under section 241(b)(3) or protection against torture, if the motion—

''(A) presents material evidence of changed country conditions arising after the date of the order granting voluntary departure in the country to which the alien would be removed; and

''(B) makes a sufficient showing to the satisfaction of the Attorney General that the alien is otherwise eligible for such protection.''; and

(5) by amending subsection (e) to read as follows:

''(e) ELIGIBILITY.—

''(1) PRIOR GRANT OF VOLUNTARY DEPARTURE.—An alien shall not be permitted to voluntarily depart under this section if the Secretary of Homeland Security or the Attorney General previously permitted the alien to depart voluntarily.

''(2) RULEMAKING.—The Secretary may promulgate regulations to limit eligibility or impose additional conditions for voluntary departure under subsection (a)(1) for any class of aliens. The Secretary or Attorney General may by regulation limit eligibility or impose additional conditions for voluntary departure under subsections (a)(2) or (b) of this section for any class or classes of aliens.''.

(6) in subsection (f), by adding at the end the following: ''Notwithstanding section 242(a)(2)(D) of this Act, sections 1361, 1651, and 2241 of title 28, United States Code, any other habeas corpus provision, and any other provision of law (statutory or nonstatutory), no court shall have jurisdiction to affect, reinstate, enjoin, delay, stay, or toll the period allowed for voluntary departure under this section.''.

(b) RULEMAKING.—The Secretary shall within one year of the date of enactment of this Act promulgate regulations to provide for the imposition and collection of penalties for failure to depart under section 240B(d) of the Immigration and Nationality Act (8 U.S.C. 1229c(d)).

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to all orders granting voluntary departure under section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c) made on or after the date that is 180 days after the enactment of this Act.

(2) EXCEPTION.—The amendment made by subsection (a)(6) shall take effect on the date of the enactment of this Act and shall apply with respect to any petition for review which is filed on or after such date.

SEC. 3772. DETERRING ALIENS ORDERED REMOVED FROM REMAINING IN THE UNITED STATES UNLAWFULLY.

(a) INADMISSIBLE ALIENS.—Section 212(a)(9)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(A)) is amended—

(1) in clause (i), by striking ''seeks admission within 5 years of the date of such removal (or within 20 years'' and inserting ''seeks admission not later than 5 years after the date of the alien's removal (or not later than 20 years after the alien's removal''; and

(2) in clause (ii), by striking ''seeks admission within 10 years of the date of such alien's departure or removal (or within 20 years of'' and inserting ''seeks admission not later than 10 years after the date of the alien's departure or removal (or not later than 20 years after''.

(b) BAR ON DISCRETIONARY RELIEF.—Section 274D of such Act (8 U.S.C. 324d) is amended—

(1) in subsection (a), by striking ''Commissioner'' and inserting ''Secretary of Homeland Security''; and

(2) by adding at the end the following:

''(c) INELIGIBILITY FOR RELIEF.—

''(1) IN GENERAL.—Unless a timely motion to reopen is granted under section 240(c)(6), an alien described in subsection (a) shall be ineligible for any discretionary relief from removal (including cancellation of removal and adjustment of status) during the time the alien remains in the United States and for a period of 10 years after the alien's departure from the United States.

''(2) SAVINGS PROVISION.—Nothing in paragraph (1) shall preclude a motion to reopen to seek withholding of removal under section 241(b)(3) or protection against torture, if the motion—

''(A) presents material evidence of changed country conditions arising after the date of the final order of removal in the country to which the alien would be removed; and

''(B) makes a sufficient showing to the satisfaction of the Attorney General that the alien is otherwise eligible for such protection.''.

(c) EFFECTIVE DATES.—The amendments made by this section shall take effect on the date of the enactment of this Act with respect to aliens who are subject to a final order of removal entered before, on, or after such date.

SEC. 3773. REINSTATEMENT OF REMOVAL ORDERS.

(a) IN GENERAL.—Section 241(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(5)) is amended to read as follows:

''(5) REINSTATEMENT OF REMOVAL ORDERS AGAINST ALIENS ILLEGALLY REENTERING.—If the Secretary of Homeland Security finds that an alien has entered the United States illegally after having been removed, deported, or excluded or having departed voluntarily, under an order of removal, deportation, or exclusion, regardless of the date of the original order or the date of the illegal entry—

''(A) the order of removal, deportation, or exclusion is reinstated from its original date and is not subject to being reopened or reviewed notwithstanding section 242(a)(2)(D);

''(B) the alien is not eligible and may not apply for any relief under this Act, regardless of the date that an application or request for such relief may have been filed or made; and

''(C) the alien shall be removed under the order of removal, deportation, or exclusion at any time after the illegal entry.

Reinstatement under this paragraph shall not require proceedings under section 240 or other proceedings before an immigration judge''.

(b) JUDICIAL REVIEW.—Section 242 of the Immigration and Nationality Act (8 U.S.C. 1252) is amended by adding at the end the following:

''(h) JUDICIAL REVIEW OF REINSTATEMENT UNDER SECTION 241(A)(5).—

''(1) REVIEW OF REINSTATEMENT.—Judicial review of determinations under section 241(a)(5) is available in an action under subsection (a).

''(2) NO REVIEW OF ORIGINAL ORDER.—Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, any other habeas corpus provision, or sections 1361 and 1651 of such title, no court shall have jurisdiction to review any cause or claim, arising from, or relating to, any challenge to the original order.''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect as if enacted on April 1, 1997, and shall apply to all orders reinstated or after that date by the Secretary (or by the Attorney General prior to March 1, 2003), regardless of the date of the original order.

SEC. 3774. CLARIFICATION WITH RESPECT TO DEFINITION OF ADMISSION.

Section 101(a)(13)(A) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(13)(A)) is amended by adding at the end the following: ''An alien's adjustment of status to that of lawful permanent resident status under any provision of this Act, or under any other provision of law, shall be considered an 'admission' for any purpose under this Act, even if the adjustment of status occurred while the alien was present in the United States.''.

SEC. 3775. REPORTS TO CONGRESS ON THE EXERCISE AND ABUSE OF PROSECUTORIAL DISCRETION.

(a) IN GENERAL.—Not later than 180 days after the end of each fiscal year, the Secretary and the Attorney General shall each provide to the Committees on the Judiciary of the House of Representatives and of the Senate a report on the following:

(1) Aliens apprehended or arrested by State or local law enforcement agencies who were identified by the Department in the previous fiscal year and for whom the Department did not issue detainers and did not take into custody despite the Department's findings that the aliens were inadmissible or deportable.

(2) Aliens who were applicants for admission in the previous fiscal year but not clearly and beyond a doubt entitled to be admitted by an immigration officer and who were not detained as required pursuant to section 235(b)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(2)(A)).

(3) Aliens who in the previous fiscal year were found by Department officials performing duties related to the adjudication of applications for immigration benefits or the enforcement of the immigration laws to be inadmissible or deportable who were not issued notices to appear pursuant to section 239 of such Act (8 U.S.C. 1229) or placed into removal proceedings pursuant to section 240 (8 U.S.C. 1229a), unless the aliens were placed into expedited removal proceedings pursuant to section 235(b)(1)(A)(i) (8 U.S.C. 1225(b)(1)(A)(5)) or section 238 (8 U.S.C. 1228), were granted voluntary departure pursuant to section 240B, were granted relief from removal pursuant to statute, were granted legal nonimmigrant or immigrant status pursuant to statute, or were determined not to be inadmissible or deportable.

(4) Aliens issued notices to appear that were cancelled in the previous fiscal year despite the Department's findings that the aliens were inadmissible or deportable, unless the aliens were granted relief from removal pursuant to statute, were granted voluntary departure pursuant to section 240B of such Act (8 U.S.C. 1229c), or were granted legal nonimmigrant or immigrant status pursuant to statute.

(5) Aliens who were placed into removal proceedings, whose removal proceedings were terminated in the previous fiscal year prior to their conclusion, unless the aliens were granted relief from removal pursuant to statute, were granted voluntary departure pursuant to section 240B, were granted legal nonimmigrant or immigrant status pursuant to statute, or were determined not to be inadmissible or deportable.

(6) Aliens granted parole pursuant to section 212(d)(5)(A) of such Act (8 U.S.C. 1182(d)(5)(A)).

(7) Aliens granted deferred action, extended voluntary departure or any other type of relief from removal not specified in the Immigration and Nationality Act or where determined not to be inadmissible or deportable.

(b) CONTENTS OF REPORT.—The report shall include a listing of each alien described in each paragraph of subsection (a), including when in the possession of the Department their names, fingerprint identification numbers, alien registration numbers, and reason why each was granted the type of prosecutorial discretion received. The report shall also include current criminal histories on each alien from the Federal Bureau of Investigation.

On page 1748, strike lines 5 and 21.

At the end of section 4412, insert the following:

(b) AUTHORITY OF THE SECRETARY OF HOMELAND SECURITY AND THE SECRETARY OF STATE.—

(1) IN GENERAL.—Section 428 of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by striking subsections (b) and (c) and inserting the following:

''(b) AUTHORITY OF THE SECRETARY OF HOMELAND SECURITY.—

''(1) IN GENERAL.—Notwithstanding section 104(a) of the Immigration and Nationality Act (8 U.S.C. 1104(a)) or any other provision of law, and except as provided in subsection (c) and except for the authority of the Secretary of State under subparagraphs (A) and (G) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)), the Secretary—

''(A) shall have exclusive authority to issue regulations, establish policy, and administer and enforce the provisions of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) and all other immigration or nationality laws relating to the functions of consular officers of the United States in connection with the granting and refusal of a visa; and

''(B) may refuse or revoke any visa to any alien or class of aliens if the Secretary, or designee, determines that such refusal or revocation is necessary or advisable in the security interests of the United States.

''(2) EFFECT OF REVOCATION.—The revocation of any visa under paragraph (1)(B)—

''(A) shall take effect immediately; and

''(B) shall automatically cancel any other valid visa that is in the alien's possession.

''(3) JUDICIAL REVIEW.—Notwithstanding any other provision of law, including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review a decision by the Secretary of Homeland Security to refuse or revoke a visa, and no court shall have jurisdiction to hear any claim arising from, or any challenge to, such a refusal or revocation.

''(c) AUTHORITY OF THE SECRETARY OF STATE.—

''(1) IN GENERAL.—The Secretary of State may direct a consular officer to refuse a visa requested by an alien if the Secretary of State determines such refusal to be necessary or advisable in the interests of the United States.

''(2) LIMITATION.—No decision by the Secretary of State to approve a visa may override a decision by the Secretary of Homeland Security under subsection (b).''.

(2) CONFORMING AMENDMENT.—Section 237(a)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(1)(B)) is amended by striking ''under section 221(i)''.

(3) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act and shall apply to visa refusals and revocations occurring before, on, or after such date.

(c) TECHNICAL CORRECTIONS TO THE HOMELAND SECURITY ACT.—Section 428(a) of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by—

(1) striking ''subsection'' and inserting ''section''; and

(2) striking ''consular office'' and inserting ''consular officer''.

At the end of subtitle D of title IV, add the following:

SEC. 4416. CANCELLATION OF ADDITIONAL VISAS.

(a) IN GENERAL.—Section 222(g) of the Immigration and Nationality Act (8 U.S.C. 1202(g)) is amended—

(1) in paragraph (1)—

(A) by striking ''Attorney General'' and inserting ''Secretary''; and

(B) by inserting ''and any other nonimmigrant visa issued by the United States that is in the possession of the alien'' after ''such visa''; and

(2) in paragraph (2)(A), by striking ''(other than the visa described in paragraph (1)) issued in a consular office located in the country of the alien's nationality'' and inserting ''(other than a visa described in paragraph (1)) issued in a consular office located in the country of the alien's nationality or foreign residence''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to a visa issued before, on, or after such date.

SEC. 4417. VISA INFORMATION SHARING.

(a) IN GENERAL.—Section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)(2)) is amended—

(1) by striking ''issuance or refusal'' and inserting ''issuance, refusal, or revocation'';

(2) in paragraph (2), by striking ''and on the basis of reciprocity'';

(3) in paragraph (2)(A)—

(A) by inserting '' (i)'' after ''for the purpose of''; and

(B) by striking ''illicit weapons; or'' and inserting ''illicit weapons, or (ii) determining a person's deportability or eligibility for a visa, admission, or other immigration benefit;'';

(4) in paragraph (2)(B)—

(A) by striking ''for the purposes'' and inserting ''for one of the purposes''; and

(B) by striking ''or to deny visas to persons who would be inadmissible to the United States'' and inserting ''; or''; and

(5) by adding before the period at the end the following:

''(C) with regard to any or all aliens in the database specified data elements from each record, if the Secretary of State determines that it is in the national interest to provide such information to a foreign government.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 60 days after the date of the enactment of the Act.

SEC. 4418. AUTHORIZING THE DEPARTMENT OF STATE TO NOT INTERVIEW CERTAIN INELIGIBLE VISA APPLICANTS.

(a) IN GENERAL.—Section 222(h)(1) of the Immigration and Nationality Act (8 U.S.C. 1202(h)(1)) is amended by inserting '' the alien is determined by the Secretary of State to be ineligible for a visa based upon review of the application or'' after ''unless''.

(b) GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall issue guidance to consular officers on the standards and processes for implementing the authority to deny visa applications without interview in cases where the alien is determined by the Secretary of State to be ineligible for a visa based upon review of the application.

(c) REPORTS.—Not less frequently than once each quarter, the Secretary of State shall submit to the Congress a report on the denial of visa applications without interview, including—

(1) the number of such denials; and

(2) a post-by-post breakdown of such denials.

SEC. 4419. FUNDING FOR THE VISA SECURITY PROGRAM.

(a) IN GENERAL.—The Department of State and Related Agency Appropriations Act, 2005 (title IV of division B of Public Law 108-447) is amended, in the fourth paragraph under the heading ''Diplomatic and Consular Programs'', by striking ''Beginning'' through the period at the end and inserting the following: ''Beginning in fiscal year 2005 and thereafter, the Secretary of State is authorized to charge surcharges related to consular services in support of enhanced border security that are in addition to the immigrant visa fees in effect on January 1, 2004: Provided, That funds collected pursuant to this authority shall be credited to the appropriation for U.S. Immigration and Customs Enforcement for the fiscal year in which the fees were collected, and shall be available until expended for the funding of the Visa Security Program established by the Secretary of Homeland Security under section 428(e) of the Homeland Security Act of 2002 (Public Law 107–296): Provided further, That such surcharges shall be 10 percent of the fee assessed on immigrant visa applications.''.

(b) REPAYMENT OF APPROPRIATED FUNDS.—Twenty percent of the funds collected each fiscal year under the heading ''Diplomatic and Consular Programs'' in the Department of State and Related Agency Appropriations Act, 2005 (title IV of division B of Public Law 108-447), as amended by subsection (a), shall be deposited into the general fund of the Treasury as repayment of funds appropriated pursuant to section 407(c) of this Act until the entire appropriated sum has been repaid.

SEC. 4420. EXPEDITIOUS EXPANSION OF VISA SECURITY PROGRAM TO HIGH-RISK POSTS.

(a) IN GENERAL.—Section 428(i) of the Homeland Security Act of 2002 (6 U.S.C. 236(i)) is amended to read as follows:

''(i) VISA ISSUANCE AT DESIGNATED HIGH-RISK POSTS.—Notwithstanding any other provision of law, the Secretary of Homeland Security shall conduct an on-site review of all visa applications and supporting documentation before adjudication at the top 30 visa-issuing posts designated jointly by the Secretaries of State and Homeland Security as high-risk posts.''.

(b) ASSIGNMENT OF PERSONNEL.—Not later than one year after the date of enactment of this section, the Secretary of Homeland Security shall assign personnel to the visa-issuing posts referenced in section 428(i) of the Homeland Security Act of 2002 (6 U.S.C. 236(i)), as amended by this section, and communicate such assignments to the Secretary of State.

(c) APPROPRIATIONS.—There is authorized to be appropriated $60,000,000 for each of the fiscal years 2014 and 2015, which shall be used to expedite the implementation of section 428(i) of the Homeland Security Act, as amended by this section.

SEC. 4421. EXPEDITED CLEARANCE AND PLACEMENT OF DEPARTMENT OF HOMELAND SECURITY PERSONNEL AT OVERSEAS EMBASSIES AND CONSULAR POSTS.

Section 428 of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by adding at the end the following:

''(j) EXPEDITED CLEARANCE AND PLACEMENT OF DEPARTMENT OF HOMELAND SECURITY PERSONNEL AT OVERSEAS EMBASSIES AND CONSULAR POSTS.—Notwithstanding any other provision of law, and the processes set forth in National Security Defense Directive 38 (dated June 2, 1982) or any successor Directive, the Chief of Mission of a post to which the Secretary of Homeland Security has assigned personnel under subsection (e) or (i) shall ensure, not later than one year after the date on which the Secretary of Homeland Security communicates such assignment to the Secretary of State, that such personnel have been stationed and accommodated at post and are able to carry out their duties.''.

SEC. 4422. INCREASED CRIMINAL PENALTIES FOR STUDENT VISA INTEGRITY.

Section 1546 of title 18, United States Code, is amended by striking ''10 years'' and inserting ''15 years (if the offense was committed by an owner, official, or employee of an educational institution with respect to such institution's participation in the Student and exchange Visitor Program), 10 years''.

SEC. 4423. VISA FRAUD.

(a) TEMPORARY SUSPENSION OF SEVIS ACCESS.—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)) is amended—

(1) in paragraph (1)(A), by striking ''institution,,'' and inserting ''institution,''; and

(2) by adding at the end the following:

''(3) EFFECT OF REASONABLE SUSPICION OF FRAUD.—If the Secretary of Homeland Security has reasonable suspicion that an owner of, or a designated school official at, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program has committed fraud or attempted to commit fraud relating to any aspect of the Student and Exchange Visitor Program, the Secretary may immediately suspend, without notice, such official's or such school's access to the Student and Exchange Visitor Information System (SEVIS), including the ability to issue Form I–20s, pending a final determination by the Secretary with respect to the institution's certification under the Student and Exchange Visitor Program.''.

(b) EFFECT OF CONVICTION FOR VISA FRAUD.—Such section 641(d), as amended by subsection (a)(2), is further amended by adding at the end the following:

''(4) PERMANENT DISQUALIFICATION FOR FRAUD.—A designated school official at, or an owner of, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program who is convicted for fraud relating to any aspect of the Student and Exchange Visitor Program shall be permanently disqualified from filing future petitions and from having an ownership interest or a management role, including serving as a principal, owner, officer, board member, general partner, designated school official, or any other position of substantive authority for the operations or management of the institution, in any United States educational institution that enrolls nonimmigrant alien students described in subparagraph (F) or (M) of section 101(a)(15) the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).''.

SEC. 4424. BACKGROUND CHECKS.

(a) IN GENERAL.—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)), as amended by section 411(b) of this Act, is further amended by adding at the end the following:

''(5) BACKGROUND CHECK REQUIREMENT.—

''(A) IN GENERAL.—An individual may not serve as a designated school official or be granted access to SEVIS unless the individual is a national of the United States or an alien lawfully admitted for permanent residence and during the most recent 3-year period—

''(i) the Secretary of Homeland Security has—

''(I) conducted a thorough background check on the individual, including a review of the individual's criminal and sex offender history and the verification of the individual's immigration status; and

''(II) determined that the individual has not been convicted of any violation of United States immigration law and is not a risk to national security of the United States; and

''(ii) the individual has successfully completed an on-line training course on SEVP and SEVIS, which has been developed by the Secretary.

''(B) INTERIM DESIGNATED SCHOOL OFFICIAL.—

''(i) IN GENERAL.—An individual may serve as an interim designated school official during the period that the Secretary is conducting the background check required by subparagraph (A)(i)(I).

''(ii) REVIEWS BY THE SECRETARY.—If an individual serving as an interim designated school official under clause (i) does not successfully complete the background check required by subparagraph (A)(i)(I), the Secretary shall review each Form I–20 issued by such interim designated school official.

''(6) FEE.—The Secretary is authorized to collect a fee from an approved school for each background check conducted under paragraph (6)(A)(i). The amount of such fee shall be equal to the average amount expended by the Secretary to conducted such background checks.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 1 year after the date of the enactment of this Act.

SEC. 4425. FLIGHT SCHOOLS NOT CERTIFIED BY FAA.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary of Homeland Security shall prohibit any flight school in the United States from accessing SEVIS or

issuing a Form I–20 to an alien seeking a student visa pursuant to subparagraph (F)(i) or (M)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) if the flight school has not been certified to the satisfaction of the Secretary and by the Federal Aviation Administration pursuant to part 141 or part 142 of title 14, Code of Federal Regulations (or similar successor regulations).

(b) TEMPORARY EXCEPTION.—During the 5-year period beginning on the date of the enactment of this Act, the Secretary may waive the requirement under subsection (a) that a flight school be certified by the Federal Aviation Administration if such flight school—

(1) was certified under the Student and Exchange Visitor Program on the date of the enactment of this Act;

(2) submitted an application for certification with the Federal Aviation Administration during the 1-year period beginning on such date; and

(3) continues to progress toward certification by the Federal Aviation Administration.

SEC. 4426. REVOCATION OF ACCREDITATION.

At the time an accrediting agency or association is required to notify the Secretary of Education and the appropriate State licensing or authorizing agency of the final denial, withdrawal, suspension, or termination of accreditation of an institution pursuant to section 496 of the Higher Education Act of 1965 (20 U.S.C. 1099b), such accrediting agency or association shall notify the Secretary of Homeland Security of such determination and the Secretary of Homeland Security shall immediately withdraw the school from the SEVP and prohibit the school from accessing SEVIS.

SEC. 4427. REPORT ON RISK ASSESSMENT.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that contains the risk assessment strategy that will be employed by the Secretary to identify, investigate, and take appropriate action against schools and school officials that are facilitating the issuance of Form I–20 and the maintenance of student visa status in violation of the immigration laws of the United States.

SEC. 4428. IMPLEMENTATION OF GAO RECOMMENDATIONS.

Not later than 180 days after the date of the enactment of this act, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that describes—

(1) the process in place to identify and assess risks in the SEVP;

(2) a risk assessment process to allocate SEVP's resources based on risk;

(3) the procedures in place for consistently ensuring a school's eligibility, including consistently verifying in lieu of letters;

(4) how SEVP identified and addressed missing school case files;

(5) a plan to develop and implement a process to monitor state licensing and accreditation status of all SEVP-certified schools;

(6) whether all flight schools that have not been certified to the satisfaction of the Secretary and by the Federal Aviation Administration have been removed from the program and have been restricted from accessing SEVIS;

(7) the standard operating procedures that govern coordination among SEVP, Counterterrorism and Criminal Exploitation Unit, and U.S. Immigration and Customs Enforcement field offices; and

(8) the established criteria for referring cases of a potentially criminal nature from SEVP to the counterterrorism and intelligence community.

SEC. 4429. IMPLEMENTATION OF SEVIS II.

Not later than 2 years after the date of the enactment of this Act, the Secretary of Homeland Security shall complete the deployment of both phases of the 2nd generation Student and Exchange Visitor Information System (commonly known as ''SEVIS II'').

SEC. 4430. DEFINITIONS.

(a) DEFINITIONS.—For purposes of this subtitle:

(1) SEVIS.—The term ''SEVIS'' means the Student and Exchange Visitor Information System of the Department.

(2) SEVP.—The term ''SEVP'' means the Student and Exchange Visitor Program of the Department.

Strike section 4904 and insert the following:

SEC. 4904. ACCREDITATION REQUIREMENTS.

(a) COLLEGES, UNIVERSITIES, AND LANGUAGE TRAINING PROGRAMS.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended—

(1) in paragraph (15)(F)(i)—

(A) by striking ''section 214(1) at an established college, university, seminary, conservatory or in an accredited language training program in the United States'' and inserting ''section 214(m) at an accredited college, university, or language training program, or at an established seminary, conservatory, academic high school, elementary school, or other academic institution in the United States''; and

(B) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(C) by amending paragraph (52) to read as follows:

''(52) Except as provided in section 214(m)(4), the term 'accredited college, university, or language training program' means a college, university, or language training program that is accredited by an accrediting agency recognized by the Secretary of Education.''.

(b) OTHER ACADEMIC INSTITUTIONS.—Section 214(m) of the Immigration and Nationality Act (8 U.S.C. 1184(m)) is amended by adding at the end the following:

''(3) The Secretary of Homeland Security shall require accreditation of an academic institution (except for seminaries or other religious institutions) for purposes of section 101(a)(15)(F) if—

''(A) that institution is not already required to be accredited under section 101(a)(15)(F)(i); and

''(B) an appropriate accrediting agency recognized by the Secretary of Education is able to provide such accreditation.

''(4) The Secretary of Homeland Security, in the Secretary's discretion, may waive the accreditation requirement in paragraph (3) or section 101(a)(15)(F)(i) with respect to an institution if such institution—

''(A) is otherwise in compliance with the requirements of section 101(a)(15)(F)(i); and

''(B) has been a candidate for accreditation for at least 1 year and continues to progress toward accreditation by an accrediting agency recognized by the Secretary of Education.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall—

(A) take effect on the date that is 180 days after the date of enactment of this Act; and

(B) apply with respect to applications for nonimmigrant visas that are filed on or after the effective date described in subparagraph (A).

(2) TEMPORARY EXCEPTION.—During the 3-year period beginning on the effective date described in paragraph (1)(A), an institution that is newly required to be accredited under this section may continue to participate in the Student and Exchange Visitor Program notwithstanding the institution's lack of accreditation if the institution—

(A) was certified under the Student and Exchange Visitor Program on such date;

(B) submitted an application for accreditation to an accrediting agency recognized by the Secretary of Education during the 6-month period ending on such date; and

(C) continues to progress toward accreditation by such accrediting agency.

Strike section 4907 and insert the following:

SEC. 4907. VISA FRAUD.

(a) TEMPORARY SUSPENSION OF SEVIS ACCESS.—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)) is amended—

(1) in paragraph (1)(A), by striking ''institution,,'' and inserting ''institution,''; and

(2) by adding at the end the following:

''(3) EFFECT OF REASONABLE SUSPICION OF FRAUD.—If the Secretary of Homeland Security has reasonable suspicion that an owner of, or a designated school official at, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program has committed fraud or attempted to commit fraud relating to any aspect of the Student and Exchange Visitor Program, the Secretary may immediately suspend, without notice, such official's or such school's access to the Student and Exchange Visitor Information System (SEVIS), including the ability to issue Form I–20s, pending a final determination by the Secretary with respect to the institution's certification under the Student and Exchange Visitor Program.''.

(b) EFFECT OF CONVICTION FOR VISA FRAUD.—Such section 641(d), as amended by subsection (a)(2), is further amended by adding at the end the following:

''(4) PERMANENT DISQUALIFICATION FOR FRAUD.—A designated school official at, or an owner of, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program who is convicted for fraud relating to any aspect of the Student and Exchange Visitor Program shall be permanently disqualified from filing future petitions and from having an ownership interest or a management role, including serving as a principal, owner, officer, board member, general partner, designated school official, or any other position of substantive authority for the operations or management of the institution, in any United States educational institution that enrolls nonimmigrant alien students described in subparagraph (F) or (M) of section 101(a)(15) the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).''.

SA 1335. Mr. HARKIN (for himself and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1788, between lines 19 and 20, insert the following:

SEC. 4602A. CLARIFICATION OF AUTHORITY.

(a) AMENDMENTS.—

(1) CONSULTATION AUTHORITY.—Section 214(c)(1) (8 U.S.C. 1184(c)(1)), as amended by sections 2233(b)(3)(A) and 4102, is further amended by adding at the end the following: ''For purposes of this subsection with respect to nonimmigrants described in section

101(a)(15)(H)(ii)(b) of this Act, the term 'consultation' includes the authority of the Secretary of Labor to issue labor market determinations, including temporary labor certifications, and establish regulations and policies for such issuance, including determining the appropriate prevailing wage rates for occupations covered by section 101(a)(15)(H)(ii)(b)''.

(2) DELEGATION.—Section 214(c)(14)(B) (8 U.S.C. 1184(c)(14)(B)) is amended by striking ''subparagraph (A)(i)'' and inserting ''subparagraph (A)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a)(1) shall apply to the promulgation of regulations, issuance of labor market determinations, and other actions of the Secretary of Labor and the Secretary of Homeland Security before, on, or after the date of enactment of this Act.

(c) RULE OF CONSTRUCTION.—Nothing in the amendments made by this section shall be construed to limit or modify any other authority provided or exercised under section 214(c)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(1)) or any other law governing the authority of the Secretary of Homeland Security, the Secretary of Labor, or any other officer or employee of the Federal Government.

SA 1336. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 857, line 19, strike the period and insert the following: ''; and

(v) the Secretary of the Treasury certifies that the Secretary has collected and deposited into the Treasury pursuant to section 6(b)(3)(B) of this Act an amount equal to the amount transferred from the general fund of the Treasury to the Comprehensive Immigration Reform Trust Fund pursuant to section 6(a)(2)(A) of this Act.

SA 1337. Mr. SCHATZ (for himself, Ms. HIRONO, Mrs. BOXER, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1160, strike lines 6 through 13, and insert the following:

(b) MODIFICATION OF POINTS.—

(1) PROPOSAL.—The Secretary may submit to Congress a proposal to modify the number of points allocated under of section 203(c) of the Immigration and Nationality Act (8 U.S.C. 1153(c)), as amended by subsection (a).

(2) ELIMINATION OF FAMILY-BASED POINTS.—Section 203(c) (8 U.S.C. 1153(c)), as amended by subsection (a), is further amended—

(A) in paragraph (4)—

(i) by striking subparagraph (H); and

(ii) by redesignating subparagraphs (I) and (J) as subparagraph (H) and (I), respectively; and

(B) in paragraph (5)—

(i) by striking subparagraph (G); and

(ii) by redesignating subparagraphs (H) and (I) as subparagraphs (G) and (H), respectively.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on the first day of the first fiscal year beginning after the date of the enactment of this Act.

(2) ELIMINATION OF FAMILY-BASED POINTS.—The amendments made by subsection (b)(2) shall take effect on the date that is 10 years after the date of the enactment of this Act.

On page 1200, strike lines 1 through 4, and insert the following:

(3) PREFERENCE ALLOCATION OF FAMILY-SPONSORED IMMIGRANT VISAS.—Section 203(a) (8 U.S.C. 1153(a)), as amended by section 2305(b) and paragraphs (1) and (2), is further amended to read as follows:

''(a) PREFERENCE ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS.—Aliens subject to the worldwide level specified in section 201(c) for family-sponsored immigrants shall be allotted visas as follows:

''(1) UNMARRIED SONS AND DAUGHTERS OF CITIZENS.—Qualified immigrants who are the unmarried sons or daughters of citizens of the United States shall be allocated visas in a number not to exceed 20 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the class specified in paragraph (4).

''(2) UNMARRIED SONS AND DAUGHTERS OF PERMANENT RESIDENTS.—Qualified immigrants who are the unmarried sons or daughters, but not a child (as defined in section 101(b)(1)), of an alien lawfully admitted for permanent residence shall be allocated visas in a number not to exceed the sum of—

''(A) 20 percent of the worldwide level of family-sponsored immigrants under section 201(c); and

''(B) any visas not required for the class specified in paragraph (1).

''(3) MARRIED SONS AND MARRIED DAUGHTERS OF CITIZENS.—Qualified immigrants who are the married sons or married daughters of citizens of the United States shall be allocated visas in a number not to exceed 20 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the classes specified in paragraphs (1) and (2).

''(4) BROTHERS AND SISTERS OF CITIZENS.—Qualified immigrants who are the brothers or sisters of citizens of the United States, if such citizens are at least 21 years of age, shall be allocated visas in a number not to exceed 40 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the classes specified in paragraphs (1) through (3).''.

(4) EFFECTIVE DATE.—

(A) PARAGRAPHS (1) AND (2).—The amendments made by paragraphs (1) and (2) shall take effect on the first day of the first fiscal year that begins at least 18 months after the date of the enactment of this Act.

(B) PARAGRAPH (3).—The amendment made by paragraph (3) shall take effect on the date that is 10 years after the date of the enactment of this Act.

On page 1221, strike lines 6 through 8, and insert the following:

(d) RESTORATION OF CERTAIN FAMILY-SPONSORED IMMIGRANT CATEGORIES.—

(1) NONIMMIGRANT ELIGIBILITY.—Section 101(a)(15)(V) (8 U.S.C. 1101(a)(15)(V)) is amended to read as follows:

''(V) subject to section 214(q) and section 212(a)(4), an alien who is the beneficiary of an approved petition under section 203(a) as—

''(i) the unmarried son or unmarried daughter of a citizen of the United States;

''(ii) the unmarried son or unmarried daughter of an alien lawfully admitted for permanent residence;

''(iii) the married son or married daughter of a citizen of the United States; or

''(iv) the sibling of a citizen of the United States.''.

(2) EMPLOYMENT AND PERIOD OF ADMISSION OF NONIMMIGRANTS DESCRIBED IN SECTION 101(A)(15)(V).—Section 214(q) (8 U.S.C. 1184(q)) is amended to read as follows:

''(q) NONIMMIGRANTS DESCRIBED IN SECTION 101(A)(15)(V).—

''(1) EMPLOYMENT AUTHORIZATION.—The Secretary shall—

''(A) authorize a nonimmigrant admitted pursuant to section 101(a)(15)(V) to engage in employment in the United States during the period of such nonimmigrant's authorized admission; and

''(B) provide such a nonimmigrant with an 'employment authorized' endorsement or other appropriate document signifying authorization of employment.

''(2) TERMINATION OF ADMISSION.—The period of authorized admission for such a nonimmigrant shall terminate 30 days after the date on which—

''(A) such nonimmigrant's application for an immigrant visa pursuant to the approval of a petition under subsection (a) or (c) of section 203 is denied; or

''(B) such nonimmigrant's application for adjustment of status under section 245 pursuant to the approval of such a petition is denied.''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsections (a), (b), and (c) shall take effect on the first day of the first fiscal year beginning after the date of the enactment of this Act.

(2) RESTORATION OF FAMILY-SPONSORED IMMIGRANT CATEGORIES.—The amendments made by subsection (d) shall take effect on the date that is 10 years after the date of the enactment of this Act.

SA 1338. Ms. LANDRIEU (for herself, Mrs. SHAHEEN, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1409, line 1, insert '', in consultation with the Chief Counsel of the Office of Advocacy of the Small Business Administration,'' after ''Secretary''.

On page 1410, line 23, insert '', conducted in consultation with the Chief Counsel of the Office of Advocacy of the Small Business Administration,'' after ''assessment''.

On page 1411, between lines 12 and 13, insert the following:

(e) EARLY ADOPTION FOR SMALL EMPLOYERS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall create a mobile application and utilize other available smart-phone technology for employers utilizing the System, to encourage small employers to utilize the System prior to the time at which utilization becomes mandatory for all employers.

(2) MARKETING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall, in consultation with the Administrator of the Small Business Administration, make available marketing and other incentives to small business concerns to encourage small employers to utilize the System prior to the time at which utilization of the System becomes mandatory for all employers.

On page 1411, line 13, strike ''(e)'' and insert ''(f)''.

On page 1413, line 3, strike ''(f)'' and insert ''(g)''.

SA 1339. Mr. WHITEHOUSE (for himself, Mr. REED, Mrs. GILLIBRAND, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. GRANTING THE ATTORNEY GENERAL THE AUTHORITY TO DENY THE SALE, DELIVERY, OR TRANSFER OF A FIREARM OR THE ISSUANCE OF A FIREARMS OR EXPLOSIVES LICENSE OR PERMIT TO DANGEROUS TERRORISTS.

(a) STANDARD FOR EXERCISING ATTORNEY GENERAL DISCRETION REGARDING TRANSFERRING FIREARMS OR ISSUING FIREARMS PERMITS TO DANGEROUS TERRORISTS.—Chapter 44 of title 18, United States Code, is amended—

(1) by inserting after section 922 the following:

''§ 922A. Attorney General's discretion to deny transfer of a firearm.

''The Attorney General may deny the transfer of a firearm under section 922(t)(1)(B)(ii) of this title if the Attorney General—

''(1) determines that the transferee is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

''(2) has a reasonable belief that the prospective transferee may use a firearm in connection with terrorism.

''§ 922B. Attorney General's discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3).

''The Attorney General may determine that—

''(1) an applicant for a firearm permit which would qualify for an exemption under section 922(t) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

''(2) the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.'';

(2) in section 921(a), by adding at the end the following:

''(36) The term 'terrorism' includes international terrorism and domestic terrorism, as defined in section 2331 of this title.

''(37) The term 'material support or resources' has the meaning given the term in section 2339A of this title.

''(38) The term 'responsible person' means an individual who has the power, directly or indirectly, to direct or cause the direction of the management and policies of the applicant or licensee pertaining to firearms.''; and

(3) in the table of sections, by inserting after the item relating to section 922 the following:

''922A. Attorney General's discretion to deny transfer of a firearm.

''922B. Attorney General's discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3).''.

(b) EFFECT OF ATTORNEY GENERAL DISCRETIONARY DENIAL THROUGH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) ON FIREARMS PERMITS.—Section 922(t) of title 18, United States Code, is amended—

(1) in paragraph (1)(B)(ii), by inserting ''or State law, or that the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title'' before the semicolon;

(2) in paragraph (2), in the matter preceding subparagraph (A), by inserting '', or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title'' after ''or State law'';

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) in subclause (I), by striking ''and'' at the end; and

(II) by adding at the end the following:

''(III) was issued after a check of the system established pursuant to paragraph (1);'';

(ii) in clause (ii), by inserting ''and'' after the semicolon; and

(iii) by adding at the end the following:

''(iii) the State issuing the permit agrees to deny the permit application if such other person is the subject of a determination by the Attorney General pursuant to section 922B of this title;'';

(4) in paragraph (4), by inserting '', or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title'' after ''or State law''; and

(5) in paragraph (5), by inserting '', or if the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title'' after ''or State law''.

(c) UNLAWFUL SALE OR DISPOSITION OF FIREARM BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 922(d) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking ''or'' at the end;

(2) in paragraph (9), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(10) has been the subject of a determination by the Attorney General under section 922A, 922B, 923(d)(3), or 923(e) of this title.''.

(d) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 922(g) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking ''or'' at the end;

(2) in paragraph (9), by striking the comma at the end and inserting ''; or''; and

(3) by inserting after paragraph (9) the following:

''(10) who has received actual notice of the Attorney General's determination made under section 922A, 922B, 923(d)(3) or 923(e) of this title,''.

(e) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL FIREARMS LICENSES.—Section 923(d) of title 18, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''Any'' and inserting ''Except as provided in paragraph (3), any''; and

(2) by adding at the end the following:

''(3) The Attorney General may deny a license application if the Attorney General determines that the applicant (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.''.

(f) DISCRETIONARY REVOCATION OF FEDERAL FIREARMS LICENSES.—Section 923(e) of title 18, United States Code, is amended—

(1) by inserting ''(1)'' after ''(e)'';

(2) by striking ''revoke any license'' and inserting the following: ''revoke—

''(A) any license'';

(3) by striking ''. The Attorney General may, after notice and opportunity for hearing, revoke the license'' and inserting the following: '';

''(B) the license''; and

(4) by striking ''. The Secretary's action'' and inserting the following: ''; or

''(C) any license issued under this section if the Attorney General determines that the holder of such license (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.

''(2) The Attorney General's action''.

(g) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN FIREARMS LICENSE DENIAL AND REVOCATION SUIT.—

(1) IN GENERAL.—Section 923(f)(1) of title 18, United States Code, is amended by inserting after the first sentence the following: ''However, if the denial or revocation is pursuant to subsection (d)(3) or (e)(1)(C), any information upon which the Attorney General relied for this determination may be withheld from the petitioner, if the Attorney General determines that disclosure of the information would likely compromise national security.''.

(2) SUMMARIES.—Section 923(f)(3) of title 18, United States Code, is amended by inserting after the third sentence the following: ''With respect to any information withheld from the aggrieved party under paragraph (1), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(h) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN RELIEF FROM DISABILITIES LAWSUITS.—Section 925(c) of title 18, United States Code, is amended by inserting after the third sentence the following: ''If the person is subject to a disability under section 922(g)(10) of this title, any information which the Attorney General relied on for this determination may be withheld from the applicant if the Attorney General determines that disclosure of the information would likely compromise national security. In responding to the petition, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(i) PENALTIES.—Section 924(k) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking ''or'' at the end;

(2) in paragraph (3), by striking the comma at the end and inserting ''; or''; and

(3) by inserting after paragraph (3) the following:

''(4) constitutes an act of terrorism, or providing material support or resources for terrorism,''.

(j) REMEDY FOR ERRONEOUS DENIAL OF FIREARM OR FIREARM PERMIT EXEMPTION.—

(1) IN GENERAL.—Section 925A of title 18, United States Code, is amended—

(A) in the section heading, by striking ''**Remedy for erroneous denial of firearm**'' and inserting ''**Remedies**'';

(B) by striking ''Any person denied a firearm pursuant to subsection (s) or (t) of section 922'' and inserting the following:

''(a) Except as provided in subsection (b), any person denied a firearm pursuant to subsection (t) of section 922 or a firearm permit pursuant to a determination made under section 922B''; and

(C) by adding at the end the following:

''(b) In any case in which the Attorney General has denied the transfer of a firearm to a prospective transferee pursuant to section 922A of this title or has made a determination regarding a firearm permit applicant pursuant to section 922B of this title, an action challenging the determination may be brought against the United States. The petition shall be filed not later than 60 days

after the petitioner has received actual notice of the Attorney General's determination under section 922A or 922B of this title. The court shall sustain the Attorney General's determination upon a showing by the United States by a preponderance of evidence that the Attorney General's determination satisfied the requirements of section 922A or 922B, as the case may be. To make this showing, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security. Upon request of the petitioner or the court's own motion, the court may review the full, undisclosed documents ex parte and in camera. The court shall determine whether the summaries or redacted versions, as the case may be, are fair and accurate representations of the underlying documents. The court shall not consider the full, undisclosed documents in deciding whether the Attorney General's determination satisfies the requirements of section 922A or 922B.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by striking the item relating to section 925A and inserting the following:

''925A. Remedies.''.

(k) PROVISION OF GROUNDS UNDERLYING INELIGIBILITY DETERMINATION BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.—Section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended—

(1) in subsection (f)—

(A) by inserting ''or the Attorney General has made a determination regarding an applicant for a firearm permit pursuant to section 922B of title 18, United States Code,'' after ''is ineligible to receive a firearm''; and

(B) by inserting ''except any information for which the Attorney General has determined that disclosure would likely compromise national security,'' after ''reasons to the individual,''; and

(2) in subsection (g)—

(A) the first sentence—

(i) by inserting ''or if the Attorney General has made a determination pursuant to section 922A or 922B of title 18, United States Code,'' after ''or State law,''; and

(ii) by inserting '', except any information for which the Attorney General has determined that disclosure would likely compromise national security'' before the period at the end; and

(B) by adding at the end the following: ''Any petition for review of information withheld by the Attorney General under this subsection shall be made in accordance with section 925A of title 18, United States Code.''.

(l) UNLAWFUL DISTRIBUTION OF EXPLOSIVES BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 842(d) of title 18, United States Code, is amended—

(1) in paragraph (9), by striking the period and inserting ''; or''; and

(2) by adding at the end the following:

''(10) has received actual notice of the Attorney General's determination made pursuant to subsection (j) or (d)(1)(B) of section 843 of this title.''.

(m) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 842(i) of title 18, United States Code, is amended—

(1) in paragraph (7), by inserting ''; or'' at the end; and

(2) by inserting after paragraph (7) the following:

''(8) who has received actual notice of the Attorney General's determination made pursuant to subsection (j) or (d)(1)(B) of section 843 of this title,''.

(n) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843 of title 18, United States Code, is amended—

(1) in subsection (b), by striking ''Upon'' and inserting ''Except as provided in subsection (j), upon''; and

(2) by adding at the end the following:

''(j) The Attorney General may deny the issuance of a permit or license to an applicant if the Attorney General determines that the applicant or a responsible person or employee possessor thereof is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.''.

(o) ATTORNEY GENERAL DISCRETIONARY REVOCATION OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(d) of title 18, United States Code, is amended—

(1) by inserting ''(1)'' after ''(d)'';

(2) by striking ''if in the opinion'' and inserting the following: ''if—

''(A) in the opinion''; and

(3) by striking ''. The Secretary's action'' and inserting the following: ''; or

''(B) the Attorney General determines that the licensee or holder (or any responsible person or employee possessor thereof) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and that the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.

''(2) The Attorney General's action''.

(p) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN EXPLOSIVES LICENSE AND PERMIT DENIAL AND REVOCATION SUITS.—Section 843(e) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting after the first sentence the following: ''However, if the denial or revocation is based upon an Attorney General determination under subsection (j) or (d)(1)(B), any information which the Attorney General relied on for this determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security.''; and

(2) in paragraph (2), by adding at the end the following: ''In responding to any petition for review of a denial or revocation based upon an Attorney General determination under subsection (j) or (d)(1)(B), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(q) ABILITY TO WITHHOLD INFORMATION IN COMMUNICATIONS TO EMPLOYERS.—Section 843(h)(2) of title 18, United States Code, is amended—

(1) in subparagraph (A), by inserting ''or in subsection (j) of this section (on grounds of terrorism)'' after ''section 842(i)''; and

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by inserting ''or in subsection (j) of this section,'' after ''section 842(i),''; and

(B) in clause (ii), by inserting '', except that any information that the Attorney General relied on for a determination pursuant to subsection (j) may be withheld if the Attorney General concludes that disclosure of the information would likely compromise national security'' after ''determination''.

(r) CONFORMING AMENDMENT TO IMMIGRATION AND NATIONALITY ACT.—Section 101(a)(43)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(E)(ii)) is amended by striking ''or (5)'' and inserting ''(5), or (10)''.

(s) GUIDELINES.—

(1) IN GENERAL.—The Attorney General shall issue guidelines describing the circumstances under which the Attorney General will exercise the authority and make determinations under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this Act.

(2) CONTENTS.—The guidelines issued under paragraph (1) shall—

(A) provide accountability and a basis for monitoring to ensure that the intended goals for, and expected results of, the grant of authority under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this Act, are being achieved; and

(B) ensure that terrorist watch list records are used in a manner that safeguards privacy and civil liberties protections, in accordance with requirements outlines in Homeland Security Presidential Directive 11 (dated August 27, 2004).

SA 1340. Ms. LANDRIEU (for herself, Ms. HIRONO, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. BEST INTEREST OF THE CHILD.

(a) IN GENERAL.—In all procedures and decisions concerning unaccompanied alien children that are made by a Federal agency or a Federal court pursuant to the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) or regulations implementing the Act, the best interests of the child shall be a primary consideration.

(b) DETERMINATIONS RELATED TO SECTION 101(A)(27)(J) OF THE IMMIGRATION AND NATIONALITY ACT.—Best interests determinations made in administrative or judicial proceedings described in section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)) shall be conclusive in assessing the best interests of the child under this section.

(c) FACTORS.—In assessing the best interests of the child, the entities referred to in subsection (a) shall consider, in the context of the child's age and maturity, the following factors:

(1) The views of the child.

(2) The safety and security considerations of the child.

(3) The mental and physical health of the child.

(4) The parent-child relationship and family unity, and the potential effect of separating the child from the child's parent or legal guardian, siblings, and other members of the child's extended biological family.

(5) The child's sense of security, familiarity, and attachments.

(6) The child's well-being, including the need of the child for education and support related to child development.

(7) The child's ethnic, religious, and cultural and linguistic background.

SA 1341. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

After section 3716, insert the following:

SEC. 3717. COST EFFECTIVENESS IN DETENTION FACILITY CONTRACTING.

The Director of U.S. Immigration and Customs Enforcement shall take appropriate measures to minimize, and if possible reduce, the daily bed rate charged to the Federal Government through a competitive process in contracting for or otherwise obtaining detention beds while ensuring that the most recent detention standards, including health standards, and management practices employed by the agency are met.

SA 1342. Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1122. TRADE FACILITATION AND SECURITY ENHANCEMENT.

The Secretary shall extend the hours of operation at the port of entry in Santa Teresa, New Mexico, to 24 hours a day—

(1) for private vehicles, not later than 180 days after the date of the enactment of this Act; and

(2) for commercial vehicles, not later than 1 year after the date of the enactment of this Act.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Wednesday, June 19, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Reducing Senior Poverty and Hunger: The Role of the Older Americans Act.''

For further information regarding this meeting, please contact Sophie Kasimow of the committee staff on (202) 224–2831.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, June 20, 2013, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Developing a Skilled Workforce for a Competitive Economy: Reauthorizing the Workforce Investment Act.''

For further information regarding this meeting, please contact Leanne Hotek of the committee staff on (202) 224–5501.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Energy of the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, June 25, 2013, at 2:30 p.m., in room 366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to receive testimony on S. 1084, S. 717 and other pending energy efficiency legislation.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to Danielle_Deraneyenergy.senate.gov.

For further information, please contact Lara Pierpoint at (202) 224–6689 or Danielle Deraney at (202) 224–1219.

AUTHORITY FOR COMMITTEES TO MEET

AFRICAN AFFAIRS SUBCOMMITTEE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 18, 2013, at 10 a.m., to hold an African Affairs subcommittee hearing entitled, ''Examining Prospects for Democratic Reform and Economic Recovery in Zimbabwe.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 18, 2013, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 18, 2013, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 18, 2013, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''High Prices, Low Transparency: The Bitter Pill of Health Care Costs.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 18, 2013, at 10:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 18, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Housing, Transportation, and Community Development be authorized to meet during the session of the Senate on June 18, 2013, at 10 a.m., to conduct a hearing entitled ''Long Term Sustainability for Reverse Mortgages: HECM's Impact on the Mutual Mortgage Insurance Fund.''

The PRESIDING OFFICER. Without objection, it is so ordered.

WESTERN HEMISPHERE AND GLOBAL NARCOTICS AFFAIRS SUBCOMMITTEE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 18, 2013, at 2:30 p.m., to hold a Western Hemisphere and Global Narcotics Affairs subcommittee hearing entitled, ''Security Cooperation in Mexico: Examining the Next Steps in the U.S.-Mexico Security Relationship.''

The PRESIDING OFFICER. Without objection, it is so ordered.

REAFFIRMING FREEDOM OF THE PRESS

Mr. KAINE. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 79, S. Res. 143.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 143) recognizing the threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in the efforts of the United States Government to promote democracy and good governance on the occasion of World Press Freedom Day on May 3, 2013.

There being no objection, the Senate proceeded to consider the resolution.

Mr. KAINE. I further ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 143) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Thursday, May 16, 2013, under ''Submitted Resolutions.'')

NATIONAL CHILD AWARENESS MONTH

Mr. KAINE. Madam President, I ask unanimous consent that the Senate proceed to consideration of S. Res. 173, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 173) designating September 2013 as ''National Child Awareness Month'' to promote awareness of charities benefiting children and youth-serving organizations throughout the United States and recognizing efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. KAINE. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 173) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

AMERICAN EAGLE DAY

Mr. KAINE. Madam President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 174, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 174) designating June 20, 2013, as ''American Eagle Day,'' and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. KAINE. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 174) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, JUNE 19, 2013

Mr. KAINE. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, June 19, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of S. 744, the comprehensive immigration reform bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. KAINE. We will continue to work through the amendments to the immigration bill tomorrow. Senators will be notified when votes are scheduled.

ORDER FOR ADJOURNMENT

Mr. KAINE. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order following the remarks of the Senator from Arizona.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Arizona.

IMMIGRATION REFORM

Mr. FLAKE. Madam President, there are many reasons given to enact immigration reform. Being from Arizona, we bear a disproportionate burden in the State from the Federal Government's failure to have a secure border and to have a rational immigration system.

There are many reasons, but the fiscal reason isn't often brought up. We were just given good fiscal reason today by the Congressional Budget Office that came forward with their estimate for the cost of the legislation.

Just a few minutes ago we heard the ''glass half empty'' speech, and I want to give the ''glass half full''—or actually, decidedly more than that. Let me take a few of the top-line numbers.

First, we are often told that if we enact this legislation, the increase in population of those who come across—illegally or legally—in the next 10 years will be some 30 million people. That is disputed by the facts on the ground. But also CBO points out in their estimate that by 2023, enacting S. 744 would lead to a net increase of 10.4 million in the number of people residing in the United States compared to the number of people projected under current law. So it is significantly lower.

The best estimate we have of the illegal population here is around 11 million. This would also lead to a substantial decrease in the illegal population obviously coming across. So we are looking at an increased population of about 10.4 million over 10 years, decidedly lower than some of the estimates that are being thrown around.

Let's talk about a few of the fiscal numbers. We are told it would be extremely costly to enact this legislation. CBO says the following: This will lead to an increase in Federal direct spending of $262 billion over the 2014–2033 period. Most of these outlays will be for increases in refundable tax credits, and on and on. So $262 billion in increased spending sounds significant, until you consider that this legislation will increase Federal revenues by $459 billion over the 2014–2033 period. So $459 billion in increased revenue compared against $262 billion in increased spending. That is a $197 billion surplus—or decrease in the deficit—over the 10-year budget window.

We often hear: That is OK for the first 10 years, but what happens after that? CBO looked at that as well, and they said this: On balance, CBO and JCT—Joint Committee on Taxation—estimate that the changes in direct spending in revenue would decrease Federal budget deficits by about $700 billion, or 0.02 percent, of the gross domestic product, over the period 2024 to 2033. Again, CBO and JCT estimate the changes in direct spending revenue will decrease Federal spending deficits by about $700 billion over the second 10-year budget window.

I know we often point out on this side of the aisle and the other side of the aisle as well these reports are only as good as the assumptions you make when you do these reports. Duly noted. But I think it is still instructive to look at this and dispel some of the wild rumors that are out there about the cost of this legislation, when CBO actually comes forward and says over a 20-year budget window, there will be a $700 billion decrease in Federal deficits. That is significant.

Let me also say CBO looked at how this legislation would affect the economy going forward. They looked at a further budget window. They say S. 744 would boost economic output, taking into account all economic effects including those reflected in the cost estimates. Again, they are talking about the direct spending that would increase through parts of this legislation as well. If you take that into account, still this bill would increase real inflation-adjusted GDP relative to the amount CBO projects under current law by 3.3 percent in 2023 and 5.4 percent in 2033—again, increasing economic activity by 3.3 percent in 2023 and by 5.4 percent in 2033. That is substantial.

When you look at the legislation and you look at what will happen when we increase legal immigration in ways that help the economy, particularly on the H–1B side—high-tech STEM visas—we all know intuitively that will help

us, because those individuals who come with these kinds of degrees boost economic output and increase jobs. It is going to help this economy, and this spells it out in dramatic fashion: 3.3 percent increase in 2023 simply owing to this legislation, 5.4 percent in 2033 just owing to this legislation.

In summary, I want to say CBO estimates are only as good as the assumptions they make. But when they look at this legislation in a dispassionate way, as nonpartisan as they can get, they come up with figures that show net revenue over expenses is quite substantial—over $700 billion over a 20-year budget window—and the economic output would increase 3.3 percent by 2023 and 5.4 percent by 2033. That is significant and I think it bears noting.

Madam President, I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:42 p.m., adjourned until Wednesday, June 19, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate on Monday, June 17, 2013:

DEPARTMENT OF STATE

LILIANA AYALDE, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATIVE REPUBLIC OF BRAZIL.

JAMES COSTOS, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SPAIN.

JOHN B. EMERSON, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL REPUBLIC OF GERMANY.

JOHN RUFUS GIFFORD, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO DENMARK.

KENNETH FRANCIS HACKETT, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE HOLY SEE.

PATRICIA MARIE HASLACH, OF OREGON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA.

CONFIRMATIONS

Executive nominations confirmed by the Senate Monday, June 17, 2013:

THE JUDICIARY

LUIS FELIPE RESTREPO, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

KENNETH JOHN GONZALES, OF NEW MEXICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW MEXICO.

EXTENSIONS OF REMARKS

HONORING JESSE THOMPSON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mr. Jesse Thompson who graduated from Jackson State University with a B.S. degree in science education.

Mr. Jesse Thompson began his career with the Pollution Control Commission in 1976 as an environmental aide in the Air Division of the Department of Environmental Quality (DEQ). While in the Air Division, he worked with the Minor Source Permitting, Compliance and Emission Management System. He was also the stack testing expert for Air Sampling. In 1995 he became the State's first Small Business Ombudsman. He was also responsible for managing the Mississippi Small Business Technical Program.

Mr. Thompson is currently the acting Director of the Environmental Resource Center, Environmental Assistance Division Director and the Diversity Coordinator.

Mr. Thompson is married to Judy G. Thompson of Jackson and they have a son (Jason) and a daughter (Janell).

Mr. Thompson is a member of the Greater Mt. Calvary Baptist Church where he is an Ordained Deacon, Chairman of the Trustee Board, Sunday School teacher and the Director of the church's television ministry.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Jesse Thompson for his dedication to serving others.

PRESIDENT GERALD R. FORD TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. TIPTON. Mr. Speaker, I rise today to recognize President Gerald R. Ford's humanitarian involvement in Operation Babylift.

On April 5th, 1975, President Ford launched Operation Babylift, an initiative that rescued over 3,000 orphans from war-torn Vietnam. Throughout the Vietnam War, these children witnessed the destruction of their villages and saw their families torn apart. Thanks to the efforts of President Ford, those children were given the opportunity for a bright future.

This year marks what would have been President Ford's 100th birthday. During his presidency Ford faced many challenges under extraordinary circumstances, and through them worked tirelessly on behalf of the American people with the hope of peace in his heart.

During a time of great uncertainty and fear, President Ford restored faith in humanity as he made the call to commence Operation Babylift, sending 30 cargo aircrafts to transport over 3,000 Vietnamese orphans out of war-torn Vietnam.

Mr. Speaker, it is an honor to recognize President Gerald R. Ford and his efforts that saved the lives of thousands of children.

PAYING TRIBUTE TO MAJOR GENERAL KARL R. HORST AND 40 YEARS OF DEDICATED SERVICE TO OUR NATION

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. YOUNG of Florida. Mr. Speaker, I rise to pay tribute to Major General Karl R. Horst, United States Army for his extraordinary dedication to duty and selfless service to the United States of America. Major General Horst will be retiring from his present assignment as the Chief of Staff, United States Central Command, MacDill Air Force Base, Tampa Florida.

Major General Karl R. Horst entered the United States Army in June 1973. He attended the United States Military Academy Preparatory School and went on to graduate from the United States Military Academy in 1978 and was commissioned as an Infantry Officer. After his first assignment as an Infantry Lieutenant in Germany, with the 3rd Infantry Division he commanded Infantry units at the Company, Battalion and Brigade levels with the 9th Infantry Division and the famed 82nd Airborne Division. He returned to the 3d Infantry Division in July 2004 as an Assistant Division Commander, serving at Fort Stewart, Georgia and in Baghdad, Iraq. Returning to Fort Bragg in September 2006, he assumed the duties as the Deputy Commanding General, XVIII Airborne Corps and Fort Bragg.

Major General Horst has served in a variety of Joint and Army Staff positions to include his most memorable assignments as an aide–de–camp to the Army Chief of Staff, and a Joint and North Atlantic Treaty Organization (NATO) assignment as the special assistant to the Supreme Allied Commander, Europe. Major General Horst served as the Chief of Staff, 82d Airborne Division; then as the Chief of Staff, XVIII Airborne Corps and Fort Bragg. Karl also commanded the United States Army Military District of Washington and Joint Force Headquarters National Capitol Region. At the Combatant Command level, he served as the Director for Operations, Plans, Logistics and Engineering (J3/J4), United States Joint Forces Command, Norfolk, Virginia and his final assignment was as the Chief of Staff, United States Central Command, MacDill Air Force Base, Tampa Florida.

Mr. Speaker, it has been a pleasure to recognize Major General Horst's long and decorated career today and also the great benefit to the Nation he has provided as a General Officer for the United States Army. We have work closely with Major General Horst to accomplish the toughest tasks for our Service Men and Women and Karl has always achieved excellence daily during his tenure. On behalf of a grateful Nation, I join my colleagues today in recognizing and commending Major General Horst for a lifetime of service to his country. For all he and his family have given and continue to give to our country; we are in their debt. We wish him, his wife, Nancy and their three children: Kaitlin, 26, a graduate of the University of North Carolina, and also a Army wife and a graduate student at Gonzaga University; she lives in Vicenza Italy with her husband, Mason; son Paul, 23, graduated from North Carolina State University and is a graduate student at Embry-Riddle University; and daughter Megan, 21, is a senior at North Carolina State University, studying elementary education; she will spend this summer with the Teach for America program all the best wishes as he moves into retirement.

PERSONAL EXPLANATION

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. JORDAN. Mr. Speaker, I was absent from the House floor during last night's three rollcall votes.

Had I been present, I would have voted in favor of H.R. 876, H.R. 253, and H.R. 862.

HONORING PRINCESS DOE AND ALL MISSING CHILDREN

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. GARRETT. Mr. Speaker, I rise today to bring to America's remembrance the plight of missing children across our nation. On July 15, 1982—just over 30 years ago—a homicide victim was discovered in Blairstown, New Jersey, which is in the 5th Congressional District. The young victim—just 13 or 14 years of age at the time of her death—was never identified. To us today, she is known as Princess Doe. But to her family and friends, she remains a missing loved one—and each and every day her family lives with the uncertainty of what happened to her more than 30 years ago.

According to the National Center for Missing and Exploited Children, almost 800,000 children under 18 are reported missing each year—or an average of 2,185 each day. Some of these instances have happy endings, and the children are reunited with their families. Sadly, other instances have tragic endings. Princess Doe never came home.

I stand here today to draw attention to the plight of these missing children and their families. Each and every day, families across America pray for the return of their missing

child. And each and every day, law enforcement professionals spend long hours and sleepless nights in search of these children.

May we never forget those children still waiting to be found. May we never forget those families still looking for their missing child. And may we never cease in our efforts to reunite children safely with their families.

CAT OSTERMAN—A TEXAS SOFTBALL LEGEND

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. POE of Texas. Mr. Speaker, today I am honored to recognize a talented Texas woman, Catherine ''Cat'' Osterman, a fast pitch softball legend. Born in Houston, Cat discovered at an early age that she wanted to be a pitcher. There was no denying that she was a natural athlete, but it wasn't until the day that she filled in as a back-up pitcher for her Little League softball team that sparked the fire making her so successful in her sport.

Since that first taste of pitching, Cat's love for the game blossomed. Through her hard work and determination, she became a star on her high school's softball team. Her pitching is incredible: she has mastered six pitches, and she reserves her most famous pitch, the fast pitch, for critical moments on the field.

She graduated from Cypress Springs High School where she earned the Gatorade National Softball Player of the Year Award as well as her now famous nickname ''Cat.'' She went on to play softball for the Longhorns at the University of Texas at Austin when the softball team was only 5 years old. During Cat's time in Austin, she broke every softball record at the University of Texas.

Cat's talent and passion for the game took her and her team to 3 Women's College World Series. She remains the only person to have ever won the national college player of the year 3 times. Because of her incredible talent and statistics, Cat was asked to play for Team USA in the 2004 Olympics in Athens. At only 21 years of age, Cat became an Olympic gold medalist, having pitched nearly 15 innings without allowing a run. Athens was not Cat's only Olympic experience; she returned to the Olympic Games 4 years later in Beijing, once more pitching for the United States national softball team.

After the Olympics, Cat's career in softball continued to be successful. She played for Team USA, winning 2 world championships, and she was the first draft pick for Connecticut Brakettes in the National Pro Fastpitch softball league.

This April, Cat announced that she will be retiring from pitching. But you can't keep her away from the game that she loves. Her passion for the game has driven her all these years, and passion like that doesn't just die. Cat's passion is leading her to coach softball for St. Edwards University in Austin, Texas, and to help others to become passionate about the game themselves. People like Cat Osterman, who dedicate their lives to what they are passionate about, are the reason why this country remains great.

And that's just the way it is.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Ms. LEE of California. Mr. Speaker, I was not present for rollcall votes 245–247. Had I been able to vote, I would have voted ''yes'' on all three.

COMMEMORATING THE LIFE AND MEMORY OF MR. JOSEPH A. PINNOLA

HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. GRIMM. Mr. Speaker, I rise today to commemorate the life and memory of a marvelous Staten Islander, a model citizen, and a devoted family man, Mr. Joseph A. Pinnola, 83, who passed away on May 14th at his Dongan Hills home.

Born in Brooklyn, Joseph Pinnola moved to Great Kills in 1966 and settled in Dongan Hills in 1974. In 1944, at the age of 14, Mr. Pinnola began working at a drugstore to support his family after the death of his father. He started his career with Brooklyn Union Gas Company about three years later, working as a messenger. Mr. Pinnola served in the U.S. Army from 1952 to 1954, attaining the rank of staff sergeant during the Korean War. On guard duty one night, he sounded an alarm that alerted his company to a fire that had broken out in the compound where thousands of his comrades lay sleeping. He was also assigned to the Army Security Agency, working in cryptography and counter intelligence. On at least one occasion, he is said to have cracked a key enemy code.

On his return to civilian life, Mr. Pinnola continued working for Brooklyn Union while he took night classes at St. John's University. He earned his B.A. in accounting from St. John's in 1954, and was promoted to programmer at Brooklyn Union. He would go on to play a large role in the development and implementation of the company's computer systems throughout the next three decades. In 1982, as he continued moving ahead with his career, Mr. Pinnola graduated from the executive program in business administration at Columbia University. He was named senior vice president and chief information officer at Brooklyn Union in 1991, and retired three years later.

Affiliated with several organizations, Mr. Pinnola served on the board of trustees of Brooklyn Hospital. He was also a member of Community Board 2 and involved with the Jacques Marchais Center for Tibetan Art in Richmond. In his leisure time, he enjoyed jogging, cooking, drawing and playing the piano. Above all, he cherished spending time with his family and he particularly loved taking vacations with his children and grandchildren to Long Beach Island. ''He was happiest around his family and grandchildren,'' said his son Joseph. He courageously supported his family after the tragic death of his grandson, Christopher S. Pinnola, in 2007. He is survived by his wife of 53 years, the former Anita Adinolfi; his sons, Joseph, Steven, Richard and Kenneth; his daughters, Mary Pinnola-Waring and Joyce Pinnola; a sister, Nina Perry, and 10 grandchildren.

In all, Mr. Pinnola led a full life, enjoyed a successful career, but above all, always made time for his greatest of all joys, his beautiful and loving family.

PERSONAL EXPLANATION

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. LAMBORN. Mr. Speaker, I was unavoidably detained due to a family medical situation and was unable to vote on rollcall No. 245, rollcall No. 246, and rollcall No. 247.

Had I been present, I would have voted ''yea'' on rollcall No. 245, ''yea'' on rollcall No. 246, and ''yea'' on rollcall No. 247.

RECOGNIZING THE 10TH ANNIVERSARY OF PEPFAR: A CRITICAL PART OF THE FIGHT AGAINST AIDS

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Ms. SCHAKOWSKY. Mr. Speaker, ten years ago Congress, with the leadership of the Bush Administration, enacted the bipartisan President's Emergency Plan for AIDS Relief (PEPFAR), an initiative which the Institute of Medicine in a Congressionally-requested February 2013 report called ''globally transformative.''

In its 10 years, PEPFAR has saved lives, improved health care delivery systems and, as the IOM concluded, provided a ''lifeline'' that restored hope to areas devastated by the epidemic. Over the course of its existence so far, PEPFAR has spent $46 billion to expand access to prevention, treatment and medical services. Through its contributions, new infections in sub-Saharan Africa, one of the hardest-hit areas, have dropped by 25 percent.

PEPFAR is a success story. It is part of the global effort to prevent, treat, and, soon I hope, find a cure so that we can end AIDS. We should celebrate PEPFAR's decade's worth of achievements, while we must also recommit to its goals. For, as the IOM report stated and all of us know, ''substantial unmet needs remain across HIV services'' both here and abroad.

PEPFAR itself is part of an ongoing effort to respond aggressively and effectively to HIV and AIDS. I would like to draw my colleagues' attention to an article by Dr. Allan Brandt from the June 6, 2013 New England Journal of Medicine, outlining the ways that the effort surrounding HIV/AIDS has reshaped our vision of global health—both what is needed and what is achievable.

As we pause today to recognize the 10th anniversary of PEPFAR, it is also important to recognize the enormous work of AIDS activists and providers who have been leading this fight for decades. Their work, as Dr. Brandt's article details, has had consequences that go far beyond combating AIDS—as critical as that is—

to shape the way we think about the right to medical care, health care justice, and our global relationships and responsibilities. It has also focused on the need to make essential medicines available—a matter of much attention in the ongoing Trans-Pacific Partnership trade discussions—and to build robust networks of medical professionals and community health workers.

Today, PEPFAR continues to partner with countries that rely on the United States to show leadership in meeting ongoing needs and challenges. While we can celebrate its successes today, we cannot be complacent. The fight against AIDS is a fight for global health, and it is one that we must continue to support.

[From the New England Journal of Medicine, June 6, 2013]

HOW AIDS INVENTED GLOBAL HEALTH

(By Allan M. Brandt, Ph.D.)

Over the past half-century, historians have used episodes of epidemic disease to investigate scientific, social, and cultural change. Underlying this approach is the recognition that disease, and especially responses to epidemics, offers fundamental insights into scientific and medical practices, as well as social and cultural values. As historian Charles Rosenberg wrote, ''disease necessarily reflects and lays bare every aspect of the culture in which it occurs.''

Many historians would consider it premature to write the history of the HIV epidemic. After all, more than 34 million people are currently infected with HIV. Even today, with long-standing public health campaigns and highly active antiretroviral therapy (HAART), HIV remains a major contributor to the burden of disease in many countries. As Piot and Quinn indicate in this issue of the Journal (pages 2210–2218), combating the epidemic remains a test of our expanding knowledge and vigilance.

Nonetheless, the progress made in addressing this pandemic and its effects on science, medicine, and public health have been far-reaching. The changes wrought by HIV have not only affected the course of the epidemic: they have had powerful effects on research and science, clinical practices, and broader policy. AIDS has reshaped conventional wisdoms in public health, research practice, cultural attitudes, and social behaviors. Most notably, the AIDS epidemic has provided the foundation for a revolution that upended traditional approaches to ''international health,'' replacing them with innovative global approaches to disease. Indeed, the HIV epidemic and the responses it generated have been crucial forces in ''inventing'' the new ''global health.''

This epidemic disrupted the traditional boundaries between public health and clinical medicine, especially the divide between disease prevention and treatment. In the 1980s, before the advent of antiretroviral therapies, public health officials focused on controlling social and behavioral risk factors; prevention was seen as the only hope. But new treatments have eroded this distinction and the historical divide between public health and clinical care. Clinical trials have shown that early treatment benefits infected patients not only by dramatically extending life expectancy, but by significantly reducing the risk of transmission to their uninfected sexual partners. Essential medicines benefit both patients and populations, providing a critical tool for reducing fundamental health disparities. This insight has encouraged the integration of approaches to prevention and treatment, in addition to behavioral change and adherence.

The rapid development of effective antiretroviral treatments, in turn, could not have occurred without new forms of disease advocacy and activism. Previous disease activism, for example, had established important campaigns supporting tuberculosis control, cancer research, and the rights of patients with mental illness. But AIDS activists explicitly crossed a vast chasm of expertise. They went to Food and Drug Administration meetings and events steeped in the often-arcane science of HIV, prepared to offer concrete proposals to speed research, reformulate trials, and accelerate regulatory processes. This approach went well beyond the traditional bioethical formulations of autonomy and consent, As many clinicians and scientists acknowledged, AIDS activists, including many people with AIDS, served as collaborators and colleagues rather than constituents and subjects, changing the trajectory of research and treatment. These new models of disease activism, enshrined in the Denver Principles (1983), which demanded involvement ''at every level of decision-making,'' have spurred new strategies among many activists focused on other diseases. By the early 2000s, AIDS activists had forged important transnational alliances and activities, establishing a critical aspect of the ''new'' global health.

Furthermore, HIV triggered important new commitments in the funding of health care, particularly in developing countries. With the advent of HAART and widening recognition of HIV's potential effect on the fragile progress of development in resource-poor settings, HIV spurred substantial increases in funding from sources such as the World Bank. The growing concern in the United Nations and elsewhere that the epidemic posed an important risk to global ''security'' elicited new funding from donor countries, ultimately resulting in the establishment of the Global Fund to Fight AIDS, Tuberculosis, and Malaria. In 2003, it was joined by the U.S. President's Emergency Plan for AIDS Relief (PEPFAR), which, with bipartisan support, initially pledged $15 billion over 5 years. Since PEPFAR's inception, Congress has allocated more than $46 billion for treatment, infrastructure, and partnerships that have contributed to a 25% reduction in new infections in sub-Saharan Africa.

HIV has also attracted remarkable levels of private philanthropy, most notably from the Bill and Melinda Gates Foundation. HIV funding led to new public private partnerships that have become a model for funding of scientific investigation, global health initiatives, and building of crucial health care delivery infrastructure in developing countries. These funding programs have fomented contentious debates about priorities, efficiency, allocation processes, and broader strategies for preventing and treating many diseases, especially in poorer countries. Nonetheless, they offered new approaches to identifying critical resources and evaluating their effect on the burden of disease. The success of future efforts will depend on maintaining and expanding essential funding during a period of global economic recession, as well as new strategies for evaluating the efficacy of varied interventions.

AIDS also spurred another related debate that continues to roil global health about the cost of essential medicines. Accessibility of effective and preventive treatments has relied on the availability of reduced-cost drugs and their generic equivalents. A recent decision by the Indian Supreme Court upheld India's right to produce inexpensive generics, despite the multinational pharmaceutical industry's claims for stronger recognition of patents.

Another central aspect of the new activism was an insistence that the AIDS epidemic demanded the recognition of basic human rights. Early on, lawyers, bioethicists, and policymakers debated the conditions under which traditional civil liberties could be abrogated to protect the public from the threat of infection. Such formulations reflected traditional approaches to public health and the ''police powers'' of the state, including mandatory testing, isolation, detention, and quarantine. Given the stigma attached to HIV infection at the time, as well as ungrounded fears of casual transmission, affected people often suffered the double jeopardy of disease and discrimination. As a result, Jonathan Mann, the first director of the World Health Organization's Global Program on AIDS, explained, ''To the extent that we exclude AIDS infected persons from society, we endanger society, while to the extent that we maintain AIDS infected persons within society, we protect society. This is the message of realism and of tolerance.'' Mann argued that HIV could never be successfully addressed if impositions on human rights led people to hide their infections rather than seek testing and treatment. Only policy approaches that recognized and protected human rights (including the rights to treatment and care, gender equality, and education) would permit successful clinical and population-based interventions.

These complementary innovations are at the core of what we now call ''global health'' which has demonstrated its capacity to be far more integrative than traditional notions of international health. It draws together scientists, clinicians, public health officials, researchers, and patients, while relying on new sources of funding, expertise, and advocacy. This new formulation is distinct, first of all, in that it recognizes the essential supranational character of problems of disease and their amelioration and the fact that no individual country can adequately address diseases in the face of the movement of people, trade, microbes, and risks. Second, it focuses on deeper knowledge of the burden of disease to identify key health disparities and develop strategies for their reduction. Third, it recognizes that people affected by disease have a crucial role in the discovery and advocacy of new modes of treatment and prevention and their equitable access. Finally, it is based on ethical and moral values that recognize that equity and rights are central to the larger goals of preventing and treating diseases worldwide.

For more than the past decade, major academic medical centers, schools of public health, and universities have created global health programs and related institutes for multidisciplinary research and education. Thus, the institutionalization of this formulation is not only affecting services worldwide, but also changing the training of physicians, other health professionals, and students of public health. When the history of the HIV epidemic is eventually written, it will be important to recognize that without this epidemic there would be no global health movement as we know it today.

HONORING MRS. JOSEPHINE TILLMAN SINGLETON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable civil servant and extraordinary educator, Mrs. Josephine Tillman Singleton. Her service to education and the community spans over 35 years.

Mrs. Josphine Tillman Singleton was born October 1, 1940 to Mr. Earnest and Mrs.

Parthinia Salone. Under the care and love of her grandparents, Mr. Spencer Graham and Mrs. Mary Tillman. Mrs. Singleton grew up in the St. Thomas community in Hinds County, Mississippi. She received a formal education at St. Thomas Elementary and Sumner Hill High Schools. She matriculated at Utica Junior College in Utica, Mississippi and later furthered her studies at Jackson State University. For all who know her, Mrs. Singleton is a true champion for early childhood education and her professional career speaks volumes of the works and contributions she has made on behalf of preschool aged children and individuals in her community.

In 1965, Mrs. Singleton began her career in early childhood education by becoming a volunteer at St. Thomas Elementary School. In June 1966, the federally funded Headstart programs were initiated in the St. Thomas community, allowing Mrs. Singleton to become an official teacher at the school. During her years as an educator, Mrs. Singleton was well known for her motherly, nurturing spirit and her love and willingness to help others. Her exceptional work as an educator granted her the opportunity to become the first appointed Center Administrator in the Hinds County Headstart System. She continued in that position until September 2004, distinguishing her as the oldest operating Center Administrator. During her tenure, she also served as the first officiating president for the district Association of Center Administrators for Hinds County Human Resource Agency (HCHRA).

Her influence in the community not only touched the children she educated, but also the parents and numerous close-knit community organizations. Her devotion to positive outreach inspired at least 20 parents of the St. Thomas community to ultimately serve as presidents of the HCHRA Policy Council. Mrs. Singleton was an integral part of the 4–H Club, which emphasized horticulture and other subject areas. The organization participated yearly in events on a state and national scale.

In order to help parents seeking a better future for themselves and their families, Mrs. Singleton used her influence as a board member for General Education Development (GED) with the Clinton Public School district by arranging class schedules held at the St. Thomas Headstart Center. She also assisted adolescents with employment opportunities through her coordinated efforts with the Neighborhood Youth Challenge.

Mrs. Singleton was instrumentally involved in various political campaigns. Her innumerable connections within the community were a tremendous asset to those seeking public office in and around Bolton, Clinton, Edwards, and Raymond, Mississippi. Her outreach efforts are also marked by her participation in the annual Christmas Cheer drive, which is geared towards delivering food items and holiday cheer to those who are homebound and elderly. She also served as president of numerous community outreach organizations, such as the Kitchen Ministry, the Neighborhood Watch, and the St. Thomas Recreation Association.

Currently, Mrs. Singleton enjoys her days spending time with her husband, Mr. Johnny Singleton, Sr., with whom she has been married to for almost 50 years, her five children: Perry, Cathedral, Johnny, Jr., Shauna, and Shantae; and her grandchildren. She is a lifelong member of the St. Thomas Missionary Baptist Church, where she serves as Sunday school teacher.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Josephine Tillman Singleton for her dedication and service as a respected educator and her commendable contributions made to early childhood education and the St. Thomas community.

PERSONAL EXPLANATION

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, on rollcall No. 245, I was at a funeral.

Had I been present, I would have voted "yea."

RECOGNITION OF THE TERRENCE M. RYAN AGRICULTURAL CENTER

HON. MARCIA L. FUDGE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Ms. FUDGE. Mr. Speaker, on behalf of the citizens of the Eleventh District of Ohio, I am pleased to recognize the opening of the Terrence M. Ryan Agricultural Center on June 14, 2013. Congratulations to all of the partners for their vision and determination in making this wonderful facility a reality.

As a strong supporter of Cleveland Crops and its initiative to build an agricultural center in Cleveland, Ohio, I am pleased by the overwhelming community support and the relationships and partnerships that grew out of this project. The opening of the Terrence M. Ryan Agricultural Center speaks to the importance of reforming our local food system, and I am pleased to be a part of these efforts.

I congratulate Cleveland Crops and the Cuyahoga County Board of Developmental Disabilities on the success of the opening of the Terrence M. Ryan Agricultural Center and the positive impact it will have on our community.

I am proud to support the constituents of the Eleventh District of Ohio and am a vigorous supporter of our thriving urban agricultural community.

PERSONAL EXPLANATION

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Ms. KUSTER. Mr. Speaker, on June 14, 2013, I missed the following Rollcall vote: number 237 for the Smith of Washington Part B Amendment No. 20 to H.R. 1960. Had I voted, I would have voted "aye" on this Rollcall vote.

HONORING MR. LOUIS DRUMMOND ON THE OCCASION OF HIS RETIREMENT FROM THE LIBRARY OF CONGRESS

HON. GREGG HARPER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. HARPER. Mr. Speaker, I wish to commend Mr. Louis Drummond for his 30 years of exemplary service to the United States Congress. Mr. Drummond has been an invaluable member of the Congressional Research Service (CRS) most notably while developing, supporting and maintaining the Legislative Information System (LIS), a vital legislative branch partnership. The Congress, the Library of Congress and the public have greatly benefited from his outstanding work.

Mr. Drummond came to the Library of Congress from library school in June 1983 for the nine-month Library of Congress Intern Program. After the Intern Program, he worked as a reference librarian in the Main Reading Room for two years. Due to his interest in automation and his work on the new optical disk program, he then moved to CRS.

His career at CRS has been notable for innovation, responsiveness to the needs of Congress, and his willingness to share his extensive knowledge with others. He was a leader in the introduction of the Internet into the services of the Library. He coordinated the planning, policy and development of CRS's first home page as well as the Library's first website. Mr. Drummond was a critical player in the Library's ability to adapt, master, and eventually take an international leadership role in the Internet. Other accomplishments include the development and support of SCORPIO, a 1970's mainframe program that retrieved legislative and public policy information, and MARVEL, the Library's first Internet Gopher system.

Mr. Drummond's devotion to the needs of congressional users for legislative information has defined his career. In 1996, Congress directed CRS to coordinate the creation of a single integrated legislative retrieval system (the LIS) that would serve the House, the Senate, and other congressional agencies. Mr. Drummond took responsibility for that directive and not only coordinated the development of the system, but also ensured that over the years it met the needs of the user community. Finally, he participated in the Legislative Branch XML Working Group which has been charged with improving the availability and exchange of legislative data amongst agencies and the public by publishing it in XML format.

On behalf of the entire congressional community, we extend congratulations to Mr. Louis Drummond for his many years of dedication, outstanding contributions, and service to the Congress and we wish him the very best in his retirement.

COMMEMORATING MARTIN J. (MARTY) LOMBARDI FOR HIS OUTSTANDING CIVIC CONTRIBUTIONS

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. HUFFMAN. Mr. Speaker, I rise with my colleague MIKE THOMPSON to honor Martin James (Marty) Lombardi, an outstanding human being, committed youth advocate, consummate civic leader, and a model community banker.

A native of San Francisco, Marty was born of immigrant parents from Malaga, Spain, and Luca, Italy. A graduate of St. Mary's College, he earned a Bachelor of Science Degree in Economics before moving to the northern California town of Ukiah in 1975. Exemplary as the consummate small town banker, Marty Lombardi earned the respect of home buyers as well as business leaders, small and large. During his tenure at the Savings Bank of Mendocino County where he is Senior Vice President, Marty has been a forward thinker supporting projects with far reaching beneficial effects.

Marty served as President of the California Independent Bankers and the Community Bankers of California and as chair of the Mendocino County Workforce Investment Board. He was President of the Ukiah Education Foundation and served on the Boards of Directors for the Ukiah Valley Medical Center; American Red Cross: Sonoma, Mendocino and Lake Counties Chapter; Mendocino County Public Safety Foundation; both Ukiah High and Mendocino Community College Mathematics, Engineer, Science Achievement (MESA) Board; Mendocino Community College Bond Oversight; Mendocino Winegrowers Foundation; United Way: Sonoma, Mendocino, Lake and Humboldt Counties Chapter; Tapestry (Foster Care); Ukiah Chamber of Commerce; Ukiah-Boys and Girls Club; and Nuestra Casa.

He has been a visionary who established the Mendocino Agricultural Families Scholarship, spearheaded the Ukiah Valley Cultural & Recreational Center, and was on the steering committee for Leadership Mendocino.

Marty, who is retiring as a banker, is regarded for his ''kind and loving heart'' by his family including his wife Kathleen, their six children, and by our extended local community and the hundreds of students who benefitted from his counsel.

The residents of California's Second and Fifth District are better off today thanks to the work of Marty Lombardi, and it is appropriate that we honor him as an energetic, gregarious, forward thinking and optimistic civic leader. He is a mentor to many and a model for all.

HONORING LOYCIE MARVINE GRIFFIN

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mrs. Loycie Marvine Morgan Griffin, a Leake County native.

Mrs. Griffin was a member of Jones Chapel M. B. Church where she served as choir president and advisor, president of the mission board, a nurse usher, a member of the mother's board, and a culinary ministry member. She was a Headstart teacher, a nurse, and also served many years as the Most Ancient Matron of the Heroines of Jericho.

Mrs. Griffin's survivors include: two sons, J.C. Griffin and Lois L. Griffin; seven daughters, Almyrtis Henson, Marvis Smith, Pratmus Henson, Priscilla Rogers, all of Carthage, Mississippi, Gwen Davis, Desoto, Texas, Sylvia McKinney, Lancaster, Texas, and Sherry Harris, Terry, Mississippi; five sisters: Bernice Chambers and Bettye Morgan, both of Miwaukee, WI; Verline Gaines and Winnie Millsap, both of Chicago, IL, and Dealie Widler, Carthage, Mississippi; 36 grandchildren; and 43 great-grandchildren.

Mrs. Griffin was definitely a pillar of her community by not only holding many reputable positions in her church, but by fostering positive images and reputations through helping others in her community.

Mr. Speaker, I ask my colleagues to join me in recognizing the late Mrs. Loycie Marvine Griffin for her dedication to serving others.

PERSONAL EXPLANATION

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. PASTOR of Arizona. Mr. Speaker, on rollcall Nos. 245, 246 and 247, due to weather delays in my travel, had I been present, I would have voted ''aye.''

10TH ANNIVERSARY OF PEPFAR

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

CONGRESS OF THE UNITED STATES,
Washington, DC, December 18, 2002.

President GEORGE W. BUSH,
1600 Pennsylvania Avenue,
Washington, DC.

Ms. LEE of California. Mr. Speaker, I submit the following letter of Dec. 18, 2002, on the 10th anniversary of PePFAR

DEAR PRESIDENT BUSH, As members of the Congressional Black Caucus, we are writing to draw your attention to the growing spread of HIV/AIDS throughout the developing world. It would be impossible to overstate the devastation caused to date by the global AIDS pandemic, or the urgency of the need for a greater response from the United States and the global community. With 42 million people currently living with HIV/AIDS—29.4 million of them in Sub-Saharan Africa—14 million children already orphaned by the disease, and 70 million more people expected to die by 2020, we must do more now. We must respond on an appropriate scale to address the greatest plague in recorded history.

The United States, as the world's wealthiest nation, must take greater action by contributing its fair share, and in doing so we can help galvanize the global response that we so desperately need. As you prepare to travel to Africa in January, and as you prepare your budget for fiscal year 2004, you have a remarkable opportunity to demonstrate United States leadership against AIDS at a moment when the world will be watching. We urge you to launch a major new US initiative to fight AIDS, as well as tuberculosis and malaria. TB is the leading killer of people with HIV, claiming 2 million lives each year despite the existence of an effective and inexpensive cure, while malaria kills nearly one million people each year, most of them young children in Africa.

An expanded US Initiative to fight AIDS must:

Provide at least 2.5 billion for implementation of global AIDS programs in 2004, as well as additional funds to combat TB and malaria. At least 50% of this should go to the Global Fund to Fight AIDS, TB and Malaria.

Prioritize treatment, as well as prevention and care, for those affected—including an expanded mother-to-child transmission initiative that would detect and treat entire families, and including funding and personnel as needed to implement the WHO call to treat three million people with HIV by 2005.

Promote developing country access to sustainable supplies of affordable medicines for AIDS and other diseases such as opportunistic infections in accordance with the Doha Ministerial Declaration on the TRIPS Agreement and Public Health and oppose any attempts to limit the scope of the Declaration.

Expand programs for children orphaned by AIDS.

Seek debt cancellation for impoverished countries, so they can invest in poverty reduction and AIDS programs.

Most importantly, a US initiative should consist of new monies and policies that complement existing US-supported programs and are additional to the Millennium Challenge Account (MCA). The MCA, however, also must help meet the Millennium Development Goal of halting and reversing the spread of these diseases.

We cannot win the war against AIDS without greater financial resources and a clear plan of action for the United States. Programs around the world are ready to scale up prevention, treatment, and care to save lives now, and to develop the systems needed to save tens of millions more in the future. Each day we delay in mounting a comprehensive—and compassionate—response to the global AIDS and TB pandemics, the cost in human, social, and economic terms grows. You will have our strong support and the support of the American people for a bold new initiative to save families and communities affected by the AIDS crisis, to extend the parent-child relationship, and to secure the future of young people.

Sincerely,

Barbara Lee; Donna Christian-Christensen; Edolphus Towns; Charles Rangel; Julia Carson; Juanita Millender-McDonald; Maxine Waters; Danny K. Davis; Robert Scott; Elijah Cummings; William ''Lacy'' Clay, Jr.; Stephanie Tubbs Jones; Eddie Bernice Johnson; Bobby Rush; Carolyn Kilpatrick; Diane E. Watson; Gregory Meeks; Major Owens; Harold Ford, Jr., John Conyers; Alcee Hastings; Sheila Jackson Lee; Eleanor Holmes Norton; Donald Payne; Sanford Bishop; Bennie Thompson; Melvin Watt; Corrine Brown; Chaka Fattah; Jesse Jackson, Jr.; James Clyburn; Albert R. Wynn.

40TH ANNIVERSARY OF JHPIEGO

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. SARBANES. Mr. Speaker, I rise today to congratulate Jhpiego, a non-profit, global health affiliate of Johns Hopkins University, on the occasion of their 40th anniversary. I would like to recognize the employees of Jhpiego for their tireless service in providing health care for vulnerable populations and preventing needless deaths throughout the developing world.

Headquartered in my hometown of Baltimore, Jhpiego has grown to become a force for good around the world. Founded in 1973 by Dr. Theodore King, Jhpiego initially brought healthcare professionals from Latin America, Asia, and Africa to Baltimore to learn the latest practices in women's health.

As time progressed, Jhpiego's leadership realized they could have a greater impact by bringing their medical knowledge and training to the countries whose populations they were trying to serve. In 1979, Jhpiego started in-country training programs on three continents. These programs were extremely successful and, in 1993, Jhpiego opened its first field office in Kenya. Today, Jhpiego operates field offices and clinics in over thirty countries providing invaluable medical services to people who would otherwise be without basic healthcare.

This focus on developing the capacity of countries to create their own healthcare network, combined with the delivery of extremely low-cost solutions to common health problems, has proven to be the great genius of Jhpiego. Jhpiego and its more than 1,500 employees have successfully brought the resources and expertise of Johns Hopkins to over 150 countries around the world. In the process, they have trained tens of thousands of people to be reliable healthcare providers.

This was no easy task. Over the past 40 years, Jhpiego has worked in some of the most remote areas of the world. Undaunted by this challenge, Jhpiego employees have learned to thrive under difficult and sometimes dangerous conditions.

Mr. Speaker, I hope you will join me in recognizing Jhpiego and congratulating them on their 40th anniversary. This outstanding organization has made a tremendous impact, saving lives and improving quality of life around the world.

PERSONAL EXPLANATION

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. MARCHANT. Mr. Speaker, due to my flight to Washington, DC arriving late yesterday, I unexpectedly missed the following rollcall votes:

On rollcall 245, passage of H.R. 876, Idaho Wilderness Water Resources Protection Act, I would have voted "yea."

On rollcall 246, passage of H.R. 253, Y Mountain Access Enhancement Act, I would have voted "yea."

On rollcall 247, passage of H.R. 862, To authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners on an erroneous survey conducted in May 1960, I would have voted "yea."

PERSONAL EXPLANATION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. GEORGE MILLER of California. Mr. Speaker, I was unavoidably detained yesterday and missed roll Nos. 245, 246, and 247. Had I been present, I would have voted "yea" on each of those votes.

HONORING LUTHER BUCKLEY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mr. Luther Buckley who was born and reared in Jackson, Mississippi.

Mr. Buckley began his early education at the St. Marks Episcopal School, and completed his elementary and secondary school education at Smith Robertson Elementary School and Lanier High School.

Upon graduation from Lanier High School, Mr. Buckley enlisted in the United States Army, serving the majority of his enlistment in the European Theater of Operations. After completing his tour of duty, he returned to Jackson where he resumed his educational experiences.

Mr. Buckley received a B.S. Degree from Jackson State University and a M.A. Degree in School Administration from Western Reserve University in Cleveland, Ohio. He has also done further study at the University of Oklahoma, Atlanta University, Mississippi State University and Mississippi College.

Mr. Buckley's professional experiences began as a principal in Leflore County Schools in 1948. In 1955 he moved to the Jackson Public Schools where he served one year as principal of Brinkley Junior High School and thirty-one years as principal of Lanier High School. He retired from then Jackson Public Schools in June 1987.

Throughout Mr. Buckley's career, he has maintained many professional affiliations: a long standing member of the National Association of Secondary School Principals, Mississippi Association of Secondary School Principals and the Phi Delta Kappa Professional Education Fraternity. He has also served as Vice President of the Third District Teachers Association, and on the boards of numerous organizations such as: Mississippi High Schools Activities Association, Magnolia State High School Activities, Mississippi Secondary School Principals Association, American Red Cross, Crime Stoppers of Jackson, Jackson State University Athletic Affairs and Mississippi Retired Public Employees Association (PERS).

A highlight in Mr. Buckley's professional career was his selection as a member of the Danforth School Administrations' Fellowship program, a selection which enabled participating administrators to tour school districts of the program participants and participates in numerous out-of-state seminars.

On April 2, 1987 Mr. Buckley received the "Spirit of Mississippi Award" from Television Station WLBT for his educational contributions to the City of Jackson and the State of Mississippi.

Mr. Buckley is a member of the Omega Psi Phi Fraternity, Beta Alpha Chapter, and the Central United Methodist Church where he serves as a member of the Trustee Board.

Mr. Buckley has two children and six grandchildren.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Luther Buckley for his dedication to serving others.

RECOGNIZING THE 25TH ANNIVERSARY OF THE FOUNDING OF THE ARLINGTON FOOD ASSISTANCE CENTER

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. MORAN. Mr. Speaker, I rise today to celebrate the 25th anniversary of the founding of the Arlington Food Assistance Center (AFAC). Arlington County is the third wealthiest county in the United States; amidst this wealth, many residents and their families do not have the resources to adequately provide nutrition for either themselves or their families. This group includes many different groups in our society—the disabled, elderly, unemployed, under-employed, and homeless students in Arlington public schools.

Hunger is the physical sensation that results from not having enough food to eat. However, when talking about "hunger in America," what is often meant is more accurately called "food insecurity." Food insecurity is defined as a lack of access to enough food to fully meet basic needs due to lack of financial resources. A recent survey of Arlington County residents found that more than 4 in 10 individuals making $60,000 or less are having these struggles. Nearly 15,000 people in Arlington County currently suffer from food insecurity.

In early 1988, a small group of concerned citizens in Arlington County gathered together their resources to found an organization whose sole purpose was to alleviate hunger among their neighbors in need. This group was soon joined by six congregations, all of whom operated food pantries serving small groups of families. Since then, AFAC has grown into the largest food bank serving Arlington County and is the only organization in the County solely dedicated to alleviating hunger.

At the time of its founding, AFAC was serving approximately 200 families. AFAC has grown considerably since then. They currently distribute food to over 1,600 families and almost 4,500 individuals through 16 locations spread across the County. Over 35 percent of their clients are children. The elderly, who often have to choose between food or medicine, make up 30 percent of their clientele.

Annually, this organization seeks to lower the incidence of hunger in our community by distributing over three million pounds of fresh vegetables and fruit, meat, eggs, milk, bread, and other groceries.

Mr. Speaker, I am pleased to take this opportunity to honor the Arlington Food Assistance Center as it marks 25 years of dedicated service to the residents of Arlington County.

A SPECIAL TRIBUTE TO THE DEFIANCE BULLDOGS

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. LATTA. Mr. Speaker, it is with a great deal of pride that I rise to pay a very special tribute to an outstanding high school baseball team in Ohio's Fifth Congressional District. The young men of the Defiance High School baseball team have represented their school ably on their way to achieving the Division II State Baseball Championship.

In their effort to surpass all other teams in the Division II State Baseball Championship Game, the Defiance Bulldogs overcame the challenges posed by intense competition.

In pursuing the State Championship, the Defiance Bulldogs defeated Plain City Jonathan Alder to claim their second state championship in their fourth appearance at the state baseball championship game. In winning the Division II Boys Baseball State Championship, the members of this very special team have shown that their sport requires an individual effort for a team result and great support from their community. As a direct outcome of their hard work and dedication on and off the field, their accomplishment is truly outstanding.

Mr. Speaker, I ask my colleagues to join me in paying special tribute to the 2013 Defiance High School baseball team. On behalf of the people of the Fifth District of Ohio, I am proud to recognize this great achievement.

INTRODUCTION OF THE SALLY K. RIDE CONGRESSIONAL GOLD MEDAL

HON. SCOTT H. PETERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. PETERS of California. Mr. Speaker, today on the 30th anniversary of Dr. Sally Ride's historic journey into space, I am introducing the Sally K. Ride Congressional Gold Medal Act of 2013 because of what Dr. Ride meant to this country as a pioneer.

Dr. Ride was the first American woman to fly into space. Flying on the seventh space shuttle flight, which was launched on June 18, 1983, she helped deploy two communications satellites including piloting the shuttle's robotic arm to capture a satellite for the first time. Dr. Ride's flight into space came at a time when women in the United States were shattering the glass ceiling becoming leaders in science and math.

Dr. Ride's extraordinary courage and pioneering spirit paved the way for future female astronauts. Her ride to space was an inspiration for young women to dream. As Gloria Steinem wrote at the time, ''millions of little girls are going to sit by their television sets and see they can be astronauts, heroes, explorers and scientists.'' As the Associate Administrator for the Shuttle Program, Lieutenant General James Abrahamson stated in 1983, the next ''milestone'' would be ''when ladies go into space and nobody notices, they just take it for granted.'' Thirty years after Sally Ride's historic flight we know that to be true.

What made Dr. Ride truly extraordinary was her work after 1983 to ensure that the children of our country would be able to follow in her footsteps and create their own legacies. After flying into space one more time in 1984, serving on the Rogers Commission investigating the Challenger disaster, and leading NASA's long range and strategic planning efforts, Dr. Ride left NASA in 1987. She received numerous awards including Jefferson Award for Public Service, the von Braun Award, the Lindbergh Eagle and the NCAA's Theodore Roosevelt Award. She has also twice been awarded the NASA Space Flight Medal. Dr. Ride was also inducted into the National Women's Hall of Fame and the Astronaut Hall of Fame. She became a Professor of Physics and Director of the California Space Institute at the University of California, San Diego. While teaching college students, she also endeavored to reach out to young children. Dr. Ride and her life-partner Tam O'Shaughnessy cowrote six children's books which focused on encouraging children to study science. Dr. Ride also founded EarthKAM (Earth Knowledge Acquired by Middle school students) in 1995, a NASA educational outreach program using cameras onboard the Shuttle and now the International Space Station to enable students, teachers, and the public to learn about Earth from the unique perspective of space. In 2001, she founded a company with the goal of creating entertaining science programs and publications for elementary and middle school students with a focus on girls.

As we look to honor Dr. Ride, it is important to note that Dr. Ride never let her symbolic accomplishments overshadow the importance of her life's work pushing our country to explore and continuing to lead the charge of getting more women into the sciences. Commenting on her inspiring flight in 1983, Dr. Ride stated, ''It's too bad this is such a big deal. It's too bad our society isn't further along.'' This Medal is meant to serve both as a testament to the extraordinary American that Dr. Sally Ride was and as a reminder that we must protect her legacy by being forever vigilant to ensure that future Sally Rides are able to pursue their dreams.

The Navy recently named the next ocean-class auxiliary general oceanographic research ship after her to honor her legacy. As Secretary of the Navy Ray Mabus said, ''Sally Ride's career was one of firsts and will inspire generations to come.''

In closing, I believe that awarding this congressional gold medal will be a fitting, though long overdue, recognition by Congress of all Dr. Ride contributed to our great nation.

PERSONAL EXPLANATION

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, on rollcall No. 246 I was attending a funeral.

Had I been present, I would have voted ''yea.''

HONORING VIRGINIA STEWART

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. ENGEL. Mr. Speaker, Virginia Stewart has led a full and productive life with a career in the health care system starting with her cum laude degree from the College of New Rochelle in Health Administration.

She was a community outreach worker at Harlem Hospital, the neighborhood where she was born, and was promoted to Assistant Director and then Administrator for Family Planning and Women's Health Initiatives. In time she became Director of Outpatient Services for the Department of Obstetrics and Gynecology until her retirement in 1991.

In 1971 she had moved to Co-op City and for the past 27 years has been a member of the Goodwill Baptist Church where she is Secretary of the Usher Board. In retirement she has not stopped becoming a community activist and an active member of several Co-op City community organizations. She has also become involved in polities, being elected several times as a Judicial Delegate for the 82nd Assembly District, and is currently an Election monitor for that District.

Among her many activities at Co-op City was Treasurer and Publicist of the Retirees of Dreiser Loop, as well as the second women president in the group's 40 year history, now in her second term.

She is a member of the Harriet Tubman Democratic Club, and served for several years as its Recording Secretary. She is also a member of the Co-op City and Williamsbridge Branches of the NAACP, the National Organization of AARP, and the Coalition of African American Churches and Community Organizations.

She and her husband Kenneth married in 1951 and have four children.

Virginia Stewart is that godsend to a community, someone who is caring and active in its many organizations. I am proud to join with the people and organizations of Co-op City in honoring her for her many contributions to her community and the people in it.

HONORING MARGARET ANN BEALE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Chaplain Margaret Ann Beale.

Chaplain Beale is the 4th out of 10 children. She was born in Pine Bluff, Arkansas, but was raised in Helm, Mississippi, where she has lived all of her life. She has 3 children: Steve, Felecia and Ashley; 4 grandchildren; and, 1 great-grandchild.

She is a 1966 graduate from Briech High School in Leland, Mississippi. After high school, she worked various jobs, but it was not until 2007, when she became a librarian assistant. As of today, she is still holding this position where she has to do clerical work, organizing, stocking, hosting events, and assisting the public with their needs.

Mr. Speaker, I ask my colleagues to join me in recognizing Chaplain Margaret Beale for her dedication to serving others.

CELEBRATING DIA DE PORTUGAL

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. COSTA. Mr. Speaker, I rise today along with my colleagues Mr. VALADAO of California, Mr. CICILLINE of Rhode Island, Mr. NUNES of California, Mr. HONDA of California, Mr. LANGEVIN of Rhode Island, and Ms. LOFGREN of California to recognize Dia de Portugal and to again state the importance of a strong relationship between the United States and Portugal. Dia de Portugal celebrates the heritage of the Portuguese people and their descendants and is recognized around the world on June 10th.

Vibrant Portuguese communities are scattered across the United States from Massachusetts and Rhode Island to California and Hawaii. The latest census estimates that more than 1.3 million individuals living in the United States are of Portuguese ancestry, and they have been making positive contributions to our society for decades.

The ties between the United States and Portugal are critical and date from the earliest years of the United States. Following the Revolutionary War, Portugal was among the first countries to recognize the United States. On February 21, 1791, President George Washington opened formal diplomatic relations, and the oldest continuously-operating U.S. Consulate in the world, since 1795, is in Ponta Delgada on the island of São Miguel in the Azores.

Portugal is an integral member of the European Union, a founding member of the North Atlantic Treaty Organization (NATO), and an important strategic partner in the Mediterranean and beyond. As such, the United States-Portugal defense relationship is strong and must remain so. Central to this relationship is the U.S. Air Force's 65th Air Base Wing at Lajes Field on Terceira Island in the Azores. Having bolstered the United States' and its allies' control of the Atlantic since World War II, Lajes Field is a valuable asset that must be maintained.

Mr. Speaker, we join with the people of Portugal and our Portuguese American constituents in wishing everyone celebrating across the globe a wonderful Dia de Portugal.

THE INTRODUCTION OF THE SALLY K. RIDE CONGRESSIONAL GOLD MEDAL ACT OF 2013

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, 30 years ago today, Sally Ride became the first American woman to travel into space. For that, she will be forever enshrined in history. But as impressive as that feat was, she made many other contributions to our country that were just as important. In recognition of all of her achievements, today I am pleased to be an original cosponsor of the Sally K. Ride Congressional Gold Medal Act of 2013, which was introduced by my colleague Representative SCOTT PETERS.

Sally Ride was a newly minted Ph.D. physicist when she joined the National Aeronautics and Space Administration in 1978. During her service in the astronaut corps, she participated in two Space Shuttle missions: STS–7 in 1983 and STS–41G in 1984. While training for her third mission, the Space Shuttle *Challenger* disaster occurred, which ended her service as an astronaut. In the aftermath of the disaster, Dr. Ride was selected to serve on the Presidential commission investigating the accident. She would later go on to serve as a member of the Space Shuttle Columbia Accident Investigation Board, becoming the only person to serve on both Space Shuttle accident investigation boards.

After her service at NASA, Dr. Ride became a professor of physics at the University of California, San Diego, as well as the Director of the California Space Institute. In addition to her teaching at UC San Diego, Dr. Ride was heavily involved with programs to increase science, technology, and mathematics (STEM) educational achievement in young women. To this end, in 2001 she co-founded a company that creates entertaining science programs for elementary and middle school students. Dr. Ride was also a prolific writer of children's books.

Sadly, in July of last year, Dr. Ride passed away after a battle with cancer.

During her life, Sally Ride was honored and recognized many times. However, she was never awarded a Congressional Gold Medal. I think we can all agree that this was an unfortunate oversight on the part of Congress, and we should expeditiously move forward with this legislation to posthumously recognize Dr. Ride's achievements.

I hope that as we work to pay tribute to this extraordinary woman, we also work to honor the legacy of her achievements. We can best honor that legacy by ensuring a strong and healthy space program, by rededicating our scientific and educational agencies to the cause of improving STEM education, and by striving to ensure that all young people, regardless of race or sex or creed, believe that they too can reach for the stars.

COMMEMORATING GARY AND JUDI SAMUEL'S 50TH ANNIVERSARY

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize and honor the 50th wedding anniversary of Gary and Judi Samuel.

Gary and Judi Samuel were married on June 1, 1963. Since then, Gary has served as the president of Portable Livestock Shelters and Judi is a partner at Debco Management, Inc. Gary and Judi are also members of Second Baptist Church in Springfield.

Gary and Judi have two children, a daughter, Sherry, and a son, Greg. They are also blessed with five granddaughters.

I am proud of Gary and Judi Samuel and am honored to call them my neighbors in the 7th Congressional District of Missouri. This milestone shows what true devotion Gary and Judi have to one another. I wanted to take this opportunity to commemorate their 50th anniversary. May God bless them with many more happy and loving years together.

THE INTRODUCTION OF THE NATIONAL PATRIOTS MEMORIAL ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Ms. NORTON. Mr. Speaker, I rise to introduce the National Patriots Memorial Act today, the anniversary of the start of the War of 1812, a war that was fought in the streets of Washington, D.C. The bill would authorize the establishment of a memorial on federal land in the District of Columbia to honor the patriots of the Revolutionary War and the War of 1812, as well as our international allies that fought in support of preserving our nation's freedom during these wars. Funding for the memorial will come entirely from private funds provided by the Benjamin Harrison Society, which suggested the memorial. The National Patriots Memorial will be an important addition to the nation and the District of Columbia alike. It will preserve and help educate the nation about both the Revolutionary War and the War of 1812, and the link to our own city. The National Patriots Memorial would remind the nation that D.C. residents fought in the Revolutionary War, the war that created the nation itself, the War of 1812, and every war since. The memorial also will serve to educate visitors to the nation's capital about the early years of our country's issues, conflicts, and growth. I urge my colleagues to support the bill.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $16,738,664,595,327.64. We've added $6,111,787,546,414.56 to our debt in 4.5 years. This is $6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING DR. SANDRA CARR HAYES

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Dr. Sandra Carr Hayes.

Dr. Sandra Carr Hayes, a graduate of Tougaloo College, is the Executive Director of the Tougaloo College Health and Wellness Center and Interim Director for the Tougaloo College Institute for Bio Health and Informatics. In this capacity, Dr. Hayes works with national, state and local organizations to improve health and reduce health disparities. She also serves as the Principal Investigator of four federally funded grants and one state funded grant. Her programs reach as far as the Mississippi Delta.

Her work on health disparities has taken her to Kenya, Africa where she conducted research which resulted in the production of a book entitled, ''The State of HIV/AID/TB Co-Infections in Kenya: The Impact of Environment, Resource Management and Culture.'' Her health disparities work has also resulted in the development of a chapter featured in the book entitled ''Diabetes in Black America: Public Health and Clinical Solutions to a National Crisis.''

Over 10 years, Dr. Hayes has co-authored numerous manuscripts that have explored health disparities related to the development of infectious and chronic diseases, such as HIV/AIDS, TB, diabetes, and asthma. In addition, she serves on the editorial board of the National AHEC Organization Journal and as a peer reviewer for Health Promotion and Practice.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. Sandra Carr Hayes for her dedication to serving others.

HONORING RETIRED BRIGADIER GENERAL WALTER SCHELLHASE

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. SMITH of Texas. Mr. Speaker, I would like to commend Brigadier General Walter Schellhase (Retired) for his service to his country, community and fellow veterans as he retires as the President of the Hill Country Veterans Council.

During his nearly two decades as an officer and member of the Board of Directors of the Hill Country Veterans Council, General Schellhase has worked tirelessly as an advocate for the needs of veterans. In addition to his work with the Veterans Council, General Schellhase has served on the Boards of the Kerrville Economic Development Corporation, the Kerr County Historical Commission, and was named Citizen of the Year by the Kerrville Area Chamber of Commerce.

General Schellhase's efforts on behalf of his fellow veterans and citizens are certainly commendable. We thank him for his many years of public service.

HONORING THE CITY OF RICHMOND

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. MESSER. Mr. Speaker, I rise today to recognize the City of Richmond, Indiana.

This week, Indiana Lt. Governor Sue Ellspermann announced the city of Richmond, joined by Bedford, Indiana, as the newest Indiana Stellar Community award winners. Launched in 2011, Stellar Communities is a collaboration among multiple State agencies that pool funding sources to assist winning communities in achieving their long-term comprehensive strategic goals for community development.

Richmond's winning proposal included positively enhancing the quality of life for residents through the addition of new senior housing, improved transportation and bike trails, downtown redevelopment, and increased Wi-Fi connectivity.

These grants are an excellent integration of local initiatives and state agency expertise to develop and build stronger communities. I commend the Richmond Mayor, Sally Hutton, and her office's leadership in developing a winning proposal for the City.

I ask the 6th Congressional District to join me in congratulating the leadership, businesses, and citizens of the city of Richmond for their newest designation as an Indiana Stellar Community.

A FIRST SOFTBALL TITLE FOR HIGH POINT CHRISTIAN

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. COBLE. Mr. Speaker, there is a school in the Sixth District of North Carolina that just won its first ever state softball title. I would like to take this time to congratulate all who contributed to this historic achievement.

High Point Christian Academy's softball team has exemplified determination and an exceptional work ethic in its quest for a state title. The HPCA Cougars placed second in the state tournaments of 2011 and 2012. Their continued hard work and perseverance, however, paid off even more in 2013. The team finished the regular season 20–3, and entered the North Carolina Independent School Athletic Association 3A Championship Tournament in Gastonia as the first seed.

Led by Head Coach Jeremy Cecil, the team defeated Wesleyan Christian Academy 10–8 in an elimination game on Friday, May 17, 2013. The Cougars needed three wins on Saturday to claim the championship, but they were not intimidated in the slightest. They began their Saturday win streak with a 14–4 win over Metrolina Christian. The Cougars then swept second-seeded Hickory Grove in a best-of-three final series to clinch the championship, winning 1–0 and 5–4.

The state champions include Lindsay Cecil, Austen Coats, Maddie Faulkner, Sydney Harris, Kirsten Hart, Ashlyn Kennedy, Abigail Lyle, Sloane McPeak, Rachel Norris, Lindsay Payne, Hannah Self, and Nikki Zittinger. Cecil, McPeak, and Kennedy were also named 2013 All-State Team Members.

It has been an exciting season for the students, faculty, staff, and families of High Point Christian Academy. On behalf of the Sixth District of North Carolina, we congratulate HPCA Headmaster Richard Hardee, High School Principal Keith Curlee, Athletic Director Corey Gesell, Head Softball Coach Jeremy Cecil, Assistant Softball Coaches Bryan Coats, Jessica Burcham, Shane Kennedy, and Brad Self. Congratulations to the 2013 softball team on its NCISAA 3A State Championship.

HONORING SISTER SHEILA LYNE

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize Sister Sheila Lyne, RSM, who is retiring after decades of service to Mercy Hospital. She is a recognized leader in the effort to improve the health and wellness of the residents of the city of Chicago.

Sister Sheila was born and raised on the South side of Chicago. She got her MBA from the University of Chicago, and joined the community of Sisters of Mercy in 1953. After earning her Psychiatric Nursing degree, she began her tenure at Mercy Hospital & Medical Center in 1970. In 1976, Sister Sheila assumed the role of President and CEO at Mercy.

In 1991, Sister Sheila was appointed by Mayor Richard M. Daley as Commissioner of Public Health for the City of Chicago. Under her leadership as Commissioner of Public Health, the city saw the infant mortality rate decrease by 6% and immunization rates rise to 73% from 27%.

In 2000, she returned to Mercy to resume her former role of President and CEO and face a challenging turnaround effort. Each year over the past 12 years, Mercy has made significant strides forward in serving our community, and now boasts a nationally-recognized Heart & Vascular Center, one of the city's few Certified Stroke Centers, eleven medical satellite centers, and a completely state-of-the-art digital Breast Care Center, all under Sister Sheila's distinguished and direct leadership.

Sister Sheila has been a leading voice for quality health for all people and an inspiration

to those of us working to shape policy in a humane and comprehensive way.

PERSONAL EXPLANATION

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, on rollcall No. 247 I was attending a funeral.

Had I been present, I would have voted ''yea.''

CELEBRATING DIXON LONG ON HIS 80TH BIRTHDAY

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. HUFFMAN. Mr. Speaker, it gives me great pleasure to recognize Mr. Dixon Long on the occasion of his 80th birthday on June 21, 2013. Mr. Long's many contributions as a board member and donor of the Strybing Arboretum in San Francisco, supporter of the Holden Arboretum in Mentor, Ohio, and supporter of the Trust for Public Land, have been a great benefit to our Nation's environment.

In addition to his extensive involvement in these organizations, Dixon was also a professor of Political Science and dean of Western Reserve College, helping to educate the next generation of political thinkers and office holders. During his academic tenure, Mr. Long wrote extensively about the intersection of science, technology and public policy.

Dixon's passion for writing moved beyond academia. He published a number of novels, short stories, and travel guides since returning to Mann County. His love of learning, passion for teaching, commitments to public engagement, and preserving the environment are worthy of commendation.

Please join me in expressing deep appreciation to Mr. Dixon Long for his long and impressive career, and exceptional record of service.

HONORING TOREY BELL

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable civil servant, Mayor Torey Bell.

On March 29, 1996, Torey ran for the Office of Aldermen and was sworn in and appointed as the Vice-Mayor of the Town of Doddsville, MS on July 2, 1996. He was overwhelmingly elected on June 2, 2000, garnering nearly 90 percent of the vote. During his campaign, he pledged to help reunite the town by: focusing on cleaning up failed State's reporting; documentation; seeking a stable building for operation and town business; community beautification; gaining a collaborative approach to water and sewage; having safer streets in all neighborhoods; and restoring fiscal responsibility to city government.

Mayor Torey Bell Administration began the task of moving forward in accomplishing the Mayor's four top priorities: improving community education and awareness for all elderly and children; creating better water control procedures and policies; providing economic development opportunities for all town residents, and making sure residents feel safe in the neighborhood in which they live by ensuring that the city is fiscally sound. Mayor Bell also is focused on achieving self-sufficiency and full democracy for Town of Doddsville and taxpayers and improving their health outcomes.

A native of Sunflower County, Mayor Bell has tirelessly advocated for the residents of the Town for more than 20 years. His dedication to children and their families has been the hallmark of his service in both city government and the non-profit sector. His lifetime of public service to the Sunflower County can be best summed up by a singular governing philosophy—''that a man's heart plans his way, but God directs his footstep.''

His disciplined approach to public service was born from humble beginnings. He grew up in a single parent home and some apartment life in Sunflower, Mississippi until marriage brought James R. Haywood, Sr. in his life. Although his parents were limited to the things they could offer the family of four boys, they instilled in their sons a solid work ethic, strong community ethics and deeply rooted values. Mayor Bell attended East Sunflower Elementary and Ruleville Junior High Schools, and graduated at the age of 17 from Ruleville Central High School, where he excelled in school social relations, High School pride support and sports.

Despite his athletic talents in basketball and baseball, the Mayor chose to continue his education and service by joining the Army during the Gulf War. After returning home, Mayor Bell became an Orderly and an Ambulance Driver at the South Sunflower County Hospital. While serving the community in the medical field, he went to Mississippi Delta Community College where he graduated from the Emergency Medical Technician program. He later went to work for the Northern part of the county community by joining the North Sunflower County Hospital team, where he worked with many others as well as the Walter B Crook Nursing Facility, X-Ray Department and surgery team. He later joined the ranks of Sunflower County Sheriff Department to continue his county-wide service. Subsequently, he was accepted and admitted into the 10th District Masonic Fraternity and later, joined the Order of Eastern Stars.

Mayor Bell began his community service career with local summer baseball teams and basketball leagues. In Sunflower County, he successfully advocated for innovative policy initiatives on behalf of children with very little resources, limited positive mentoring and recreational events and chaired the initiative that lead to the uncovering of abusive administrative powers, fraudulent spending, poor child educational environment and unfair labor within the County school institution.

In 1999, Mayor Bell was appointed to serve as mentor and supporting counselor for the Collaborative Mayor's Initiative for Sunflower and Bolivar County small towns. He spearheaded the implementation of several initiatives to address the developmental needs and community awareness to help direct Mayors to productive partnerships and implement policies that would support overall growth and developments.

In his first term as Mayor, he helped lead a successful campaign to purchase and renovate a real estate office to become Doddsville first official City Hall. Within that same year, he joined others to improve water quality and replace out dated equipment to improve the water and sewage system. Later, he began another campaign to rescue nine lots seized by Mississippi Home Corp in the NR Subdivision to help build single family homes with a multipurpose community center in the Town of Doddsville.

Mayor Bell's dedication to his community and the residents inspired a successful campaign for re-election to office in 2004, with no challengers in the primary. During his second term as mayor, he collaborated with Special Committees throughout the State to help educate and bring awareness to help control and Prevent Youth Violence, and supported HIV/AIDS initiative. While working to establish this support, Mayor Bell worked to obtain enough funds through MDA to rehab all senior citizens owned homes in Doddsville to Energy efficacy homes.

Mayor Bell worked long hours to lead the community into efforts to improve the Council's operations, transparency and oversight for capacity, and was a true champion for positive quality of living for kids and senior citizens. Eventually, the Mayor worked to help improve fire protection in the community by obtaining land to construct a fire truck's house and a fire truck for the community. The Mayor's diligence resulted in those goals being met in September of 2007. Later, Mayor Bell worked with others to help gain funds to improve streets throughout the community. His love for his community allowed him to start community property clean ups, advocating for the saving of the town's post office and jobs, obtain funds to meet the state's mandates for sewage system by-waste products and is currently working to establish partnership to help residents with home purchasing, financing and credit management.

Mayor Bell has lived in the Doddsville neighborhood for more than 17 years. His wife, Lisa, is an outstanding public school accountant in the Cleveland Public Schools and currently seeking office as town Alderman for the 2013–2017 term. He has four children, Torey Bell Jr., Simeon, Nathan and Nigel. Mayor Bell is the oldest of four sons of Deloris Jean Haywood and James R. Haywood Sr. He gives credit to his success as a public servant to God first, teachings from his mother and father, support from his wife and family, a trusting and dedicated board of aldermen, Gregory Associates, Gardner Engineering, a faithful city clerk and a supportive Mentor.

Mr. Speaker, I ask my colleagues to join me in recognizing Mayor Torey Bell for his dedication to serving others and giving back to his community.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4535–S4621

Measures Introduced: Eleven bills and four resolutions were introduced, as follows: S. 1172–1182, S.J. Res. 18–19, and S. Res. 173–174. **Page S4585**

Measures Passed:

World Press Freedom Day: Senate agreed to S. Res. 143, recognizing the threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in the efforts of the United States Government to promote democracy and good governance on the occasion of World Press Freedom Day on May 3, 2013. **Page S4619**

National Child Awareness Month: Senate agreed to S. Res. 173, designating September 2013 as ''National Child Awareness Month'' to promote awareness of charities benefiting children and youth-serving organizations throughout the United States and recognizing efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States. **Page S4620**

American Eagle Day: Senate agreed to S. Res. 174, designating June 20, 2013, as ''American Eagle Day'', and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States. **Page S4620**

Measures Considered:

Border Security, Economic Opportunity, and Immigration Modernization Act—Agreement: Senate continued consideration of S. 744, to provide for comprehensive immigration reform, taking action on the following amendments proposed thereto: **Pages S4546–54, S4554–74**

Adopted:

Landrieu Amendment No. 1222, to apply the amendments made by the Child Citizenship Act of 2000 retroactively to all individuals adopted by a citizen of the United States in an international adoption and to repeal the pre-adoption parental visitation requirement for automatic citizenship and to amend section 320 of the Immigration and Nationality Act relating to automatic citizenship for children born outside of the United States who have a United States citizen parent. (A unanimous-consent agreement was reached providing that the requirement of a 60 affirmative vote threshold, be vitiated.) **Pages S4546, S4558**

By a unanimous vote of 94 yeas (Vote No. 153), Tester Amendment No. 1198, to modify the Border Oversight Task Force to include tribal government officials. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmative votes, be agreed to.) **Pages S4546, S4559**

Rejected:

By 39 yeas to 54 nays (Vote No. 151), Thune Amendment No. 1197, to require the completion of the 350 miles of reinforced, double-layered fencing described in section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 before registered provisional immigrant status may be granted and to require the completion of 700 miles of such fencing before the status of registered provisional immigrants may be adjusted to permanent resident status. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S4546, S4548–54, S4558**

By 36 yeas to 58 nays (Vote No. 152), Vitter Amendment No. 1228, to prohibit the temporary grant of legal status to, or adjustment to citizenship status of, any individual who is unlawfully present in the United States until the Secretary of Homeland Security certifies that the US–VISIT System (a biometric border check-in and check-out system first required by Congress in 1996) has been fully implemented at every land, sea, and air port of entry and Congress passes a joint resolution, under fast track procedures, stating that such integrated entry and exit data system has been sufficiently implemented. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S4546, S4558–59**

Pending:

Leahy/Hatch Amendment No. 1183, to encourage and facilitate international participation in the performing arts. Page S4546

A unanimous-consent agreement was reached providing that the following amendments be in order to be called up and that they not be subject to modification or division, with the exception of the technical modifications to the Merkley and Paul amendments contained in this agreement: Manchin Amendment No. 1268; Pryor Amendment No. 1298; Merkley Modified Amendment No. 1237; Boxer Amendment No. 1240; Reed Amendment No. 1224; Cornyn Amendment No. 1251; Lee Amendment No. 1208; Paul Modified Amendment No. 1200; Heller Amendment No. 1227; and Cruz Amendment No. 1320; that no second-degree amendments be in order to any of these amendments prior to votes on or in relation to the amendments. Page S4571

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Wednesday, June 19, 2013. Page S4620

Messages from the House: Page S4583

Measures Referred: Page S4583

Executive Communications: Pages S4583–85

Additional Cosponsors: Pages S4585–87

Statements on Introduced Bills/Resolutions: Pages S4587–91

Additional Statements: Pages S4582–83

Amendments Submitted: Pages S4591–S4619

Notices of Hearings/Meetings: Page S4619

Authorities for Committees to Meet: Page S4619

Record Votes: Three record votes were taken today. (Total—153) Pages S4558–59

Adjournment: Senate convened at 10 a.m. and adjourned at 7:42 p.m., until 9:30 a.m. on Wednesday, June 19, 2013. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4620.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies approved for full committee consideration an original bill making appropriations for agriculture programs for fiscal year 2014.

APPROPRIATIONS: MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES

Committee on Appropriations: Subcommittee on Military Construction and Veterans Affairs, and Related Agencies approved for full committee consideration an original bill making appropriations for Military Construction and Veterans Affairs, and Related Agencies for fiscal year 2014.

REVERSE MORTGAGE LOANS

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing, Transportation and Community Development concluded a hearing to examine long term sustainability for reverse mortgages, focusing on the Home Equity Conversion Mortgage's (HECM) impact on the mutual mortgage insurance fund, including S. 469, to assist the Secretary of Housing and Urban Development in stabilizing the Home Equity Conversion Mortgage program, after receiving testimony from Lori A. Trawinski, AARP Public Policy Institute, West Paterson, New Jersey; Odette Williamson, National Consumer Law Center, Hyde Park, Massachusetts; Ramsey L. Alwin, National Council on Aging, Kennebunkport, Maine; and Peter H. Bell, National Reverse Mortgage Lenders Association, Washington, DC.

DEPARTMENT OF EDUCATION BUDGET

Committee on the Budget: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2014 for education, after receiving testimony from Arne Duncan, Secretary of Education.

NOMINATION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nomination of Thomas Edgar Wheeler, of the District of Columbia, to be a Member of the Federal Communications Commission, after the nominee testified and answered questions in his own behalf.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 28, to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, with amendments;

S. 155, to designate a mountain in the State of Alaska as Denali;

S. 159, to designate the Wovoka Wilderness and provide for certain land conveyances in Lyon County, Nevada, with amendments;

S. 255, to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws, with an amendment;

S. 285, to designate the Valles Caldera National Preserve as a unit of the National Park System, with an amendment;

S. 327, to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services, with an amendment in the nature of a substitute;

S. 340, to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, with an amendment in the nature of a substitute;

S. 341, to designate certain lands in San Miguel, Ouray, and San Juan Counties, Colorado, as wilderness, with amendments;

S. 353, to designate certain land in the State of Oregon as wilderness, to make additional wild and scenic river designations in the State of Oregon, with an amendment in the nature of a substitute;

S. 360, to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service, with amendments;

S. 486, to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, with an amendment in the nature of a substitute; and

S. 783, to amend the Helium Act to improve helium stewardship, with an amendment in the nature of a substitute.

HEALTH CARE COSTS

Committee on Finance: Committee concluded a hearing to examine health care costs, after receiving testimony from Steven Brill, TIME Magazine, New York, New York; Suzanne F. Delbanco, Catalyst for Payment Reform, and Giovanni, Colella, Castlight Health, Inc., both of San Francisco, California; and Paul B. Ginsburg, Center for Studying Health System Change, and National Institute for Health Care Reform, Washington, D.C.

DEMOCRATIC REFORM AND ECONOMIC RECOVERY IN ZIMBABWE

Committee on Foreign Relations: Subcommittee on African Affairs concluded a hearing to examine prospects for democratic reform and economic recovery in Zimbabwe, after receiving testimony from Donald Yamamoto, Acting Assistant Secretary of State, Bureau of African Affairs; Earl Gast, Assistant Administrator for Africa, United States Agency for International Development; and Dewa Mavhinga, Human Rights Watch, Mark L. Schneider, International Crisis Group, and Todd J. Moss, Center for Global Development, all of Washington, D.C.

UNITED STATES-MEXICO SECURITY RELATIONSHIP

Committee on Foreign Relations: Subcommittee on Western Hemisphere and Global Narcotics Affairs concluded a hearing to examine security cooperation in Mexico, focusing on the next steps in the United States-Mexico security relationship, after receiving testimony from Roberta S. Jacobson, Assistant Secretary for Western Hemisphere Affairs, and William R. Brownfield, Assistant Secretary for International Narcotics and Law Enforcement Affairs, both of the Department of State; Mark Feierstein, Assistant Administrator for Latin America and the Caribbean, United States Agency for International Development; Shannon K. O'Neil, Council on Foreign Relations, and Nik Steinberg, Human Rights Watch, both of New York, New York; and Duncan Wood, Woodrow Wilson International Center for Scholars Mexico Institute, Washington, D.C.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Daniel M. Tangherlini, of the District of Columbia, to be Administrator of General Services, after the nominee testified and answered questions in his own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 2407–2409, 2411–2426; 1 private bill, H.R. 2427; and 3 resolutions, H.J. Res. 50; and H. Res. 269–270, were introduced. **Pages H3758–59**

Additional Cosponsors: **Pages H3759–60**

Reports Filed: Reports were filed today as follows:

H.R. 2410, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2014, and for other purposes (H. Rept. 113–116) and

H. Res. 271, providing for further consideration of the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes (H. Rept. 113–117).

Page H3758

Speaker: Read a letter from the Speaker wherein he appointed Representative Poe (TX) to act as Speaker pro tempore for today. **Page H3691**

Recess: The House recessed at 10:47 a.m. and reconvened at 12 noon. **Page H3696**

Chaplain: The prayer was offered by the guest chaplain, Reverend Bradley Hales, Reformation Lutheran Church, Culpeper, Virginia. **Page H3696**

Suspensions: The House agreed to suspend the rules and pass the following measures:

International Child Support Recovery Improvement Act of 2013: H.R. 1896, to amend part D of title IV of the Social Security Act to ensure that the United States can comply fully with the obligations of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, by a 2/3 yea-and-nay vote of 394 yeas to 27 nays, Roll No. 252; **Pages H3700–04, H3744**

Amending the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines: H.R. 475, to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines; and **Pages H3704–05**

Directing the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly: H.R. 1151, to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, by a 2/3 yea-and-nay vote of 424 yeas with none voting "nay", Roll No. 250. **Pages H3705–08, H3720–21**

Federal Agriculture Reform and Risk Management Act of 2013: The House began consideration of H.R. 1947, to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018. Consideration is expected to resume tomorrow, June 19th. **Pages H3721–30**

H. Res. 266, the rule providing for consideration of the bills (H.R. 1947) and (H.R. 1797), was agreed to by a yea-and-nay vote of 232 yeas to 193 nays, Roll No. 249, after the previous question was ordered by a yea-and-nay vote of 229 yeas to 196 nays, Roll No. 248. **Pages H3708–20**

A point of order was raised against the consideration of H. Res. 266 and it was agreed to proceed with consideration of the resolution by voice vote. **Pages H3708–10**

Recess: The House recessed at 6:02 p.m. and reconvened at 6:15 p.m. **Page H3743**

Pain-Capable Unborn Child Protection Act: The House passed H.R. 1797, to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, by a yea-and-nay vote of 228 yeas to 196 nays, Roll No. 251. **Pages H3730–43, S3743–44**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–15 shall be considered as adopted, in lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. **Page H3730**

Agreed to amend the title so as to read: "To amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.". **Page H3744**

H. Res. 266, the rule providing for consideration of the bills (H.R. 1947) and (H.R. 1797), was agreed to by a yea-and-nay vote of 232 yeas to 193 nays, Roll No. 249, after the previous question was ordered by a yea-and-nay vote of 229 yeas to 196 nays, Roll No. 248. **Pages H3708–20**

A point of order was raised against the consideration of H. Res. 266 and it was agreed to proceed with consideration of the resolution by voice vote. **Pages H3708–10**

Recess: The House recessed at 8:56 p.m. and reconvened at 12:45 a.m. on Wednesday, June 19th. **Page H3756**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H3700.

Senate Referral: S. 330 was referred to the Committees on Energy and Commerce and the Judiciary.
Page H3757

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings of today and appear on pages H3719–20, H3720, H3720–21, H3743, and H3744. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12:46 a.m. on Wednesday, June 19, 2013.

Committee Meetings

MISCELLANEOUS MEASURE

Committee on Appropriations: Subcommittee on Energy and Water Development held a markup on Energy and Water Development Appropriations Bill, Fiscal Year 2014. The bill was forwarded, without amendment.

PROMOTING THE ACCURACY AND ACCOUNTABILITY OF THE DAVIS–BACON ACT

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing entitled ''Promoting the Accuracy and Accountability of the Davis-Bacon Act''. Testimony was heard from Erica Groshen, Commissioner, Bureau of Labor Statistics; and public witnesses.

BIOWATCH AND THE SURVEILLANCE OF BIOTERRORISM

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Continuing Concerns Over BioWatch and the Surveillance of Bioterrorism''. Testimony was heard from Michael Walter, BioWatch Program Manager, Office of Health Affairs, Department of Homeland Security; and Toby L. Merlin, M.D., Director, Division of Preparedness and Emerging Infections, National Center for Disease Control and Prevention.

U.S. ENERGY ABUNDANCE: REGULATORY, MARKET, AND LEGAL BARRIERS TO EXPORT

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled ''U.S. Energy Abundance: Regulatory, Market, and Legal Barriers to Export''. Testimony was heard from Christopher A. Smith, Principal Deputy Assistant Secretary and Acting Assistant Secretary for Fossil Energy, Department of Energy; Jeff C. Wright, Director, Office of Energy Project, Federal Energy Regulatory Commission; Jennifer Moyer, Acting Chief, Regulatory Program, U.S. Army Corps of Engineers; Mike McGinn, Mayor, City of Seattle, WA; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee began a markup on H.R. 2218, the ''Coal Residuals Reuse and Management Act of 2013''; H.R. 2226, the ''Federal and State Partnership for Environmental Protection Act of 2013''; H.R. 2279, the ''Reducing Excessive Deadline Obligations Act of 2013''; and H.R. 2318, the ''Federal Facility Accountability Act''.

EXAMINING HOW THE DODD–FRANK ACT HAMPERS HOME OWNERSHIP

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled ''Examining How the Dodd-Frank Act Hampers Home Ownership''. Testimony was heard from public witnesses.

CFPB BUDGET REVIEW

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled ''CFPB Budget Review''. Testimony was heard from Stephen Agostini, Chief Financial Officer, Consumer Financial Protection Bureau.

ELECTIONS IN IRAN

Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa held a hearing entitled ''Elections in Iran: The Regime Cementing its Control''. Testimony was heard from public witnesses.

FUTURE OF THE TWIC PROGRAM

Committee on Homeland Security: Subcommittee on Border and Maritime Security held a hearing entitled ''Threat, Risk and Vulnerability: The Future of the TWIC Program''. Testimony was heard from Rear Admiral Joseph A. Servidio, Assistant Commandant for Prevention Policy, U.S. Coast Guard; Steve Sadler, Assistant Administrator, Office of Intelligence and Analysis, Transportation Security Administration; Stephen M. Lord, Director, Forensic Audits and Investigative Services, Government Accountability Office; and a public witness.

MISCELLANEOUS MEASURE

Committee on the Judiciary: Full Committee held a markup on H.R. 2278, the ''Strengthen and Fortify Enforcement Act''. The bill was ordered reported, as amended.

CITIZEN AND AGENCY PERSPECTIVES ON THE FEDERAL LAND RECREATION ENHANCEMENT ACT

Committee on Natural Resources: Subcommittee on Public Lands and Environmental Regulation held a hearing entitled "Citizen and Agency Perspectives on the Federal Land Recreation Enhancement Act". Testimony was heard from Pamela K. Haze, Deputy Assistant Secretary for Budget, Finance, Performance and Acquisition, Department of the Interior; Leslie Weldon, Deputy Chief, United States Forest Service, Department of Agriculture; Lewis Ledford, Director, North Carolina Division of Parks and Recreation; and public witnesses.

UPDATE FROM TRIBAL LEADERS AND TRIBAL TELECOMMUNICATIONS PROVIDERS ON THE UNIVERSAL SERVICE FUND

Committee on Natural Resources: Subcommittee on Indian and Alaska Native Affairs held a hearing entitled "Update from tribal leaders and tribal telecommunications providers on the implementation of the Federal Communications Commission's rule on the Universal Service Fund". Testimony was heard from public witnesses.

REINVENTING GOVERNMENT

Committee on Oversight and Government Reform: Full Committee held a hearing entitled "Reinventing Government". Testimony was heard from public witnesses.

FEDERAL AGRICULTURE REFORM AND RISK MANAGEMENT ACT OF 2013

Committee on Rules: Full Committee held a hearing on H.R. 1947, the "Federal Agriculture Reform and Risk Management Act of 2013". The Committee granted, by voice vote, a rule providing for further consideration of H.R. 1947 under a structured rule. The rule provides no additional general debate. The rule makes in order as original text for purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–14, modified by the amendment printed in part A of the Rules Committee report. That amendment in the nature of a substitute shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those further amendments printed in part B of the report and amendments en bloc described in section 3 of the resolution. Each amendment printed in part B of the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by its proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in part B of the report or against amendments en bloc as described in section 3 of the resolution. In Section 3, the rule provides that it shall be in order at any time for the chair of the Committee on Agriculture or his designee to offer amendments en bloc consisting of amendments printed in part B of the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Agriculture or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record. In Section 4, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Goodlatte and Representatives Conaway, Thompson (PA), Denham, Gibbs, Gohmert, Marino, Foxx, Petri, Whitfield, Pitts, Latta, Graves (GA), Stutzman, Brooks (AL), Duffy, Gosar, Huelskamp, Mulvaney, Radel, Costa, Jackson Lee, McGovern, Hastings (FL), Polis, Rangel, DeLauro, Eddie Bernice Johnson (TX), Blumenauer, Kind, Michaud, Welch, Speier, Cárdenas, Danny K. Davis (IL), Gabbard, and Kildee.

BUSINESS MEETING

Committee on Science, Space, and Technology: Full Committee held a business meeting, to consider an amendment to Committee Rules; approval of a resolution amending the Majority Subcommittee Roster; and approval of a resolution amending the Minority Subcommittee Roster. The Committee agreed to amend the Committee Rules. The Committee also agreed to the resolutions on the Majority and Minority Subcommittee Rosters.

DEPARTMENT OF ENERGY SCIENCE & TECHNOLOGY PRIORITIES

Committee on Science, Space, and Technology: Full Committee held a hearing entitled "Department of Energy Science & Technology Priorities". Testimony was heard from Ernest Moniz, Secretary, Department of Energy.

IMPACTS OF DOT'S COMMERCIAL DRIVER HOURS OF SERVICE REGULATIONS

Committee on Transportation and Infrastructure: Subcommittee on Highways and Transit held a hearing

entitled "The Impacts of DOT's Commercial Driver Hours of Service Regulations". Testimony was heard from Anne Ferro, Administrator, Federal Motor Carrier Safety Administration; and public witnesses.

VETERANS WAITING YEARS ON APPEAL

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing entitled "Why Are Veterans Waiting Years on Appeal?: A Review of the Post-Decision Process for Appealed Veterans' Disability Benefits Claims". Testimony was heard from the following Department of Veterans Affairs officials: Keith Wilson, Director Roanoke Regional Office Veterans Benefits Administration; Laura Eskenazi, Principal Deputy Vice Chairman, Board of Veterans' Appeal; Ronald S. Burke, Jr., Director, Appeals Management Center, National Capital Region Benefits Office, Veterans' Benefits Administration; and Bruce E. Kasold, Chief Judge U.S. Court of Appeals for Veterans Claims.

FRAGMENTED WELFARE SYSTEM

Committee on Ways and Means: Subcommittee on Human Resources held a hearing entitled "Reviewing How Today's Fragmented Welfare System Fails to Lift Up Poor Families". Testimony was heard from Jeffrey Kling, Associate Director for Economic Analysis, Congressional Budget Office; and public witnesses.

DISCLOSED NSA PROGRAMS

House Permanent Select Committee on Intelligence: Full Committee held a hearing entitled "How Disclosed NSA Programs Protect Americans, and Why Disclosure Aids Our Adversaries". Testimony was heard from General Keith Alexander, Director of the National Security Agency; James Cole, Deputy Attorney General; Sean Joyce, Deputy Director of the Federal Bureau of Investigation; and Robert Litt, General Counsel, Office of the Director of National Intelligence General Counsel.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, JUNE 19, 2013

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Department of Defense, to hold hearings to examine proposed budget estimates for fiscal year 2014 for Joint Strike Fighter, 9:30 a.m., SD–192.

Committee on Commerce, Science, and Transportation: to hold hearings to examine next steps in improving passenger and freight rail safety, 10 a.m., SR–253.

Subcommittee on Aviation Operations, Safety, and Security, to hold hearings to examine airline industry consolidation, 2:30 p.m., SR–253.

Committee on Foreign Relations: to hold hearings to examine the nominations of Geoffrey R. Pyatt, of California, to be Ambassador to Ukraine, and Tulinabo Salama Mushingi, of Virginia, to be Ambassador to Burkina Faso, both of the Department of State, 2 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Primary Health and Aging, to hold hearings to examine reducing senior poverty and hunger, focusing on the role of the "Older Americans Act", 10 a.m., SD–430.

Committee on the Judiciary: to hold an oversight hearing to examine the Federal Bureau of Investigation, 10 a.m., SD–106.

Full Committee, to hold hearings to examine the nominations of Todd M. Hughes, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit, Colin Stirling Bruce, to be United States District Judge for the Central District of Illinois, Sara Lee Ellis, and Andrea R. Wood, both to be a United States District Judge for the Northern District of Illinois, and Madeline Hughes Haikala, to be United States District Judge for the Northern District of Alabama, 3 p.m., SD–226.

Special Committee on Aging: to hold hearings to examine paperless Social Security payments, focusing on protecting seniors from fraud and confusion, 2 p.m., SD–366.

House

Committee On Appropriations, Subcommittee on Transportation, Housing and Urban Development and Related Agencies, markup on Transportation, Housing and Urban Development and Related Agencies Appropriations Bill Fiscal Year 2014, 10 a.m., 2358–A Rayburn.

Committee on the Budget, Full Committee, markup of H.R. 1871, the "Baseline Reform Act of 2013"; and H.R. 1874, the "Pro-Growth Budgeting Act of 2013", 10 a.m., 210 Cannon.

Committee on Education and the Workforce, Full Committee, markup on H.R. 5, the "Student Success Act", 9 a.m., 2175 Rayburn.

Committee on Energy And Commerce, Full Committee, markup on H.R. 2218, the "Coal Residuals Reuse and Management Act of 2013"; H.R. 2226, the "Federal and State Partnership for Environmental Protection Act of 2013"; H.R. 2279, the "Reducing Excessive Deadline Obligations Act of 2013"; and H.R. 2318, the "Federal Facility Accountability Act", 10 a.m., 2123 Rayburn.

Committee on Financial Services, Full Committee, markup on H.R. 1564, the "Audit Integrity and Job Protection Act"; H.R. 1105, the "Small Business Capital Access and Job Preservation Act"; H.R. 1135, the "Burdensome Data Collection Relief Act"; and H.R. 2374, the "Retail Investor Protection Act", 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on the Western Hemisphere, hearing entitled "Regional Security Cooperation: An Examination of the Central American

Regional Security Initiative and the Caribbean Basin Security Initiative", 2 p.m., 2172 Rayburn.

Committee on the Judiciary, Full Committee, markup on H.R. 1773, the "Agricultural Guestworker Act", 10 a.m., 2141 Rayburn.

Committee on Oversight and Government Reform, Subcommittee on Government Operations, hearing entitled "Federal Government Approaches to Issuing Biometric IDs: Part II", 9:30 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Space, hearing entitled "NASA Authorization Act of 2013", 10 a.m., 2318 Rayburn.

Committee on Small Business, Full Committee, hearing entitled "Made in the USA: Stories of American Manufacturers", 1 p.m., 2360 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations, hearing on H.R. 1490, the "Veterans' Privacy Act"; H.R. 1792, the "Infectious Disease Reporting Act"; and H.R. 1804, the "Foreign Travel Accountability Act", 1:30 p.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Social Security, hearing on encouraging work through the Social Security Disability Insurance Program, 10 a.m., B–318 Rayburn.

Next Meeting of the **SENATE**

9:30 a.m., Wednesday, June 19

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of S. 744, Border Security, Economic Opportunity, and Immigration Modernization Act.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Wednesday, June 19

House Chamber

Program for Wednesday: Continue consideration of H.R. 1947—Federal Agriculture Reform and Risk Management Act.

Extensions of Remarks, as inserted in this issue

HOUSE

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