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

**DESIGNATION OF SPEAKER PRO TEMPORE**

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

WASHINGTON, DC, July 24, 2014.

I hereby appoint the Honorable John J. DUNCAN, Jr. 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 7, 2014, 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, but in no event shall debate continue beyond 11:50 a.m.

**AFGHAN SPECIAL IMMIGRANT VISAS**

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

Mr. BLUMENAUER. Mr. Speaker, I rise this morning to urge—indeed, to plead—with my colleagues to cosponsor bipartisan legislation that Representative KINZINGER and I will be introducing this afternoon, which would authorize 1,000 additional special immigrant visas to allow the United States to bring our Afghan allies to safety here in America. Earlier this week, Senators MCCAIN and SHAHEEN introduced identical legislation in the other body. The need for this bill is urgent. Indeed, Congress should have acted yesterday. That is because the State Department has confirmed now that they have completely run out of the visas we authorized in December. In a way, that is good news.

Remember how in previous years the State and other agencies never remotely came close to using the visas that were authorized, which consigned these poor souls to the seventh circle of bureaucratic hell. Processing was so slow and abysmal that only 32 of our Afghan allies received a visa in 2012. People were left in limbo—or worse—while the Taliban hunted them down, kidnapped their siblings, murdered their parents—capturing them, torturing, beheading them.

But the administration responded to the demand from Congress for significant reform in the program, and the agency has aggressively attacked the visa-eligible backlog. Despite the processing—on average, 400 visas each month since January—years of a failed system means that, today, there remains an astonishing 6,340 brave men and women waiting in limbo.

If Congress does not act before we adjourn for the August recess, it means we will be slamming the door to safety for hundreds of our Afghan allies and their families. With each day that passes, these are people whose lives and those of their families are left to the tender mercies of the Taliban—seeking revenge.

Mr. Speaker, Representative KINZINGER and I have a nonpartisan, fully paid-for bill—House leadership willing—that could pass on the floor in the blink of an eye. All we have to do—is choose to make it a priority. Remember, we have done this before. Reforms that enabled the program to work passed as an amendment to the National Defense Authorization Act on this floor by, I found, an inspiring 420-3 margin. Passing this bill is not only the right thing to do for these poor souls, it is in our own national security interest.

As Secretary Kerry pointed out in urging Congress to grant more visas, “The way a country winds down a war in a faraway place and stands by those who risk their own safety to help us in the fight sends a powerful message to the world that is not soon forgotten.”

Whether or not you supported the wars in Iraq or Afghanistan, what matters now is where we stand in keeping our commitments. This bill, authorizing an additional 1,000 visas for the balance of this current fiscal year, is a Band-Aid—but a critical one. We are going to have to act again in the coming months to deal with fiscal year 2015, starting in October.

For too long, it was the State and other agencies that failed to make this the priority it needed to be. Now that they have upped the attention, the focus, the resources, and the commitment, let’s not let Congress be the obstacle. Innocent lives are at stake. American honor is on the line.

I urge my colleagues to do everything they can in the coming days to bring this bill to the floor. It is our duty to save the lives of those who risked so much to help us when we needed them.

**HELPING FAMILIES IN MENTAL HEALTH CRISIS ACT**

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, this week, the largest ever study of schizophrenia reported that the condition is tied to more than 100 genes.
This discovery shows more evidence that schizophrenia is a clinical condition just like other medical conditions.

Severe schizophrenia, therefore, must be treated with a medical approach, using evidence-based therapies that work.

We know 50 percent of persons with schizophrenia suffer from a neurological impairment that makes them incapable of understanding that they are ill. This lack of awareness, termed “anosognosia,” is the leading cause of noncompliance with psychiatric treatment. This neurological problem helps to explain why 40 percent of Americans with a serious mental illness do not receive treatment, and it explains how our system fails to help those most in need.

Anosognosia occurs most frequently when schizophrenia or a bipolar disorder affects portions of the frontal lobe, resulting in impaired executive function. These two patients are medically unable to comprehend that their delusions or hallucinations are not real. This is different than denial; this is a change in the wiring of the brain. These individuals don’t recognize they are ill. When they don’t meet our still undefined definition of being in imminent danger to harm themselves or others, their friends and families are powerless to help them.

Uninformed observers wrongly believe that, because the patients can look at them and talk to them, they must be fully functional and aware, but they are not.

Much like if they had Alzheimer’s disease or were in a coma, these individuals with schizophrenia can’t voluntarily request treatment on their own. We would never deny care to a stroke victim or to a senior with Alzheimer’s simply because he or she couldn’t articulate her need for treatment. Yet, in cases of serious brain disorders, we allow but not if Congress does not act. We must pass H.R. 3717, the Helping Families in Mental Health Crisis Act, because ignoring this problem will not make it go away, and where there is no help, there is no hope at all.

As a result, 1 million Americans last year attempted suicide, and 40,000 people died from suicide. There are 300,000 homeless, 500,000 in jail, and 700,000 in other prisons. The mentally ill are also more likely to be robbed, physically assaulted, and sexually assaulted. So, while several States and counties have taken bold action to help those who have been cast aside by our current system, the Federal Government sits, oblivious to the problem, and, in some cases, actually creates barriers to treatment for those who need help the most.

Serious mental illness is more detrimental to your long-term health than being a heavy smoker, and it increases your risk for diabetes, heart disease, and cancer. It reduces your life span by some 25 years. There is also a financial toll. A study conducted by Duke University determined that assisted outpatient treatment saves taxpayers $50,000 per patient. It also increases medication compliance and decreases incarceration, hospitalization, and homelessness.

The problem is that four States still prohibit the medical model, and most county health systems haven’t implemented it; and studies have shown that each time individuals with mental illnesses experience a break from reality, their brains actually suffer from permanent injury. All of this is happening at a time when we know more about the brain than we ever have.

We tell families that Federal laws prohibit you from knowing why your loved one is in a mental health crisis, and doctors tell the family, “Your son is only a little dangerous right now, but please bring him back when he becomes truly violent, and then he can be treated.” How absurd. Can you imagine if we told someone with diabetes, “Your blood sugar is too low, but we are going to wait until you are in a diabetic shock before we give you insulin”? The doctor would be fired, and the hospital would be sued. We would sue ourselves that happens again.

Yet, for families in a mental health crisis, this scenario plays out every single day, and not a word is spoken about it. The reason is that people don’t understand the neurological basis of mental illness. What we need to do is have a Congress that is able to confront its own denial and change the laws that need to be changed. We can fix the mental health system, but not if Congress does not act. We must pass H.R. 3717, the Helping Families in Mental Health Crisis Act, because ignoring this problem will not make it go away, and where there is no help, there is no hope at all.

IDEAL FASTENER CORPORATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. BUTTERFIELD) for 5 minutes.

Mr. BUTTERFIELD. Mr. Speaker, I rise to congratulate a company in my district called the IDEAL Fastener Corporation.

Recently, they announced a $5.7 million expansion of their facility in Oxford, North Carolina. This expansion will create 155 jobs by the year 2019. As I am sure everyone is aware, it is welcome news for Granville County, which is an important part of my congressional district. Now, Mr. Speaker, 155 jobs in some communities across our great country may be relatively small, but in this rural community, this is a big deal.

IDEAL Fastener Corporation was established in 1936 by Elie Gut, and it has been a strong member of the Oxford community since moving its corporate headquarters there in 1966. IDEAL Fastener Corporation is still family owned and is operated by Ralph and Mary Gut and their three children—Jeff, Steven, and Michelle.

Since bringing their world headquarters to Oxford, IDEAL Fastener Corporation has grown to become the second largest zipper manufacturer in the entire world with production and sales facilities in over 20 countries. They are in the process now of launching three new products and are making major capital investments that will benefit their employees and the North Carolina economy.

Mr. Speaker, on Monday of this week, July 21, I marked my 10th anniversary here in the House of Representatives; and if there is one thing that I have come to recognize and appreciate, it is that small businesses and small industries are what drive our economy.

Companies like IDEAL Fastener Corporation are the lifeblood of our economy.

I congratulate IDEAL Fastener and the Gut family on this tremendous, tremendous announcement. I wish them nothing but continued success in the future.

OBAMA ECONOMY

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

Mr. WILLIAMS. Mr. Speaker, before President Obama leaves for his 2-week-long vacation at Martha’s Vineyard, he has a lot of work to do.

Contrary to what he said in Austin, Texas, this month, Americans are not better off than when he took office in 2009. In fact, his policies are hurting families and businesses everywhere.

He should focus on what House Republicans are doing and cooperate by getting his party leaders in the Senate to act on more than 40 bills to get our economy moving, get people back to work, and roll back his administration’s harmful policies like Dodd-Frank and ObamaCare—the major force behind the transition to part-time America.

Under President Obama, the average unemployment rate tops 8 percent; we have got 47 million people on food stamps; 48 million people between the ages of 18 and 64—the very heart of our
workforce—have not worked one day in the last 12 months; and nearly 91 million people over age 16 aren’t working at all; almost 50 percent of the unemployed have stopped looking for work; and 76 percent of Americans are living paycheck to paycheck. The list could go on.

We can fix this through real tax reform, getting the government out of health care, energizing the energy business, and ensuring America remains the world’s superpower with a strong and well-equipped military.

As a business owner and job creator for more than 40 years, I know that the constant threat of tax hikes, overregula-
tion, and massive government overhauls hurts businesses, it burdens families, lowers income, and stifles the economy. Everyone is simply playing defense in America. That is why the House continues to pass pro-jobs bills that empower Americans and strengthen the economy. These are real solutions that will improve the quality of life for generations to come.

So I urge HARRY REID and the Demo-
crats in the Senate to take up these bills now before President Obama leaves for vacation.

In God we trust.

CHRISTIANITY IN IRAQ IS BEING WIPE

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

Mr. WOLF. Mr. Speaker, “Imagine if a fundamentalist Christian sect captured the French city of Lyon and began a systematic purge of Muslims. Their mosques were destroyed, their crescents defaced, the Koran burned, their tombs are being destroyed in Mosul. This de-

looted. Many of them are used as ISIS cen-
tres to the cities and regions and nations of ancient Iraq than any other country.

I believe what is happening to the Christian community in Iraq is geno-
cide. I also believe it is a crime against humanity.

Where is the West?
Where is the Obama administration?
Where is this Congress?

The silence is deafening. The West, particularly the church, needs to speak out.

The Obama administration needs to make protecting this ancient commu-
nity a priority. President Obama and Secretary of State Kerry need to have the same courage that President Bush and former Secretary of State Colin Powell had when they said genocide was taking place in Darfur.

The United Nations has a role. It should immediately initiate pro-
ceedings in the International Criminal Court against ISIS for crimes against humanity.

The Congress needs to hold the admin-
istration accountable for the failure to act.

I will close today by reading the final two paragraphs of The Wall Street Journal editorial. It said:

Today’s religious extremism is almost en-
tirely Islamic. While ISIS’ purge may be the most brutal, Islamists in Egypt have driven thousands of Coptic Christians from homes they have occupied for centuries. The same is true across Muslim parts of Africa. This does not mean that all Muslims are extrem-
ists, but it does mean that all Muslims have an obligation to denounce and resist the ext-
remists who may or may not have the same name of Allah. Too few imams living in the tolerant West will speak up.

The Wall Street Journal went on to say: “As for the post-Christian West, most elites may now be nonbelievers. But a culture that fails to protect be-

livers may eventually find that it lacks the self-belief to protect itself.”

William Wilberforce, the British parl-

liamentarian and abolitionist who abolished slavery, famously told his colleagues as I tell this House and this administration: “Having heard all of this, you may choose to look the other way, but you can never again say you did not know.”

HONORING THE LIFE AND SERVICE OF SERGEANT BOB REASONER
The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of South Carolina. Mr. Speaker, on June 26, South Carolina and the United States lost a hero. Ser-
geant BobReasoner was a World War II United States Army Air Corps veteran and a tail gunner assigned to the 68th Squadron, with the famous 44th Bomber Group known as The Flying 8 Balls.

The events of December 7, 1941, com-
pelled Mr. Reasoner to serve in World War II. He survived three life-threatening missions, a year in German POW camps, and 11⁄2 years in a hospital undergoing multiple surgeries from his injuries.

During Sergeant Reasoner’s military career, he participated in 21 successful bombing missions over Germany and France. During the return flight of one of those missions, Bob’s plane was unexpectedly diverted, ran out of fuel, and crashed in Wales.

While he was at the hospital recuperating from his injuries, Bob was given the option to return to the United States but turned down that offer so he could continue to serve his country.

On October 1, 1943, Sergeant Rea-

soner flew his last mission, during which his B-24 Liberator, the Black Jack, as it was known, was attacked and caught fire. Parachuting to the ground with his head engulfed in flames—now remember Sergeant Reasoner was a tail gunner. He had a long way to travel from the rear of that aircraft as it burned, falling from the sky.

But as he was parachuting down, he passed out from his injuries, and he woke up in a hospital. His head and his eyes were wrapped in bandages, and all he could hear was German.

He was now a POW, captured by the German soldiers. His captors allowed him only a weeklong hospital stay be-

fore shuffling him between different POW camps over the next year.

On his 26th birthday, September 26, 1944, he returned home to the United States of America. He told me, he said: “I was the first time I felt safe. Seeing the Statue of Liberty was an amazing feeling because I knew then that I was home.”

Bob Reasoner earned three Purple Hearts for his heroic service to our country. But if Bob was still alive today, he would say that he wouldn’t want his service defined by his numer-

ous distinctions that he was awarded but, rather, he would want us to re-

member the 21 successful missions he flew one part of helping secure freedom for this country and many other countries.

I had the opportunity to meet Bob in my hometown of Clinton, South Caro-

lina, where he was in a retirement home, and I heard his stories firsthand. And after talking to Bob, I went on to learn more about his heroic actions of the 44th Bomb Group.

During my research, I came across a great compilation by Will Lundy, who was a ground crewman on the 76th Bomb Squadron of the 44th Bomb Group, called the Roll of Honor and Casualties.

I recommend everyone look that up and read it. The stories are amazing.
THE BORDER CRISIS

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

Mr. MCCLINTOCK. Mr. Speaker, wherever I go, people express a growing anger over the illegal immigration that is overwhelming our southern border. People ask me: “How can we talk about securing the border in Ukraine or Iraq while our own border is wide open?” “How can we talk about supporting the population of Central America when we are nearly $18 trillion in debt?”

“How can we talk about giving jobs to millions of illegal immigrants when fewer Americans are working today than when this so-called recovery began?”

They ask: “If the Federal Government can’t defend our own border, what good is it?”

Mr. Speaker, I cannot answer them. The fact is, our southern border is wide open. It is practically undefended, and everybody knows it.

The many thousands streaming across it know that if they break our laws and enter our country illegally, they will be rewarded with free food, clothing, housing, medical care, transportation, legal representation, and re-location, all at the expense of struggling American families.

Nine-tenths of them believe they will get “permiso” to stay and, at the moment, they are right.

Until we fundamentally change this reality, the mass incursion of our borders will continue, and our Nation’s sovereignty will slowly fade away.

The American people are awakening to the danger that illegal immigration poses to our country. It is crowding out millions of jobs desperately needed by American workers. It is overwhelming our schools, our hospitals, our courts, our transportation, our prisons, and our local and State budgets.

Perhaps worst of all, it is undermining the process of legal immigration upon which our country is founded. Why should anyone go to the expense and trouble of obeying our immigration laws when they can reap rich rewards simply by defying them?

This administration has actively encouraged this crisis with its promises of amnesty, and it now needs another $4 billion to feed, clothe, and house this new surge. Conspicuously lacking from the President’s proposal is any serious effort at enforcement or deportation.

The advocates of illegal immigration tell us we need comprehensive immigration reform, but what they really mean is extending some form of amnesty to those now illegally in this country. Precisely these promises of amnesty that are causing and encouraging the mass migration we are now seeing.

Any short-term measure this House approves must include provisions:

First, to rescind the President’s unlawful Deferred Action for Childhood Arrivals order that has clearly encouraged the current surge;

Second, to detain all of these new arrivals while expedited deportation hearings proceed;

Third, to provide unrestricted access for law enforcement to all Federal lands at the border;

And fourth, to activate the National Guard in whatever numbers are necessary to secure our southern border now.

Once the immediate tide has been turned back, it is imperative that existing laws are enforced before any new laws are considered, including:

Rigorous enforcement of sanctions against any employer who hires an illegal immigrant;

Completion of the border fence that was authorized in 2006;

Deportation of any illegal immigrant who comes into contact with law enforcement or who illegally applies for government assistance;

Resumption of Federal cooperation with local and State law enforcement agencies to ensure enforcement of our immigration law.

If we are not willing to enforce our current laws, there is no reason to believe that any future laws will be enforced. And until we enforce them, we really can’t accurately assess what changes might be needed.

The people with whom I talk are tired of excuses. They are tired of promises of future reforms. They want to see our current laws enforced and our border secured, and every act of this House should be focused on pressuring the President to do so.

History is shouting this warning at us: that nations that either cannot or will not defend their borders aren’t around very long.

Let that not be the legacy of this administration, and let it not be the epitaph of the American Republic.

SENATE INACTION

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

Mr. BYRNE. Mr. Speaker, I have been in this House now for 6 months, and I regretfully rise today to express my frustration, and I know the frustration of thousands of people in my district in southwest Alabama and, I believe, people all over the United States of America.

People are tired of the stagnation coming from Washington. Just look at the disapproval rating of this Congress and the disapproval rating of our President.

The people of this country want to see action, action on growing our economy, action on cutting spending, action on health care, action on immigration reform, action on the crisis at the VA, action on foreign policy and all the problems we see around the world that involve our interests. They want to see action.

Just earlier this week, I was at the White House for a bill-signing ceremony of the Workforce Investment Act, or the SKILLS Act, as we called it here in the House.

The SKILLS Act was a great example of Democrats and Republicans in this House and the Senate coming together behind a common goal of improving our Nation’s workforce training programs, which is so important at this time in our recovering economy.

During the bill-signing ceremony, the President implored us to send more bipartisan job-creating bills his way. The problem is, the President needs to lecture this House on that. The President needs to look no further than the majority leader in the Senate, the gentleman from Nevada.

In the House, we have passed nearly 300 bills that are sitting in the Senate, waiting for action—at least 40 of those bills are job-creating bills. We have continued in this House to do the people’s work, making our way through seven of the appropriations bills that we are required by the Constitution to pass to fund the government. The Senate has not completed a single one.

Now, some may say the issue is that Republican Senators have demanded to have amendments considered. I don’t think that is too much to ask. Here in the House, we have considered at least 180 minority amendments to appropriations bills alone, 180.

One of my colleagues in the House from the other side of the aisle was quoted in an article as saying that she wanted “to thank the Republicans for their generosity. I am just grateful for the bipartisanship here.”

That is not the same message coming out of the do-nothing Senate. One Democratic Senator was quoted as saying that he has “a hard time getting on the train in the morning.” Former Senate leaders Tom Daschle and Trent Lott have said the Senate “has degenerated into a polarized mess.”

But this shouldn’t come as much of a surprise because, yet again this year, the Senate failed to even pass a budget.
I was just elected this past December. Prior to that, I was in the Alabama State Senate, and in our State, the State of Alabama, as in most States, our legislature is required to pass a budget and appropriations bills every year on time, and they have to be balanced.

So every year, the Alabama Legislature passes budgets with appropriations in them on time, and they are balanced. The United States Congress can’t do that. If you’re the greatest debating body ever known to the world, the United States Senate can’t do that?

I can’t imagine what the people in my district would think if they saw the inaction coming from the United States Senate, but they see the results of it, and it troubles them greatly.

We have heard this song and dance before, and most of us now know how it is going to end. At some point—sooner, rather than later—I ask the House to consider a continuing resolution to prevent a government shutdown.

The Senate can prevent this by following the House in regular order, doing the people’s work, making the hard decisions, and advancing individual appropriations bills, as we have done in the House.

That is how government is supposed to work, and that is the only way we are going to be able to make serious reforms to spending programs.

I have come to this body a number of times to offer amendments to pending bills that would have cut spending, and I am going to keep pushing for these types of strategic spending reductions, but when the Senate refuses to do its part, it makes this process impossible.

The Senate’s inaction is going to force those in the House to make an unfair choice—like you and me—different for the people of this country, so we can get things done.

EDUCATION FIRST

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mrs. CAPITO) for 5 minutes.

Mrs. CAPITO. Mr. Speaker, I rise today to talk about education. A quality, affordable education is vital to ensuring that American students are prepared for the jobs of the 21st century. For West Virginians, for Americans to compete for jobs, they need to have the skills, knowledge, and training to make them attractive to employers.

Education opens doors. A diploma or degree brings with it the promise of a better future, better wages, a better quality of life, a better future for one’s family. It leads to high-quality education, the possibilities of life are truly limited, not limitless.

In the House of Representatives, we are taking action today to ensure that every American has access to quality education and an education that is affordable and understandable.

Later today, we will pass two bills to help students pay for college and better manage the debt that they accrue. The Empowering Students through Enhanced Financial Counseling Act will better educate students about the financial implications of student loans and help them borrow the money they need, not all of the money that they are offered.

We hear time and time again of the crushing debt that our students are coming out of college and higher education with. We want to help them better manage that and understand that.

So with cooperation on the front end, they will know what they are actually getting into, instead of waiting until the back end and hitting them with the hammer of this is where you are now, so you have got to deal with it.

We will also pass the Student and Family Tax Simplification Act which, very simply, makes permanent the American Opportunity Tax Credit.

West Virginians want to work. Americans want to work. West Virginia’s employees want to work at home. They want to have access to an educated workforce, and by investing in education, we invest in our Nation’s future. We invest in growing our Nation’s economy, and we invest in the future of generations yet to come.

DOMESTIC ENERGY

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, each day, we hear about new opportunities as a result of developing our own domestic energy resources. What we hear less about is how many crises we have avoided as America has moved from energy scarcity to energy abundance.

Last week, on July 15, historian, Pulitzer Prize winner, and renowned energy expert Daniel Yergin stated that, without the recent domestic boom in oil production, the United States would be in deep economic trouble.

"I am convinced, were it not for what’s happened these last few years, we’d be looking at an oil crisis," he said, according to the Pennsylvania energy news publication, StateImpact, covering Mr. Yergin’s remarks.

"We’d have panic in the public. We’d have angry motorists. We’d have inflamed congressional hearings... and we’d have the U.S. economy falling back into a recession," he added.

Not only that, Mr. Speaker, we have jobs coming back to the United States that were previously headed overseas due to cheaper labor and other competitive advantages. Today, the U.S. is looking a bit more welcoming for businesses and job growth and for the American worker.

From The Wall Street Journal earlier this week, "The competitive advantage that U.S. companies receive from the lower cost provided by shale gas... is attracting investment from some of the industry’s bigger names.

Just last week, the International Energy Agency said some 30 million European jobs are at risk as manufacturers of petrochemicals, plastics, and fertilizers are relocating to the U.S."

Additionally, as reported in Politico earlier this week, "A strange thing happened in the past few months as Ukraine battled with Russian-backed separatists, rockets flew over Israel, and much of Iraq fell to Islamist insurgents: gasoline prices for U.S. motorists stayed pretty much flat. The price at the pump has even fallen in the past week, even after Malaysia Airlines flight MH17 exploded over Ukraine and Israel sent ground forces into Gaza... It’s yet another sign of the unexpected changes wrought by the U.S. energy boom, which has turned the United States into one of the world’s largest oil producers and the biggest producer of natural gas."

Mr. Speaker, the opportunities of domestic energy production are apparent. As a result, we have new opportunities here at home. Companies from across the globe are bringing their operations to the United States, so that they can do business at a lower cost.

American families are able to find good-paying jobs. We are helping the U.S. remain competitive, and we are becoming more economically secure.

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 39 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 Thomas Koys, St. James at Sag Bridge Catholic Church, Lemont, Illinois, offered the following prayer: Heavenly Father, I give You thanks and I ask Your blessing upon all gathered here. Lord, I beg You to enlighten us, and I ask You to enlighten us, and I ask You to be merciful to our country, as we strive to win that kind of peace that You desire.

As these people debate the best ways to order our society, give them humble hearts to seek that order that flows from Your supreme intelligence.

Help them to learn the lesson that You tried to teach Your chosen people from Your supreme intelligence.

Please, Heavenly Father, I give You thanks and I ask Your blessing upon all gathered here. Lord, I beg You to enlighten us, and I ask You to be merciful to our country, as we strive to win that kind of peace that You desire.

As these people debate the best ways to order our society, give them humble hearts to seek that order that flows from Your supreme intelligence.

Help them to learn the lesson that You tried to teach Your chosen people in the time of Samuel, the prophet; that to be the most favored nation in
Your eyes, that nation must be unlike other nations.

Lord, I pray for ministers of all faiths that they may be protected from the penalties assigned to lawbreakers who find it their duty to follow their conscience, save those who think it their duty to destroy America.

Put in our hearts a desire to build a nation unfraid to follow Your commands.

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 1, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. DOGGETT) come forward and lead the House in the Pledge of Allegiance?

Mr. DOGGETT 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will remind the House that on July 24, 1998, at 3:40 p.m., Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police were killed in the line of duty defending the Capitol against an intruder armed with a gun.

At 3:40 p.m. today, the Chair will recognize the anniversary of this tragedy by observing a moment of silence in their memory.

WELCOMING REVEREND THOMAS KOYS

The SPEAKER. Without objection, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 1 minute.

There was no objection.

Mr. LIPINSKI. Mr. Speaker, I rise today to introduce our guest chaplain this morning, Father Thomas Koys, pastor of St. James at Sag Bridge Catholic Church in Lemont, Illinois. Fitting for a pastor who loves American history, St. James was founded in 1833 and has a historic church building completed in 1858.

A longtime Chicagoland resident, Father Koys attended St. Mary Elementary in Riverside, Archbishop Quigley Preparatory Seminary, and Niles College Seminary at Loyola University. He went on to receive two master’s degrees from Catholic University of America and from University of St. Mary of the Lake.

Father Koys was ordained in 1985 and has become an important voice in the Catholic community. In 2002, he authored “The Ashes That Still Remain” and also hosts a radio show on Winds of Change Radio in Chicago.

He learned to speak Spanish while on a 4-month mission in Guerrero, Mexico. Father Koys’ Spanish is very much welcomed in ministering to the large Spanish-speaking population in the Chicago Archdiocese.

In the Archdiocese, he is also very active in advocating for life and for family issues, and is involved in leading the Catholic Professionals of Illinois.

An avid cyclist, Father Koys has participated in numerous cycling fundraisers to fight multiple sclerosis, which has affected his brother, John.

This afternoon, I ask my colleagues to join me in welcoming Father Koys to the House of Representatives, and thank him for serving today as our guest chaplain.

THE AMERICAN PEOPLE DESERVE ANSWERS ABOUT THE IRS

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

Mr. CAMP. Madam Speaker, for over a year, the Ways and Means Committee has led an investigation into the IRS targeting conservative individuals for their beliefs. We found that the IRS subjected Americans to harassment, going so far as to question the content of their prayers and their political beliefs, subjecting them to audits, and leaking their personal taxpayer information.

They worked on rules behind closed doors that would restrict the rights of groups to organize, to speak out, and to educate the public.

They destroyed over 2 years’ worth of emails, emails that are key to the investigation.

The IRS has spent years denying, delaying, and obstructing. The American people deserve some answers, and I am committed to ensuring they know the truth of what really happened at the IRS.

THE TRAGEDY OF FLIGHT MH–17

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

Mr. QUIGLEY. Madam Speaker, I rise today to express my deep sympathy for all of those affected by the tragedy of Flight MH–17. It is unthinkable that a commercial airliner would ever be shot down by a surface-to-air missile, and yet, that is exactly what happened in the part of Ukraine controlled by Russian separatists.

The evidence seems to point to one perpetrator, one party intent on inflicting pain and suffering upon the innocent.

The fire of Ukraine’s crisis has undoubtedly been fueled by Russia and its operatives. So let this senseless tragedy serve as a call to the international community.

This conflict could end today. It is in Mr. Putin’s hands. But until then, I support the sanctions that the United States has already levied against Russia and stand strongly with the people of Ukraine in their struggle for autonomy and sovereignty.

My heart will forever go out to all those lost in this horrific act of war and the loved ones they leave behind.

GOOGLE DOES A BETTER JOB THAN THE IRS

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

Mr. SESSIONS. Madam Speaker, did you know that Google keeps emails for 7 years?

Google, a company which is used for personal emails, keeps your emails, emails that are key to the IRS.

Google can keep these emails for 7 years? In April, according to the IRS deputy associate chief counsel, did he recognize that they were missing.

Second, the IRS Commissioner Koskinen was, I believe, untruthful when he referred to these emails being missing. No, not in April, as he first claimed, but actually February 2, according to the IRS deputy associate chief counsel, did he recognize that they were missing.

Madam Speaker, I would say if Google can keep these emails for 7 years, I think the IRS should have to do the same, and if they can’t do their job, we are going to, as Members of Congress, find out.

AMERICA NEEDS COMPREHENSIVE IMMIGRATION REFORM

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

Mr. GARCIA. Madam Speaker, it has been 13 months, 13 months since the Senate passed a bipartisan, comprehensive bill, and yet, the Speaker has not let that bill come to the floor.

So we filed a bipartisan bill with almost 200 cosponsors, and still the Speaker will not let that bill come to the floor. And why?

Well, first they said that the Republicans were working on their own bill,
so we waited and we waited for them to put it forward—and nothing.

Then they said they needed more time, so we gave them more time, and the Republicans gave us nothing.

Then, they said it was because the majority leader lost.

And finally, finally, the fault of not having a comprehensive immigration bill is on the children, the children at the border. We are suddenly scared of children at the border.

Madam Speaker, there is one person responsible for us not having comprehensive immigration reform, and it is the Speaker of this House.

Mr. Speaker, give us a vote on comprehensive immigration reform.

EXPECT MORE FROM THE IRS

(continued)

Mr. GOWDY was asked and was given permission to address the House for 1 minute.

Mr. GOWDY. There is a hunger in this country, Madam Speaker, for things that bind us together. Americans agree the IRS should never target citizens. Americans agree the government should tell us the truth.

The IRS has offered eight different explanations for targeting our fellow citizens. If we, Madam Speaker, changed our story to government eight different times, we would be called imbeciles.

We can’t lie to government. Therefore, government should never be able to lie to us.

We agree no President should ever prejudge the outcome of an investigation while that investigation is ongoing. No President should ever say there should “practice what they preach.” But the IRS has released a video that states the importance of keeping good records.

Now, isn’t that lovely? Maybe they should save the lecture for Lois Lerner and the IRS “Taxocrats.”

In the video, “Helen” from the IRS says: Whether you are an individual or a business owner, you can avoid headaches at tax time by keeping good records during the year. Keeping well-organized records helps you answer questions of your return is selected for examination by the IRS.

You should usually keep these records supporting your tax returns for 3 years. You must keep all employment tax records for at least 4 years after the tax is paid.

Are you kidding me, Madam Speaker?

It is interesting. The IRS expects Americans to keep years and years of records, but they lose, misplace, destroy, and hide their own records.

The IRS says, Oh, rules for thee, but not for me.

A little more practicing and a little less preaching by the hypocritical IRS is in order.

And that is just the way it is.

DECENCY AND HUMANITY

(continued)

Mr. DOGGETT asked and was given permission to address the House for 1 minute.

Mr. DOGGETT. Madam Speaker, this week, even as the House is approving seven different bills to fight the scourge of child sex trafficking, the cry to strip rights and protections from some children persists.

Indeed, at the very same time that our Republican colleagues were speaking here on the floor about doing whatever it takes to protect vulnerable children, they were demanding that immigrant children be sent back immediately.

The support for exploited children which existed across this aisle must extend to children who were born on both sides of the border.

Sadly, fear and hysteria are creating a steady drumbeat to remove legal protections against trafficking for children who are simply seeking refuge here. Exploited children should not be politically exploited.

No, we cannot accept every one of them. We are not asking for amnesty, but how about a little human decency, a little humanity?

How about just following existing law and supplying the resources to see that it is effectively implemented?

IRS’ HYPOCRITICAL WARNINGS TO TAXPAYERS

(continued)

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

Mr. POE of Texas. Madam Speaker, I rise today to address an important issue, the scandal engulfing the IRS.

Lois Lerner is a central figure in the scandal surrounding the IRS’ decision to target certain groups of Americans for scrutiny and other unequal treatment due to their political beliefs.

Now, we have learned emails pertinent to this investigation are missing in very suspicious circumstances involving multiple deletions of records and the physical loss of computer equipment.

The missing emails only add to the IRS’ gross misconduct and raise disturbing questions about the professionalism and neutrality of bureaucrats who are supposed to enforce the law in a fair, evenhanded manner.

In May, the House held Lois Lerner in contempt of Congress and passed a resolution calling for the appointment of a special counsel to investigate the IRS. The IRS’ conduct appears widespread and almost certainly harmed the right of free speech, which we cherish in this country.

It is critical that Congress discovers the full truth of what happened at the IRS and that the responsible individuals are held accountable for their actions.

SAFE CLIMATE CAUCUS

(continued)

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

Mr. HOLT. Madam Speaker, the Department of the Interior recently began the process of developing an offshore oil and gas leasing program for 2017 to 2022.

However, the development of a 5-year program isn’t simply about which areas should be leased and drilled and which should not. It is about whether drilling in new offshore fields is the way of the future.

As a member of the Safe Climate Caucus, I am here to ask: How will we address the immediate and multiple threats of climate change resulting from our overdependence on carbon fossil fuels?
We could double down or triple or quadruple down on the energy sources of the last two centuries, or we could take steps to reduce our dependence on fossil fuels and have a sustainable energy future.

The last few years have seen tremendous progress in harvesting the renewable energy potential of our oceans. We should oppose the unwise expansion of offshore oil and gas leasing and drilling.

IRS NOT ACCOUNTABLE
(Mr. GIBBS asked and was given permission to address the House for 1 minute.)

Mr. GIBBS. Madam Speaker, have you tried to use the excuse the dog ate your homework? Well, Lois Lerner, the former director of the exempt organizations of the IRS seems to think the excuse that she can't find her emails is acceptable to tell Congress.

When the House requested access to Ms. Lerner's emails, the IRS had known for months that the hard drives of hers and many other officials had conveniently been destroyed. Government agencies are missing accountability.

The American people have constantly been looking for answers as to why the IRS chose to harass taxpayers based on their political beliefs and restrict their First Amendment rights.

The IRS is currently tasked with enforcing the failing health care law, and now, they are attempting to regulate free speech. The double standard that plagues the IRS must end. Asking Americans for years of paperwork regarding their taxes is simply hypocritical when the IRS is unable to produce information required of them.

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

Mr. HIGGINS. Madam Speaker, I rise to speak out against the misdeeds of Lois Lerner and the IRS. The missing emails, despite earlier claims they were lost forever.

The House has revealed a clear record of IRS harassment based on political belief, threatening jobs. Claims of missing emails are inexusable. Proof of deliberate delinquency are apparent.

Sadly, it has become apparent this organization is corrupt and, therefore, is unable to fulfill its duties to the American people.

The House has revealed a clear record of IRS harassment based on political belief, threatening jobs. Claims of missing emails are inexplicable. Proof of deliberate delinquency are apparent. The IRS is entrusted with great responsibility, yet their actions disrespect the American people they are supposed to serve.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war of terrorism.

My sympathy to the family and friends of Earl Brown, a dedicated patriot of Brookland Baptist Church.

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

Mr. HIGGINS. Madam Speaker, I rise to express my serious concerns with the Department of Energy's proposal to transport liquid nuclear waste from Ontario's Chalk River Research reactor to the Department of Energy's Savannah River Site, across several States and over the Peace Bridge, which is located in my western New York congressional district.

Unlike spent nuclear fuel, which can be safely transported in solid form, in liquid form, it is more radioactive and difficult to transport. The concern is that in the event of a spill, liquid highly-enriched uranium would be difficult to contain.

A major contamination in the Buffalo-Niagara region could potentially have dire consequences on the Great Lakes, the Niagara region, and the greater Buffalo-Niagara population.

Madam Speaker, a plan that carries this level of risk should not be done without a thorough review. The Department of Energy must undertake a formal environmental impact statement before proceeding.

THE RENEWABLE FUEL STANDARD
(Mr. BRALEY of Iowa asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRALEY of Iowa. Madam Speaker, I rise to speak out against the misguided efforts to reduce or repeal the Renewable Fuel Standard. The RFS was enacted in 2005 to improve our economy, our environment, and our energy independence.

However, it is currently threatened by an EPA draft proposal that would roll it back, and as highlighted in a recent op-ed by Senators Chuck Grassley and Amy Klobuchar, Big Oil's attempt to protect its market share and profits at the expense of American consumers.

As they wrote, "The Federal law has helped to displace oil imports, increase domestic energy security, create jobs in rural America, curb pollution with cleaner-burning fuel, and lower prices at the pump for consumers.”

In Iowa, biofuels have created 73,400 jobs, pumping $5 billion of wages annually into our economy, and $19.3 billion in economic activity annually. In the United States, it has created 852,000 jobs, $16.2 billion in wages, and $185 billion in economic activity.
Why would we push back and go backwards, instead of moving forward into the future?

YOU CAN’T FOOL ALL THE PEOPLE ALL THE TIME

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

Mr. GRIFFITH of Virginia. As the saying goes, “You can fool all of the people some of the time and some of the people all of the time, but you cannot fool all of the people all of the time.”

A year into investigations regarding the IRS improperly targeting applications submitted by conservative groups, the IRS claimed to have lost Lois Lerner’s emails to or from outside agencies or groups for a period of more than 2 years as a result of a computer crash—not just her computer, but five others as well.

IRS Commissioner John Koskinen has told us that the hard drives on her computer and the others could not be restored and had been recycled.

As a former defense attorney, if a client told me this story, I would say: You can tell the judge and the jury whatever you want, but you are not fooling anybody, and if that is your story, you are going to jail.

MIGRANT CHILDREN

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

Mr. VARGAS. Madam Speaker, I rise today to thank the religious and faith-based communities in our Nation that have come forward to demand that we treat the children coming to our country with love and respect and not deny them their due process rights.

Here are some of the words of the faith-based community themselves. This is from the Evangelical Immigration Table, which includes the National Association of Evangelicals, the Council for Christian Colleges and Universities, and many, many more.

“The antitrafficking law is working according to its design,” the religious leaders said. “It should not be changed to address the current temporary situation.”

We hear from Rabbi Asher Knight of Temple Emanu-El in Dallas. “The question for us is: How do we want to be remembered, as yelling and screaming to go back or as using the teachings of our traditions to have compassion and love and grace for the lives of God’s children?”

Lastly, Pope Francis writes, “A change of attitude towards migrants and refugees is needed on the part of everyone.”

I hope to have that. I thank President Bush for signing the law and standing by it in this hysterical moment.

THE IRS’ DANGEROUS DOUBLE STANDARD

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

Mr. DAINES. Madam Speaker, imagine telling the IRS you “just lost” your paperwork; or, sorry, I accidentally deleted my tax forms, guess I won’t be getting those to you.”

How do you think the IRS would respond? Not well. The IRS would find your actions “inexcusable,” paid back with a fine or criminal punishment, but when the IRS asks the same of us, we are expected to let them off the hook.

Losing 2 years’ worth of emails is not only unlikely, but it is unacceptable. The IRS would not accept that excuse from the people of Montana, and Montanans will not accept that excuse from the IRS.

This double standard is abusive. It is irresponsible. The IRS holds a great deal of power over the individual lives of the American people, and the requirements they ask of us, we are asking of them.

As representatives of the people the IRS is hurting, the House will hold the IRS to the standards that they hold the rest of America.

ISRAEL-PALESTINE CONFLICT

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

Mr. NOLAN. Madam Speaker, I rise today in support of an immediate cease-fire and cessation of hostilities between Israel and the Palestinians of Gaza, in order to resume negotiations and create a more lasting peace and security for all parties, to end this tragic conflict.

Madam Speaker, we must do all that we can to help these parties come to terms that put the Palestinians on a path to self-determination and aspirations of independence, while with the greatest certainty that ensures the survival and the security of Israel.

I commend and strongly urge President Obama and Secretary Kerry to continue in their bold efforts in ending this war. I offer them my full support, and I ask my colleagues to do the same, so that Israel and Palestine may someday soon live side by side in peace with one another.

THE INTERNAL REVENUE SERVICE HAS A MAJOR CREDIBILITY PROBLEM

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

Mr. DESANTIS. Madam Speaker, the Internal Revenue Service has a major credibility problem. Last month, Internal Revenue Service Commissioner John Koskinen told Congress under oath that the agency had confirmed that backup tapes storing Lois Lerner’s emails were destroyed.

Now we learn from IRS officials that such tapes may, in fact, exist. Last month, the IRS filed a declaration in Federal Court stating that Lois Lerner’s hard drive was destroyed and the data contained on the hard drive was unrecoverable, yet testimony provided to the House Ways and Means Committee by IRS IT professionals suggests that the hard drive was merely scratched and the data was, in fact, recoverable.

Of course, the IRS has identified roughly 50 individuals of interest in the investigation, and yet now they tell us that as many as 19 of them may have suffered Lois Lerner-style hard drive crashes.

Madam Speaker, the troubling part about this is the American citizen would never be able to get away with these types of explanations. It is intolerable to have one set of rules for the IRS and one set of rules for the rest of us.

CANCEL THE AUGUST RECESS TO DO THE PEOPLE’S WORK

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

Mr. KILDEE. Madam Speaker, creating opportunity for hardworking American families and reigniting the American Dream should be the top priority of this Congress. Instead, we are about to embark on a 1-month legislative recess as the House Republican leadership continues to block action on legislation to create jobs and to grow the middle class.

Legislation awaiting action in an up-or-down vote is piling up: legislation to raise the minimum wage; to renew emergency unemployment insurance; to pass comprehensive immigration reform; to rebuild our crumbling roads, bridges, and ports; enacting a manufacturing policy so that we can make things in America; and voting on paycheck fairness to ensure that women receive equal pay for equal work.

Passing all these policies would jump-start the middle class and expand opportunity for all Americans. But instead, instead of taking those up, we are about to leave town for a month of undeserved time off.

We should get to work on the work of the American people. They expect that from us, and they deserve nothing less.

SOME PEOPLE ARE MORE EQUAL THAN OTHERS

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

Mr. AUSTIN SCOTT of Georgia. Madam Speaker, as an American small businesses owner, I deliver to my accountants each and every year tremendous sums of information that is then
used to compile a tax return that I, along with my wife, like other hard-working Americans, must sign under penalty of perjury.

I have no doubt that five CPAs, given the same information from any taxpayer, will calculate five different tax liabilities. Yet when the IRS comes calling, every American is guilty until they prove their innocence.

Make a mistake or lose a receipt? For the taxpayer, guilty. Pay the penalty and interest, or the IRS will use the law to take your home, your car, your life savings, and they will put you in jail and leave your family in the ditch. But when the IRS gets caught cheating, they lie to Congress, take the Fifth, and destroy the evidence.

If they get away with this, what and who is next?

I can’t help but think, Madam Speaker, that we must be getting close to George Orwell and what he described in his novel. While some people are created equal, under this administration others are more equal.

Had the IRS abused liberal groups, the press and the administration would demand the prosecution of the individuals responsible, and that is exactly what should be happening right now.

IRS: DO AS I SAY, NOT AS I DO

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

Mr. BENTIVOLIO. Madam Speaker, it has become apparent that the Federal agencies operate by one standing principle: do as I say, not as I do.

The IRS has shown a blatant disregard for the truth, and it is apparent there is something to hide.

Madam Speaker, I look to the other side, and I have to ask: Where is your outrage? While some of my Democratic friends were willing to look at the Internal Revenue Service’s actions and say: Do you know what? This is bigger than partisan politics. Something is wrong here, and we need to protect the rights of Americans. Are you so committed to government power that you are unwilling to stand up and do the right thing?

Our job is to protect the rights of the people, not take them away. It is time we remember that in this Chamber.

A TALE OF TWO STANDARDS

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

Mr. DUNCAN of Tennessee. Madam Speaker, Tom Brokaw said the targeting of 298 conservative groups by the IRS was “outrageous” and called for a “complete investigation and thorough accounting.”

He said:

This is not a conservative or liberal issue. It really is about trusting your government.

Chris Matthews said there was obviously “profiling” of conservative groups, and said about Lois Lerner pleading the Fifth:

Why, if you have nothing to hide, why doesn’t she sit in that witness stand and answer truthfully?

Tom Brokaw and Chris Matthews are certainly not political conservatives.

One of the leading Capitol Hill newspapers today asks, “What about the hard drive?” and says the IRS in Federal Court this past Friday said Lois Lerner’s hard drive was wiped clean by the IRS and sent to an outside disposal company to be shredded. There are thousands of missing emails which just happen to include those going from the IRS to the White House.

All over this Nation, people have seen that there is one standard for ordinary citizens and another for employees of the Internal Revenue Service and friends of those in the White House. We need a much simpler, fairer tax law, Madam Speaker, that would allow us to do away with the politicized IRS altogether.

REMEMBERING DETECTIVE JOHN GIBSON AND OFFICER JACOB CHESTNUT

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

Mr. OLSON. Madam Speaker, on July 24, 1998, 16 years ago today, two Capitol policemen were killed in this building in the line of duty.

At 3:40 p.m. an insane man shot Officer Jacob Chestnut in the back of the head. He died where he fell. He was directing a family to the restrooms when he was killed.

The insane man ran into the office of the majority leader, Tom DeLay, my predecessor in Congress. Mr. DeLay’s bodyguard, Detective John Gibson, was shot. Despite being mortally wounded, he returned fire and brought the shooter down.

Today, both Officer Chestnut and Detective Gibson lie forever in glory across the river in Arlington National Cemetery. May they always rest in peace.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
WASHINGTON, DC, JULY 24, 2014,
HON. JOHN A. BORNHIREN,
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 Senate on July 24, 2014 at 10:43 a.m.:

That the Senate agreed to S. J. Res. 40. With best wishes, I am

Sincerely,

KAREN L. HAAS.
Chairman KLINE, Ranking Member MILLER, and Congressman GUTHRIE for their leadership on this bill, which will improve the financial counseling that millions of student loan borrowers receive. I am pleased that Members are coming together to take a meaningful step toward protecting student loan borrowers. I also want to thank the Committee on Education and Workforce staff on both sides of the aisle for their hard work to include Members’ shared priorities in a bill that has earned widespread support.

The need for enhanced financial counseling for students is clear. More than 40 million Americans are carrying more than $1.2 trillion in student loan debt, and default rates are climbing. At the same time, evidence shows that when students borrow, the limits for student loan debt are a drag on the broader economy. Borrowers struggling with debt may delay purchasing a new car, a home, or new appliances. They may be unable to access capital to start a business, or they may put off saving for retirement.

Of course, the solution to the mounting burden of student loan debt will require a number of changes. We will need to address rising tuition, and we will need to do a better job of granting existing borrowers access to affordable repayment plans. But we also must help current and future students understand their rights and obligations as borrowers. And we need to help them forecast their monthly payments after college so they can make informed decisions now and for the future.

One of the frustrations I hear frequently from former students is that they don’t have a way to understand the full picture of terms and products in the student loan market when they were borrowing. Many didn’t ask questions until after they left college. What kind of loans did they borrow? When will they need to begin repayment? What will their monthly payments be, and what repayment plans will be available?

That is why I am especially pleased that H.R. 4984 goes beyond entrance counseling for new borrowers and requires annual counseling for all student loan borrowers. Under this bill, students, whether they are sophomores or seniors, will have information about how much they have borrowed, what they are expected to borrow to complete their education, how their loans will accrue interest, and what they can expect their monthly payments to be when they leave college. They will be better able to see their road to repayment.

Importantly, annual counseling means that borrowers who don’t graduate will still receive information about what to expect when they leave school and enter repayment. Borrowers will have more clarity on their monthly payments under two repayment plans: income-based repayment and the standard 10-year option. Streamlining this information will simplify the repayment process.

Borrowers will be reminded each year that they don’t have to borrow the full amount available, and they should consider grants, work study, and Federal loans before turning to private lenders. Unlike current practice, borrowers will receive financial counseling before signing their master promissory note, and they will be reminded that they can repay interest before it capitalizes.

H.R. 4984 will provide for the first time important disclosures to parents who borrow for their children. Parent borrowers of student loans will be given virtually the same information about their loans as students receive. And the bill will extend counseling to Pell grant recipients so that they understand their rights for Pell grants, and the circumstances in which they would be asked to repay their grants.

Finally, this bill delivers enhanced student loan information in consumer-tested formats to check for student understanding. It will ensure that we provide personalized borrower information that the borrowers understand.

Madam Chair, there is another reason why this bill is so important right now. Because of predatory practices directly, this bill will go a long way to ensuring that students fully understand their eligibility for income-based repayment. In short, the Empowering Students Through Enhanced Financial Counseling Act will help Pell grant recipients and student loan borrowers. It will help the borrowers anticipate their monthly payments and plan their road to repayment. This will make a real positive difference, and I ask my colleagues to join me in supporting H.R. 4984.

I reserve the balance of my time.

Mr. KLINE, Madam Chair, I am now pleased to yield 3 minutes to the gentleman from Kentucky (Mr. GUTHRIE), a key member of the committee.

Mr. GUTHRIE. Madam Chair, I rise today in support of H.R. 4984, the Empowering Students Through Enhanced Financial Counseling Act.

I want to say thanks to my friend from Oregon, Congresswoman BONAMICI, for putting together a coalition of both sides where we can come together to address a problem that faces so many of the people who sent us here to represent them. And to the chairman, we are going to pass three or four bills this week in a bipartisan manner. The President signed a bill that passed this committee this week as well. It shows that he is putting together where we can find common ground, and we have problems that really affect the people who sent us here to represent them. We appreciate him for that.
But to address this bill: with the rising costs of attaining a college degree, many students need financial assistance to make that dream a reality. This bill will increase financial literacy by reforming the current guidelines to provide additional counseling for student borrowers. In doing so, students will be empowered with the knowledge necessary to understand what they are borrowing, which financial options to draw from first, and the implications of future debt load in repayment scenarios.

A June 2014 report from the Federal Reserve Bank of New York reported that less than 50 percent of survey respondents with student debt knew what they consider a high loan literacy.

Current Federal law only requires colleges and universities to provide financial counseling to student borrowers at the beginning of their studies. In short, these students get a quick snapshot of their loan obligations after they have already committed to the first year’s loans, and then again once they have accrued their entire loan burden. Making matters worse, these counseling sessions tend to be broad and not based on information specific to the borrower. Many of today’s students do not have a clear picture of what their financial obligation will look like upon graduation, and aren’t necessarily given any opportunity to make decisions to alter that course. So will this bill make a difference?

Well, we have an example. Indiana University—being from Kentucky, I have to admit, Indiana University has begun a process of educating students annually prior to accepting their aid package for the following year, similar to our efforts in this bill. IU found that Federal undergraduate Stafford loan disbursements dropped by $21 million, or 11 percent, the previous year. That is five times the decline in the national average. And they still were served in college. They just didn’t take out too much excess debt. That is why we hope to expand upon what institutions like Indiana University are doing and reform the current guidelines to require annual counseling for student borrowers, and ensure that students are empowered with the information they need to take control of their financial futures.

I encourage my colleagues, and I appreciate the bipartisan support, and particularly my friend from Oregon, for working together, and I encourage my colleagues to support this meaningful legislation so we can arm students with the financial knowledge needed and help lower their debt burdens.

Ms. BONAMICI. Madam Chair, I am pleased to rise in support of H.R. 4984, and I rise in support of H.R. 4984.

This legislation enacts commonsense safeguards and reforms to make financial counseling more effective for students and their families. Specifically, this legislation ensures that student loan recipients receive comprehensive information on an annual basis, detailing the terms, conditions, and risks of student loans. One year ago, I brought stories from my own Arizona State University students to the House floor to demonstrate how student debt impacts their futures and our community.

One former student in my district, Brandy, faces over $100,000 in student debt. While this legislation will make it easier for her to understand the terms of her loan, we shouldn’t fool ourselves, because this legislation will not make it easier to get out of debt. It won’t provide relief from rising interest rates, and it doesn’t take meaningful steps to address the skyrocketing cost of higher education. So together, we must do more here in Congress to create quality, higher education opportunities for America’s students.

So while this legislation is no substitute for a full reauthorization of the Higher Education Act, it is a good step forward. It does provide a meaningful solution that addresses the rising cost of college, but it is very important that we stand today and make the important start to ensure students are fully informed about their loans and student debt.

I relied on Pell grants, academic scholarships, and Federal loans all through my schooling, just like my Arizona State University students do today. I know that students need guidance and assistance to manage their student loans.

I talk to young people who are excited to share their ideas and thoughts with me about how to solve some of our world’s biggest problems, but it concerns me when I see these same young students are daunted by the prospect of an expensive education that they want but fear they can’t afford.

Rising college costs are putting high education and the American dream out of reach for too many hardworking American families. Education is key to economic growth, job creation, and for many, a clear pathway out of poverty. I know this because education was the key to my own path from poverty to the middle class. So I urge my colleagues to pass this legislation and continue working together to make college affordable for Arizona students.

I thank the gentlewoman from Oregon (Ms. BONAMICI) for yielding and for her hard work.

Ms. BONAMICI. Madam Chair, I am pleased to yield 2 minutes to the gentleman from New York (Mr. BISHOP), a colleague from the Education and the Workforce Committee.

Mr. BISHOP of New York. Madam Chair, I thank my colleague for yielding.

The time of the gentleman has expired.

Ms. BONAMICI. I yield an additional 1 minute to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the gentlelady for yielding.

So $1.4 billion a year will be taken out of the student aid portfolio at a time when students can least afford for things to happen. Given declining incomes and rising college costs, students are caught in a squeeze where they are unable to meet the expenses that a higher education demands. We simply cannot let this happen, and I very much hope that again on a bipartisan basis we can reach not just this program, but we can also overcome what appears to be a policy directive of our friends on the other side to squeeze the student financial aid programs.

The budget resolution that passed the House of Representatives freezes...
Pell grants at $5,700 for the next 10 years. That means, 10 years from now, if that were to ever take on the force of law, the buying power of the Pell grant will be severely diminished.

That same budget resolution essentially eliminates the SEOG program and places tremendous restrictions on the college work-study program. These are programs that are absolutely essential to a student’s ability to finance their education. I very much hope we can work together to see if that they remain in exactly the form that they are in the balance of my time.

Ms. BONAMICI. Madam Chair, H.R. 4984, the Empowering Students Through Enhanced Financial Counseling Act, will give student loan borrowers a much better understanding of their role to repay. It does this by helping students track the amount they have outstanding, plan for monthly payments, and access affordable repayment plans.

As I mentioned, this bill is not a cure-all for the problems student loan borrowers face, which include rising tuition costs, service contract, and the bill serves a very important purpose, and it is especially important because of the cost of college and the challenges of managing student debt.

Greater transparency about what it means to borrow student loans will help students anticipate their obligations and advocate for their rights as borrowers, and perhaps greater transparency will elevate the conversation about the underlying need to address college costs.

Again, I want to thank Chairman KLINE, Ranking Member MILLER, and Representative GUTHRIE for their bipartisan effort on this important bill.

I am very much interested in working with them. I look forward to more bipartisan action in the Education and the Workforce Committee.

I ask all of my colleagues to join me in supporting H.R. 4984, and I yield back the balance of my time.

Mr. KLINE, Madam Chair, I yield myself such time as I may consume.

Again, I want to thank my colleagues from the committee, the principal authors of this bill—Ms. BONAMICI, Mr. HUDSON, and Mr. GUTHRIE—for their fine work here and for the spirit of enthusiasm and bipartisanship in the Education and the Workforce Committee.

I urge my colleagues to support this important legislation, and I yield back the balance of my time.

The CHAIR. All time for general debate is expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce, printed in the bill, it shall be in order to consider as an original bill for the purpose of the amendment under the 5-minute rule an amendment in the nature of a substitute that is consisting of the text of the Rules Committee Print 113-53. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 4984

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 “Empowering Students Through Enhanced Financial Counseling Act”.

SEC. 2. ANNUAL COUNSELING.

Section 485(i) of the Higher Education Act of 1965 (20 U.S.C. 1092(i)) is amended to read as follows:

“(i) ANNUAL COUNSELING.—

(1) ANNUAL DISCLOSURE.—

(A) In general.—Each eligible institution shall ensure that each individual who receives a Federal Pell Grant or a loan made under part D (other than a Consolidation Loan) receives comprehensive information on the terms and conditions of such Federal Pell Grant or loan and the responsibilities the individual has with respect to such Federal Pell Grant or loan. Such information shall be provided, for each award year for which the individual receives such Federal Pell Grant or loan, in a simple and understandable manner:

(i) during a counseling session conducted in person;

(ii) online, with the borrower acknowledging receipt of the information; or

(iii) through the use of the online counseling tool described in subsection (n)(1)(B).

(B) USE OF INTERACTIVE PROGRAMS.—In the case of institutions not using the online counseling tool described in subsection (n)(1)(B), the Secretary shall require such institutions to carry out the requirements of subparagraph (A) through the use of counseling, including an annual counseling session that is in-person or online, that test the individual’s understanding of the terms and conditions of the Federal Pell Grant or loan to the student, using simple and understandable language and clear formatting.

(2) ALL INDIVIDUALS.—The information to be provided under paragraph (1)(A) to each individual receiving counseling under this subsection shall include the following:

(A) An explanation of how the student may budget for typical educational expenses and a sample budget based on the cost of attendance for the institution.

(B) An explanation that an individual has a right to annually request a disclosure of information collected by a consumer reporting agency pursuant to section 611(a) of the Fair Credit Reporting Act (15 U.S.C. 1681(a)).

(C) STUDENTS RECEIVING FEDERAL PELL GRANTS.—The information to be provided under paragraph (1)(A) to each student receiving a Federal Pell Grant shall include the following:

(A) An explanation of the terms and conditions of the Federal Pell Grant.

(B) An explanation of approved educational expenses for which the student may use the Federal Pell Grant.

(C) An explanation of the importance of maintaining eligibility for the Federal Pell Grant.

(D) An explanation of approved educational expenses for which the student may use the Federal Pell Grant, and a statement of the amount of time remaining for which the student may be eligible to receive a Federal Pell Grant.

(E) An explanation of how the student may access additional financial assistance from the institution’s financial aid office due to a change in the student’s financial circumstances, and the contact information for such office.

(F) STUDENTS MADE UNDER PART D (OTHER THAN PARENT PLUS LOANS).—The information to be provided under paragraph (1)(A) to a borrower of a loan made under part D (other than a Federal Direct PLUS Loan made on behalf of a dependent student) shall include the following:

To the extent applicable, the effect of accepting the loan to be disbursed on the eligibility of the borrower for other forms of student financial assistance.

(G) An explanation of the use of the master promissory note.

(H) An explanation that the borrower is not required to accept the full amount of the loan offered to the borrower.

(I) An explanation that the borrower should consider accepting any grant, scholarship, or State or Federal work-study jobs for which the borrower is eligible prior to accepting Federal student loans.

(J) A recommendation to the borrower to exhaust the borrower’s Federal student loan options to taking a private education loan, and an explanation that if a borrower decides to take a private education loan—

(i) the borrower has the ability to select a private educational lender of the borrower’s choice;

(ii) the proposed private education loan may impact the borrower’s potential eligibility for other financial assistance, including Federal financial assistance under this Act; and

(iii) the borrower has a right—

(I) to accept the terms of the private education loan within 30 calendar days following the date on which the application for such loan is approved and the borrower receives the required disclosure documents, pursuant to section 128(e)(6) of the Truth in Lending Act; and

(J) to cancel such loan within 3 business days of the date on which the loan is consummated, pursuant to section 128(e)(7) of such Act.

(K) An explanation of the approved educational expenses for which the borrower may use a loan made under part D.

(L) Information on the annual and aggregate limits for the Federal Direct Stafford Loans and Federal Direct Unsubsidized Stafford Loans.

(M) Information on how interest accrues and is capitalized during periods when the interest is not paid by either the borrower or the Secretary.

(N) In the case of a Federal Direct PLUS Loan or a Federal Direct Unsubsidized Stafford Loan, the option of the borrower to pay the interest while the borrower is in school.

(O) The definition of half-time enrollment at the institution, during regular terms and summer school, if applicable, and the consequences of not maintaining at least half-time enrollment.

(P) An explanation of the importance of contacting the appropriate offices at the institution of higher education if the borrower withdraws prior to completing the borrower’s program of study so that the institution can provide exit counseling, including information regarding the borrower’s repayment options and loan consolidation.

(Q) For a first-time borrower, the anticipated monthly payment amounts for loans at maximum, a standard repayment plan, and, using the regionally available data from the Bureau of Labor Statistics of the average starting salary for the occupation the borrower intends to be employed, an income-based repayment plan under section 493C, and based on—
“(i) a range of levels of indebtedness of—

(I) borrowers of Federal Direct Stafford Loans or Federal Direct Unsubsidized Stafford Loans; and

(II) appropriate, graduate borrowers of Federal Direct PLUS Loans or Federal Direct Unsubsidized Stafford Loans; or

(ii) the cumulative indebtedness at graduation for students who borrowed loans made under part D and who are in the same program of study as the borrower.

(3) For a borrower with an outstanding balance—

(i) a current status of the amount of such outstanding balance and interest accrued;

(ii) based on such outstanding balance, the anticipated monthly payment amount under, at minimum, the standard repayment plan and, using regionally available data from the Bureau of Labor Statistics of the average starting salary for the occupation the borrower intends to be employed, an income-based repayment plan under section 493C; and

(iii) an estimate of the projected monthly payment amount under each repayment plan described in clause (ii), based on—

1. The anticipated outstanding balance on the loan for which the student is receiving counseling under this subsection; and

2. A projection for any other loans made under part D that the borrower is reasonably expected to accept during the program of study of such student based on at least the expected increase in the cost of attendance of such program.

(N) The obligation of the borrower to repay the full amount of the loan, regardless of whether the borrower completes or does not complete the program in which the borrower is enrolled within the regular time for program completion.

(O) The likely consequences of default on the loan; and

(P) Information on the National Student Loan Data System and how the borrower can access the borrower’s loan records.

(Q) The contact information for the institution’s financial aid officer or other appropriate officer at the institution the borrower may contact about any questions about the borrower’s rights and responsibilities or the terms and conditions of the loan.

5. BORROWERS RECEIVING PLUS LOANS FOR DEPENDENT STUDENTS.—The information to be provided under paragraph (1)(A) to a borrower of a Federal Direct PLUS Loan made on behalf of a dependent student shall include the following:

(A) The information described in subparagraphs (A) through (C) and (N) through (P) of paragraph (4).

(B) The option of the borrower to pay the interest on the loan while the loan is in deferment.

(C) For a first-time borrower of such loan, sample repayment amounts under the standard repayment plan based on—

1. A range of levels of indebtedness of borrowers of Federal Direct PLUS Loans made on behalf of a dependent student; or

2. The average cumulative indebtedness of other borrowers of Federal Direct PLUS Loans made on behalf of dependent students who are in the same program of study as the student on behalf of which the borrower borrowed the loan.

(D) For a borrower with an outstanding balance—

(i) a statement of the amount of such outstanding balance; and

(ii) based on such outstanding balance, the anticipated monthly payment amount under the standard repayment plan; and

(iii) an estimate of the projected monthly payment amount under the standard repayment plan, based on—

1. The anticipated outstanding balance on the loan for which the borrower is receiving counseling under this subsection; and

2. A projection for any other Federal Direct PLUS Loans made on behalf of the dependent student that the borrower is reasonably expected to accept during the program of study of such student based on at least the expected increase in the cost of attendance of such program.

(E) Debt management strategies that are designed to facilitate the repayment of such indebtedness.

(F) An explanation that the borrower has the options to prepay each loan, pay each loan on a shorter schedule, and change repayment plans.

(G) For each Federal Direct PLUS Loan made on behalf of a dependent student for which the borrower is receiving counseling under this subsection, the contact information for the loan servicer of the loan and a link to such servicer’s Website.

(H) ANNUAL LOAN ACCEPTANCE.—Prior to making the first disbursement of a loan made under part D (other than a Federal Direct Consolidation Loan) to a borrower for an award year, an eligible institution, shall, as part of carrying out the counseling requirements of this subsection for the loan, ensure that the borrower accepts the loan for such award year by—

(A) signing the master promissory note for the loan;

(B) signing and returning to the institution a separate written statement that affirmatively states that the borrower accepts the loan; or

(C) electronically signing an electronic version of the statement described in subparagraph (B).

SEC. 3. EXIT COUNSELING.

Section 468(b) of the Higher Education Act of 1965 (20 U.S.C. 1092(b)) is amended—

(1) in paragraph (1)(A)—

(A) in the matter preceding clause (i), by striking ‘‘any other offices or otherwise’’ and inserting ‘‘through the use of an interactive program, during an exit counseling session that is in-person or online, or through the use of an online counseling tool described in subsection (n)(1)(A)’’;

(B) by redesignating clauses (i) through (xii) as clauses (ii) through (xiii), respectively;

(C) by striking clause (iv), as so redesignated, the following:

1. A summary of the outstanding balance of principal and interest due on the loans made to the borrower under B, D, or E;

2. An explanation of the grace period preceding repayment and the expected date that the borrower will enter repayment;

3. An explanation of the option to pay any interest that has accrued while the borrower was in school or that may accrue during the grace period preceding repayment or during an authorized period of deferment or forbearance, prior to the capitalization of the interest;

4. In clause (ii), as so redesignated—

i. by striking ‘‘vantage information showing the average’’ and inserting ‘‘information, based on the borrower’s outstanding balance described in clause (i), showing the borrower’s’’; and

ii. by striking ‘‘of at least the standard repayment plan and the income-based repayment plan under section 493C’’ and inserting ‘‘of at least the standard repayment plan and the income-based repayment plan under section 493C’’;

5. In clause (z), as so redesignated, by striking ‘‘consolidation loan under section 428C or a’’;

(F) in clauses (z) and (zi), as so redesignated, by striking ‘‘and’’ at the end; and

(G) by adding at the end the following: ‘‘(zii) for each of the borrower’s loans made under part D, or on behalf of the borrower, the borrower is receiving counseling under this subsection, the contact information for the loan servicer of the loan and a link to such servicer’s Website; and

(H) ELECTRONIC ACCESS.—The Secretary shall ensure that each borrower who has a right to annually request a disclosure of information collected by a consumer reporting agency under section 6801 of the Fair Credit Reporting Act (15 U.S.C. 1681o(a));

(2) in paragraph (1)(B)—

(A) by inserting ‘‘or online’’ before ‘‘in writing’’; and

(B) by adding before the period at the end the following: ‘‘, except that in the case of an institution using the online counseling tool described in paragraph (1)(A), the Secretary shall attempt to provide the information to the student in the manner described in subsection (n)(2)(C);’’;

(3) in paragraph (2)(C), by inserting ‘‘such as the online counseling tool described in subsection (n)(1)(A),’’ after ‘‘electronic means’’.

SEC. 4. ONLINE COUNSELING TOOLS.

Section 485 of the Higher Education Act of 1965 (20 U.S.C. 1092) is further amended by adding at the end the following:

(1) ONLINE COUNSELING TOOLS.—

(A) IN GENERAL.—Beginning not later than 1 year after the date of enactment of the Empowering Students Through Enhanced Financial Counseling Act, the Secretary shall maintain an online counseling tool that provides the exit counseling required under subsection (b) and meets the applicable requirements of this subsection;

(B) An online counseling tool that provides the annual counseling required under subsection (i) and meets the applicable requirements of this subsection;

(C) RECORD OF COUNSELING COMPLETION.—

The Secretary shall—

1. use each online counseling tool described in paragraph (1) by keeping a record of which individuals have received counseling using the tool, and notify the applicable institutions of the individual’s completion of such counseling;

2. in the case of a borrower who receives annual counseling for a loan made under part D using the tool described in paragraph (1)(B), notify the borrower by when the borrower should sign and return to the servicer or the tool described in paragraph (1)(B) a separate written statement that affirmative states that the borrower accepts the loan; or

3. by adding before the period at the end the following:

‘‘(C) by a separate written statement that affirmative states that the borrower accepts the loan; or

(D) by providing to the borrower a notice that the loan servicer will not be able to provide the annual counseling required under subsection (b), and notify the applicable institutions of the information described in subsection (b)(1)(A), as so redesignated, that the borrower has received such counseling; and

(E) in the case of a borrower described in subsection (b)(1)(C) at an institution that uses the online counseling tool described in paragraph (1)(A) of this subsection, the Secretary shall attempt to provide the information described in subsection (b)(1)(A) to the borrower through such tool.’’.

SEC. 5. AVAILABILITY OF FUNDS.

(a) USE OF EXISTING FUNDS.—Of the amount appropriated to be available for carrying out the Department of Education’s Financial Awareness Counseling Tool, $2,000,000 shall be available to carry out this Act and the amendments made by this Act.

(b) NO ADDITIONAL FUNDS AUTHORIZED.—No funds are authorized to be appropriated by this
Act to carry out this Act or the amendments made by this Act.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 113-546. Each such amendment may be offered in order printed in the report, 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, subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. KLINE

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 113-546.

Mr. KLINE. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 7, strike “borrower” and insert “individual”.

Beginning page 7, line 12, amend subpart (L) to read as follows:

(i) a statement of the anticipated balance on the loan for which the borrower is receiving counseling under this subsection;

(ii) based on such anticipated balance, the anticipated monthly payment amount under, at minimum—

(I) the standard repayment plan; and

(II) an income-based repayment plan under section 495C, as determined using regionally available data from the Bureau of Labor Statistics of the average starting salary for the occupation in which the borrower has an interest in or intends to be employed; and

(iii) an estimate of the projected monthly payment amount under each repayment plan described in clause (ii), based on the average cumulative indebtedness at graduation for borrowers of loans made under part D who are in the same program of study as the borrower.

Page 11, beginning line 7, amend subpart (C) to read as follows:

(C) For a first-time borrower of such loan—

(i) a statement of the anticipated balance on the loan for which the borrower is receiving counseling under this subsection;

(ii) based on such anticipated balance, the anticipated monthly payment amount under the standard repayment plan; and

(iii) the projected monthly payment amount under the standard repayment plan, based on the average cumulative indebtedness of other borrowers of Federal Direct PLUS Loans made on behalf of independent students who are in the same program of study as the student on whose behalf the borrower borrowed the loan.

Page 13, line 17, insert “after receiving the applicable counseling under paragraphs (2), (4), and (5) for the loan” after “ensure that”.

Page 19, beginning line 1, redesignate section 5 as section 6.

Page 18, after line 24, insert the following:

SEC. 5. LONGITUDINAL STUDY ON THE EFFECTIVENESS OF STUDENT LOAN COUNSELING.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Director of the Institute of Education Sciences, shall begin conducting a rigorous, longitudinal study of the impact and effectiveness of the student loan counseling—

(1) provided under subsections (b), (I), and (n) of section 485 of the Higher Education Act of 1965 (20 U.S.C. 1092), as amended by this Act; and

(2) provided through such other means as the Secretary of Education may determine.

(b) Content of Study.—The longitudinal study carried out under subsection (a) shall include borrower information, in the aggregate and by race, ethnicity, gender, income, and status as an individual with a disability, on—

(A) student loan counseling;

(B) degree attainment;

(C) program completion;

(D) successful entry into student loan repayment;

(E) cumulative borrowing levels; and

(F) such other factors as the Secretary of Education may determine.

(c) Interim Reports.—Not later than 18 months after the commencement of the study under subsection (a), and annually thereafter, the Secretary of Education shall evaluate the progress of the study and report any shortfalls identified to the appropriate committees of Congress.

The CHAIR. Pursuant to House Resolution 677, the gentleman from Minnesota (Mr. KLINE) and a Member opposed each will control 5 minutes.

Mr. KLINE. Madam Chair, I rise in support of the manager’s amendment. This amendment is brought forth in close cooperation with the ranking member of the committee, my friend George Miller.

This amendment will improve the information provided to first-time student loan borrowers and the results would not reveal personally identifiable information about an individual borrower.

(c) Interim Reports.—Not later than 18 months after the commencement of the study under subsection (a), and annually thereafter, the Secretary of Education shall evaluate the progress of the study and report any shortfalls identified to the appropriate committees of Congress.

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The CHAIR. Pursuant to House Resolution 677, the gentleman from Minnesota (Mr. KLINE) and a Member opposed each will control 5 minutes.

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(c) Interim Reports.—Not later than 18 months after the commencement of the study under subsection (a), and annually thereafter, the Secretary of Education shall evaluate the progress of the study and report any shortfalls identified to the appropriate committees of Congress.

The CHAIR. Pursuant to House Resolution 677, the gentleman from Minnesota (Mr. KLINE) and a Member opposed each will control 5 minutes.

Mr. KLINE. Madam Chair, I rise in support of the manager’s amendment. This amendment is brought forth in close cooperation with the ranking member of the committee, my friend George Miller.

This amendment will improve the information provided to first-time student loan borrowers and the results would not reveal personally identifiable information about an individual borrower.

(c) Interim Reports.—Not later than 18 months after the commencement of the study under subsection (a), and annually thereafter, the Secretary of Education shall evaluate the progress of the study and report any shortfalls identified to the appropriate committees of Congress.

The CHAIR. Pursuant to House Resolution 677, the gentleman from Minnesota (Mr. KLINE) and a Member opposed each will control 5 minutes.

Ms. BONAMICI. Madam Chair, I rise in opposition to this amendment, but I do not oppose the amendment.

The CHAIR. Without objection, the gentlewoman from Oregon is recognized for 5 minutes.

Ms. BONAMICI. Madam Chair, the manager’s amendment, which I support and encourage my colleagues to support, helps bolster counseling for first-time borrowers, so that they are fully aware of the financing they may be required to use over their entire college education.

The manager’s amendment also ensures that students needing to borrow a student loan receive counseling before they sign the master promissory note. I am also pleased that this manager’s amendment includes my proposal for the Department of Education to do a comprehensive, longitudinal study on the impact and effectiveness of current student loan counseling practices, so we know what actually works.

We owe it to student loan borrowers and higher education institutions to find out if the current requirements affect borrowers’ understanding and their decisions.

In particular, we need to know if the programs we create in Congress improve outcomes for students. Will enhanced financial counseling help more students earn degrees, borrow less, and successfully enter repayment? We need to know if these outcomes benefit equally students of different races, ethnicities, genders, and income levels.

I urge my colleagues to vote “yes” on this bipartisan manager’s amendment, so that students can have more and better and high-quality information about their student loans.

Madam Chair, I yield back the balance of my time.

Ms. BONAMICI. Madam Chair, I thank the gentlewoman from Oregon for her support of this amendment. She is a principal author of the underlying legislation and her support of this amendment is very, very helpful.

I urge all my colleagues to support this amendment and the underlying bill, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. KLINE).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. KILMER

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 113-546.

Mr. KILMER. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, after line 11, insert the following:

(An introduction to the financial management resources provided by the Financial Literacy and Education Commission.

The CHAIR. Pursuant to House Resolution 677, the gentleman from Washington (Mr. KILMER) and a Member opposed each will control 5 minutes.

Mr. KILMER. Madam Chair, I thank the gentlewoman from Oregon for her support of this amendment. She is a principal author of the underlying legislation and her support of this amendment is very, very helpful.

I urge all my colleagues to support this amendment and the underlying bill, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. KLINE).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. KILMER

The CHAIR. It is now in order to consider amendment No. 3 offered by Mr. KILMER.

The CHAIR. Pursuant to House Resolution 677, the gentleman from Washington (Mr. KILMER) and a Member opposed each will control 5 minutes.

The CHAIR. The question is on the amendment offered by the gentleman from Washington.
Mr. KILMER. Madam Chair, I yield myself such time as I may consume.

I rise today as someone who went to college with the help of grants and loans and the support of a family and a community that had my back. It is in that spirit that I rise today to offer an amendment designed to help students and borrowers get access to more information about sound financial practices.

We know that financial literacy is important. It helps provide people with a roadmap for making sound financial decisions, to avoid or get out of debt, to prepare for emergencies, and to save for a brighter future.

Studies have found that 20-somethings have an average debt of $45,000, primarily from student loans, but also from car loans, mortgages, and credit card debt. When the Organization for Economic Cooperation and Development provided an international financial literacy test, American students ranked low among peers.

We need to do more to promote financial literacy, and it is particularly important that students who are getting federally-supported loans are getting the tools that they need to keep their finances on track.

We need to support resources that teach students financial literacy and provide them with the tools that they need to improve decisionmaking and strengthen their household budgets. Helping students shore up their financial management skills also has a direct impact on the economic and financial stability of our country.

Congress took a critical step forward in providing these resources by creating the Financial Literacy and Education Commission as part of the Fair and Accurate Credit Transaction Act of 2003, legislation that passed the House with overwhelmingly bipartisan support and was signed into law by President George W. Bush.

The Financial Literacy and Education Commission developed resources that help consumers better understand financial products. It offers guidance on how to financially prepare for and respond to major life events, and it gives tips on savings and borrowing and deterring fraud.

The amendment that I offer today would direct universities and the Department of Education to provide students with information about the financial management resources provided by the Financial Literacy and Education Commission.

For many students, a student loan is the first loan of their lives. As students consider the financial assistance that they need to get a decent education, it is critically important that they have the information they need to responsibly manage their finances.

I particularly want to applaud the ongoing work and leadership in promoting financial literacy by the co-chairs of the House Financial and Economic Literacy Caucus, including Representative HINOJOSA, who has been a strong advocate of financial literacy initiatives and played a critical role in creating this commission.

I am also pleased to be joined by my colleague from Alabama (Mr. BACHUS), who sponsored this legislation that helped create this commission.

I reserve the balance of my time.

Mr. BACHUS. Madam Chair, I claim the time in opposition, although I am not opposed. The CHAIR. Without objection, the gentleman from Alabama (Mr. KILMER) for what I consider a straightforward, commonsense amendment.

This is an amendment to the Fair and Accurate Credit Transaction Act, what we commonly call the FACT Act. The FACT Act is known for a free credit report and the requirement on the three main credit reporting agencies to amend their records.

If you notify one of an error, they have to make an examination and then correct it. Financial literacy was also an important part of the FACT Act because you have your credit report, but if you don't have good financial literacy, it is not going to be a good credit report.

In 2003, the subcommittee—which I chaired at that time—passed this in the full committee, and we had bipartisan support. Judy Biggert—who is no longer with us—from Illinois, I think, was one of the leaders on our side, but there were many on both sides.

A commission was formed without almost any cost to the people, and it did a lot of good research on financial literacy, how commonly call the financial decisions, debt load, what different financial products were there, where to turn in case of an emergency. It is called mymoney.gov. It is an excellent resource.

What we found—and Mr. KILMER did a lot of work on this and Mr. HINOJOSA and others—is that people are not utilizing that and that colleges and universities, when students apply for loans, they are not directing them to that site, which can actually save them money upfront. So what this does is it engages the colleges and universities and simply encourages them to have their students take advantage of them.

Particularly, there is an urgency today because we often hear that students are leaving school with high debt loads, and hopefully, as a result of this amendment and other steps that are being taken in this important legislation overall, students in the future can avoid some of the mistakes and not graduate with a lifetime debt load.

It is refreshing to have a bipartisan measure, and I reserve the balance of my time.

Mr. KILMER. Madam Chair, I yield 1 minute to the gentlewoman from Oregon (Ms. BONAMICI).

Ms. BONAMICI. Madam Chair, I thank Mr. KILMER for yielding.
The text of the amendment is as follows:

Page 3, after line 11, insert the following:

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(C) Based on the most recent data available from the American Community Survey conducted by the Department of Commerce, the estimated average income and percentage of employment in the State of domicile of the borrower for persons with
   (i) a high school diploma or equivalent;
   (ii) some post-secondary education without completion of a degree or certificate; and
   (iii) a bachelor’s degree.

The CHAIR. Pursuant to House Resolution 677, the gentleman from Florida (Mr. MURPHY) and I, a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MURPHY of Florida. Madam Chair, I rise today to support giving students and families the resources needed to make informed decisions about both their education and their finances.

I want to congratulate the gentleman from Connecticut, Mr. Guttiérrez, for his great work on this bill. I also want to thank the chairmen, Mr. KLINE, and Ranking Member MILLER for working in a truly bipartisan process on this legislation to provide students with common-sense, personalized financial counseling about some of the greatest investments a student can make: their investment in their own education.

I strongly support the underlying legislation and offer this amendment as a simple yet important amendment to the underlying bill offers.

The Chair recognizes the gentleman from Florida (Mr. MURPHY).

Mr. MURPHY. The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MS. LORETTA SANCHEZ OF CALIFORNIA

The CHAIR. Pursuant to House Resolution 677, the gentlewoman from California (Ms. LORETTA SANCHEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LORETTA SANCHEZ of California. Madam Chair, I yield myself such time as I may consume.

Madam Chair, we all know that higher education is a key to the ladder of success in the United States. It is one of the most important things that we can invest in. We just recently saw a study that showed that if, in fact, you have a 4-year degree, you are going to make significantly more than if you just graduated from high school. You can imagine that in today’s world—at least where I live in California, the most innovative State—a community college graduate is really what you need to have.

The value of a degree is very, very important, but we also see, of course, the student debt increasing. Students get out with their bachelor’s degree, have a mound of debt, and then they are trying to get a master’s, a Ph.D., or a profession. It is very, very difficult.

One of the most vital programs that we have in the United States is the Pell grant program to help them. But let’s face it, it is very difficult to understand all the ins and outs of how to get a Pell grant, how you use it, the purpose, how many units you can take, what you can’t take, how long it can take you, et cetera, et cetera. So it is another burden that we are putting on the students and the families when they don’t really get the good picture of how to use that program.

My amendment would help spell out for students and families how that Pell grant would be used. It would simply require institutions to better counsel transfer students on their Pell grant eligibility and the effect that it may have as a result of credits in courses that don’t transfer to another institution.

I know that, at least in California, when we look to go to the university, we usually say let’s do the first year at the least expensive place to do it, and that would be our community college—which, by the way, they are the gems of our community. They are doing incredible work.

But sometimes, when students using the Pell grant get there, they might have, for example, some remedial classes. They might have to brush up on their English or their math. In doing that, the Pell grant is being used up, and then those units don’t transfer to that 4-year university they go to. So the student ends up miscalculating what it is really going to cost them to finish off their diploma.

This amendment simply looks to make these types of obstacles obvious and transparent to possible transfer students so as to have the clearest information, that they get it upfront, and that they understand how they are going to get this done. In fact, a lot of these students are sometimes first-timers in their families who are trying to achieve a diploma from a university.

We are still miles away from getting that achievement gap closed in many of our communities. I know that we have broken the mold on it for a long time now in Orange County, but this will be a little piece of trying to get that.
While I am at it, I would like to thank Congressman GUTHRIE, Congresswoman HUDSON, and Congresswoman CONNORMANCI, who have, in good faith, championed the work on this bill. I still wish we could get to the Higher Education Act, but if we can’t do that, this is a good first step.

I reserve the balance of my time.

Mr. KLINGE, Madam Chair, I claim the time in opposition to the amendment, although I do not oppose the amendment

The CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. KLINGE. Madam Chair, I want to make the point that I am supporting all of the amendments offered today, but I wanted to take this opportunity with this particular amendment to thank the gentlewoman from California, because this amendment makes sure that these students in this confusing world that we are trying to help sort out get a clear explanation that their Pell grant eligibility is limited to 12 semesters and it will not reset if they transfer.

That is just an example of the kind of confusion that is out there, and it is one of the reasons that we insisted on putting counseling for Pell grant recipients, not just loan recipients, in the base bill. But her language brings absolute clarity to this issue. I thank her for that.

I support this amendment and the other amendments, and I yield back the balance of my time.

Ms. LORETTE SANCHEZ of California, Madam Chair, I ask my colleagues to vote for this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. LINDA SANCHEZ).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. COHEN

The CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 113-546.

Mr. COHEN, Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 10, insert at the end the following: “an explanation of treatment of loans made under part D and private education loans in bankruptcy.”

The CHAIR. Pursuant to House Resolution 677, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The CHAIR. Recognizes the gentleman from Tennessee.

Mr. COHEN. Madam Chair, this amendment is very simple. It would add an explanation of how Federal and private student loans are treated in bankruptcy to the list of the disclosures contained in the underlying bill.

Unfortunately, too many students lack basic financial literacy, and if they don’t have a proper understanding of their rights and responsibilities when it comes to student loans, it can lead to serious consequences for their financial future.

That is why I am pleased to support this legislation. Mr. KLINGE has offered—he has done such a good job bringing a bipartisan bill here—and the important financial counseling it requires.

However, one area that is not included is an explanation of the stringent requirements we have placed when it comes to erasing your student loans in bankruptcy.

While bankruptcy is never something to be taken lightly, our system does allow an honest but unfortunate debtor the opportunity for a fresh start if their financial situation is desperate enough. Most people assume that their student loans can be discharged along with their other consumer debts during bankruptcy proceedings, but that is not the case.

Under current law, borrowers must show that continuing to back their loans would impose an “undue hardship” on them and their dependents, a standard that, in practice, is nearly insurmountable. Bankruptcy law exempts very few types of debt from elimination through the bankruptcy process, but there are certain exceptions. For example, for principled policy reasons, we exempt child support, taxes, and certain intentional torts. In 1978, Congress added Federal student loans to this list.

This protects Federal student loan programs—and the taxpayer dollars that fund them—from fraud and abuse by borrowers. This also makes sense because Federal loans offer certain protections to ease the burden on debtors, like fixed interest rates and opportunities for deferments, income-based repayments and forgiveness; but in 2005, the Bankruptcy Protection Act was passed, and the bankruptcy protection was extended to private loans, which are not required to have and often do not have such consumer protections.

In fact, private lenders often market directly to students, luring them into unaffordable loans that saddled them with debts for decades to come.

That is why I have introduced legislation to remove the exemption for private student loans. May the Consumer Financial Protection Bureau has called for a study on whether bankruptcy rules for student loans should be modified. That, however, is not the issue here. The fact remains that this is the law, and students should be aware that both Federal and private, can only be discharged in bankruptcy in exceptional circumstances. That is why I propose this small refinement to the underlying legislation—to ensure that borrowers understand the consequences they may face in wiping the slate clean.

I thank Mr. KLINGE for allowing this and the Rules Committee for allowing this amendment to be made in order, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. KLINGE, Madam Chair, I rise in opposition to the amendment, although I do not oppose the amendment.

The CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. KLINGE. Madam Chair, I think, again, this amendment is underscoring the many issues that students and their parents and families are facing as they go into this postsecondary education adventure. Some of them, really, are coming off of jobs. The last thing they are thinking about is bankruptcy or the size of their loans. Most of them don’t even know what bankruptcy is—or many of them don’t know. Maybe they are a lot smarter than I was at that time.

This amendment makes it clear that they understand the difference between the rules under a student loan—if they don’t pay it or can’t pay—it and under other loans. Without this sort of explanation, they wouldn’t have any idea that their loans were not dischargeable in bankruptcy except, as the gentleman from Tennessee says, in some unusual circumstances.

Again, that is why this sort of financial counseling early and often is going to be very careful, because this isn’t a simple matter of taking out a loan, it will use a car loan as an example: you have a set amount, a set interest—a set amount that you pay back for a set number of years. Folks understand how that works. But in having student loans merged with all sorts of other programs—workstudy programs and Pell grants and so forth—it is no wonder that students are graduating, stepping out and—and, by the way—they can’t find jobs because the economy is in so much trouble. They had such high expectations when they stepped into college and into their college experiences or their post-secondary experiences, and then they came out and found out that the jobs weren’t available, and they have this confusing mess that they have to deal with, and the last thing that they ever gave any thought to was this whole notion of bankruptcy.

I thank the gentleman for his amendment, and I reserve the balance of my time.

Mr. COHEN, Madam Chair, I thank Mr. KLINGE for his explanation and his support. He is upriver from us, but that is where the Mississippi River starts before it becomes so beautiful on the bluffs of the city of Memphis.

I yield back the balance of my time.

Mr. KLINGE, as an example.

Madam Chair, there is quite a bit of difference in the Mississippi River between the gentleman’s district and Minnesota. In fact, you can step across the Mississippi River in Minnesota, and I don’t think that is true. In fact, I am absolutely positive that it is not true—anywhere else. It is always interesting when we have guests come to our great
Students in my district and around the country know the burden of student loan debt all too well. Giving our students all of the information will give them a better chance of being able to repay their loans and build successful futures for themselves and their families.

Mr. Chairman and my colleague, Ms. BONAMICI. I applaud you on your work on this strong and important piece of legislation, and I urge all of my colleagues to vote “yes” on my amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The text of the amendment is as follows:

Page 10, line 5, strike “and the” and insert “the most recent national average cohort default rate, and the”.

The CHAIR. Pursuant to House Resolution 677, the gentlewoman from California (Ms. HAHN) and a Member opposed each will control 5 minutes.

Ms. HAHN. Madam Chairwoman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 10, line 5, strike “and the” and insert “the most recent national average cohort default rate, and the”.

The CHAIR. Pursuant to House Resolution 677, the gentlewoman from California (Ms. HAHN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. HAHN. Madam Chairwoman, I yield myself such time as I may consume.

I am proud to support the legislation that we are considering today, and I applaud my colleagues on both sides of the aisle for coming together to work on this important bill.

As we have been hearing, it is critical that we provide our Nation’s students with the information they need to make informed decisions about what colleges they should attend and how they should pay for them.

I think the authors of this bill did a great service by including a provision to provide students with information about the student loan default rate for the schools they plan to attend. However, I believe that this legislation does not provide the students with the national student loan default rate across all schools, making it harder for them to have an accurate understanding of where their prospective schools stand nationally.

I have introduced a simple amendment to provide student loan borrowers with the latest national average default rate for the schools they plan to attend. This amendment will allow all students, as they are applying for their student loans, to know what the default rate for student loans is at the schools they are attending. By providing students with more tools in their pursuit of education, students will make more informed choices and save taxpayers the cost of more Federal student loans going into default.

As you may be aware, combined student loan debt in our Nation has topped $1 trillion, and the unfortunate reality is that many of those students do not know the enormous harm that defaulting on that debt can cause to them. Nearly 15 percent of the student loans had defaulted within 2 years of graduation, and this can have serious consequences on their ability to rent an apartment, to purchase a car or a house, or to even obtain future employment.

Madam Chair, I applaud the spirit of this bipartisan legislation to provide enhanced financial counseling services to our Nation’s students, and I look forward to voting in favor of it. My amendment will make a very simple adjustment to ensure the full effectiveness, however, of the bill.

My amendment will simply require that all student borrowers receive an explanation of the impact of a delinquency or of a default on loans to their credit scores, including the borrower’s future ability to find employment or to purchase a home or a car. It is important for students to have this information before they take on the loans.

For many recent graduates, the idea of a credit report or a credit score may seem very abstract. My amendment ensures that the impact of delinquencies or defaults is explained in very concrete terms.

Recent graduates are the top in their fields but, all too often, fall behind when it comes to financial literacy, which can have a lasting impact on their lives, and it can also take a toll on our economy. For more than 20 years, I worked as a financial adviser, helping families plan for their futures. It is important that all of our graduates understand how the decisions they make today will affect them and their families down the road when they are finding a job, buying a car, or renting or trying to own a home. We need to promote financial literacy when it can do the most good—before a borrower gets in trouble.

As we continue working to make college more affordable for our students, I believe this legislation and my amendment to it are both commonsense steps in the right direction that we can act on immediately. I look forward to a strong bipartisan vote on this bill, and I hope the Senate takes up this important legislation in a timely manner. I urge my colleagues to join me in the support of this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. PETERS).

The amendment was agreed to.

Mr. PETERS. Madam Chairwoman, I rise today to offer an amendment that builds upon the existing language in this bill to strengthen protections for American students. My amendment ensures students have the information that they need to make important financial decisions that could impact their lives long after graduation.

As you may be aware, combined student loan debt in our Nation has topped $1 trillion, and the unfortunate reality is that many of those students do not know the enormous harm that defaulting on that debt can cause to them. Nearly 15 percent of the student loan borrowers had defaulted within 2 years of graduation, and this can have serious consequences on their ability to rent an apartment, to purchase a car or a house, or to even obtain future employment.

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I yield back the balance of my time.
Mr. COLE. Madam Speaker, on Wednesday, the Rules Committee met and reported a rule for consideration of two measures, H.R. 3393, the Student and Family Tax Simplification Act, and H.R. 4935, the Child Tax Credit Improvement Act of 2014.

The rule provides a closed rule for consideration of these two measures, as is customary with tax legislation. In addition, the resolution provides for 60 minutes of debate equally divided between the chairman and ranking minority member of the Committee on Ways and Means; and (2) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

Finally, Madam Speaker, the rule combines both H.R. 3393 and H.R. 4935 before sending it to the other body.

Madam Speaker, with tuition prices continuing to climb, more Americans are struggling to plan for and afford higher education. Today’s broken Tax Code makes it even harder to pay for college. As Congress works to remove overlapping education provisions that take the IRS 90 pages to explain.

We need to simplify education tax benefits so families can actually use them, and we need to get our economy back on track so students and families are earning enough to afford a good education.

H.R. 3393 takes a good first step. It consolidates four current tax benefits for higher education, the American opportunity tax credit, the Hope Scholarship credit, the lifetime learning credit, and the college tuition deduction into a new, simplified and, most importantly, permanent tax credit.

In addition, H.R. 3393 also includes strong antifraud provisions requiring taxpayers to include on their tax return the name and taxpayer identification number of the student and the employer identification number of the applicable higher education institution.

The resolution provides for consideration of H.R. 4935, which modernizes and improves the child tax credit. Originally created in 1997 to help ease the financial burden that families incur when they have children, this credit has failed to keep pace with the cost of raising a child. Initially, it provided a maximum credit of $400 per child. However, under the 2001 and 2003 tax cuts, this credit was expanded to $1,000 per child, was made partially refundable, and was indexed for inflation.

Unfortunately, these good changes expired in 2010. I would note for my colleagues that even with these increases, since 1960, the cost of raising a child has increased by approximately 4.4 percent a year.

H.R. 4935 would index the child tax credit for inflation, eliminate the marriage penalty, and would require an individual to include their Social Security number on their tax return to claim the refundable portion of the child tax credit.

Current estimates suggest that at least $13 billion in improper refundable tax credit payments are made each year. This provision would help to combat that growing problem.

Madam Speaker, the cost of raising children increases every year, but the current child tax credit fails to take these increased costs into account. In addition, the current tax credit penalizes children of color.

By making these commonsense changes, we can ensure that the credit truly serves its intended purpose.

Madam Speaker, I encourage my colleagues to support the rule and the underlying legislation, which continues our targeted approach to updating, improving, and modernizing the Tax Code.

Madam Speaker, I reserve the balance of my time.

Mr. POLIS. I thank the gentlewoman for recognizing the great State of Colorado, where we hope to have you visit my district and ski in Vail, or perhaps enjoy the comfortable, temperate summer weather in our mountain resort areas.

Madam Speaker, I thank the gentleman for yielding me the customary 30 minutes. I yield myself such time as I may consume.

Madam Speaker, I rise today in opposition to the rule and the underlying bills, H.R. 4935, the Child Tax Credit Improvement Act of 2014, and H.R. 3393, the Student and Family Tax Simplification Act.

These two so-called extender bills, which are among several that this body has considered, are all unpaid for. Instead of allowing amendments on these bills, they are brought before us under an entirely closed process that blocks efforts by either Democrats or Republicans to come up with new and better ways to improve the effectiveness of these tax cuts, or to provide offsetting cuts to expenditures or closing other revenue loopholes that would pay for these tax cuts. So, essentially, this is not a real proposal before us today.

I think that the child tax credit and Student and Family Tax Simplification Act are widely popular on both sides of the aisle, but real policy discussion is how we pay for them. That is the real discussion. That is what the House and the Senate will need to negotiate. That is what the President will need to negotiate.

I am happy to work with my colleagues on the other side of the aisle to come up with corresponding cuts so that these can be paid for. But, under this closed rule, we are not even able to have a discussion of that. We are considering yet another set of unpaid-for tax extender bills that will add to our debt.

Now, at the beginning of this year, Chairman CAMP put forward a true, revenue-neutral comprehensive tax reform bill. That was a real attempt to not add to our ballooning deficit and reduce taxes. To be clear, this is not.

While I oppose this bill, I certainly support the intention of the American Opportunity Tax Credit, which is to provide incentives for people across the
country to pursue higher education, and I look forward to the real discussion of how we pay for it. Money doesn’t grow on trees.

Students can receive a maximum annual credit of $2,500 for pursuing college, through an equal matched, or a university to help them pursue their dreams of achieving a postsecondary education, which is more important than ever to have a chance at succeeding in the 21st century workforce.

I am pleased the American Recovery and Reinvestment Act authorized the AOTC to help both undergraduate and graduate students pay for their studies. I am thrilled the Republicans now support extending provisions of the American Recovery and Reinvestment Act.

That is a positive development for families across our country.

In my home district of Colorado, I am pleased to have two flagship research universities, Colorado State University and the University of Colorado at Boulder, which are leading the way in undergraduate and graduate education and research that benefits our communities and our health.

Students at these universities shouldn’t have to spend their time worrying about how they pay for books and tuition. They should be learning. They should be engaged in research and innovation to grow our economy, and not have to play the guessing game about what Congress does or does not fund. They should be free to pursue a higher education.

Many students who use the Lifetime Learning Credit, which has no limit on the number of years it can be claimed for each student, are low-income Americans, out-of-work Americans, folks who want to get back to work so they are not reliant on government programs.

Madam Speaker, why would we remove the things that provides incentives for adults to learn throughout their lives at a time in our economy where it is more important than ever to do so?

We need to recognize the changing demographics and ensure that our tax system aligns with the real needs of 21st century learners.

That is why the major higher education associations, including the American Association of State Colleges and Universities, the American Council on Education, and the Association of American Universities all oppose this legislation. These colleges and universities want to make higher education more affordable, not just for traditional students but for lifelong learners as well.

I applaud my colleagues for recognizing the challenge of college affordability. I applaud my colleagues for basing it on broad-based provisions of the American Recovery and Reinvestment Act.

I was thrilled that just yesterday the House passed H.R. 336, the Advancing Competitiveness through Demonstration Project Act, which I coauthored with Representative SALMON by a vote of 414–0. How wonderful the Democrats and Republicans were able to come together around a practical method to reduce costs and improve the quality of college.

While this legislation would provide much-needed relief for some students, it is far from making college more affordable for everybody. Unfortunately, the legislation called forth under this rule would actually increase our Federal deficit by approximately $96.5 billion over 10 years.

Let’s have a real discussion about making college more affordable. Let’s have a real discussion about paying for it.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I want to begin by thanking my friend. We do agree conceptually on quite a bit in terms of the Tax Code. I think both of us individually, and both sides collectively, honestly want to do things that make it easier for people to pursue a higher education.

Certainly, I think we are all interested in eliminating the marriage penalty as well. So I think we are moving broadly in the same direction, even though we have some disagreement.

I will point out to my friend that it is not unusual that tax legislation would come to the floor in a closed rule. And despite the fact that is almost always the way it is done, simply because you have to be able to score the items, and you have to understand what the real cost of tweaking is.

So whether Republicans or Democrats are in control, a closed rule is usually the order of the day on any tax legislation.

I appreciate my friend’s concern about the deficit, and in that I am quite agreeable.

Now, I do also always like to point out to my friends that when they were in the majority, for 4 years in a row the deficit got greater each year. And since we have been in the majority the last 4 years the deficit has gotten smaller each year.

So I actually think that we not only have a rhetorical concern about the deficit, we have demonstrated over and over again that certainly this current majority is very, very serious about actually doing something other than to do that by reining in spending and putting forward thoughtful reform proposals, which I believe we have done.

I would also point out to my friend, and I think he would agree with me on this, this is a vehicle. This is not going to be the final product. My friend is exactly correct when he says there will be a negotiation.

But my concern has been, watching what has been going on on the other side of the rotunda, so to speak, is that there hasn’t been very much serious work. We think they are going to look at the extenders package in terms of tax relief and basically just try and jam that through without any thoughtful pruning and without making elements of it which have been approved over and over again, and which are clearly popular on a bipartisan basis, permanent.

So that is what we are trying to do. I think we are constructing a platform to go into negotiation with the Senate. And I suspect what emerges will be somewhat different than what either side goes in with. This is pretty normal in the legislative process.

But I think the concepts here that we are moving forward on are correct and, I think, have broad popular appeal and bipartisan support. These are provisions—and I have done this over several bills now—that both parties have approved overwhelmingly, time and time again on a sort of yearly basis. And we want to take those things and make them permanent.

I suspect, in that process, some things that are less popular might be jettisoned. But again, that is for the negotiators to decide. We are simply trying to get to that conference. We are marking out what our position is. We recognize the Senate will have to do the same thing, and from there we will move and, perhaps, at a later point in this process we can find ourselves actually on the same side.

Madam Speaker, that is something that I have been talking to my good friend from the State of Georgia (Mr. WOODALL), my fellow Rules Committee Member and RSC president now, rapid ascent, to make whatever remarks he cares to.

Mr. WOODALL. I thank my friend from Oklahoma for yielding me the time.

Madam Speaker, the Rules Committee has a tough job, but it is interesting to hear folks down here talking about both their agreement on tax reform and deficits and their agreement about what a rule ought to look like.

I have kind of gotten a little bit of both of their passions with me today, Madam Speaker, because Ways and Means bills do have to come to the floor under a closed rule.

The way the rules work, if you have an open rule, anything that is relevant to the underlying bill, you can discuss, so when you bring a tax bill to the floor, suddenly, the entire Tax Code becomes available for amendment, and you can imagine what a brouhaha that would be. I would enjoy that debate. I would thoroughly enjoy that debate, but it would never, ever end.
That is not so with our spending bills. When our spending bills come to the floor, they come under a completely open process, so that we can examine the underlying spending.

Just to take folks through the Rules Committee, a little bit, Mr. Speaker, what we did here is we waived the CutGo provision in the rules. There are a lot of focus groups going on around the Chamber right now about how we should change the rules to make the system work better.

Some folks think it makes it work better, some folks think it makes it worse, but we should have that conversation as a body.

We had to waive CutGo in this rule, Madam Speaker, because it increases mandatory spending. I have a bill beside me—and it really drives this point home. In fact, I think it was the gentleman from Colorado who was making this point.

We voted on the Legislative Branch Appropriations bill this year. It was a $3 billion spending bill. We had eight amendments on the floor of the House. It passed on the Financial Services spending bill. It was a $21 billion spending bill. We had 51 amendments on that bill. We passed it out of the House.

We voted on the Energy and Water spending bill, a $34 billion spending bill, with 78 amendments on the floor of the House. We voted on the Commerce-Justice-Science bill, a $51 billion bill, with 84 amendments on the floor of the House. It goes on: Transportation, $52 billion, with 68 amendments; Military Construction and Veterans Affairs, $71 billion, with 24 amendments.

It brings us to one of the underlying bills today, a bill that I think touches the heart of absolutely every man or woman in this Chamber, our constituents back home, trying to help our children access the higher education services that they need, but in this case, it is going to increase mandatory spending by $73.7 billion—more than any of the appropriations bills we passed this year, except for our Defense Department Appropriations bill—and it is not going to be able to allow a single amendment on the floor of the House.

Now, the idea behind the process is: Does mandatory spending deserve some additional scrutiny, the kind of scrutiny that we give to appropriated spending, to discretionary spending? I will tell you what it does. I am so proud of what this House does on discretionary spending.

My friend from Oklahoma happens to be an appropriator. He is an appropriator, in fact, which means he has leadership responsibilities over there. This committee comes to the Rules Committee—and my friend from Colorado recognizes this—they come to the Rules Committee, and they ask for an open rule every single time.

They say: We have done the best we can do to give the House our proudest work, but if anybody else has ideas about how to improve it, come to us. We want this to be a collaborative product.

We can’t do that with this bill before us today, and it increases mandatory spending by $73.7 billion. I cannot count the number of times I have heard my colleagues say that this is not the appropriations spending that is the problem. It is the mandatory spending that is the problem.

We are moving awfully fast in the body this week to appropriate $73.7 billion in new mandatory spending. I know people’s hearts and heads are with these young people that we are trying to help get ahead, that we are trying to help access higher education, but there is only one place we are going to find this $73.7 billion, and that is in the pockets of the very same young men and women when we borrow this money today to spend it on them and ask them to pay it back, with interest in the future.

I caution my colleagues today, spending $73.7 billion is not going to be able to allow a single amendment on the discretionary side, so it is very important. The problem. It is the mandatory spending that is the problem.

Instead, we are going to see the same process that we have seen every year as we face the future. That is the problem that we have when we are dealing with tax bills, but my question for my colleagues is: Does mandatory spending deserve some additional scrutiny, the kind of scrutiny that we give to appropriated spending, to discretionary spending? I will tell you what it does. I am so proud of what this House does on discretionary spending.

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I caution my colleagues today, spending $73.7 billion is not going to be able to allow a single amendment on the discretionary side, so it is very important. The problem. It is the mandatory spending that is the problem.

Instead, the Bring Jobs Home Act would provide a new 20 percent tax credit for companies that bring jobs back to the United States of America. This will provide a substantial incentive for more and more companies to create jobs and invest right here in our own country.

We are already seeing a trend towards insourcing. Manufacturing employment is up by 600,000 jobs since the
end of the Great Recession, and for the first time, in 2013, companies were re-
shoring jobs at the same rate that they
offshored them. We have still got a big
hole to dig ourselves out of from 2003,
with up to 150,000 jobs being offshored
each month. They are still out of balance by about 1 million jobs.

Companies like Master Lock, Cater-
pillar, Ford, GE, and Walmart even—
which is not one of my favorites—are
starting to see the value in bringing
manufacturing back to this country. We
have got the R&D, the infrastructure,
the educated workforce, and we
have got the consumers, and, again, we
have the most productive workers in
the world.

It is not just the big guys. More than
80 percent of companies bringing work
back have $200 million or less in sales,
so let’s give these companies a little
extra incentive to make it in America
by providing them with this tax credit
to help our manufacturing economy
continue.

The SPEAKER pro tempore (Mr.
SIMPSON). The time of the gentleman
has expired.

Mr. POLIS. I yield the gentleman an
additional 30 seconds.

Mr. PASCRELL. A robust manufactur-
ing-based economy will lead to
widespread prosperity for businesses
and the people who work there. Manu-
facturing jobs pay 23 percent more
than workers in other parts of the
economy, and every $1 in manufactur-
ing sales creates $1.40 worth of econo-
mic impact.

Mr. Speaker, it is time to stop the
shortsighted policies that stifle invest-
ment here in America and focus on
what we can do to incentivize invest-
ment and job creation. I urge a “no”
vote on the previous question.

Mr. COLE. I yield myself such time
as I may consume.

Mr. Speaker, we have opened quite a
range of things to talk about with Mr.
WOODALL’s remarks and Mr. POLIS’s
response and my good friend from New
Jersey, Mr. PASCRELL’s proposal. Let
me sort of take some of them up in
range of things to talk about with Mr.

Mr. ENYART. Mr. Speaker, today I
rise for American jobs and good gov-
ernment. I rise to support the Bring
Jobs Home Act.

Our current corporate tax law is bro-
ked. Today, companies that move
American jobs overseas are able to
take tax deductions for relocating jobs
outside the United States. Let me say
that again. Companies located here in
the United States are able to take
tax deductions for moving American jobs
overseas.

Don’t we have that backwards?
Shouldn’t we give tax deductions to
those moving jobs back home, back to
America? The Bring Jobs Home Act
provide for not only an end to
corporate rewards for shipping jobs
overseas, it will also provide companies
an incentive to restore jobs in Amer-
ica.

Right in my home State of Illinois,
over 690,000 jobs are at risk of being
sent overseas. At a time when we are
desperately trying to grow the job mar-
tet in our country, we simply cannot,
in good conscience, let the American
taxpayer foot the moving bill for
megacorporations.

When I was a young man, I worked
the assembly line at Caterpillar, just
like my father did. We put in a hard
day’s work for an honest day’s pay.
Caterpillar understands the importance
of keeping jobs here in America. In the
last few years, Caterpillar has been
bringing jobs back to the U.S., back to
my home State of Illinois, just like GE
and Ford have. Let’s give them the In-
centive they deserve for doing the right
thing.

Join me in supporting this bill so we
can bring jobs home.

Mr. COLE. Mr. Speaker, I yield my-
self such time as I may consume.

Again, I want to point out, Mr.
Speaker, I frankly have no objection
to my friends’ using the process to bring
these ideas up for debate and discus-
sion. I actually think that is helpful
and that moves the process forward,
and I applaud them for that. I don’t
disagree necessarily with what they
are talking about in terms of tax de-
ductions for jobs that are exported to
jobs that are imported. I think that is something we ought to
consider.

But, it is not the subject of the legis-
lation that is in front of us today.
Those subjects are, one, what can we
do to modernize the Tax Code and give
students permanent certainty in terms
of tax deductions that are available to
educate themselves and give their fam-
ilies the ability to deal a little bit with
the mounting cost of college. That is a
good idea. Both sides can broadly agree
to that. But, the principle that we
do is make sure the marriage penalty
disappears and that we can target ap-
propriate tax relief to families with
children at least up to a certain level of income, I believe $150,000, to give them a little break with the cost of raising children.

Those, to me, are modest steps, but they are important programs because they help pay for the daily lives of American workers. I am not suggesting that what my friends are proposing doesn't do the same thing. I just think this vehicle, we probably ought to work within the bounds of what Ways and Means has sent us.

I will say, I sense some of my friend's frustration in terms of moving legislation. We have got 321 bills sitting in the United States Senate that haven't been acted upon that this House has sent over there, so I know a lot about feeling shut out. I think if our friends on our side of the aisle in the upper Chamber were here, they would tell you that they have had fewer amendments this year than Democrats in this Chamber have gotten on any appropriations bill that we have brought forward. We don't have a broken Congress. We have a broken United States Senate, in my view.

But, having said that, we have got a chance, I think, here to take a step in the right direction, to thoughtfully consider things that have worked their way through the Ways and Means Committee, to position this Chamber to sit down at a later point and negotiate with our friends—Republican and Democratic alike—in the other Chamber and perhaps produce, toward the end of this year, some good and permanent changes in the Tax Code that, if an agreement is reached, I suspect we could have overwhelming bipartisan support for.

So, we are just at that point in the process where we need to develop and put forward our proposals. We would hope that our counterparts in the United States Senate do the same thing. We can sit down and again find common ground in between. We have done that on some occasions before. If we will just operate the way our procedures are set up, I am confident we can do that again.

So, with that, Mr. Speaker, I will reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I am prepared to close. I would like to inquire if the gentleman has any remaining speakers.

Mr. EVERETT. I am certainly prepared to close whenever my friend is.

Mr. POLIS. I yield myself the remainder of the time.

Mr. Speaker, this rule and this bill here before us today are yet another symbolic bill, and when this House only has another week in session before September, we are passing a bill that doesn't move here or there on the actual renewal of these tax credits, doesn't deal with the deficit or entitlement spending, and doesn't deal with immigration. It is a bill to presumptively show the public that Republicans care about this particular tax credit as do, of course, Democrats.

But there is no real effort to figure out how we are going to pay for it. We would all love to cut every tax. Why not cut every tax down to zero and not tax anybody? But where is the money coming from?

It is at odds with this. It is a feel-good, meaningless gesture that I, frankly, think the American people see through, which is why this body's approval rating hovers around 12 percent.

The bill makes in order the child tax credit expenditures $115 billion over 10 years. Un-offset costs of this cost each taxpayer $2,600.

Aside from the significant cost this imposes on the American people, there are also some substantive concerns that we talked about. While the bill would give some families a permanent tax break, it would actually harm our most vulnerable women and children. Specifically, the bill fails to extend a critical provision of CTC, which has helped low-income, working families lift their kids out of poverty.

The bill also indexes the current maximum credit of $1,000 per child to inflation, which only benefits those with incomes high enough to receive the maximum benefit. Further, the bill does not extend the income scale on a permanent basis, allowing only families who make over six figures to benefit.

Ironically, on the same day that Representative PAUL RYAN is unveiling his anti-poverty plan, this House has had the opportunity to act on legislation that, if an agreement is reached, would actually push 12 million more people, including 6 million children, into poverty.

Unfortunately, there has been a provision added to this bill at the Rules Committee that would bar children who are American citizens but have an Alien Registration number, even if they are claiming the credit for children who are American citizens but have a Social Security number, even if they are claiming the credit for children who have a Social Security number and are full American citizens.

This impact is huge. It would deny 5.5 million poor American children from being able to receive this tax credit, deny millions of U.S. citizens much-needed assistance for being able to afford their housing, and food, just because of who their parents are. That is not right and that is not just.

It is no wonder that groups that care about this from across the ideological spectrum, including the National Women's Law Center, Flat Kids Project Campaign for Children, Half in Ten Children's Defense Fund, National Immigration Law Center, and the National Council of La Raza, have all come out in strong opposition to this bill.

Mr. Speaker, it would be disgraceful if on the same day we took on immigration this year was to roll back benefits for U.S. citizens who happen to have parents who violated our law.

With 1 week left before the August recess, Republicans, unfortunately, have little time to introduce and pass a bill that actually deals with immigration and addresses the crisis at our border.

President Obama sent a request to Congress to address the flow of families and unaccompanied minors from El Salvador, Honduras, and Guatemala across our border. As you know, these families that I had the opportunity to visit with last weekend in McAllen, Texas, in San Antonio, at Joint and Air Force Base, are fleeing horrific situations, often including gangs, rape, murder, trafficking, and extreme poverty, and are seeking refuge in this great country just as my own great-grandparents did, as well as that of many of my colleagues.

This problem with the crisis at the southern border is only one of so many symptoms about our dysfunctional immigration system, which is why Congress needs to bring forward the bipartisan H.R. 15 bill that would allow us to actually act on legislation that passed the Senate by a bipartisan vote of more than two-thirds and that the President would sign.

H.R. 15, our House bipartisan comprehensive immigration reform bill, which I am a proud sponsor of, would create American jobs, ensure we are more competitive in a global economy, lower the deficit, reflect our values as Americans, unite families, secure our border, and restore order and normality and law to the chaos that now surrounds our immigration system.

The American people overwhelmingly support immigration reform, but, unfortunately, House Republicans continue to not allow a vote on reform and have failed to bring forward a bill to address the dire humanitarian crisis at our border. And here in this bill, we have another bill to cut off benefits to American kids just because of who their parents are.

I cannot support this closed rule and these underlying bills. They will add to our deficit. They fail to address some of the most critical issues of our time, and they have significant policy flaws that make these particular programs worse for some of our American families that need the credits the most.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?
There was no objection.

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

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

Let me address a number of remarks my friend mentioned and let me begin by reminding anybody who happens to be listening or following the debate this isn’t an immigration bill. This is actually a tax bill, and it is really about trying to make some things that have had bipartisan support permanent.

We all agree that we need to, insofar as we can, help people that are educating themselves or members of their family and provide appropriate tax relief. That is what this bill does. It is simply that simple.

Number two, we all think that you shouldn’t have a tax penalty for being married, and if we can do things to help you with the cost of raising a family, we ought to try and do those things because it’s been tough. That is what this bill does.

Now, we can disagree about the merits, but I think the general thrust is something we probably broadly agree on. Making those items permanent within the code is important so people can actually get used to using the benefits, understand them—sort of internalize them—and make them permanent and predictable for families. So that is our goal with this legislation.

First of all, I would like to get, eventually, to a conference with our friends in the Senate who I suspect would share some of my friend from Colorado’s concerns that might be in their legislation. He knows how the process works. We will sit down at that point and see if we can find common ground. If the two negotiating teams can, then I suspect we will come back with something that a great number of us on both sides of the aisle can support.

What my friend Mr. CAMP, the chairman of Ways and Means, is trying to do is actually make permanent some very good bipartisan ideas that I think we can rally around.

Now, my friend also mentioned the deficit, and I want to, again, laud his concern for that. I appreciate that. I genuinely do. I recognize this is a work in progress, not a final product, but I will point out again for the record, when my friends were in the majority, the deficit got worse every single year. It has gotten better every single year since then. So I think we are serious about dealing with the deficit.

I would invite my friend, and I know he would seriously engage in this, let’s find some areas on the part of the budget that I think need addressing—the entitlement area—where perhaps we can find some common ground.

Mr. POLIS. Will the gentleman yield?

Mr. COLE. I do want to disagree with my friend on a couple of points.

Number one, this isn’t a symbolic piece of legislation. It is legislation in progress, but it is not feel-good. I know Mr. CAMP and his committee are anxious to take many aspects of the Tax Code.

I know Mr. CAMP wants to make at least some of these things permanent. We may succeed or we may not, but it is certainly not meant to be anything other than serious.

Also, my friend mentioned and talked at considerable length about the issue of immigration and the border crisis, two issues that I regard as somewhat distinct. We do have a border crisis, and I suspect we will see legislation to deal with that. There is a difference between a border crisis and the protection just wants resources to manage it. I think we would like to change some of the root causes and address it, and hopefully stop the massive flow and all of the human tragedy that goes with it. There is a question of what do we do with unaccompanied juveniles or minors who arrive, and that is an important debate to have. But we ought to and think: Is there something that we are doing that is encouraging that flow? Because, believe me, everything that is coming out of this is bad. It disrupts the societies from which these people are coming. We are treating children from Mexico different than we are treating them from Guatemala. We have people now pouring money into criminal cartels and strengthening them. And finally, the children themselves, the juveniles themselves, are confronted with a thousand-mile journey where they are breaking not just the laws here but also in Mexico. They are at great risk. They are traveling with criminals. There is a lot of abuse. Some of them are undoubtedly forced into sex trafficking or into the drug trade. There are plenty of opportunities for abuse. Nobody should want that to happen.

We are going to try to offer some serious proposals. I am very pleased with my colleague on the Appropriations Committee, KAY GRANGER from Texas, who has put together a working group and some very thoughtful proposals. We have tried to scrub them on the Appropriations Committee. Hopefully we will be able to move forward with those.

Finally, let me just end with this. In closing, I believe it is important, Mr. Speaker, to continue this deliberative approach towards fundamental tax reform. The child tax credit has existed since 1997, and the reforms contemplated in this legislation are important. In addition, the consolidation of four separate education credits into one simplified credit will result in much less taxpayer confusion. I urge my colleagues to support this rule and the underlying legislation.

The material previously referred to by Mr. POLIS is as follows:

Mr. POLIS. AN AMENDMENT TO H. RES. 680 OFFERED BY MR. POLIS OF COLORADO

At the end of the resolution, the following new sections:

Sec. 4. 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, set the time of consideration of the bill (H.R. 851) to amend the Internal Revenue Code of 1986 to encourage domestic insourcing and discourage foreign outsourcing. 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 Committees on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill shall be 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 or to recommit and report. 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 resume daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

Clause 1 of rule IX shall not apply to the consideration of H.R. 851.

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 position 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 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 Republican majority the control of the resolution to the opposition a chance to decide the subject beforehand. Cannon cites the Speaker’s ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the defeat of the previous question is to give the Republican majority the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the minority 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 (Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzerald, 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 the House has 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’s how the Republicans talk about 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 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 of Representatives, the subchapter titled ‘Amendments to the rule, or yield for the purpose of 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 opens the resolution to amendment and further debate.” (Chapter 21, section 21.2)

Mr. COLE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. Pursuant to section 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 226, nays 191, not voting 15.

The result of the vote as announced was as above recorded.

Presented: Stated against:

Ms. KUSTER changed their vote from 189, not voting 17, as follows:

Yeas—226

Nays—191

The vote was taken by electronic device, and there were—yeas 226, nays 191, not voting 15.

The result of the vote as announced was as above recorded.

States Against:

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to section 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 226, nays 191, not voting 15.

The result of the vote as announced was as above recorded.
Ms. SINEMA changed her vote from "yea" to "nay." 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.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

EMPOWERING STUDENTS THROUGH ENHANCED FINANCIAL COUNSELING ACT

The Speaker pro tempore, pursuant to House Resolution 677 and rule XVIII, the Chair declares the House in Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4984.

Will the gentleman from Illinois (Mr. HULTGREN) kindly take the chair?

IN the COMMITTEE OF the WHOLE

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, Amendment No. 7 printed in part B of House Report 113-546 offered by the gentleman from Michigan (Mr. PETERS) was disposed of.

AMENDMENT NO. 2 OFFERED BY MR. KILMER

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. KILMER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.
Mr. HULTGREN, Acting Chair of the Committee on Education and the Workforce, reported the amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported by the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. 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.

MOTION TO RECOMMIT

Mr. TIERNEY. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. TIERNEY. I am, in its present form.

The SPEAKER pro tempore. The amendment was agreed to.

Mr. TIERNEY. Mr. Speaker, this is the significant benefits that refinancing would afford. Let’s give them the information and allow them to determine for themselves if they, like the women I mentioned from Reading and women throughout the country—student loan refinancing is for them and their families.

Another woman from Danvers, Massachusetts, emailed me today as well, and she said:

My husband and I, already struggling to make ends meet, scraped together enough money to make my loans current, but the payments are almost too much to bear. With the cost of living steadily rising and our incomes staying flat, it is becoming more and more difficult to provide for our family let alone pay back these loans at exorbitant rates. Being able to refinance would be a godsend to myself and my family.

Mr. Speaker, these women are our customers, and this House should be in the business of serving their interests. Unfortunately, our Republican colleagues have denied or defeated all of our efforts to allow for student loan refinancing.

Mr. Speaker, we are not deterred, and we won’t give up. We are here again today, fighting for students and their families. The motion I am offering today simply requires that students know what they would owe if they were permitted to refinance their loans just like consumers can do who refinance their mortgages right now.

Page 16, line 7, strike “and” at the end.

Page 16, line 2, strike the period, close quotation marks, and semicolon at the end and insert “; and."

Page 16, after line 7, insert the following: 

"(xv) information on the anticipated monthly payment amount for each loan made to the borrower under part B, D, or E under, at a minimum, a standard repayment plan, if such loan were refinanced so that the applicable rate of interest on the loan is 2 percent lower than the applicable rate of interest on the loan as determined under section 450(b)(6)."

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes.

Mr. TIERNEY. Mr. Speaker, this is the final amendment to the bill. It won’t kill the bill, and it will not send it back to committee. If this amendment is adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, there are 5 legislative days remaining until this House recesses for the August district work period. It is unacceptable that the House would recess without taking meaningful action on one of the most important issues confronting students and parents and middle class families in my district in Massachusetts and all throughout the country—student loan debt.

Throughout this week, I have offered amendments and motions that provide student loan borrowers the opportunity to refinance their existing high-interest loans to a lower rate, much like homeowners and businesses are often able to do. It would help them save thousands of dollars over the life of their loans. It would serve as an economic stimulus, as the savings generated from the refinanced loans would increase students’ discretionary funds that would likely be reinvested and spent at local businesses, and it would help reduce the deficit.

It would also enable tens of millions of Americans to pursue their goals and move forward with their lives. I continue to hear from those whom I represent who share their personal stories. They tell me what a priority student loan refinancing is for them and their families.

...
Mr. KLINE. Mr. Speaker, this proposal for a hypothetical refinancing interest rate would make financial understanding even more confusing. We have been working on a process here to make it easier for students and parents to understand their loans and grants and work-study programs. This would not be helpful.

This motion, like all motions to recommit, affords the minority an opportunity to speak for 5 minutes to try to make political points before a procedural vote. That is done. Let’s take the vote. Vote “no” on this and “yes” on the underlying bill. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion to recommit. The vote was taken by electronic device, and there were—ayes 193, noes 220, not voting 16, as follows:

AYES—193

Barber
Beatty
Becerra
Bez metaphors, and there were—ayes 193, noes 220, not voting 16, as follows:

AYES—193

Barber
Beatty
Becerra
Bez metaphors, and there were—ayes 193, noes 220, not voting 16, as follows:
The result of the vote was announced "yea."

So the bill was passed.

Mr. PASTOR of Arizona, Mr. Speaker, on behalf of the American people.

The SPEAKER tempore. Pursuant to the Chair’s announcement of earlier today, the House will now observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson.

Will all present please rise for a moment of silence.

ANNIVERSARY OF DEATHS OF CAPITOL POLICE OFFICERS JOHN GIBSON AND JACOB CHESTNUT

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

Mr. HOYER. Mr. Speaker, I think it appropriate that one of us rise to recognize the sacrifice made by Detective Gibson and Officer Chestnut. Detective Gibson was in the office of Tom DeLay.

So not only is it appropriate, Mr. Speaker, that we pay tribute to Detective Gibson and Officer Chestnut, but also to give thanks to those who serve daily that this Capitol might operate in safety and security.

All of us, I know, express our deep gratitude to the members of the Capitol Police force, who every day get out of bed and strap on a gun, put a badge on their person, and come to this Capitol to protect not only the then-Majority Leader DeLay but also other members of the staff and of the public.

So not only is it appropriate, Mr. Speaker, that we pay tribute to Detective Gibson and Officer Chestnut, but also to give thanks to those who serve daily that this Capitol might operate on behalf of the American people.

MISSING CHILDREN'S ASSISTANCE ACT AMENDMENT

The SPEAKER pro tempore. The House has before it two bills, one authored by a Republican from Pennsylvania, TIM MURPHY, and another authored by a Democrat from Arizona, RON BARR.

All these years have passed, and we have never yet brought to this floor a measure that would make a difference in this country for those who suffer with mental illness and some of whom, unfortunately, obtain weapons.

I believe that we have a moment in this House to do something exceptional, and I hope it can happen in this Congress.

The SPEAKER pro tempore. The Speaker asks unanimous consent to arrange the business so that the House may consider two bills of a similar nature, one sponsored by a Republican from Pennsylvania, TIM MURPHY, and another sponsored by a Democrat from Arizona, RON BARR.

Anniversary of Deaths of Capitol Police Officers John Gibson and Jacob Chestnut

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

Ms. KAPTUR. Mr. Speaker, I just want to add my comment to this. For those of us who were here that tragic day, the perpetrator of that horrendous act was a schizophrenic who was off his medicine, untreated, and drove three-quarters of the way across this country to commit these heinous crimes.

Before this House today are two bills, one authored by a Republican from Pennsylvania, TIM MURPHY, and another authored by a Democrat from Arizona, RON BARR.

All these years have passed, and we have never yet brought to this floor a measure that would make a difference in this country for those who suffer with mental illness and some of whom, unfortunately, obtain weapons.

I believe that we have a moment in this House to do something exceptional, and I hope it can happen in this Congress.
Mr. CAMP. Mr. Speaker, pursuant to House Resolution 680, I call up the bill (H.R. 3393) to amend the Internal Revenue Code of 1986 to consolidate certain tax benefits for educational expenses, 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 680, the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, modified by the amendment printed in House Report 113–552 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 3393

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 “Student and Family Tax Simplification Act”.

SEC. 2. CONSOLIDATION OF CERTAIN TAX BENEFITS FOR EDUCATIONAL EXPENSES.

(a) AMERICAN OPPORTUNITY TAX CREDIT.—

Section 25A of the Internal Revenue Code of 1986 is amended—

(1) to insert in section 25A(a)(1) the text of subsections (b) through (d) of such section; and

(2) by striking paragraphs (3), (4), and (5) of such section and inserting in lieu thereof the following paragraph:

“shall not apply to any taxpayer for any taxable year if—

(A) the taxpayer files as single or as head of household;

(B) the taxpayer is not claimed as a dependent on the return of another;

(C) the taxpayer is a full-time student for at least 5 continuous months during the academic year; and

(D) the taxpayer is not eligible for the Hope or Lifetime Learning Credit.”

(b) THE AMERICAN OPPORTUNITY TAX CREDIT—

(1) IN GENERAL.—In the case of an individual who is not eligible to claim the credit under subsection (a), the credit shall be equal to the lesser of—

(A) the amount determined by applying to the modified adjusted gross income of the taxpayer for the taxable year the credit rate of 25 percent, or

(B) $10,000 (twice such amount in the case of a joint return).”

SEC. 3. SIMPLIFICATION OF THE AMOUNT OF THE CREDIT.

(a) IN GENERAL.—The amount allowable as a credit under subsection (a) for any taxable year shall be reduced (but not below zero) by an amount which bears the same ratio to the amount so reduced as the amount of modified adjusted gross income for such taxable year bears to $100,000 (twice such amount in the case of a joint return).

(b) LIMITATION BASED ON MODIFIED ADJUSTED GROSS INCOME.—

(1) IN GENERAL.—The amount allowable as a credit under subsection (a) for any taxable year shall be reduced (but not below zero) by an amount which bears the same ratio to the amount so reduced as the amount of modified adjusted gross income for such taxable year bears to $100,000 (twice such amount in the case of a joint return).

(2) MODIFIED ADJUSTED GROSS INCOME.—

For purposes of this section, the term ‘modified adjusted gross income’ means the adjusted gross income of the taxpayer for the taxable year increased by the amount of the credit allowable under subpart C (and not excluded from gross income under section 911, 931, or 933).

(c) OTHER LIMITATIONS.—No credit shall be allowed under this section with respect to any student who—

(1) has a modified adjusted gross income which exceeds the modified adjusted gross income limitation for the taxable year (as defined in section 25B(b)(1)) (as in effect on August 5, 2010); and

(2) is not a full-time student (as defined in section 25B(b)(2)(D)) for any taxable year following the taxable year in which the student first becomes a student.

(d) DEFINITIONS.—For purposes of this section—

(1) ELIGIBLE STUDENT.—The term ‘eligible student’ means, with respect to any academic year, an individual who—

(A) is carrying at least 1⁄2 the normal full-time workload for such academic year;

(B) is making satisfactory academic progress toward a degree or other academic credential;

(C) is a graduate degree student (as defined in section 25C(g)(1)); and

(D) is not attending a religious episcopate school.

(2) FAMILY.—The term ‘family’ means the taxpayer and any person who is a dependent (determined without regard to section 152) of the taxpayer (as determined without regard to section 152).”

SEC. 4. ELIGIBILITY.

(a) THE AMERICAN OPPORTUNITY TAX CREDIT.—

(1) IN GENERAL.—Any eligible student who—

(A) was not previously eligible for the credit under subsection (a) of section 25A for any taxable year following the taxable year in which the student first becomes a student; and

(B) is not attending a religious episcopate school;

is eligible for the credit under subsection (a) for the taxable year in which the student first becomes a student.

(2) MODIFIED ADJUSTED GROSS INCOME.—

If the amount of modified adjusted gross income for the taxable year of any eligible student is equal to or less than the amount of modified adjusted gross income for the taxable year of any prior year for which the student was eligible for the credit—

(A) the credit allowable under subsection (a) shall be increased by the credit allowable under section 25B for the taxable year of the prior year; and

(B) the credit allowable under subsection (a) shall be increased by the credit allowable under section 25B for the taxable year of the prior year.”

SEC. 5. AMERICAN OPPORTUNITY TAX CREDIT.

(a) IN GENERAL.—The amount of the credit under subsection (a)(1)(A) of section 25A of the Internal Revenue Code of 1986 (as added by this Act) shall not exceed $2,000, plus—

(1) 25 percent of so much of such expenses so paid as exceeds the dollar amount in effect under paragraph (1) but does not exceed twice such dollar amount.

(b) PORTION OF CREDIT REFUNDABLE.—So much of the credit under subsection (a) with respect to any eligible student (determined without regard to this subsection and section 25A(a)) and after application of all other provisions of this section as does not exceed $1,500 shall be treated as a credit allowable under subpart C (and not under this part).”

SEC. 6. SIMPLIFICATION OF THE AMOUNT OF THE CREDIT.

(a) IN GENERAL.—The amount allowable as a credit under subsection (a) for any taxable year shall be reduced (but not below zero) by an amount which bears the same ratio to the amount so reduced as the amount of modified adjusted gross income for such taxable year bears to $100,000 (twice such amount in the case of a joint return).

(b) LIMITATION BASED ON MODIFIED ADJUSTED GROSS INCOME.—

(1) IN GENERAL.—The amount allowable as a credit under subsection (a) for any taxable year shall be reduced (but not below zero) by an amount which bears the same ratio to the amount so reduced as the amount of modified adjusted gross income for such taxable year bears to $100,000 (twice such amount in the case of a joint return).
(A) no credit shall be allowed under subsection (a) to such individual for such individual’s taxable year, and

(B) qualified tuition and related expenses paid by such individual during such individual’s taxable year shall be treated for purposes of this section as paid by such other taxpayer.

(4) TREATMENT OF CERTAIN PREPAYMENTS.—If qualified tuition and related expenses are paid by the taxpayer during a taxable year for an academic period which begins during the first 3 months following such taxable year, such academic period shall be treated for purposes of this section as beginning during such taxable year.

(5) RULES FOR NONRESIDENT ALIENS.—No credit shall be allowed under this section for any amount for which a deduction is allowed under any other provision of this chapter.

(6) NO CREDIT FOR MARRIED INDIVIDUALS FILING SEPARATE RETURNS.—If the taxpayer is a married individual (within the meaning of section 7703), this section shall apply only if the taxpayer and the taxpayer’s spouse file a joint return for the taxable year.

(7) NONRESIDENT ALIENS.—If the taxpayer is a nonresident alien individual for any portion of the taxable year, this section shall apply only if such individual is treated as a resident alien of the United States for purposes of this chapter by reason of an election under subsection (c) of section 7701.

(8) INFLATION ADJUSTMENT.—

(1) IN GENERAL.—In the case of a taxable year beginning after 2011, $7,500 amount in section (a), the $1,500 amount in subsection (b), and the $80,000 amount in subsection (c) shall each be increased by an amount equal to—

(A) such dollar amount, multiplied by

(B) the cost-of-living adjustment determined under section 1(f)(1) for the calendar year in which such taxable year begins, determined under subsection (c)(1)(A)(i) for calendar year 2011.''

(9) RULES FOR NONACADEMIC FEES.—Such term does not include fees paid by the taxpayer during a taxable year for an academic period which begins during the first 3 months following such taxable year, such academic period shall be treated for purposes of this section as beginning during such taxable year.

(10) AMENDMENTS TO OTHER TAX PROVISIONS.—

(11) SEC. 529(c)(3)(B)(v)(I) of such Code is amended by striking “section 25A(g)(2)” and inserting “section 25A(g)(2) and (v)(I)”.

(12) SEC. 529(c)(3)(B) of such Code is amended by striking “section 25A(g)(2)” and inserting “section 25A(d)”.

(13) SEC. 530(d)(2)(C) of such Code is amended by striking “section 25A(g)(2)” in clause (1)(B) and inserting “section 25A(d)”.

(14) By striking “HOPE AND LIFETIME LEARNING CREDITS” in the heading and inserting “AMERICAN OPPORTUNITY TAX CREDIT”.

(15) SEC. 530(d)(4)(B)(i) of such Code is amended by striking “section 25A(g)(2)” and inserting “section 25A(d)”.

(16) SEC. 6005S(e) of such Code is amended by striking “subsection (g)(2) and inserting “subsection (g)”.

(17) SEC. 6211(b)(4)(A) of such Code is amended by striking “subsection (i)(6)” and inserting “subsection (b)”,

(18) SEC. 6219(g)(2)(J) of such Code is amended by striking “TIN required under section 25A” and inserting “TIN, and employer identification number, required under section 25A(f)(1)”.

(19) SEC. 1000(c) of division B of the American Recovery and Reinvestment Tax Act of 2009 is amended—

(A) in paragraph (1)—

(i) by striking “section 25A(i)(6)” each place it appears and inserting “section 25A(b)”;

(ii) by striking “with respect to taxable years beginning after 2008 and before 2018” in subparagraph (A) and inserting “with respect to each taxable year”, and

(iii) by striking “for taxable years beginning after 2008 and before 2018” in subparagraph (B) and inserting “for each taxable year”,

(B) in paragraph (2), by striking “Section 25A(i)(6)” and inserting “Section 25A(b)”;

(C) in paragraph (3)(C), by striking “subsection (i)(6)” and inserting “subsection (b)”,

(d) CONFORMING AMENDMENTS.—

(1) Section 622(d)(2) of the Internal Revenue Code of 1986 is amended by—

(A) by striking the period at the end and inserting “or”, and

(B) by striking “with respect to taxable years beginning after December 31, 2014.” and inserting “with respect to taxable years beginning after December 31, 2014.”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning on or after January 1, 2015.
The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

Mr. CAMP. Mr. Speaker, 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 H.R. 3393.

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

There was no objection.

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

Today, more and more Americans are pursuing the dream of earning a college degree, but for many, realizing that dream is getting more difficult. Tuition prices continue to climb, making it harder for Americans to plan for and afford a higher education. Worse yet, our broken tax code makes it harder than ever to pay for it.

Currently, there are 15 complicated and, at times, overlapping education provisions that include over 90 pages of IRS instructions. Students and parents alike are juggling busy schedules as is, and they shouldn’t be forced to go through 90 pages of IRS explanations just to figure out the best way to save and pay for a college education. We need a simple solution that makes it easier to qualify for tax relief and to ultimately afford college. We owe it to the millions of young adults paying their way through college and the families who budget every year to save for their children’s education to simplify the system and help make a good education affordable.

The bill before us, H.R. 3393, the Student and Family Tax Simplification Act, would do just that. This legislation will make paying for college easier, by combining and making more efficient four tax benefits for higher education into a new, simpler, and more valuable American opportunity tax credit, and this new, improved credit will provide greater benefits for those who need it most.

I am proud that this bipartisan provision is based off of years of work by the Ways and Means Committee and, in particular, committee members DIANE BLACK of Tennessee and DANNY DAVIS of Illinois, Chair of the Education and Family Benefits Tax Reform Working Group, who worked across the aisle to help simplify the Code.

I should also note that the Obama administration has expressed support for an approach that assumes a permanent extension of the AOTC. We have a real opportunity today to work across the aisle to make life better for hardworking Americans.

By combining today’s current American opportunity tax credit, the Hope Scholarship credit, the lifetime learning credit, and the college tuition deduction into one simplified AOTC credit, college students can get the help they need without navigating almost 100 pages of forms. The bill would provide a permanent 100 percent tax credit for the first $2,000 of certain higher education expenses and a 25 percent tax credit for the next $2,000 of those expenses.

The first $1,500 of the credit is refundable, ensuring that students get the benefits, regardless of tax liability. This can go a long way for students and their families, especially in these tough economic times.

The American Association of Community Colleges and the Association of Community College Trustees, who cite the AOTC as the most important source of support for college students in the Tax Code, recently voiced their support for this bill, stating, “The legislation achieves several important objectives for the Nation’s college students, who continue to face substantial financing challenges, even at low-cost community colleges.” The simplification of the current array of higher education tax benefits is critical, given that their complexity has led to widespread underutilization.

Additionally, this provision would allow Pell grants to be used for a wider array of expenses, including room and board, without triggering additional tax liability. Not only does this provision have widespread bipartisan support, but a postelection poll found that over 80 percent of Americans support extending these policies.

No one should be discouraged from pursuing continued learning, but because tuition prices continue to climb while wages continue to fall, families and students nationwide are wondering if they can even afford it.

Today we can do better. We can do better by these hardworking Americans, who continue to pursue the American dream, while our colleges and universities struggle.

It harms students across the board. Undergraduates who take longer than 4 years to complete their degrees would be impacted, a change that loses sight of the fact that the median length of time that it takes undergrads to get their degrees is, today, more than 4 years. Adult learners would face higher costs. Three in four students are adult learners, who tend to take much longer to complete their degrees because they work full-time, have dependents, serve in the military, or have some combination of the foregoing and take longer to complete their degree.

Low-income and middle-income graduate students would lose out. In 2013, the lifetime learning credit, which this bill eliminates, served nearly 2 million graduate students with income below $75,000, including 1 million with an income of $40,000 or less. Two years ago, one-quarter of all graduate students earned less than $11,000. During the same year, 91 percent of the 1.3 million master’s degree students received no financial aid. Two years ago, one-quarter—one-quarter—of all graduate students earned less than $11,000. During
the same year, 31 percent of the 1.3 million master’s degree students received no financial aid. In 2011, nearly 2 million tax returns claimed the qualified tuition deduction, which expired at the end of this year and this bill does not extend.

That is one reason we have a letter from the American Council on Education. Here is what they say:

However, as we discussed in our attached letter of April 4, 2014, to Ways and Means Committee Chair, there are a number of other changes in the legislation which cause us great concern. Even as reported, the bill would negatively impact many low- and middle-income students and families who benefit under current law. It also would harm graduate students and lifetime learners who utilize the tuition deduction or the LLC. Because we continue to have serious concerns about the Student and Family Tax Simplification Act, we cannot support—we cannot support—the bill as currently written, even in the form as reported.

This is sent on behalf of the following: the American Association of State Colleges and Universities, the American Council on Education, the Association of American Universities, the Association of Governing Boards, the Association of Jesuit Colleges and Universities, the Association of Public and Land-Grant Universities, College and University Professional Association for Human Resources, the Council for Christian Colleges and Universities, the Council of Graduate Schools, and the University Professional Association of Colleges and Universities.

That letter so much speaks to this issue.

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

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

I insert in the RECORD letters of support for the legislation from the American Association of Community Colleges and the Association of Community Colleges, as well as the United States Student Association.

DEAR REPRESENTATIVE: On behalf of the American Association of Community Colleges (AACC) and the Association of Community College Trustees (ACCT), which represent the nation’s more than 1,100 community college presidents and their trustees, we write in support of H.R. 3393, the Student and Family Tax Simplification Act. The legislation achieves several important objectives for the nation’s college students, who continue to face substantial financing challenges, even at low-cost community colleges. Its simplification of the current array of higher education tax benefits is critical given that their complexity has led to widespread misunderstanding.

H.R. 3393 also includes a number of enhancements to the American Opportunity Tax Credit (AOTC) that benefit college students.

Makes AOTC Permanent: Currently set to expire at the end of 2017, the AOTC is the most important source of support for college students. Increases Refundability: The AOTC’s partial refundability is of great assistance to the many low-income students who attend community college. Currently, the maximum refundability under the AOTC is $1,000 per eligible student. H.R. 3393 increases that amount by 50%, raising it to $1,500, and provides students an easier path to claim that full refund.

Creatures Better for the Pell Grant: Currently, an estimated one million college students with unmet financial need do not receive any benefit from the AOTC due to its poor coordination with the Pell Grant program. The vast majority of these students attend low-cost institutions, particularly community colleges. H.R. 3393 remedies this situation.

Indexes the AOTC to Inflation: H.R. 3393 recognizes that college prices are not static, and adjusts the AOTC for inflation (but not college tuition) starting in 2018.

We recognize that this legislation embodies certain trade-offs. Overall, however, it recognizes that college students and other low-income students, and create a simplified system that greatly benefits all students and families. These are critical objectives, and action on them is overdue. We thank you for your consideration of this legislation and urge its approval by the House of Representatives.

Sincerely,

WALTER G. BUMPHUS, AACC President and CEO

J. NOAH BROWN, ACCT President and CEO

UNITED STATES STUDENT ASSOCIATION

WASHINGTON, DC, July 23, 2014

The US Student Association’s Statement on the Student and Family Tax Simplification Act Bill

WASHINGTON, DC.—On behalf of the United States Student Association’s (USSA) 1.5 million student members, we support the Student and Family Tax Simplification Act (H.R. 3393). The current crisis in higher education, and especially for low-income students, necessitates swift action for access and affordability.

This Act is a multi-pronged approach that would streamline existing tax credits—while making the American Opportunity Tax Credit permanent, increasing the maximum refundability, and enhancing coordination with the Pell Grant. Students are more likely to succeed if they do not have to navigate the complex landscape of higher education funding and support.

While we do believe that tax credits may not be the best solution in terms of expanding access and affordability for our low-income members—we much prefer funding and stronger support for the Pell Grant—we are nonetheless grateful to see the legislation re-starting an important conversation about simplification, thus benefiting all students and families.

Our vision is one in which students, no matter their race or socioeconomic status, have equal access and succeed in college—this is paramount to the success of this nation. We look forward to ongoing discussions and pressing issues with members of Congress.

Mr. CAMP. Mr. Speaker, I know we are hearing a lot from the other side about how this ought to be paid for, but they, frankly, exempted this from PAYGO. Well, what does that mean? They said this doesn’t need to be paid for—this is such important policy—because if we can get people started on the road to an education by getting a college degree, their chances of succeeding economically in life are so much better. And that really has become a basic for succeeding in America today is to get that bachelor’s degree. And that’s why they are concerned that the graduate students, and, frankly, the Tax Code isn’t there for those going to Harvard Law and Stanford Medical School. And there are other provisions that help provide for students: grants, loans, and scholarships.

We are talking about how the Tax Code, how can all Americans help those get that basic level of education that gets you that bachelor’s degree that gets you on the road of economic opportunity, because if we don’t have an upwardly mobile society, we actually put at risk the American Dream.

With that, I yield such time as she may consume to the gentleman from Tennessee (Mrs. BLACK).
there are currently 15 different tax benefits related to education. Four of those are designed to help individuals save prior to becoming a student, nine are available for while the student is in school, and two exist for when the student has completed his or her education.

It was overwhelming when we had tax experts explain it, so it was not difficult to imagine how parents trying to navigate these 90 pages of IRS instructions would simply toss up their hands and give up.

That is why the work that Mr. Davis and I did during the time together on this Education Tax Reform Working Group didn’t end when we delivered our report to our colleagues. Instead, our desire to provide at least some relief from that frustration led the two of us to work to see how we could clean up the Code and help families struggling to finance education costs.

That process led us to introduce H.R. 3393, the Student and Family Tax Simplification Act. One of the key ways that this legislation consolidates four existing education provisions—the Hope credit, the American opportunity tax credit, the lifetime learning credit, and the tuition deduction—into a single, modernized and strengthened AOTC.

Streamlining the number of education provisions and retooling those that are most effective allows us to simplify the Code and reduce some of the confusion that exists today. As a result, parents and students will spend less time trying to figure out how to finance the cost of education and more time developing the skills they need to succeed in our knowledge-based economy.

Mr. Speaker, I think we all can agree that it ought to be easier for any family to plan, save, and invest in education. Everyone in this Chamber can agree that we should do everything that we can to help American children attain higher education and achieve their dream.

So I am proud to say that, as the chairman of the American Association of Community Colleges, the Association of Community College Trustees, the National Association of College Stores, and the United States Student Association—the United States Student Association—have announced their support for this bill.

Now I ask for my colleagues in the House to join me in supporting this commonsense measure to help American students and families.

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

Mr. LEVIN. I include a letter from the American Council on Education with all of the signatures in the Record.

On behalf of:

AMERICAN COUNCIL ON EDUCATION,
Washington, DC, July 17, 2014.

Re Student and Family Tax Simplification Act (H.R. 3393)

DEAR REPRESENTATIVE: On behalf of the higher education associations listed below, I write to express concerns about H.R. 3393, the Student and Family Tax Simplification Act, and encourage further improvements to this important legislation when it is considered on the House floor next week.

We have long supported reform of the American Opportunity Tax Credit (AOTC), the Hope Scholarship Credit, the Lifetime Learning Credit (LLC), and the tuition deduction. All of these currently are overly complex and difficult for students and their families to use. We believe that a consolidated credit can simplify the higher education tax benefits while retaining positive aspects of the present credits and deductions to better serve low- and middle-income traditional and nontraditional students now and in the future, helping them attain an associate or bachelor’s degree or pursue post-baccalaureate lifelong learning.

Overall, H.R. 3393 takes several important steps forward to create a simpler, single tax credit. We applaud the fact that the bill increases refundability and includes an important fix to better coordinate the AOTC and the Pell Grant. We are also very pleased that the bill was amended at markup to maintain the AOTC’s current income phase-out limits.

However, as we discussed in our attached letter of April 2, 2014 to Ways and Means Committee members, there are a number of other changes in the legislation which cause us great concern. Even as reported, the bill would modify the LLC for low- and middle-income students and families benefit under current law. It also would harm graduate students and lifetime learners who utilize tuition deduction or LLC. Because we continue to have serious concerns about the Student and Family Tax Simplification Act, we cannot support the bill as currently written, even in the form as reported.

As a result of our strong support for reforming these credits, we have had many discussions with tax staff over the past months about ways to implement reforms that address our concerns. We believe the legislation could be modified to ensure students who are currently eligible for a federal tax benefit could still receive some benefit. For example, one improvement we support is replacing the bill’s proposed four-year limit for the AOTC with a lifetime dollar cap that would apply per student and graduate students to take advantage of the credit.

We remain deeply committed to continuing work with the authors of the bill and the Ways and Means Committee to improve the Student and Family Tax Simplification Act to better serve traditional and nontraditional low- and middle-income students, now and in the future.

Sincerely,

MOLLY CORRETT BROAD,
President.

On behalf of:

American Association of State Colleges and Universities
American Council on Education
Association of American Universities
Association of Governing Boards
Association of Jesuit Colleges and Universities
Association of Public and Land-grant Universities
College and University Professional Association for Human Resource Services
Council for Christian Colleges & Universities
Council of Graduate Schools
Hispanic Association of Colleges and Universities (HACU).

PROVISIONS TO HELP PAY FOR HIGHER EDUCATION

The current tax code contains several provisions that help students and families pay for higher education: the American Opportunity Tax Credit (AOTC), the Lifelong Learning Credit (LLC), the above-the-line deduction for qualified tuition and related expenses (tuition deduction), Section 127 Employer-provided Educational Assistance, and Sec. 117(d) Qualified Tuition Reductions. The AMERICAN OPPORTUNITY TAX CREDIT, THE LIFETIME LEARNING CREDIT, AND THE TUITION DEDUCTION

We strongly support reform of current tax credits and the tuition deduction to provide students a single credit that provides assistance towards an associate or bachelor’s degree, post-baccalaureate education, and lifelong learning. Like you, we believe such a tax credit would serve students better than...
the current overly complex credits and tuition deduction. Indeed, we endorsed the Universal Higher Education and Lifetime Learning Act of 2007 (H.R. 2458), bipartisan legislation we helped to draft and pass with then-Rep. Rahm Emanuel, which would have created a simpler, consolidated tax credit. Overall, the discussion draft takes an important step forward in creating a simpler, single tax credit. Unfortunately, some of the changes made by the draft would in fact be steps backward for many adults and their families who benefit under current law.

Among the most positive steps forward, the bill expands eligible beneficiaries of the American Opportunity Tax Credit (AOTC), which includes required course materials, as well as permanently extending and indexing a reconfigured AOTC. In a very important way, the draft will help many undergraduates financial assistance. Unfortunately, some of the changes made by the draft would in fact be steps backward for many adults and their families who benefit under current law.

Equally important, the draft better coordinates the interaction of the AOTC with the Pell Grant. The first time, the draft would completely eliminate the Pell Grant from taxable income. Under current law, the AOTC contains a small offset that is meant to blunt the unintended effect of sharply limiting the size of the tax credit for needy students. As a result, some of the lowest-income students receiving the Pell Grant would receive a benefit of $5,645 for the current academic year) receive no benefit from the AOTC, regardless of the level of refundability more easily.

According to the U.S. Department of Education, in 2011-12, a quarter of all graduate students earned less than $11,000, and half were below $32,000. During that same year, the median earnings of $53,880. This provision has been an important means of building and adding to the long-term benefits of the workforce and critical tool on which accelerate its economic growth. The top major among recipients of this benefit include those STEM fields. More than 35 percent of degrees pursued by employees using education assistance are in the sciences or engineering. Section 127 was made permanent in the American Taxpayer Relief Act of 2012. In our view, the provisions in Section 127, we believe this overwhelmingly successful element of the tax code should be enhanced to allow employers to offer higher levels of tax-favored tuition assistance to their employees.

According to the Tax Policy Center, recent data demonstrate that the Lifetime Learning Credit is serving students with low and moderate incomes. In 2013, $15,665 for master’s students and $17,629 for doctoral students. The percentage of African American and Hispanic master’s and doctoral students with loans was higher than the national average, and their median loan balances were higher as well. A significant number of master’s students pursue degrees in fields that are not highly compensated, like teaching, social work, counseling, or public administration. Benefits for graduate students under this draft comes on top of recent decisions by policy makers to end graduate-student eligibility for federal student loans. The high interest rates on student loans undergraduate, a troubling pattern of increasing the cost of education for students pursuing advanced degrees.

In short, we are concerned that the bill takes away benefits from one of the groups that have the potential to be a long-term employee benefit. To our knowledge, the draft would provide no benefit to lifelong learners and graduate students, many of whom are low-income and need assistance in pursuing additional skill development or the advanced degrees necessary to our economy require. We need to preserve tax benefits that enhance access for such students.

According to the U.S. Department of Education, in 2011-12, a quarter of all graduate students earned less than $11,000, and half were below $32,000. During that same year, they are an important means of building and adding to the long-term benefits of the workforce and critical tool on which accelerate its economic growth. The top major among recipients of this benefit include those STEM fields. More than 35 percent of degrees pursued by employees using education assistance are in the sciences or engineering. Section 127 was made permanent in the American Taxpayer Relief Act of 2012. In our view, the provisions in Section 127, we believe this overwhelmingly successful element of the tax code should be enhanced to allow employers to offer higher levels of tax-favored tuition assistance to their employees. We recommend that the $5,250 annual limit, which has not changed since the 1970s, be increased with an automatic adjustment for inflation. This would be an extremely effective reform that would generate more private sector funds for financial aid to low- and middle-income students.

Section 127(d) permits educational institutions, including colleges and universities, to provide their employees and dependents with tuition reductions that are excluded from taxable income. This long-standing provision helps employees and members of their families afford higher education, providing an important benefit to many middle and low-income college employees. A broad cross-section of our employees benefit from Section 127(d). Indeed, if an institution chooses to offer this benefit, then all employees must be able to receive it. As such, the benefit has been used by a broad range of employers, including Fortune 500 firms and other front-line administrative staff and maintenance and janitorial staff, as well as faculty. In addition to the help it provides our employees, Section 127(d) also gives colleges and universities an important tool for recruiting and retaining valued employees, helping maintain the quality of education our schools can offer. It has been particularly important for many small, private, denominational schools to compete for top employees. Eliminating this benefit would put many employees at risk of losing their jobs.

Section 127(d) should be preserved.
The current tax code contains provisions that affect the ability of students to repay their student loan debt. As students increasingly come to rely on loans to finance their college education, we strongly believe the tax code should continue to assist borrowers as they repay their loans.

**PROVISIONS TO ASSIST IN REPAYMENT OF STUDENT LOANS:**

The current tax code contains provisions that affect the ability of students to repay their student loan debt. As students increasingly come to rely on loans to finance their college education, we strongly believe the tax code should continue to assist borrowers as they repay their loans.

**REPEAL OF STUDENT LOAN INTEREST DEDUCTION (SLID):**

The draft would repeal the above-the-line deduction for student loan interest. SLID currently permits taxpayers with less than $75,000 of interest (joint filers) to deduct up to $2,500 in federal student loan interest payments each year. To qualify, a student loan must have been for qualified educational expenses, such as tuition and fees, course materials, and room and board.

Over the course of a undergraduate education, many students take out at least one federal student loan to finance their education in the 2012–13 academic year. Managing student loan debt after graduation can be a significant hardship. Recent federal actions have increased borrowing costs by eliminating the six-month interest grace period college graduates previously received and by raising the interest rate on federal loans to 6.8 percent.

**EXCLUSION OF DISCHARGE OF STUDENT LOAN DEBT:**

The discussion draft of the bill would repeal the tax exclusion for student loan debt forgiven for individuals that worked for a specified time period in certain professions or for a class of employment. The exclusion applies to several federal and state loan forgiveness programs, including the Public Service Loan Forgiveness (PSLF) for borrowers working in certain positions, such as teachers and borrowers while they are in school.

With these increased loan costs, SLID is one of the most important provisions of the current tax code that have come around to supporting the education tax incentives, they have not stopped the bleeding. They deny assistance to many students across America who are assisted by our current law.

Mr. LEVIN. I now yield 4 minutes to Mr. Doggett.

Mr. DOGGETT. Today's bill is another element of a Republican agenda that has consistently weakened our Federal commitment to educational opportunities.

I agree with the American Council on Education which said: "The Federal Tax Code is no substitute for the Pell grant, Federal Work-Study, and other Federal student aid programs." Republicans have voted against the improvements, they all oppose this bill. They have said, and again I quote: "The bill would negatively impact minority- and minority-serving institutions and families who benefit under current law." That is what the educational experts say. And that is because the bill eliminates a guarantee under existing law called the Lifetime Learning Credit. It is eliminated entirely for so many students, and it is important to understand who those students are because I have seen and talked with them at places like San Antonio College, ACC, and St. Philip’s College.

What kind of person are we talking about? Someone who is a single mother, who has a child to take care of, and continues to work trying to get her associate’s degree first, to move out of a low-wage job into a better job, and then go on to UT or somewhere else, but she can’t get it all done in 4 years; a mid-level worker who wants to shift industries and needs to upgrade his or her skills for a job in the new economy.

Now the Republicans come to the floor and are really boasting of the fact that this particular version of the bill does not cut Federal tax incentives for education as much as they wanted to.

As originally introduced by my colleague from Tennessee, this bill would have denied 5 million Americans every year an opportunity to use education tax incentives that exist under current law. They would have slashed assistance under the act by $5 billion a year, according to the Joint Committee on Taxation. And so they went back and tinkered with it a little bit, and they are here today to brag that they have a D-minus bill and that is better than the failing bill that they offered initially.

I understand that after years of opposing this particular incentive, they might want to change course. They all voted against the improvements, the changes that I authored in 2009 for the American Opportunity Tax Credit. They have consistently opposed the concept of refundability, that is, assisting those students who might not have the ability as part of the payment of the credit. And it is progress that they have come around to supporting the credit at all and the concept of helping those at the bottom of the ladder.

But while they have reduced the depths of the serious cuts they proposed only a few months ago to these tax incentives, they have not stopped the bleeding. They deny assistance to many students across America who are assisted by our current law.

That is why, as my colleague Mr. Levin pointed out, a group of educational institutions, whether it is Hispanic colleges or Christian colleges or land grant colleges, they all oppose this bill. They have said, and again I quote: "The bill would negatively impact majority- and minority-serving students and families who benefit under current law."

What kind of person are we talking about? Someone who is a single mother, who has a child to take care of, and continues to work trying to get her associate’s degree first, to move out of a low-wage job into a better job, and then go on to UT or somewhere else, but she can’t get it all done in 4 years; a mid-level worker who wants to shift industries and needs to upgrade his or her skills for a job in the new economy.

They have to work and go to school at night. They can’t get it all done in 4 years. A recent college graduate who says, you know, in order to get the job I am best qualified for, I am going to...
have to have a master’s degree. But they are denied assistance and the opportunity to climb up the economic ladder of success, not by the existing law, but by the changes that the Republicans proposed today.

The PEAKs pro Tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield 1 minute to the gentleman.

Mr. DOGGETT. All these students lose out. The impact is serious. According to the Department of Education, about half of all students pursuing a higher education attend part time, which inevitably extends the time it takes for them to complete the degree.

Eliminating a tax incentive for higher education that takes more than 4 years away will deal a blow to nearly 2 million students across America who claimed the Lifetime Learning Credit, or they did in 2013. Of these, about a million earn less than $40,000 a year. That is who is being cut by this bill.

I think what is happening is that over 100 of our colleagues have joined to do all the streamlining they talk about, but to make the American Opportunity Tax Credit permanent and to ensure that we don’t cut out benefits to students who are depending on these benefits. We need to reject this bill.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. LEVIN. I yield an additional 10 seconds.

Mr. DOGGETT. We need to reject this bill that still comes up too short for too many students. We need to let them succeed in today’s global economy and ensure that students have the support that America needs to be competitive and successful.

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

I do want to say that this was an incredible experience for me to be able to work with such a fine gentleman as Mr. DAVIS.

We began this process with the chairman giving us an opportunity to take a look at this very complicated group of tax provisions in our code. What we found, with the Joint Committee on Taxation helping us, as I referenced in my opening remarks, there are 90 different pages, no less the fact that there are provisions that step on top of one another, and we actually asked the Joint Committee on Taxation, to help simplify this, to do a diagram for us, just a flowchart.

What we found was, they came back and said this is so complicated that we can’t even do a flowchart that would make sense. So we set out asking various groups to come and talk to us. They went all of the way from the very conservative, the very progressive side, think tanks, universities, colleges, those who represented the 529 provision, and to just come and let us know what they thought about what was currently in the code.

We heard consistently over and over again, it didn’t matter where they were on the spectrum, we heard this is so complicated that people are not even using it because they can’t figure out. As a matter of fact, there is a GAO study that indicated that 1.5 million tax filers who qualify for either the tuition and fee deduction of the lifetime learning credit did not even claim the credit or the deduction because of its complication.

So it was my honor to work with my esteemed colleague in going to work to say: What can we do to simplify this so that people who really need this assistance are going to get that assistance that is there in the code but they can’t even figure it out?

So after about 7 months, hammering back and forth about what we felt would best fit the needs of the students of this country and help to get them a start in college, to get them going, to be sure that they would have that opportunity to use those tax credits, we came up with this product. We then had a conference, and I am very proud to say that this was an effort of bipartisanship, one that I think if we could do more of that here in Congress, we would be accomplishing a lot. So it really is my honor to stand here today with my colleague on this who worked so well together on this.

I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, it is my real pleasure to yield 1 minute to the gentleman from New York (Mr. RANGEL), a distinguished—to put it lightly—member of our committee.

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

Mr. RANGEL. It is amazing how any bill that reaches the House, all you have to do is put a title on it and then not read it, and you think you have got something going. Listen to the way this bill, H.R. 3393, is described. It sounds as if what we need is to put it together was well on the way to reform, that they have taken a whole lot of complex provisions and combined them into one to make it easier for the applicant to understand what is going on. The problem with that is when you do all of that and make it simple, and then put a trillion-dollar bill on top of it and make it permanent and cut off benefits for other people, it just shows that when people use the word “reform,” it doesn’t necessarily mean that you are doing better.

I admired the chairman of the Ways and Means Committee when he put together a tax bill and had the courage to eliminate a lot of the tax credits that were not paid for, a lot of loopholes that were in law, and I think it was supposed to be revenue neutral, as difficult as that sounded. But no one ever thought, certainly not PAUL RYAN, when he said:

The people deserve a government that works for them, not one that burdens them in more debt.

Well, this is exactly what this bill does. It is permanent. There are no provisions to pay for it, and it burdens us in more debt.

But what really annoyed me the most was this 4-year limit because, if I can just beg the House for its indulgence, when I came out of the Army, I made it because I had the 4-year cap on the education. I was the first thing I had to do was to take an aptitude test and that Catholic Charities would provide the test. So I picked up my rosary and I went to Catholic Charities, and they asked me a lot of questions.

When they completed it, they concluded that I should be studying to become a mortician or an electrician. I didn’t emphasize that I was Catholic because I didn’t think it would make that much difference. But when I refused to agree with them, and asked them to show me one question that I answered that would allow them to believe that I should be a mortician or an electrician, they said: My son, it is not so much that, it is just that you have a 4-year cap on your education.

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

Mr. LEVIN. I yield an additional 2 minutes to the gentleman.

Mr. RANGEL. They said you have a 4-year cap on the education. I was shocked to be reminded that I hadn’t completed high school. I had to complete 2 years of high school and 4 years of college. Instead of doing that, I found out the hard way that I had a 4-year ceiling. Well, I was able to convince them after a year to reduce my 2 years by combining it with credits for 1 year and the college for 4 years to 3 years, so I got under the hammer.

But I cannot imagine, when technology means so much for a person to hold onto their job, just to keep up with the technology that is there, when they can almost feel the elevation of the qualifications that are necessary, that the United States Government would say: Well, you almost made it because we have just put a 4-year cap on your ability to really be productive in this country.

But I guess what hurts me the most is the hypocrisy that is involved here when we talk about the national debt. Is that something we just have to talk about? Should we talk about the inter-est that we pay on that, or should we really just talk about getting a Tax Code that is simplified, that does encourage economic growth, and that does make it possible for people to believe there is equity in this.

I know there had a beautiful draft and it was lauded by Republicans and Democrats, but this is the end of the session and we find ourselves with the tax bills accumulating a trillion dollars worth of debt, so why talk about giving someone an education when the debt of the Nation may bury them, as the chairman of the Budget Committee has said.
Mr. KIND. Mr. Speaker, I thank my friend for yielding me this time. Mr. Speaker, I have a great deal of respect and admiration for the chairman of the Ways and Means Committee, my friend from Michigan. I hope that we have seen in the process coming out of this Congress in recent years, is not just to come forward with a series of permanent changes to the U.S. Tax Code without paying for any of it and exploding our national deficits in the process, but to have grappled with, but unfortunately, that has been the trend in the Ways and Means Committee over the last couple of months.

I also want to commend the work that the gentlewoman from Tennessee (Mrs. BLACK) has done with the gentleman from Illinois (Mr. DANNY K. DAVIS) in putting together this bipartisan bill.

I am all for simplification of the Tax Code. I am all for streamlining these tax credits to make it easier for students and their families to better afford higher education. I am all for finding a bipartisan path forward to make sure that no student is left behind, that those doors of educational opportunity are there and open for all Americans, but we ought to do that the right way, not the wrong way.

Unfortunately, the bill here before us today is the wrong way to approach the issue. It is one of permanent changes to the Tax Code that have been reported out of the Ways and Means Committee now, exceeding over $800 billion, without any of it being offset and without a nickel of it being paid for—this on the heels of the last few years we have been trying to figure out a way to get our fiscal house put back in order.

There has been a whole lot of shrill and a whole lot of crying on this floor about runaway deficits and the unsustainable debt that our Nation has accumulated and the fact that we have to borrow so much money from China. This bill compounds that problem. It doesn’t solve it.

This bill alone would add close to $97 billion to the national debt over the next 10 years. Again, none of it paid for, but there are also some substantive problems with this bill, too, that, unfortunately, due to a lack of hearings in the Ways and Means Committee, due to a lack of discussion and feedback from our universities throughout the country, is not addressed, not the least of which—and I have heard this from universities back in Wisconsin—that there is a significant administrative change hiding in this bill.

Currently, schools can report either eligible tuition charges that are billed to students or paid to students. This bill takes away the billing aspect of reporting to the IRS. Now, that is probably a trend that we ought to pursue and should fix in the future, but to do it abruptly, given where the computer systems lie with their universities right now, is bound to cause severe disruption in regards to these tax credits for students.

I am afraid that it has not been well- vetted, and it hasn’t been thought through because this is an election year, and we are racing these bills to the floor in order to do our press releases back home and score cheap political points with constituencies that would prefer to see legislation advance with paying for some of the things that we ought to fix before we burden the bursars’ offices throughout the Nation and trying to revamp their computer systems overnight. They are telling us it is not going to work.

Furthermore, the gentleman from Wisconsin has highlighted the impact this is going to have on our graduate students. The graduate students are affected by the streamlining of the education credits that are embodied in this bill because only 4 years are available under this legislation. It is expected to have a profound impact on the affordability of graduate education for students throughout the Nation. I don’t think that has been vetted all that well either.

It is because we are not doing regular order around here. It is an election year—I get it—and there is nothing easier in the world to bring permanent changes to the Tax Code that everyone would desire to see, but without making the tough decision and paying for it as well, while at the same time coming forward with budget resolutions that is cutting back on the availability of Pell grants for low-income students or workstudy programs for low-income students or TRIO or GEAR UP programs that are geared for low-income students.

Mr. LEVIN. I yield an additional minute to the gentleman from Wisconsin (Mr. KIND). Somehow, some way, it became fashionable to cut those programs that have benefited low-income students, including myself. When I was a kid growing up, my family didn’t have the financial means to send me to school, so I was able to qualify for a Pell grant. I did do work study all 4 years. Without that availability, I don’t know where I would have ended up with my education.

That is where we seem to go first in the budget for cuts, then coming forward today on a bill that will add $97 billion to the deficit without paying for it and without vetting the way it should be. We have still got time. Let’s do this right now.

I would encourage my colleagues to vote no and give this body time to fix some of the deficiencies in the bill, but also to make the tough decision and do it in a fiscally responsible manner.

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

What I would like to do is read from a letter that we received in support of
this legislation from the American Association of Community Colleges and the Association of Community College Trustees.

I am going to lift a couple of paragraphs out of here that I think address responses from my colleagues on the other side of the aisle. I am only going to read three pieces, although there are more.

This is why they say that they believe this benefits college students. I want to read one that says it “makes AOTC Permanent: Currently set to expire at the end of 2017, the AOTC is the most important source of support for college students in the Tax Code. H.R. 3393 makes the benefit permanent and ensures that it will remain in place for students and families.”

The chairman referenced that just a few moments ago.

Another paragraph: “Creates better alignment with the Pell grant: Currently, an estimated 1 million college students with unmet financial need do not receive any benefit from the AOTC due to its poor coordination with the Pell grant program. The vast majority of these students attend low-cost institutions, particularly community colleges.”

This bill remedies this situation.

Then the last piece: “Indexes the AOTC to inflation: H.R. 3393 recognizes that college prices are not static and adjusts the AOTC for inflation starting in 2018.”

So I believe that that speaks to those pieces that we said are so important in this reform.

Now, I yield as much time as she may consume to the gentlewoman from Washington (Mrs. MCNearR RODGERS), the leader of our conference.

Mrs. McMorris Rodgers. Mr. Speaker, I thank the leader on this legislation—great work—and the chairman.

I rise in strong support of H.R. 3393, the Student and Family Tax Simplification Act. I was the first in my family to graduate from college, and I understand firsthand the struggle that families face to pay for higher education. As a matter of fact, I am still paying off some student loans from graduate school.

For today’s graduates, the picture is even much bleaker. In fact, seven out of 10 graduates are entering the workforce with student loan debt, up $2,000 just from last year. For many, student and parent loans are often the only option to address the higher cost of college.

Our outdated Tax Code is no help. With 15 different complicated overlapping provisions, we need a Tax Code that works for people. That is what H.R. 3393 does. It simplifies the Tax Code, so that families and students can actually use and benefit from it as they pursue higher education.

The latest unemployment rate for recent college graduates is 8.2 percent. More than 16 percent of them are underemployed. We need every tool at our disposal to put money back in the pockets of families, so that they are empowered to make better choices.

I urge my colleagues to support H.R. 3393.

Mr. LEVIN. Could I ask how many times there is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Michigan has 3½ minutes remaining. The gentlewoman from Tennessee has 12 minutes remaining.

Mr. LEVIN. Does the gentlewoman have other speakers?

Mrs. BLACK. I am ready to close.

Mr. LEVIN. Mr. Speaker, I yield myself 30 seconds.

The gentlewoman has just talked about her work in graduate school. This bill would eliminate help for millions of people in graduate school. That is what this bill does.

I now yield 4 minutes to the distinguished gentlewoman from Illinois (Mr. DANNY K. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the ranking member for yielding.

Tax-based aid represents more than half of all nonloan Federal support for higher education, giving tax policy a critical role in college affordability, access, and completion.

Although I strongly support improving the education credits for students and families, I cannot support the Republican piecemeal tax approach that would add $825 billion to the deficit and imperil our economic recovery and the well-being of our citizens.

As partners in the Education and Family Benefits Tax Working Group, I was delighted to work with Representative BLACK and her staff from Tennessee. I want to thank her and her staff for a wonderful legislative experience. It was, indeed, a delight.

I also want to commend Chairman CAMP for taking the bold initiative to put comprehensive tax reform in the discussion and on the table.

Our bill represents a bipartisan compromise that integrates promising reforms to tax-based education benefits suggested to us by both conservative and progressive stakeholders.

This bill simplifies our Tax Code and strengthens our investment in students and their families, expanding aid to the lowest-income students by modestly expanding the refundability of the credit, removing obstacles to claiming the credit, improving the coordination of tax and Pell policies, and indexing the credit to inflation.

However, the Student and Family Tax Simplification Act was intended as part of comprehensive tax reform. Within a comprehensive package, policymakers are better able to pay for our tax cuts and ensure that groups of taxpayers who may lose out in one section are helped in others.

I look forward to continuing to work in a bipartisan way to improve education policy. But I oppose moving this bill in isolation of other education tax reforms and at the exclusion of other critical tax provisions that help the working poor, strengthen economically distressed communities, promote affordable housing, help cover public transportation costs, incentivize businesses to hire hard-to-employ workers, and assist teachers with classroom expenses.

I don’t think anything is much more important than education affordability, but I believe that first things come first. For me right now, before I would suggest spending any more money, I would suggest the way to put an unemployment check in the hands of the 3 million people who are waiting in America, so they can live until they can get to college.

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

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

In conclusion, we favor on this side of the aisle simplification. We are in favor of reducing the number of pages. We are not in favor of leaving out millions of students.

This approach hasn’t been refuted. It leaves out millions of undergraduates, millions of graduate students, and millions of people who are in longer-term education needs who can’t complete college in 4 years, and, in many cases, want to go on to graduate school.

So what has happened here is another bill has come out of committee that is part of a package that was over $800 billion. It leaves out so many, yet you make it permanent. These are people permanently left out.

Many of these bills go back some years. We will have to check back many years ago and see if perhaps they were paid for. The recent one was in the Recovery Act of 2009, which we favored, but we did not favor making permanent laws that would leave out. That is what is being done here.

I have heard: Oh, we will come back some other time. You are going to come back some other time when you have added a trillion dollars to the deficit? That is not believable.

Indeed, what is believable is the result of this kind of reckless course is it is going to squeeze further discretion into monofund expenditures. That squeezing out is, as I said earlier, is the hard-hearted approach of the Ryan budget.

We see what happens when Republicans essentially use the argument that we can’t pay for it when they cut all the kinds of programs that I mentioned at the beginning, so many were cut out in the Ryan Republican budget.

I urge a “no” vote, and I yield back the balance of my time.
who need help the most by what we are doing with the simplification of this particular part of the Code.

For the sake of the identity of the person, I am going to use the name Nancy.

Let me read this to you:

Dear Congresswoman Black, my name is Nancy, and I attend Atlanta Technical College. The additional $500 in refunds in your bill for students like me will be extremely beneficial.

I am the mother of five, full-time worker, and student. Although I intend to continue my higher education once I graduate from the Atlanta Technical College, I have found out my Pell grant will expire next semester. I now find myself in the position of taking out loans for future semesters to make sure my tuition and books are paid for.

I plan to use my taxes to help with this dilemma. The additional $500 may not seem like it would cover a lot, but in my case, it will cover at least one three-credit class or at least three of my textbooks. I would love the opportunity to have an option of using these moneys that are outright mine than to put myself in debt more by taking out a full amount of any loan.

My only hope is that you take this letter into consideration, for there are many others out there in my predicament.

DR. CONGRESSWOMAN BLACK, My name is Nancy, I attend Atlanta Technical College. The additional $500 in refunds in your bill for students like me would be extremely beneficial.

I am a mother of 5, full time worker and student. Although I intend to continue my higher education once I graduate from Atlanta Technical College, I have found out my Pell grant will expire next semester. I now find myself in the position of taking out loans for future semesters to make sure my tuition and books are paid for.

I plan to use my taxes to help with this dilemma. The additional $500 may not seem like it would cover a lot, but in my case, it will cover at least one three-credit class or at least 3 of my textbooks. I would love the opportunity to have an option of using these moneys that are outright mine than to put myself in debt more by taking out the full amount of any loan.

My only hope is that you take this letter into consideration, for there are many others out there in my predicament.

Mrs. BLACK, I think there is no better way than to end with something that comes from the heart of a student who is working so hard. She has five children and is a full-time worker and student. Because of the refundability of this loan, if it were placed into law, you can see how it would really help those who are trying to help the very most.

So I would urge my colleagues, for the sake of helping our students, especially those at the lower and middle income, to support H.R. 3393, the Student and Family Tax Simplification Act, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired. Pursuant to House Resolution 680, 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.

MOTION TO RECOMMIT

Ms. SINEMA. Mr. Speaker, I have a motion to recommit the bill.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. SINEMA. Mr. Speaker, I am opposed.

Mr. CAMP. Mr. Speaker, I reserve a point of order against the motion to recommit.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk reads as follows:

Ms. Sinema moves to recommit the bill H.R. 3393 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Add at the end of the bill the following:

SEC. 4. INFORMING STUDENTS OF SAVINGS THROUGH LOWER INTEREST RATES.

(a) In General.—The Secretary of the Treasury shall, in publications relating to the credit allocation of the Internal Revenue Code of 1986, include a table that illustrates the difference between monthly payment amounts (with respect to various principal amounts and, at a minimum, under a standard repayment plan) for specified higher education loans—

(1) under the applicable rate of interest on such loans as described in section 455(h)(8) of the Higher Education Act of 1965, and

(2) under a rate of interest on such loans that is 2 percentage points below such applicable rate of interest.

(b) SPECIFIED HIGHER EDUCATION LOAN.—For purposes of this section, the term ‘specifi ed’ higher education loans any loan which is made under part B, D, or C of the Higher Education Act of 1965.

The SPEAKER pro tempore. The gentlewoman from Arizona is recognized for 5 minutes in support of her motion.

Ms. SINEMA. Mr. Speaker, this motion to recommit is the final amendment. The amendment is adopted, the bill will immediately proceed to final passage, as amended.

This motion is straightforward and common sense. It directs the Secretary of the Treasury to provide students with the information they need to compare the costs of student loans.

In providing information on tax credits, the Treasury Secretary must publish a table showing the amount of savings that a student would achieve on a monthly basis under different student loan rates. Such a table should be provided to students before they take on debt.

Mr. Speaker, our country has a student debt crisis. As an adjunct professor at Arizona State University, I frequently hear from my students about how they are having trouble effectively managing their student loans.

Angela Schultz, Brian Garcia, Iliamari Welty, Andy Albright, Diego Soto, Brandy Pantiline, and Brandy Pantiline are only a few of the young college graduates from Arizona State University, my alma mater, who shared their stories with me.

Some of these young people are my students at Arizona State University. Some are recent graduates. Some of them are thinking of starting a family, others are working hard to care for the families they already have.

What do these graduates want? They just want a fair shot. They want to know that their hard work in college means that their parents made to them when they were little—the promise we all believe in: if you work hard and play by the rules, you can succeed.

Essentially, they want what each one of us wanted for ourselves, what we want for our own kids, and what we are working for in our districts. They want a shot at the American Dream.

Angela graduated from Arizona State University in 2012. She now faces the biggest financial hurdle of her life. She doesn’t face massive medical bills or an expensive car loan. It is not rent or mortgage payments. It is a bill for $85,000 in student loans. Iliamari will graduate in 2015. When she does, she will have over $64,000 in student loans.

Nationally, outstanding student loans now total more than $1.2 trillion, surpassing total credit card debt, and every year, students are taking on more debt. An estimated 71 percent of college seniors had debt in 2012, with an average outstanding balance of $29,400 for those who borrowed to get a bachelor’s degree.

Young people are foregoing long-term job opportunities and home ownership in order to meet the urgent demands of their large student loan payments.

I relied on Pell grants, academic scholarships, and Federal loans all through school, just like my Arizona State students do today. I know students need guidance and assistance to manage their student debt.

I talk to young people who are excited to share their ideas and thoughts about how to solve some of the world’s biggest problems. However, it concerns me that these same young people are daunted by the prospect of an expensive education that they want, but fear they cannot afford.

Rising college costs are putting higher education and the American Dream out of reach for too many hardworking Arizona families. Education is key to economic growth and job creation and, for many, it is a clear pathway out of poverty. I know this because education was the key to my own path out of poverty and into the middle class.

We must take action to combat this crisis. We need to give students the information they need to make smart decisions about their education and their financial future.

That is why I offered this motion to recommit today. It is why I am asking my colleagues to support this reasonable motion, and I call on Congress to do more to make the American Dream accessible and affordable for more American families.

Mr. Speaker, I yield back the balance of my time.
Mr. CAMP. Mr. Speaker, I withdraw my point of order and claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. CAMP. Mr. Speaker, this motion to recommit has absolutely nothing to do with helping middle class families. It is nothing to do with making tax policy more certain, easier to understand, or simplifying a process of child care to college. This has nothing to do with any of the votes on the House floor.

Let’s get on with trying to do that job. Let’s reject this motion to recommit, let’s pass the underlying bill, and let’s help middle class America.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

Mr. CAMP. Mr. Speaker, I withdraw my point of order and claim the time in opposition to the motion.

Ms. SINEMA. Mr. Speaker, on that I respond.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. CAMP. Mr. Speaker, the yeas and nays were ordered. 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 the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and the motion to instruct on H.R. 3250.

The vote was taken by electronic device, and there were—yeas 227, nays 219, not voting 18, as follows:

[Roll No. 449]
ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

Mr. POE of Texas changed his vote from “yea” to “nay.”

Mr. BRALEY of Iowa changed his vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ROYCE. Mr. Speaker, on rollcall No. 449 I was unavoidably detained. Had I been present, I would have voted “yes.”

TRIBUTE TO THE 193 DUTCH NATIONALS WHO LOST THEIR LIVES ON MALAYSIAN AIRLINES FLIGHT 17

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

Mr. HUIZENGA of Michigan. Mr. Speaker, as cochair of the Dutch Caucus here in the U.S. House of Representatives, I rise today with a heavy heart to express our condolences at the tragic loss of life of nearly 300 people on Malaysian Airlines Flight 17.

On that flight, there were one American and a number of others from Australia, Malaysia, and a number of other countries. But counted among those were 193 Dutch nationals. Just to put that in perspective, that is like having a country the size of the United States lose over 3,600 people. That is the impact that it has with our friends in the Netherlands. This attack on innocent civilians can only be described, I believe, as an act of terror, as it was flying over Ukrainian airspace.

We are rising today jointly, in a bipartisan fashion, to express our condolences to our friends in the Netherlands. The Netherlands was the first nation to ever recognize our Nation, the United States of America, officially back during the Revolutionary War. And they have been stalwart partners and stalwart friends throughout the history of our country.

With that, I yield to my friend from Maryland.

Mr. VAN HOLLEN. I thank my friend and colleague for yielding. I am honored to stand with him and all of us in solidarity with the people of the Netherlands and the families and loved ones of all the victims of that act of terror.

We look forward to working together to make sure that this situation is resolved as quickly as possible and the perpetrators are held accountable. I know we all stand together on that as well. And I am grateful to my colleague from Michigan for bringing us together for this purpose.

Mr. HUIZENGA of Michigan. Mr. Speaker, today we humbly ask our colleagues to join us in a moment of silence as we pay our respects and honor the memory of all 298 passengers aboard MH17 that had their lives tragically cut short.

The SPEAKER pro tempore. All Members please rise for a moment of silence.

PAY OUR GUARD AND RESERVE ACT

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the motion on the bill (H.R. 3230) making continuing appropriations during a Government shutdown to provide pay and allowances to members of the reserve components of the Armed Forces who perform inactive-duty training during such period, offered by the gentleman from California (Mr. PETERS), on which the yes and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 205, nays 207, not voting 20, as follows:

[Roll No. 450]
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CONGRESSIONAL RECORD — HOUSE

July 24, 2014

Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Royal-Ballard
Royce
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sánchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider

Schroder
Schwartz
Scott (VA)
Scott (GA)
Serrano
Seveli (AL)
Shelby
Sinema
Singh
Smith (WA)
Swalwell (CA)
Sullivan
Sizemore
Sloan
Slicher
Swartz

Titus
Tonko
Tommas
Upton
Van Hollen
Vargas
Veasey
Velasquez
Velasquez
Velasquez
Velasquez
Velasquez
Welch
Walden
Walsh
Waterston
Waxman
Welch
Wilson (FL)
Wolf
Yarmuth

NOT VOTING—20

Bass
Bishop (UT)
Campbell
Capito
DesJarlais

Gingrey (GA)
Hanabusa
Hefner (CA)
Honda
Jackson Lee

Kingston
Lewis
Marchant
Meece

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COPSPONSOR OF H.R. 4098

Mr. CLAY. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor from H.R. 4098.

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

There was no objection.

NOTICE OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 3230, PAY OUR GUARD AND RESERVE ACT

Mr. RAHALL. Mr. Speaker, pursuant to clause 7(c) of rule XXII, I hereby give notice of my intention to offer a motion to instruct conferees on H.R. 3230, the conference report on Veterans Access and Accountability.

The form of the motion is as follows:

Mr. Speaker, I have an amendment at the desk.

The Chair recognizes the gentleman from Colorado (Mr. LAMBORN) each will continue.

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

There was no objection.

Act to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes) be instructed to—

(1) recede from disagreement with title V of the Senate amendment (relating to health care related to sexual trauma); and

(2) recede from the House amendment and concord in the Senate amendment in all other instances.

The SPEAKER pro tempore. Pursuant to clause 7(b) of rule XXII, the gentleman from California (Ms. BROWNLEY) and the gentleman from Colorado (Mr. LAMBORN) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Ms. BROWNLEY of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to express my strong support for the military sexual trauma provisions that were included in the principles—our military men and women from coming forward to report cases of sexual assault.

Nonetheless, if one counts those cases reported, more and more women are currently leaving the military with PTSD from sexual assault. This cannot continue. Military sexual assault is the ultimate violation of the basic principles of trust, respect, honor, and dignity that is the bedrock of our military justice system.

Accelerating that change, from the military justice system.

Veterans Administration know all too well, changing culture is very difficult. Nonetheless, if one counts those cases reported, more and more women are currently leaving the military with PTSD from sexual assault.

But the culture of our military must change, and we, my colleagues, need to accelerate that change, from the military chain of command to reforms of our military justice system.

Clearly, preventing military sexual assault in the first place is critical, but it is equally critical that we provide service members leaving the military who have suffered from sexual assault, to make access to care at the VA easier and safer, to make sure survivors get the benefits and services they need, and to ensure that the VA provides the very best treatment possible.

Compasion and care are a critical part of healing for those who have been sexually assaulted. We need an environment where it is safe to speak up and where we would never find anyone’s story unjustly dismissed or treated with indifference, which would only make the trauma and the wound even deeper.
We have a bill before us that provides relief not only for those who have endured sexual assault, but for so many of the issues facing our veterans at this very moment.

I deeply appreciate the leadership from our chairman on the committee, who has done a tremendous amount to help our veterans, and he continues to do so. But the time to act is now. The crisis is clear. We have a path to address it. We have veterans who deserve it, and we have a Congress willing to provide the funds needed.

We have said time and time again in our hearings we need big change and big ideas. We need real transformation, and, most importantly, we need a VA whose sole purpose and mission is to serve our veterans with the same vigor and sacrifice that our veterans have served our country.

Mr. Speaker, our veterans must come first in everything we do. There is a lot of work ahead of us that the VA needs to do. But we need the conference committee to continue to do so. Persistent and consistent oversight every step of the way on our part will leverage the leadership and the strategic plan from within the VA to ensure that we deliver timely and quality care with accountability. Our veterans deserve that care.

As chairman of the House Veterans' Affairs Subcommittee on Health and someone who has respected all of the work of the committee on these issues, it is my belief that our veterans simply cannot and should not wait another day.

We have a bill that the Senate has passed and that we know the House would pass. We are currently scheduled by the Speaker to recess next Thursday. If the Speaker keeps to that timeline, we need to accept what is on the table: a bill that we know can pass both Houses and that we know the President will sign so that our veterans receive the care they deserve. We must include the provisions to improve VA treatment for survivors of military sexual trauma.

Mr. Speaker, I urge my colleagues to vote "yes" on the motion to instruct conferees, and I reserve the balance of my time.

Mr. LAMBORN. Mr. Speaker, I rise in opposition to this motion to instruct and yield myself such time as I may consume.

Mr. Speaker, the motion to instruct would require the House to recede to the Senate amendments to H.R. 3230. As Chairman MILLER has stated during debate, nearly identical motions to instruct last week and again last night, the foremost goals of the House and Senate conference committee are, one, to improve timely access to high-quality health care for veterans who have been waiting for weeks, months, or even years; and, two, to improve the accountability and overall operations of the Department of Veterans Affairs health care system. This was the central charge at the beginning of the conference and remains so today. I have no doubt that my colleague from California, Congresswoman BROWNLEY, the ranking member of the Subcommittee on Health, shared the same insight, and this motion does not further our pursuit of them.

Tonight, our attention is best spent devoted to finding a true compromise—one that best serves our Nation's veterans and taxpayers and lays the foundation for correcting the departmental deficiencies that have brought us here—and not tying the conference committee's hands with an unnecessary, unhelpful, unbinding, and time-consuming motion to instruct. The Speaker's motion to instruct is an unnecessary motion to instruct.

As the gentleman knows, because she was in the Veterans' Affairs Committee hearing with the acting VA Secretary, this morning, Chairman MILLER offered a proposal that would largely agree with nearly everything in the Senate bill, with a few minor exceptions.

Chairman MILLER's proposal would accept title VII through title VII of the original Senate bill, with amended language to include all 27 leases authorized by the House last December in H.R. 3521 rather than the 26 that the Senate approved; provide VA with $102 billion for fiscal year 2014 to address the Department's internal funding shortfalls; provide $10 billion of nonmandatory, emergency funding to cover the cost of the Senate's choice provisions, with the remaining Senate provisions subject to appropriations.

Mr. Speaker, I am supportive of Chairman MILLER's proposal because it is a fair, commonsense approach that ensures Congress is able to continue its oversight to ensure that taxpayers' funds are spent wisely.

As we all know, recently, Senator SANDERS, chairman of the Senate Veterans' Affairs Committee and cochair of the conference committee, has indicated his desire to expand the scope of the conference to include VA's recent request for an additional $17.6 billion. We have heard repeatedly, there is virtually no parochialism in the form of detailed justification for this request, and to a great extent, Congress' acceptance of unsubstantiated funding requests in the past have helped get us to where we are today.

This summer, the House Veterans' Affairs Committee has held multiple full committee oversight hearings to discuss the access and accountability failures VA has been subjecting our veterans to. These hearings have confirmed that too often, VA is facing challenges today that require long-term and large-scale reform. Adding more money, more people, and more infrastructure to a system that has not proven itself able to make effective use of its existing resources that it has been provided without first implementing underlying reforms does not serve our veterans well and will not prevent them from continuing to face unacceptably long wait times.

It has been proven time and again by the VA inspector general, the Government Accountability Office, the administration, and others that VA has been suffering from widespread data manipulation and a systemic lack of integrity.

Given that, what confidence do we have that the $17.6 billion resource request that VA is now making is based on data that is valid or reliable, particularly given that the committee has received very little analysis, justification, or verification of these numbers?

Before Congress can contemplate devoting such a significant amount of taxpayer money, it is imperative that VA provide a full and detailed accounting of each additional dollar that is being requested. The resource request the Department has put forward so far is not the well thought-out and thoroughly justifiable position that our Nation's veterans and our taxpayers deserve.

Rather, it is an unsubstantiated guess put together in the back room of a massive bureaucracy.

Mr. Speaker, I truly believe we could have already come to an agreement if Senator SANDERS would not have insisted on moving too rapidly.

The House has passed almost a dozen bills reforming the VA that have waited months for Senate consideration. The Senate could pass those bills and send them to the President to become law today.

I would remind Ms. BROWNLEY that one such bill, H.R. 2527, would extend VA's military sexual trauma counseling, along with care and treatment programs, for veterans for sexual trauma that occurred during Active Duty or Active Duty for training to veterans who experienced such trauma during inactive duty training.

Mr. Speaker, we are continually trying to work out a deal with the Senate, but I would submit to this body these motions to instruct are unproductive, are slowing down the conference process, and have become nothing more than a political ploy to distract from the true issues facing our veterans and the conference committee.

So with that, I urge my colleagues to vote "no" on the motion to instruct. I reserve the balance of my time.

Ms. BROWNLEY of California. Mr. Speaker, I just want to recognize my colleague, the gentleman from Colorado. He has worked hard on this committee. I want to make clear that what we are talking about today is the bill that passed out of the Senate 93–3.
At this time, Mr. Speaker, I yield 3 minutes to the gentlewoman from Nevada (Ms. TITUS) who has been a leader on this issue and introduced the Military Sexual Trauma Claims Administration Reform and Eligibility Act.

Ms. TITUS. I rise in support of the Brownley motion to instruct. As you have heard described, this proposal addresses an unacceptable gap in current law that effectively leaves some victims of military sexual assault without the support and treatment they need.

Members of the National Guard and other reserve components of the armed services have fought bravely for our country, many completing numerous tours of duty in Iraq and Afghanistan. Since the attacks on September 11, more than 26,000 guardsmen and guardswomen have been called to service both at home and abroad. We recognize the value of their service, of the National Guard, and of other reserve components, and we thank them for their sacrifice.

Unfortunately, some guardsmen and -women, like other members of the armed services, are victimized by sexual assault while on Active Duty. If that happens, they are provided all of the resources and services they need to recover and heal, physically and emotionally. These benefits, however, are not offered to members of the National Guard or other reserve components who experience sexual assault while on inactive training missions. For example, members of the Guard are required to participate in training missions one weekend a month and two weeks a year, but benefits and services, such as counseling and medical care, do not extend to victims sexually assaulted during those mandatory training missions. This oversight is simply unacceptable and leaves so many who have served our country so bravely without assistance or support during a devastating time.

On May 28, the House unanimously agreed to a solution to this problem by passing legislation I introduced last year, the bipartisan National Guard Military Sexual Trauma Parity Act. This legislation is supported by a number of the leading veterans service organizations.

The National Guard Military Sexual Trauma Parity Act would fix this omission and clarify that all victims of sexual trauma in the National Guard or other reserve components have access to the care they need to help them recover from acts of sexual trauma while they are on inactive or reserve duty.

The Senate wisely included this language in the VA reform bill that passed their body 93-3, and it is important that this provision, which has been passed by the House already, be included in the final version of the bill. I was pleased to hear it mentioned by our colleague from Colorado, so I am glad that there is support for keeping it in the conference report.

I encourage my colleagues to support the Brownley motion to instruct. I want to ensure that all victims of sexual assault, regardless of what kind of duty they are on, have access to the care they need.

Mr. LAMBORN. I continue to reserve the balance of my time.

Ms. BROWNLEY of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from New Hampshire (Ms. KUSTER), a valued and insightful member of the House Veterans’ Affairs Committee.

Ms. KUSTER. Mr. Speaker, I thank Representative BROWNLEY for her friendship and for her commitment to our Nation’s veterans.

I rise to support the Brownley motion to instruct with the conferences on H.R. 3320. It has been one of the most humbling honors for me to serve on the Veterans’ Affairs committee, one of the most bipartisan committees in this Congress.

This week I had the honor to join my constituent, Sergeant Ryan Pitts, as he was awarded the Presidential Medal of Honor at the White House, and my husband and I joined Ryan and his wife, Amy, and their son, Luke, at the Pentagon as he was inducted into the Hall of Heroes. I honored his colleagues, the chosen few who lost their lives in Afghanistan, and on his behalf and on their behalf it is a tremendous privilege for me to continue to work with my colleagues on both sides of the aisle in service to our Nation’s veterans.

Mr. Speaker, we were all shocked and outraged when our committee uncovered long wait times, secret wait lists, and manipulated records at the Veterans Administration. When our men and women in uniform return home after fighting for our freedom, they should never ever have to fight just to receive the medical care that they have earned and they deserve. That is why I was proud to work with Republicans and Democrats to pass common-sense reforms to hold VA leaders accountable and increase access to care for our veterans.

I also partnered with the gentlewoman from Arizona (Mrs. KIRK-PATRICK) to cosponsor legislation that puts forward even stronger VA reforms and which has already passed in the Senate. Both Chambers of Congress have passed bipartisan bills in response to the scandal at the VA, and now it is time for our veterans to finish the job and reconcile this legislation.

We owe it to our veterans to stay right here in Washington and to work together until we can send a final bill to the President’s desk to improve care for all of our veterans. We must ensure that this final legislation contains strong protections for veteran survivors of sexual trauma.

Mr. Speaker, sadly, sexual assault in our military is a full-blown epidemic. According to the Department of Defense, an estimated 26,000 servicemembers have suffered unwanted sexual contact in just 2012 alone. This is an unacceptable number. When a young man signs up to serve our country, they know that they may face danger in combat, but it is unacceptable that so many of these brave Americans are attacked every year by their own colleagues.

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

Ms. BROWNLEY of California. I yield an additional 30 seconds to the gentlewoman.

Ms. KUSTER. It is unacceptable that so many of our brave Americans are attacked every year by their own colleagues. And when survivors come forward, which only happens a fraction of the time, our flawed military justice system often turns a blind eye.

Mr. Speaker, I was proud to work across the aisle with our colleagues, JACKIE WALORSKI, LORETTA SANCHEZ, and many others to pass strong whistleblower protections into law and help prevent retaliation against those who bravely report these crimes. We need to continue to work together, and I implore our colleagues to join us in voting “yes” on the motion to instruct and to guarantee that our veterans will be protected.

I again partnered with Representative WALORSKI to introduce legislation to extend VA travel benefits to veterans travelling to seek treatment for injuries resulting from sexual trauma.

Republican and Democrat alike, so many of us fought to reform our military justice system and transfer authority to independent prosecutors.

And together, this House passed the Ruth Moore Act to help ensure that veterans suffering from sexual trauma have access to the services they need.

In a Congress bogged down by gridlock and partisanship, this issue has united both parties.

When working to rid our military of sexual assault, and to better serve its survivors, we have proven that Congress can still find common ground and solve problems.

So let’s build on that progress and pass this motion, which would agree to Senate-passed language to expand VA services for the treatment of military sexual trauma.

In addition, this motion would improve coordination between the VA and Department of Defense.

These are goals that we can all support. So I implore our colleagues—join us in voting yes, and let’s continue the important work of protecting our service members from sexual assault, and guaranteeing only the best care for those veterans who suffered from these crimes.

Mr. LAMBORN. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BROWNLEY of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from Massachusetts (Ms. TSONGAS) who has been an extraordinary leader and champion, and also
the cochair of the Military Sexual Assault Prevention Caucus.

Ms. TSONGAS. Mr. Speaker, I thank Congresswoman BROWNLEY for allowing me to speak on this very worthwhile motion, and I rise in support.

Staff at the Department of Veterans Affairs indicate that as many as one in five women are sexually assaulted while serving in the military. But receiving benefits from the VA remains a challenge.

Last year, the Service Women's Action Network, the Yale Law School Veterans Legal Services Clinic, the ACLU, and the ACLU of Connecticut released a report showing that veterans who experience sexual assaults have their benefits claims denied more than veterans with other types of PTSD. The report also found the rate of granting these claims varied greatly depending on the particular VA regional office. The St. Paul, Minnesota, office granted only 26 percent of the military sexual trauma claims they received, while the office in Los Angeles granted more than 88 percent of the claims they received.

Anyone who has seen the powerful documentary "The Invisible War" has anguished along with Kori Ciomaga, a woman veteran who survived a horrific sexual assault while serving, and suffered severe injuries to her face and jaw incident to the assault. She waited for years for an answer from the VA on the jaw surgery she needed, but her claim was ultimately and shockingly denied.

The VA has a long way to go when it comes to granting benefits for survivors of military sexual trauma. The Senate provisions in section 503 of the Senate bill would make sure that Congress is better informed on how the VA is treating military sexual trauma.

Section 503 would also address what the VA is doing for male victims of sexual assault. According to the Defense Department, the numbers of men in the military are more often victims of sexual assault than women.

Yesterday, Senator GILLIBRAND of New York screened a documentary on Capitol Hill called "Justice Denied." In it, male victims tell the heart-wrenching stories of being sexually assaulted, and too often being ignored by their commands after they reported an attack and isolated by their fellow servicemembers for doing so. We must do a better job—a much better job—of protecting these men and taking care of them after these incidents. The Senate bill allows us to start to do that.

Finally, section 501 expands eligibility for counseling services which are so important to people healing. About 2 years ago, a woman veteran came to my office to talk to me about being sexually assaulted while she was in the military. She hadn't spoken to many people about what had happened to her before, and it was difficult to do so. But the opportunity to come from a secret where she had met a number of survivors just like her who had had similar experiences. This opportunity to meet people with similar stories and share their experiences strengthened her. She was similarly strengthened through counseling and group therapy.

She has come more and more comfortable speaking about her story because of the treatment she has received. I have watched her bravely telling her story to a rapt audience after a screening of "The Invisible War."

I urge a "yes" vote on this very important motion that will help to improve counseling for both male and female survivors.

Mr. LAMBORN. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BROWNLEY of California. Mr. Speaker, I yield 3 minutes to the genterwoman from California (Ms. SPEIER) who has been instrumental in reforming the Uniform Code of Military Justice in her role on the House Armed Services Committee.

Ms. SPEIER. Mr. Speaker, I thank my colleague from California, whom I am honored to serve with and who I want to compliment for bringing recognition to this issue and a spotlight on the importance of providing this service to veterans when they are no longer on Active Duty.

The reason why this particular section 503 is so critical is because so few of these survivors ever come forward when they are on Active Duty to speak about their sexual assault. In fact, the military in many respects encourages them not to come forward because oftentimes the result is, when you do come forward, you are labeled as having a personality disorder and then honorably but involuntarily discharged from the military.

The stories I have heard over the last 3 or 4 years are really very disturbing because it makes the case over and over again that the military does not really want to deal with this issue.

So 26,000 sexual assaults or sexual harassments that take place to members of the military every year, 5,000—only 5,000 of them report them, only 500 of them go to court-martial, and only 250 see any kind of time in jail or prison.

There are many of these victims who upon retiring, upon being discharged from the military, are into drugs and alcohol, and all of a sudden find out that what is really driving their conditions is the fact that they were raped when they were in the military.

I had the opportunity just last week to spend some time at the MST program at Presidio of Monterey, California, with four survivors who were in an inpatient program. They were all extraordinarily grateful for the opportunity they had to participate in that program.

They found it to be a lifesaver, literally a lifesaver. They were all on the brink of永远 being sent home from this particular program and for the first time feel that they are getting their lives back, but one of the great eye-opening parts of that experience was that, of the five women, four of them would be homeless upon leaving this in-treatment program, which went on for about 45 days.

On top of everything else that we are learning about MST, I think it is important to recognize that survivors, particularly women survivors—but I believe it is true of men survivors as well—need to be in programs that are single-sex because they have so many issues associated with it and that we have the responsibility to find housing for them after they leave.

With that, I support the motion.

Mr. LAMBORN. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BROWNLEY of California. Mr. Speaker, I yield 3 minutes to the genterwoman from Texas (Ms. JACKSON LEE), who has also been a leader and advocate for justice for our survivors in the Judiciary Committee. Ms. JACKSON LEE, Mr. Speaker, let me add my appreciation to Ms. BROWNLEY for her leadership on this issue and for the women that are on the floor who are members of the Veterans' Affairs Committee and members of the Military Sexual Assault Prevention Caucus.

This is a simple motion to instruct. It asks us to cede to the provision in the Senate, which allows for the care, health care, under the veterans health care system, of those who have experienced traumatic sexual assault and trauma.

As Ms. BROWNLEY has indicated, I am a senior member of the House Judiciary Committee, and we address these questions through the Judiciary Committee on issues of domestic violence and sexual assault and find ways, of course, to be able to respond to women who have been victimized.

We took a long time to pass the Violence Against Women Act, but the whole idea was to include an infrastructure to protect people frightened to come forward and to acknowledge the criminality of domestic violence and violence against women.

Can we do no less for the women in the United States military who put on the uniform and take an oath to swear allegiance to the United States and to extend their bodies on the front lines to be able to protect this Nation, can we not do any less than to offer to them simple health care when they come forward on sexual trauma?

The reason why this particular section 503 is so critical is because so few of these survivors ever come forward when they are on Active Duty to speak about their sexual assault. But the Senate bill would make sure that Congress is better informed on how the VA is treating military sexual trauma.
were off campus and wanted to go to a place that was not as congested as a veterans hospital, but I will tell you that PTSD is truly a health phenomenon.

The distinctive sexual trauma that some of my colleagues have mentioned that some have hidden and never spoken about for years should not be rejected when they come forward finally because we have opened the system to be able to secure health care. They should not be, in essence, directed to a life of abuse and alcohol abuse because they are fearing. They should be able to get health care.

So I ask my colleagues, 26,000 and growing and others who are also involved, this is an important motion to instruct, and I congratulate, again, Ms. BROWNLEY. My heart breaks—as she served as the ranking member on the Health Subcommittee on Veterans’ Affairs—my heart breaks that when you are abused, when your face is abused, when your body is abused, that is a health crisis.

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

Ms. BROWNLEY of California. I yield an additional 30 seconds to the gentlewoman from Texas.

Ms. JACKSON LEE. Having just come back from my community where two women and families have been killed through the violence of domestic violence, they live no more—but what about those who are soldiers who put on the uniform who are experiencing a psychological trauma?

Mr. Speaker, I ask my colleagues to support this motion to instruct offered by my colleague, Ms. BROWNLEY. More can we do or how much less can we do for women and men who put on the uniform who are suffering from sexual trauma? It must be part of the Veterans’ Affairs health reform.

Mr. LAMBORN. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BROWNLEY of California. Mr. Speaker, might I inquire if the gentleman from Texas?

Mr. LAMBORN. Mr. Speaker, at this time, there are no plans to have any additional speakers.

Ms. BROWNLEY of California. Then I am prepared to close.

Mr. LAMBORN. Mr. Speaker, I once again urge all Members to oppose the motion to instruct, and I yield back the balance of my time.

Ms. BROWNLEY of California. Mr. Speaker, I yield myself such time as I may require.

In closing, I would like to add that as ranking member of the Health Subcommittee, I led a hearing last July to address VA care and treatment for military sexual trauma survivors.

The subcommittee looked at the coordinated care and services offered by the Department of Defense and the VA. I was truly saddened to listen to the testimonies of those who spoke. Their pain and suffering was evident in every word they spoke. I know it was hard for all of them to share their stories, and I know all of us understand the immense bravery it took for them to do so.

I know that all of us, including those who have come to speak today, are dedicated to addressing military sexual assault. The Senate bill takes an important step forward toward that end. It is but one very important reason why I call on my colleagues to support this motion to instruct.

Let’s insist that the Department of Defense and the VA address the epidemic of military sexual assault, which must include appropriate care and treatment of trauma survivors, and let’s adopt the language in the Senate bill that addresses military sexual trauma.

We have a bill before us that was crafted by Members of Congress whose dedication to our veterans is beyond question, but we are running out of time. We have a bill that we know will pass both Houses, that we know the President will sign, that we know will provide significant relief to our veterans immediately.

We simply cannot negotiate any longer. Time is of the essence. We should move forward. We should adopt the Senate bill.

I urge my colleagues to vote “yes” on the motion to instruct conferees, and, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question was taken; and the yeas and nays were ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The motion was taken; and 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.

PERSONAL EXPLANATION

Ms. JACKSON LEE. Mr. Speaker, today, in my district, we buried Dr. Evelyn E. Thornton, the first Afro-Asian American to graduate from the University of Houston with a Ph.D. in math and a leader in civic matters and education.

Because of my responsibility of speaking at the civic leader’s funeral home going service, I missed the following votes. Had I been present, I would have voted as follows:

On rollcall vote No. 442, I would have voted “no” on the motion on ordering the previous question on H.R. 4953 and H.R. 3393;

On rollcall vote No. 443, I would have voted “no” on H. Res. 680, a rule providing for the consideration of H.R. 4953, Child Tax Credit Improvement Act, and H.R. 3393, Student and Family Tax Simplification Act;

On rollcall vote No. 444, I would have voted “yes” on an amendment to H.R. 4984, Empowering Students Through Enhanced Counseling Act, offered by Mr. KILMER and Mr. HINOJOSA;

On rollcall vote No. 445, I would have voted “yes” on a motion to recommit H.R. 4984, Empowering Students Through Enhanced Counseling Act;

On rollcall vote No. 446, I would have voted “yes” on final passage of H.R. 4984, Empowering Students Through Enhanced Counseling Act;

On rollcall vote No. 447, I would have voted “yes” on H.R. 5111, to improve the response to victims of sex trafficking, by Representative BEATTY;

On rollcall vote No. 448, I would have voted “yes” on a motion to recommit on H.R. 3933, Student and Family Tax Simplification Act;

On rollcall vote No. 449, I would have voted “no” on H.R. 3933, Student and Family Tax Simplification Act; and

On rollcall vote No. 450, I would have voted “yes” on H.R. 3230, Veterans’ Access to Care Through Choice, Accountability, and Transparency Act of 2014.

16TH ANNIVERSARY OF CAPITOL SHOOTING

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, earlier today, the House observed a moment of silence to remember the loss of two heroes who gave their lives to protect others.

The deaths of Detective John Gibson and Officer Jacob Chestnut are heartbreaking. An additional tragedy, however, is that this House has not taken action to prevent such incidents from happening again.

The man who took the lives of the two police officers had paranoid schizophrenia and had previously been committed to a psychiatric hospital after threatening to kill the President, a hospital technician, and his neighbors. His paranoid delusions told him to attack the Capitol. Weston cycled in and out of emergency rooms as he refused medication and followup treatment.

We know that the perpetrator had a brain disease, but our broken mental health system prevents others like Weston from being treated. The sad truth of this situation is it won’t be long before we read in the headlines of another preventable tragedy.

The memories of Detective Gibson and Officer Chestnut deserve our respect, their families our gratitude, but all families deserve respect.

We must pass H.R. 3717, the Helping Families in Mental Health Crisis Act, because where there is no help there is no hope.

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to section 123 d. of the Atomic Energy Act of 1954, as amended, the text of an amendment (the “Amendment”) to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes of July 3, 1958, as amended (the “1958 Agreement”). I am also pleased to transmit my written approval, authorization, and determination concerning the Amendment.

The joint unclassified letter submitted to me by the Secretaries of Defense and Energy providing a summary position on the unclassified portions of the Amendment is also enclosed. The joint classified letter and classified portions of the Amendment are being transmitted separately via appropriate channels.

The Amendment extends for 10 years (until December 31, 2024), provisions of the Amendment that permit transfer between the United States and the United Kingdom of classified information concerning atomic weapons; nuclear technology and controlled nuclear information; material and equipment for the development of defense plans; training of personnel; evaluation of potential enemy capability; development of delivery systems; and the research, development, and design of military reactors. Additional revisions to portions of the Amendment and Appendix IV are made to encourage consistency with current United States and United Kingdom policies and practice regarding nuclear threat reduction, naval nuclear propulsion, and personnel security.

In my judgment, the Amendment meets all statutory requirements. The United Kingdom intends to continue to maintain viable nuclear forces into the foreseeable future. Based on our previous close cooperation, and the fact that the United Kingdom continues to commit its nuclear forces to the North Atlantic Treaty Organization, I have concluded it is in the United States national interest to continue to assist the United Kingdom in maintaining a credible nuclear deterrent.

I have approved the Amendment, authorized its execution, and urge that the Congress give it favorable consideration.

BARACK OBAMA,

HONORING THE LIFE OF DR. EVELYN E. THORNTON

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

Ms. JACKSON LEE. Mr. Speaker, today, I was on official business in Houston, honoring the life of Dr. Evelyn Thornton. She was a great American. Dr. Thornton was the mother of two wonderful daughters: Yvonne Denise, a trained lawyer; and Wanda, an outstanding physician honored by all.

Dr. Thornton, who lost an eye in her early twenties, went on to be the first African American to receive a Ph.D. from the University of Houston, a school that African Americans could not go to for many, many years.

She was a member of the Links and Alpha Kappa Alpha, but what she was known for is 40 years of teaching. Evelyn was an educator who lifted the lives of young people at Prairie View A&M.

She was a graduate of Texas Southern University, got married, had grandchildren, great-grandchildren, daughter-in-laws and a son-in-law, Russell, a leader in the community.

What was most noted is the simplistic style that Evelyn had of humility and her willingness to serve the people.

I would say that today we laid to rest in Houston a great American, Dr. Evelyn E. Thornton, whose contributions should continue to be remembered.

CHILDREN ARE A VULNERABLE POPULATION

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

Ms. LOFGREN. Madam Speaker, in this country, we have reached the consensus that victims of human trafficking should be provided help. That consensus was north-south, east-west, conservative-liberal, and Democrat-Republican. Human trafficking victims need protections.

Now there is a discussion of truncating that protection, and we must say that would be wrong. We know especially for child victims that special care must be taken to elicit the facts of what has happened. And the idea that we would short-circuit that process for children who are human trafficking victims at our border is unconscionable.

Now we have received a letter from the National Association of Immigration Judges telling us the ground truth: that special care must be taken for child victims. These are not the same as other cases.

I include for the RECORD a letter from the National Association of Immigration Judges.

NATIONAL ASSOCIATION OF IMMIGRATION JUDGES,

Hon. John Boehner,
Speaker House of Representatives.
Hon. Nancy Pelosi,
Democratic Leader,
House of Representatives.
Re Special Concerns Relating to Juveniles in Immigration Courts

DEAR SPEAKER Boehner AND DEMOCRATIC LEADER Pelosi: The National Association of Immigration Judges is the recognized collective bargaining representative of the fewer than 230 Immigration Judges located in 59 courts throughout the United States.

Our nation's Immigration Court system is currently facing an unprecedented surge in the numbers of unaccompanied children who have presented themselves at our southern border seeking shelter. As you and your colleagues consider how to address this complex and urgent situation, we would offer our expertise to help inform your decision-making. The opinions provided here do not purport to represent the views of the DOJ, the Executive Office for Immigration Review or the Office of the Chief Immigration Judge. Rather, they represent the formal position of the NAIJ, and my personal opinions, which were formed after extensive consultation with members of the NAIJ.

In the legal arena, it is universally accepted that children and juveniles are a vulnerable population with special needs. Since the passage of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, Congress has codified special provisions such as non-adversarial adjudication of unaccompanied children's asylum claims and, to the extent practicable, access to legal services through pro bono representation. The law recognizes that these children are especially vulnerable to potential human trafficking and abuse. From the perspective of practitioners because of their vulnerabilities and lack of full competency, Immigration Court cases involving children and juveniles must be conducted in a different manner than those of adults. Immigration Judges are charged with assuring that those who come before them understand their rights and responsibilities under governing law. For minors, it can be especially challenging to effectively communicate the complicated nuances of our law and the possibilities that may be available to them. Immigration judges are trained to alter their demeanor and lexicon to adapt to the more limited life experiences and understanding of minors, but that alone is not enough. The judge must carefully gauge the response they receive to be sure that the minor truly understands what he or she is being told, rather than feigning compliance in order to please the judge as an authority figure.

Judges must assure that a minor is put at ease in an inherently unfamiliar setting. These precautions are not solely for the benefit of the minor, but are a practical necessity for a judge in order to obtain the information necessary to arrive at a fair and accurate result based on a true understanding of the child’s situation. To do
so, an atmosphere of trust must be established, and a rapport developed which assures that the minor is both emotionally able and psychologically willing to discuss issues embarrassing or traumatizing. In order to accomplish this, a judge often has to take more time than in the case of an adult to make the child feel safe so as to participate in the hearing. This often involves multiple hearings, so that familiarity with the people, location and general process can ease confidence.

Because many of the juveniles we see in proceedings come from countries where government officials are corrupt or dangerous to them, Immigration Judges need to be particularly aware of the environment in which their hearings are conducted, so that their independence can be demonstrated, enabling a minor to address difficult issues without fear or a feeling of futility. We must go to great lengths to create a courtroom environment where our hearings are not perceived as coercive. Frequently we find that both children and adults who appear in Immigration Court do not understand the roles of the government trial attorneys and judges, and even when provided pro bono counsel, assume that the reviewing boards associated with the proceeding functions as a prosecutor or law enforcement official. At this early stage some of our judges have reported concerns about the lack of adequate background interviews that have resulted in “negative credible fear” findings and summary deportation orders at the border. For all these reasons, it is particularly important that Immigration Judges be the ones charged with making these crucial determinations, rather than Border Patrol agents.

The complexity of a judge’s job is increased exponentially due to the language and cultural differences which we routinely encounter, as well as the limitations upon minors who are not represented by attorneys. Under governing regulation, children under sixteen without responsible adults to help them cannot accept service of the charging documents which initiate removal proceedings, and those under fourteen without a responsible adult cannot enter pleadings to those charges. In addition, in the vast majority of cases, the burden of proof is on the petitioning party to demonstrate eligibility for relief rests on the minor, even though their ability to gather the evidence necessary to support their claims is substantial. Personal documentation, general country conditions information or expert opinions—is greatly reduced because of their age. In many cases, the lack of corroborating evidence may be fatal to a claim for relief from removal. This is even more true for a child’s case, since their ability to provide clear, consistent and detailed testimony that support a claim which without corroborating evidence may be compromised by their age.

All of these factors lead inexorably to the conclusion that removal proceedings regarding juveniles should not be subject to strict time constraints regarding scheduling or decisionmaking. Judges need the ability to tailor the time frames of various aspects of the proceedings to the emotional, physical and psychological state of the individual in court. The ability and local customs to maintain supporting evidence and documentation can vary significantly depending on an individual’s age, mental capacity and custodial circumstance.

The adage “haste makes waste” is apropos to the context of these cases, because speedup or truncating the process creates an unacceptable risk of harm to the child. It could result in loss of lives or limbs, by deporting individuals to a country where they face persecution.

It is our experience that when noncitizens applying for asylum are not represented by attorneys, Immigration Judges are able to conduct proceedings more expeditiously and resolve cases more quickly. Judges have found that cases with legal representation are generally 1) reduce the number and length of proceedings for benefits for which individuals are ineligible; 2) generally require quicker and more accurate preparation (including when applications must be processed with other agencies); 3) obviate appeals based on a lack of understanding regarding the law; 4) take less hearing time for judges because they are better researched and organized; and 5) tend to reduce the number of futile claims which utterly lack a basis in the law. Because of those and several additional reasons why attorneys are beneficial to our process, allowing judges to grant reasonable requests for representation, based on their knowledge of the local availability of low fee and pro bono counsel, ends up being the most time-efficient approach.

A due process review of the fundamental fairness of any proceeding requires consideration of three distinct factors: first, the nature of the private interest affected; second, the risk of an erroneous deprivation through the procedures used and the probable value of additional or substitute procedural safeguards; and finally, the fiscal and administrative costs imposed by additional or substitute procedural requirements would place on the government. Immigration Judges are in the best position to guarantee due process, while at the same time efficiently and fairly conducting removal proceedings. However, to do so, they must be given the flexibility to balance the needs of the individual appearing in court with the interests of an expeditious adjudication based on the unique situation presented in each case. Rigid deadlines have an adverse impact on the ability, and artificial constraints on the time necessary to fairly adjudicate cases will likely promote litigation, rather than resolve individual circumstances.

We strongly oppose the proposed implementation of a seven-day adjudication time frame for these cases.

With the proper allocation of resources to allow the hiring of sufficient Immigration Judges and support staff to assist them, we would be able to schedule all hearings within appropriate timeframes, which would be served and legal challenges to individual outcomes reduced. While the need to address the surge in juveniles is seen as paramount, we also believe that the process cannot be overlooked. As of today’s date, there are only 228 full time Immigration Judges in field offices, handling a nationwide caseload of more than 640,000 cases. The average time to decision nationally has now climbed to 587 days. The unfortunate and ironic fact is that with long delays, people whose cases will eventually be granted relief suffer, while those with cases which will ultimately be denied benefit. Individuals with “strong” cases are sometimes penalized by past decisions and lack of proper records for them to review, resulting in remands rather than resolutions. Similarly, bypasses to Immigration Court in the removal process have been subject to serious criticism by neutral observers, including the U.S. Commission on Human Rights, the U.S. Commission on Civil Rights, the U.S. Commission on Security and Cooperation in Africa, the United Nations High Commissioner for Refugees, and the United Nations High Commissioner for Human Rights. In this situation, the concern is not that “haste makes waste,” but that hasty decisions could result in loss of lives or limbs, by deporting individuals to a country where they face persecution.

It is our experience that when noncitizens are represented by attorneys, Immigration Judges are able to conduct proceedings more expeditiously and resolve cases more quickly. Judges have found that cases with legal representation are generally 1) reduce the number and length of proceedings for benefits for which individuals are ineligible; 2) generally require quicker and more accurate preparation (including when applications must be processed with other agencies); 3) obviate appeals based on a lack of understanding regarding the law; 4) take less hearing time for judges because they are better researched and organized; and 5) tend to reduce the number of futile claims which utterly lack a basis in the law.

Because of those and several additional reasons why attorneys are beneficial to our process, allowing judges to grant reasonable requests for representation, based on their knowledge of the local availability of low fee and pro bono counsel, ends up being the most time-efficient approach.

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With the proper allocation of resources to allow the hiring of sufficient Immigration Judges and support staff to assist them, we would be able to schedule all hearings within appropriate timeframes, which would be served and legal challenges to individual outcomes reduced. While the need to address the surge in juveniles is seen as paramount, we also believe that the process cannot be overlooked. As of today’s date, there are only 228 full time Immigration Judges in field offices, handling a nationwide caseload of more than 640,000 cases. The average time to decision nationally has now climbed to 587 days. The unfortunate and ironic fact is that
I am sure there is an investment in early childhood education, because every person in this room must surely know that if we help invest at those earliest years, you can have a lifetime of experiences and opportunities for someone. That is not in the plan either.

Surely, it must address investments in infrastructure. We have crumbling roads and bridges. We have bridges and roads that are old enough that they are eligible for: Medicare in every community. Surely, putting people back to work at a time like this and investing in our infrastructure make sense. It is also not in the Ryan plan.

Let me try one more thing. It has got to be here. Must provide incentive to create good-paying jobs here in America rather than overseas. Clearly, the 21st century Make It In America Act must not be in the plan either.

All this stuff that I just mentioned—raising the minimum wage, making sure we have equal pay for equal work, expanding opportunity through expanded Pell grants and helping people refinance their student loans—these people get access to early education and investing in our infrastructure and jobs here at home—are part of the House Democratic Middle Class Jumpstart program. They are what we would do in our first 100 days if we were to take over the majority after this fall. But surely there must be something we could talk about today in Paul Ryan’s plan. There has got to be something. But you try to be bold and, hopefully, not just old, a bunch of old ideas warmed over, brought back to us in versions of block grants and not really providing any real assistance that the most needy in this country need.

All I am saying is that I just mentioned—raising the minimum wage, making sure we have equal pay for equal work, expanding opportunity through expanded Pell grants and helping people refinance their student loans—these people get access to early education and investing in our infrastructure and jobs here at home—are part of the House Democratic Middle Class Jumpstart program. They are what we would do in our first 100 days if we were to take over the majority after this fall. But surely there must be something we could talk about today in Paul Ryan’s plan. There has got to be something. But you try to be bold and, hopefully, not just old, a bunch of old ideas warmed over, brought back to us in versions of block grants and not really providing any real assistance that the most needy in this country need.

I am a number of my colleagues today who are going to address exactly what is in Paul Ryan’s plan and perhaps how we can offer a little different perspective to help the most needy in our country.

I would like to start out with a very esteemed and respected colleague from Illinois, Representative DANNY DAVIS.

Mr. DANNY K. DAVIS of Illinois. Thank you very much. I am pleased to be here to join you, Mr. POCAN, and other members of the Progressive Caucus as we talk about the real deal in terms of what it is that you do to reduce poverty.

I read a number of what we are talking about, and I really couldn’t believe that that had anything to do with the reduction or any efforts to seriously reduce poverty.

We have made some progress in the last 50 years, but it is unacceptable that 49.7 million people, including 13 million children, were poor in 2012. In my congressional district alone, 41 percent of children, or 67,000 children, live in poverty. It also is shameful that racial disparities remain in the experience of child poverty. African Americans being 29.2 percent, in 2012, compared to 9 percent for their White peers.

And so I welcome working with anybody that would like to reduce poverty. As a matter of fact, ever since I have been here, I have championed two of the chief proposals mentioned by the Ryan plan: expanding the earned income tax credit to childless and non-custodial poor, as reducing incarceration among low-risk and non-violent offenders.

The earned income tax credit is one of the most effective antipoverty programs that we have. A Brookings Institution estimate the high-impact version of the Ryan plan would reduce the rate of incarceration in our country exactly considerable cost from American taxpayers, especially from State governments and families.

However, I am extremely concerned about the proposed way of paying for these programs. Rather than asking large corporations to pay their fair share of taxes or closing international tax loopholes that allow large, multinational companies to evade billions of dollars in taxes, the Ryan plan would eliminate or eviscerate many important programs like the Social Services Block Grant and the Economic Development Administration.

So I don’t know what Mr. Ryan is really talking about. It seems to me that he is talking the same talk we have heard so often.

Ms. MOORE. Will the gentleman yield?

Mr. POCAN. I yield to the gentlewoman from Wisconsin.

Ms. MOORE. Mr. DAVIS, you are a member of the Ways and Means Committee so perhaps we can seek some clarification on the earned income tax credit expansion, which you say you have championed, and that is a very effective antipoverty program, one of the elements in the Ryan antipoverty program that you say is a good feature but you object to the pay-for for the expansion of the earned income tax credit.

In order to represent folks up to age 64, as he proposes, which is a great idea—and incentives work, because he says a lot of poor people don’t want to work—this would enable low-income people to have that subsidy through the Tax Code, as we benefit many corporations that same way.

Just recently, the Ways and Means Committee just extended about $618 billion of corporate taxes. I am wondering what the pay-for for these corporate extenders were.

Mr. DANNY K. DAVIS of Illinois. They didn’t really deal with pay-for. As a matter of fact, one of the reasons that many of us objected to the piece-meal way in which the Republicans are looking at what we call tax reform is we have been trying to move towards comprehensive tax reform where you look at all of the taxation that we are doing. And yes, there would be what is called some losers and some winners, but you wouldn’t cherry pick and just give pay-for for things like make sure that you have got the new market tax credits in, which are designed to help redevelop, restore, and reconstitute communities that are hurting, that are seriously underfunded and don’t have things.

Many communities in my district which were actually burned out by the riots after the death of Dr. Martin Luther King are still burned out.

Mr. DAVIS. That was very confusing to me, and I will take my seat, but I just wanted clarification on that.

The earned income tax credit, which is a benefit that is provided to ordinary Americans through the Tax Code, we are required to eviscerate programs like Meals on Wheels for elders through the Social Services Block Grant and to get rid of maybe some of the low-income heating programs that heat homes in places like Chicago that are cold in order to pay for an expansion of the earned income tax credit, but the $618 billion in tax cuts which were designed to be just temporary but you made permanent the other day, I guess you pay for it by not giving unemployment compensation to people.

Mr. DANNY K. DAVIS of Illinois. Let’s say the majority on the committee made it permanent because we voted—that is, those of us who are Democrats voted against it. That is why I think it is so important that we are here this evening.

I just simply want to again commend Mr. POCAN for taking the leadership to bring us together and give us the opportunity to discuss these issues. That is what DC is all about. I am glad to be here with you.

Mr. POCAN. Thank you, Representative Davis, so much for all of your advocacy on behalf of those who are struggling to be in the middle class and for making sure we can try to reduce poverty. Representative Davis is right. There are a couple of nuggets that are in the Ryan proposal that make sense. I think there could be bipartisan support for criminal sentencing reform. There should be, and it is long past due, and it is good to see that proposed in the plan.

As Representative GWEN MOORE from Milwaukee so eloquently put forth, expanding tax credits for childless workers is something through the earned income tax credit we would support except that, perhaps, the Ryan proposal doesn’t quite fund it, in a way that makes sense.

So there are a few nuggets in there, but there is an awful lot that really doesn’t do much about reducing poverty and, in fact, would probably, very likely, increase poverty in the near term.

I would like to yield to another colleague of mine, to someone who has been this body’s, really, most outspoken person in talking about poverty and, in fact, would probably, very likely, increase poverty in the near term.

I would like to yield to my great colleague from the State...
of California, Representative BARBARA LEE.

Ms. LEE of California. Thank you very much.

Let me thank you, Mr. POCAN, for yielding but also for organizing, not only this today, but for having these Special Orders in order to really raise a level of awareness with regard to these important issues facing millions of Americans in our country. We know that you are here every week, sometimes by yourself, but I have to thank you for your tremendous leadership and for helping the Progressive Caucus continue to beat the drum on behalf of the American people.

Mr. Speaker, we all know today that, of course, the Republican Budget Committee chair, PAUL RYAN, rolled out his expanding opportunities for all plan for addressing poverty in America. That is what it is called.

I can say, like you, I am happy to see that this area we can work together on this plan. That includes fixing our broken criminal justice system, expanding and supporting the earned income tax credit if we don’t, as his plan calls for, rob Peter to pay Paul. I am glad to see that the conversation in this country is finally catching up and catching on with my Republican colleagues at the national level.

We have been working for a long time on our tax reform, you and us here today on the House floor and others—

to try to get this urgent issue the attention it really requires here in the House of Representatives, but we know that, ultimately, most of Mr. RYAN’s recommendations are more about rhetoric than reality.

My question in looking at his list of proposals is, first of all: Where is the jobs plan? We all know that the primary means and pathway out of poverty is a good-paying job with benefits.

Admit that that his proposal has, really, the same—I call it—old-time block granting proposals that we have seen, once again, for, I guess, 4 years in the Ryan budget. In fact, if you will recall, the Ryan Republican budget takes more than two-thirds of its cuts from programs that serve low-income and vulnerable Americans. When he talks about consolidating programs, including SNAP, into block grants, it is as if he is forgetting that his budget cuts $300 billion from 11 programs for the next 10 years. I can’t quite figure out why the rhetoric in the plan lays this out, but yet his budget takes the same plan and cuts $300 billion.

It does nothing, as I said, to create jobs. It does nothing to provide Americans a living wage or to extend unemployment insurance to the 3.3 million long-term unemployed. People really need to understand that this plan is not about substance. It is about Republicans trying to put a compassionate face on their draconian policies. That is what this is about.

Some of us have raised some key questions about this proposal, and I would like to just lay out some of these questions when we are evaluating his plan. The House Ways and Means Committee, under the tremendous leadership of our ranking member, SANDY LEVIN, laid out some of these questions, which included:

Does compassionate conservatism really just mean cutting spending while saying you are about caring for the poor?

Will this plan include proposals that have been shown to both reward work and reduce poverty, such as increasing the minimum wage and extending benefits to the long-term unemployed who are looking for work?

Will Representative RYAN support flexible assistance to States to help struggling Americans or will he push States to cut such assistance?

Will Mr. RYAN’s proposal fit into a balanced approach to address the deficit?

I just have to say, Mr. POCAN and others who are listening tonight, in this block granting proposal and in many of his proposals, there are work requirements for the people who are the recipients of the services of any of the programs, you have to have a job. They have cut workforce training, and they have not created any jobs, so their work requirement as eligibility for programs that help provide this bridge over troubled water just doesn’t make any sense. It is wrong. Unless you have got a full-employment economy and unless the recession has really ensured that everyone has a good-paying job, then a work requirement for benefits in order to help reduce poverty or to help lift you out of poverty is just counterproductive, and it doesn’t make any sense. This is something that we have to continue to work on in terms of Mr. RYAN. We need this conversation. It needs to be bipartisan.

This week, some of us are taking the Live the Wage Challenge from the Raise the Wage coalition. We are living on $77 a week, which is what a minimum wage in this country has to live on after taxes and housing expenses. We are doing this, though, to raise awareness of the everyday struggles of millions of our constituents. We will be off of this $77-a-week budget in a week, but millions of our constituents won’t be. I wish that this plan would really have a pathway so that millions of our constituents would be able to live off of a good-paying job with benefits.

Finally, let me just say that this Congress should focus on supporting and expanding programs that are working to lift people out of poverty—programs that have worked for the last 50 years since we went on poverty began— such as Head Start. I will tell you that we have got a long way to go. We shouldn’t talk about cutting these programs. They have helped people move into the middle class. We know that.

We should not play politics with poverty.

I hope the Republicans really get real about reducing poverty rather than trying to fool the public, and that is what is happening now. They are trying to fool the public with this new brand, and it is a new brand of conservative compassion, but I will tell you that this rhetoric has nothing to do with the reality of the Ryan budget. This is where the rubber meets the road.

Thank you again for giving us the opportunity to talk about this.

Mr. POCAN. Thank you, Representative LEE.

Representative LEE and I and Representative MOORE all serve on the Budget Committee, and we have had a lot of time to see the PAUL RYAN Republican budget.

When you talk about the SNAP program, I will just give one example. I remember, in this body, we had a debate as to whether we were going to cut $20 billion or eventually $39 billion from the Supplemental Nutrition Assistance Program. Yet we knew, when the Ryan budget was proposed, the Republican budget that was voted on in this body—

the cuts to the SNAP program were $135 billion. Either there has been a rebirth in how we look at poverty from the other side of the aisle or, perhaps, the back-aging of some of the same bad ideas that just sound a little better, and I really appreciate your bringing those out.

Ms. MOORE. Before you leave, I wanted to know if you would respond to a question, Ms. LEE.

Ms. LEE of California. Yes.

Ms. MOORE. You mentioned in your remarks that, in the Budget Committee and on the budget that this House passed, there were $300—was it “billion” dollars in cuts?

Ms. LEE of California. It was $300 billion by consolidating the 11 programs that he wants to block grant to the States.

Ms. MOORE. But what he says in his rollout is that this is budget neutral, which means that it won’t cost taxpayers any more. It is budget neutral, and it won’t cost taxpayers any more, but it also will not cut programs. It is a really clever sort of budgeting trick on one hand, don’t you think, to say you are not going to cut it from where you have already cut it?

Ms. LEE of California. It is more than clever. I think it is wrong to mislead tax payers to the numbers. It is cooking the books. It is robbing Peter to pay Paul. It may be budget neutral, but, definitely, the cuts will take place in order to get to a budget neutral plan, and that is the problem I have with this. By consolidating all of these programs and by block-granting these programs, who is going to see the cuts and feel the cuts of the block granting? It is going to be the most vulnerable.

Thank you very much for raising that, but it is true. We see this on the Budget Committee each and every day.

Mr. POCAN. Representative LEE, if you would yield to one more question
since we are talking about the bad math that we all too often see from the other side of the aisle: Didn’t we also, during the budget, see some incredibly bad math when it came to the budget’s repealing the benefits of the Affordable Care Act, but its absurd claim trying to keep the revenue in savings? Wasn’t that bad math something like $2 trillion worth of bad math, and now we are supposed to accept this $300 billion, allegedly, “no cuts” to the program? What were those numbers?

Ms. LEE of California. It was very interesting. Of course, they have opposed the Affordable Care Act and have tried to repeal it—what?—50-some times now, but yet have captured the savings, which the Affordable Care Act is very clear on having made, to base their budget on those captured savings.

I think that, again, it is fuzzy math, and it is a way to deceive the public. It is a way to promote their policies of making sure that those who have access to a health care now don’t have it in the future and that those who need it will be prevented from gaining it through the Affordable Care Act.

Ms. MOORE. I just want to ask you one final question about this fuzzy math, Congresswoman, since you serve on the Budget Committee.

The SNAP program is an entitlement program. What it means is, if you are eligible for food stamps, you receive them. Food stamps were critical in getting people over the hump in the recession. People sometimes reported that their only income was these food stamps.

So, if you see block grant SNAP—and correct me if I am wrong—what that means is that no matter how bad the economy becomes—because we have a countercyclical economy if we get a recession or a depression—and no matter how many people are eligible for food stamps, your block grant is your certain amount of money, and once that money runs out, then you will find yourself on a waiting list or not being served. Is that how you understand a “block grant”?"

Ms. LEE of California. Exactly. Congresswoman Moore. I am glad you raised that because that is exactly what happens.

First of all, there will be some requirements of the States but not many, and you can run out of money. But it is too bad. Food stamp recipients may or may not receive the type of assistance they need to help them with this as a bridge over troubled waters. It is not a fair system. We would see more people being cut from SNAP rolls, and we would also see more people needing food stamps because of the safety net being eroded even further. So it is a catch-23. Block-granting all of this to the States would harm the most vulnerable.

Ms. MOORE. Thank you.

Mr. POCAN. Again, thank you. Representative Lee. I appreciate it. Your final comments about how hard it is to actually be able to eat a block grant, perhaps, is part of the problem of why we don’t quite trust what we see in that it will work as presented. Thank you so much for your time.

I would like to yield to another colleague of mine, also from the State of California. He is one of my fellow freshman colleagues, Representative MARK TAKANO.

Mr. TAKANO. I thank the gentleman from Wisconsin.

Earlier today, your colleague from Wisconsin (Mr. RYAN) released his long-awaited antipoverty plan. This is a bold step for Mr. RYAN because, if you look at the history of the Republican Party, there is a clear and undeniable pattern of implementing policies that help the top 2 percent but do nothing for those struggling to make ends meet. Of course, they have proposed various “reforms” over the years, but those initiatives were never anything other than safety net cuts or ineffective, recycled ideas disguised as reform. I am thinking of a childhood jingle, “Jack and the Beanstalk”—Fee-fi-fom. I smell the budget of faux form.

Ms. MOORE. That appears to be the case here. Mr. RYAN calls his new plan an “Opportunity Grant,” as it would consolidate safety net programs such as food stamps and housing vouchers into a single grant to States.

If that sounds familiar, that is because an “Opportunity Grant” is nothing more than block grants under a new name, and block grants have been shown to have limited impact in helping to lift people out of poverty.

Now, if Mr. RYAN really wanted to lift people out of poverty, he would support a raise in the minimum wage. Raising the minimum wage will increase the take-home pay for more than 28 million workers, add $35 billion to the economy in higher wages through 2016, and create 85,000 new jobs as a result of increased economic opportunity.

At the very least, I know that my colleague, BARBARA LEE from California, is, as I am, undertaking the challenge to live on a minimum wage by living off of $77, the average amount of money left over for full-time minimum wage workers after taxes and housing expenses.

I would challenge Mr. RYAN to step inside the shoes of someone who is living on that minimum wage. Although I know I could never fully understand what it is like, this challenge will give me a small glimpse into the lives of many people in my district.

So I would like to invite Mr. RYAN to participate in the challenge so he can, for a brief moment, understand what it is like for people in poverty to live on such a wage. Perhaps then Mr. RYAN will understand that the same old recycled ideas will not help those who really are in need of help.

Mr. POCAN. Thank you, Representative TAKANO, for all the work you are doing.

Mr. Speaker, next I would like to yield to a colleague of mine from the great State of Wisconsin (Ms. MOORE), a great friend of mine going back to the days in the State legislature, not only a great friend, but a great mentor to me.

Ms. MOORE. Thank you so much, Mr. POCAN. And I want to join my other colleagues for thanking you for your stewardship with the Progressive Caucus and putting this Special Order together.

I won’t waste a lot of time complimenting our fellow Wisconsinite for at least listening to some of the ideas that have come from the Democratic side in his poverty plan. I think that looking at mandatory minimums is a long overdue sort of proposal that needs to get some traction.

Certainly, expanding the earned income tax credit for millions of Americans will make a true difference in many people’s lives, and I just want to congratulate Mr. Ryan on that.

But let me be really clear. You don’t have to really go through the entire 70 pages of his proposal because he starts right out in the beginning telling you that he doesn’t believe that the safety net programs that help people get out of poverty for all these years, have been very helpful. He starts off by calling them a failure.

We all know that many of the programs created under FDR and President Lyndon B. Johnson effectively ended poverty among the elderly, for example. And we have seen poverty, as compared to what it would have been, cut at least by half because of Medicaid, because of Medicare, because of food stamps, because of other sorts of programs.

Yet, I guess Mr. RYAN believes that if you just keep saying it enough times, it will come true. We have heard Mr. RYAN lecture all of us, all over the country, about how his so-called entitlement programs are going to down our economy. He doesn’t believe that the $618 billion worth of corporate tax breaks that he passed last week is a detriment to our economy, but he has called for, on a consistent basis, for privatizing Social Security, for block-granting Medicaid—not in this particular plan.

In case people don’t understand what block-granting is, just think chopping off the federal government’s certain amount of money, and when they run out, they just run out. You are no longer categorically eligible.

He has proposed voucherizing Medicare, giving seniors some certain amount of money. You do very well if all you need is a flu shot. But if you have a heart attack or a stroke, that is not going to go very far toward your health care.

He has consistently—and now, in this particular proposal, block-granting one of the great entitlement programs, the SNAP program, which worked beautifully in the last recession. We now see the food stamp rolls going down, as

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CONGRESSIONAL RECORD—HOUSE
Chairman RYAN wants to dismantle all of the major Federal antipoverty programs that have long been proven to work for families in need. He wants to convert them into a block grant for the States. He now calls them Opportunity Grants.

That is a message. It sounds good. They are black grunts, pure and simple. They put decisions in the hands of the States. They cut the funding, and they take all of the safeguards out and they fray the social safety net. That is what it is about. They have been consistent about this year after year after year.

I will just tell you about the food stamp program. Congressman POCAN, you were not here 17 years ago. I was, when the then-Speaker of the House, Newt Gingrich, said we need to block-grant the SNAP program, Medicaid, and a variety of other programs. It is the same failed policy over and over again.

Let me talk about food stamps for a second. Food stamps helped to lift 5 million Americans above the poverty line in 2012, 2.2 million of them children.

Every single dollar invested in food stamps generates $1.79 in local economic activity. But what would Chairman RYAN do?

He would end food stamps, our Nation's most important antihunger initiative, in favor of a block grant, just like he would end the low-income energy assistance program, LIHEAP, child care fund, weatherization assistance, public housing, temporary assistance for needy families, community development grants, and dislocated worker grants.

If you read his report, it is almost diabolical in the sense that the language that is used, and it is language, and it is a message, and it does nothing to provide opportunity or to help the poor in this country.

There are some good parts of his antipoverty plan. Expanding the EITC is a message, and it does nothing to help poor people, that you have got to restrict and limit how much you do for them, and that most of the money that is generated through our economy ought to be plowed back into helping corporations and not people.

Mr. POCAN. Thank you, Representative. I have been an advocate your entire life for those who are most needy, those trying to aspire to be in the middle class. Thank you for all that you do, and so articulately explaining the problems with PAUL RYAN’s proposal.

Mr. Speaker, I would like to now yield to another colleague of mine, a colleague from the great State of Connecticut (Ms. DELAUR), who is the chair of our very important policy and steering committee, and a good friend and colleague of mine in the Progressive Caucus.

Ms. DELAUR. I thank the gentleman. I can’t thank you enough for the great work that you are doing and being such a leader on issues that focus on what this institution has, by way of offering opportunity for people. That is its mission. We know that.

I thank you for coming to the Congress for the right reasons, and for helping to try to make a difference in people's lives.

A rose is a rose is a rose. Once again, Chairman RYAN has come forward with what he and the Republican majority purport to be a serious plan for addressing poverty in America. And once again, the centerpiece of his plan is the same old bad idea.

Chairman RYAN wants to put forth serious proposals to alleviate poverty in America. But the proof is in the pudding.

Look at his most recently proposed budget. Two-thirds of the cut in that budget fall on low and middle-income families. It tries to turn Medicare into an unfunded voucher program, shreds our social safety net, block-grants food stamps and Medicaid, slashes the WIC program, that is Women, Infants and Children, by $595 million.

It cuts spending that we do every year on health issues, on worker training, on education. He tries to cut that program by $791 billion over the next 10 years.

It slashes the child care assistance program, as I said, job training program, Pell grants, and medical research. I am a cancer survivor. I am alive because of the grace of God and biomedical research. Why shouldn't other people have the advantage of biomedical research?

Why would he want to cut that? And he does this all while cutting taxes for the wealthiest.

Chairman RYAN and the Republican majority want to get serious about helping families in need, they can start tomorrow. They need to make sure that their Republican child tax credit bill—so generous to those who can afford it—what they need to make sure that that helps low-income kids as well.

That child tax credit program will cut the child tax credit for 450,000 veterans. What are our veterans doing? They are serving. They are sacrificing themselves and their families, and he wants to cut their child tax credit. That is what is in there.

Then he talks about the deserving poor and the undeserving poor. Let me ask Chairman RYAN: What about low-income kids? What about them? What about the infants and toddlers? Tell us, Mr. Chairman, who are the “deserving” infants and toddlers? Who are the “undeserving” infants and toddlers? We need an answer to our question.

Our colleagues could join us in raising the minimum wage, something that is long overdue, but until then, actions speak louder than words.

The bulk of this new plan, I am afraid, is the same old snake oil, the same old, disproportional cuts and attacks on the social safety net that Chairman RYAN and this majority have been putting forward time and again.
since coming to power in 2010. It will not wash. It is harsh. It is cruel, and it is mean-spirited.

That is not why we came to this institution, Mr. POCAH. It is not why you came. It is not why I came. It was the hope and the dream and the opportunity to provide opportunity for the people of this Nation, to make this institution do what our Founding Fathers thought it should do and to give people a chance.

The Expanding Opportunity in America will take away people’s opportunities, and the American public knows it.

Thank you for what you are doing. It is an honor to work with you and the gentlewoman from Wisconsin—Ms. MOORE, Congressman RYAN of Ohio, and our other colleagues who stood on this floor tonight to decry this shame of a document.

Mr. POCAH. Again, thank you so much, Representative DELAUR, for your many years of service to this body and to the people of the country and fighting for those who need help the most.

I now would like to yield to another colleague of mine, but I am not going to use Representative RYAN because that might be confusing, given the conversation we are having, but let’s say maybe the Budget Committee’s other Representative RYAN, the Democratic Representative RYAN from the State of Ohio.

So I yield to another Budget Committee member, Representative Tim RYAN.

Mr. RYAN of Ohio. I thank the gentleman.

My office does get a lot of phone calls against this budget, but they are not realizing that I am supporting them against the Paul Ryan budget. I think these reforms—and I was able to come a little bit earlier and listen to some of my colleagues talk about what is in this document that is supposed to be a new idea, a new way, a new approach—and while I commend Chairman RYAN for trying to come up with some new ideas, I am all about innovation. I am all about a new approach.

I think the gentlewoman from Connecticut (Ms. DELAUR) hit the nail on the head when she was talking about the fruits and vegetables and the healthy food.

If you are going to move forward as a country, if we want to make sure we take care of the issue of half the country in the next 10 years is going to either have diabetes or prediabetes—and it is going to drive up Medicaid costs, it is going to drive up Medicare costs, it is going to drive up private insurance—one of the issues we need to focus on is how do we get more money into programs that are going to make sure young kids have access to fresh food, period.

We don’t need to get really complicated. We don’t need to come up with any new grand scheme. We have already got it. It is already in there, and Chairman RYAN is taking it out, reinvesting in the very things that are going to drive down health care costs, make kids better able to learn and focus and concentrate on the classroom, so they are not having a Fruit Roll-Up and think that it is fruit. They are getting their essential vitamins and access to food over the weekends and all of these things.

I find it extremely interesting that a majority of the cuts that the gentleman from Wisconsin (Mr. RYAN) proposed in his budgets, two-thirds of the savings in the FY15 Republican budget came from programs that serve these populations, including moving millions out of the SNAP program.

So a new approach is great, innovation is fantastic, but we know what we need to do, and it starts with diet. It starts with wellness. It starts with some of these other things that are going to allow that person who may be morbidly obese to live a healthy and capable, as healthy as they possibly can, so they can work themselves out of poverty.

Nobody here is defending the status quo—oh, great, people are accessing public programs—I want to get people on a ladder out of poverty. That is what America should be all about, but we are failing miserably, and this program and the cuts that Chairman RYAN is talking about are going to be devastating.

I think we rank 10th or 11th in people coming up from poverty, lower socio-economic status, and finally making their way to the middle class. We rank down from other countries—Nordic countries and the rest.

I want to thank the gentleman for doing this. I think this is an amazing opportunity for us to provide some contrast to what Chairman RYAN has proposed, but let me say I think one of the most serious defects for the war on poverty is an increase in the minimum wage, and today—ironically enough—is the 5-year anniversary since the minimum wage has been increased.

Some States are higher than the $7.25 Federal minimum wage. In Ohio, it is $7.95 and is indexed for inflation, which is better, but it is not anywhere near where we need to be.

I wanted to come and talk for a couple of minutes about what we need to do and what we shouldn’t do, and I know we normally hear from somebody who is going to say this is going to cost jobs, this is going to slow down economic growth and all the rest, and I will share with them a study that just came out from Labor that said that the 13 States that increased the minimum wage this year had some increase—whether indexed for inflation or through legislation—saw an increase in the minimum wage, had more rapid job growth than all of the other States.

For those who don’t understand how that could be—because we hear so much rhetoric: this is going to cost jobs, this is going to cost jobs—if the average family has more money in their pocket to go out and buy things, that is good for the economy.

Imagine if the Walmarts and the Sam’s Clubs and all the rest had a higher minimum wage, if those folks were making an extra couple of bucks an hour and didn’t have to happen tomorrow. We can do it and stage it over the course of the next few years to make sure it doesn’t have a dramatic impact on business—but if all of those folks made an extra $16 or $20 a day, an extra $400 a month, if all those folks were making an extra $200 every two weeks of pay, an extra $400 a month, that is a lot of money.

That is enough to go out and get a Chevy Cruze made in Lordstown, Ohio, and pay the insurance and the rest on that. What does that do for the economy if the 1.5 million people in the country—the 62,000 people in my congressional district who make the minimum wage go out and have a little bit of extra money? That is how you are going to move the economy.

Maybe we could get rid of some of these programs because that family will have access to the food because they will have a little bit more money in their pockets, so they will be able to afford the things that could help them get a healthy diet kind of food they need to stay healthy, prevent disease, and be able to concentrate and focus in the classroom.

I just want to make two last points. The first is zero increase in the minimum wage, and if you are in the private sector, you have seen a 10 percent increase in earnings, just 10 percent over the past 4 or 5 years since 2009. If you want to go out and get apples, 16 percent increase—bacon has gone up 27 percent; cauliflower, 20 percent; milk, 20 percent; eggs, 30 percent; gas, there has been a 44.5 percent increase in gas since 2009.

Now, if you are making minimum wage, all of these folks—what are they going to do?—that is for eggs and milk and gas and bacon and coffee, coffee went up 27 percent, the kinds of things that are basic staples to the American diet—how are you going to keep up? How are you going to say, oh, I want to send my kids to a basketball camp in the summer or maybe an afterschool program or I need a baby sitter or I need to catch a cab? You don’t have any extra money.

You just don’t have the means to do all that is essential for us, if we are going to close the income inequality gap between the wealthiest in our country and the poorest in our country, if we are going to close that, if we want people to work hard and play by the rules and then benefit, this is something that is very simple.

We get a lot of rhetoric. We heard it in the last Presidential election: 47 percent of the country are takers, they want to be on the dole, they don’t want to work.

Then we have something that is going to benefit the people who are working, doing the jobs that many Americans don’t want to do, cleaning rooms, so they are not having a Fruit Roll-Up and think that it is fruit. They are getting their essential vitamins and access to food over the weekends and all of these things.
the hotel rooms, working at the gas station, the wear and tear on their bod-
ies over the years, the long hours, swing shifts, and the whole lot. This in-
crease will not just benefit minimum wage workers. It is going to go up in
benefit everybody.

The last point—I promise—we need minimum wage workers who are out
there to be organized. We didn’t always have a 40-hour workweek. We didn’t al-
ways get time-and-a-half over 40 hours. We didn’t always have a 5-day work-
week. We didn’t always have a National Labor Relations Act. We didn’t have Social
Security. We didn’t have Medicare.

These were things that came about because average people got organized,
and they said enough is enough. We are not going to have our senior citizens
work until they die. We are not going to have our senior citizens have
health care. We are not going to have people working in unsafe factories—
and you are going to work 40 hours a week.

From our side, we expect people to go out and work and work their butts off
to get ahead. Our job is to stay or-
organized, to make sure that policies are in
place that are both good for the econ-
y and good for families in the
United States.

I thank the gentleman from Wis-
cconsin (Mr. POCAN) for the opportu-
ity to come here and share just briefly. I
look forward to working with you. Hopefully, we can get a vote on the
House floor sometime soon. I don’t think we will. I am not really opti-
mistic about it, but I hope that we can organize over the next few months and
years to make this a reality for all of those families in the United States.

Mr. POCAN. I thank the gentleman
from Ohio, Representative RYAN, for
all you have done in your relentless
fight on behalf of the workers in your
district, and thank you so much, again,
for being here.

Finally, I would like to yield to a col-
league of mine—another freshman col-
league of mine from the great State of
New York, Representative HAKEEM
JEFFRIES.

Mr. JEFFRIES. I thank my good
friend, the distinguished gentleman
from the Badger State, for yielding to
me, as well as for the tremendous lead-
ership that you continue to exhibit
week after week in leading the Con-
gress to improve the life of those in your
district, and thank you so much, again,
for being here.

I appreciate that advocacy, and I ap-
preciate this opportunity to speak
briefly on the plan presented by Chair-
man PAUL RYAN. Expanding Oppor-
tunity is key.

I would like to believe that that is the objective, and I certainly am of
the view that the chairman is acting in
good faith, as it relates to his willing-
ness to try to tackle the issue of pov-
erty in America, but if you put it all in
the context of the Ryan budget that has
come to the floor of the House of Repre-
sentatives year after year after year since the Republicans claimed the
majority, which passed with over-
whelming majorities from their caucus,
the question is: Is their real interest in
expanding opportunity in America, or
is the fundamental objective really to
expand inequality in America?

What PAUL RYAN are we talking to
in attempting to have this conversation?
Is it the Chairman RYAN whose budget cut $125 billion in supplemental nutri-
tion assistance in a country where 50
million people are food insecure, 18
million of those individuals children?
We can’t have a real conversation about
opportunity if that is still the
position of Chairman RYAN, his Budget
Committee, his party.

Are we having a conversation with a
chairman whose budget cut $260 billion in higher education funding, threat-
ening to rob young Americans from
their pursuit of their dream of obtain-
ing a college degree and asking all of
that they can be in America? We can’t
have a real conversation about oppor-
tunity with individuals who want to
put $260 billion in higher education
spending.

I want to believe that we can proceed
in good faith and try and tackle this
issue. But are we entering into a dis-
covery with the same group of individ-
uals, the chairman whose budget cut
$732 billion in Medicaid, a program de-
signed to benefit, in significant num-
pers, poor, elderly, and disabled indi-
viduals? That is not expanding oppor-
tunity in America. That is expanding
inequality in America.

Certainly, there are some proposals
contained in the document that was
unveiled today that we can embrace
and have a meaningful discussion about in trying to arrive at common
ground—sentencing reform as well as
the notion of expanding the earned in-
come tax credit. But there is no min-
imum wage enhancement. There is no
infrastructure investment. There is no
unemployment compensation insur-
ance renewal. There is no equal pay for
equal work, and there is no real effort
to deal with the issues that we are pre-
paring to work the majority
problem of poverty for millions of Americans.

For that reason, I am skeptical that
this is a step in the right direction.

Mr. POCAN. Thank you, Representa-
tive JEFFRIES. I, too, am skeptical.

Having served on the Budget Com-
mittee with you, we have seen two dif-
ferent PAUL RYANs. We are hoping that
maybe this is a reformed PAUL RYAN,
but we are also fearful this is just a re-
packaged PAUL RYAN. So thank you so
much.

Finally, I would like to yield to a col-
league from the Progressive Caucus
from the great State of Texas, Rep-
resentative SHEILA JACKSON LEE.

Ms. JACKSON LEE. I can’t thank
you enough for leading this Special
Order. Again, the passion that you
have shown in your service here in the
United States Congress really speaks
to what Americans send their rep-
resentatives to the Congress for, to be
problem solvers.

I am going to use the word “pray.” I
pray that there is a reformed Chairman
RYAN, Congressman RYAN, because I
have come from my district, you go to
your district, and we see the pain. I see
the pain of those who have not been
able to secure an unemployment insur-
ance extension. I live with the value of
the earned income tax credit. I am
going to spend a little time on that.

My son, some many years ago as a
young man, volunteered with the
H OPE Project. He went to New Orleans
right after Hurricane Katrina and was
able to work with the victims—the sur-
vivors, they like to be called, and they
were—of Hurricane Katrina in applying
for their earned income tax credit. It
was a lifeline for people who had
worked.

So I just want to end on this note by
thanking you, by saying that there are
people who are waiting for the Con-
gress to act, to pass the earned income
tax credit, raise the minimum wage,
extend unemployment insurance, pass
the middle class package of the Demo-
crats, and work on behalf of the Ameri-
can people.

Mr. RYAN. Thank you, Representa-
tive JACKSON LEE, and I yield back the
balance of my time.

BILLS LANGUISHING IN THE
SENATE

The SPEAKER pro tempore (Mr. COL-
LINS of Georgia). Under the Speaker’s
announced policy of January 3, 2013,
the gentlewoman from Tennessee (Mrs.
BLACKBURN) is recognized for 60 min-
utes as the designee of the majority
leader.

Mrs. BLACKBURN. Mr. Speaker, I
appreciate the time and appreciate
being here on behalf of my colleagues
and to have a discussion that is going
to focus on what we are doing with our

Mr. Speaker, it seems like it never
fails. When we are out and about in our
districts talking with our constituents,
people will approach us, and they want
to know what we are doing about how
concerned they are about the cost of living and what they
see happening to the price at the pump
and the price at the grocery store. They
want to talk about how concerned they
are with how much more education seems to cost them. They
are concerned about our national secu-

ity. They are concerned about the bor-
der security. They are concerned about
their retirement security. The list goes
on and on, and on and on.

So I call on us to look at us and, Mr. Speak-
er, without fail, they will say: Tell me
exactly what you are doing about this.
I want to know what you are doing to
address this problem or that problem.
or any of the issues that all of us hardworking families are out there facing every single day—every day.

What they are looking for is solutions. What we have realized is that many times they don’t know exactly how hard we’ve been working in the House and that the obstruction that is happening is not necessarily here in the House. What is happening is across the dome over on the Senate side.

Now, in front of me 300 of the 332 bills that have passed this House—300 of the 332 bills that have passed this House. Now, sometimes people will say: Where are those bills sitting? Why haven’t they gone to the President’s desk?

Well, if what you would like to tell them, they are on the desk of HARRY REID. It is unfortunate, but it is where those 332 bills are languishing.

Now, as we begin to look at being out of D.C. and working in our districts for August, one would think that the majority leader over in the Senate, Mr. REID, would get busy with trying to clean his desk. Most people do that. When they expect to be out of town working in their districts, they try to get their desk cleaned off, and they try to get things pushed out to where they need to go. They get things organized. They get things done. But that is not what we are seeing in the Senate.

I had a few constituents come up to me one day and say: Look, I am all for the Larry the Cable Guy approach. I said: Tell me what that is. They said: Git-R-Done.

That is what people are looking for, getting the job done on behalf of hardworking taxpayers.

Now, sometimes people will say: Tell me what all is in this list of things that you have done.

Let me just walk through what we have found in our bills that have been passed. 178 of these 332 bills, 178 of the bills passed with no opposition, none at all. There was agreement, total agreement in the Senate.

One would think that the Senate majority leader would say: 178 bills in which there is complete agreement, those bills coming out of the House? Surely we can move those forward in the Senate. Surely, out of 100, we can get 60 to agree, on something.

But it is amazing. The Senator still has not called for a vote on those.

Beyond that, 54 more bills passed under suspension. That means you had to have a two-thirds of this body agree. So all totaled, that is 232 of the 332 bills that have passed this body with either no opposition or two-thirds of the body voting in support of that.

I also find it very interesting, and probably my Democratic colleagues would like to join us in our Special Order tonight, because 55 of these bills—55 of these bills—were authored by Democrats. I am certain that they would like to see the majority leader take up their bills and push them through.

Mr. Speaker, when you are so far behind in your work, you generally work nights and you work weekends. You roll up your sleeves, you buckle down, and you get the job done. But that is not what we are seeing happen coming from the Senate. What we are continuing to see is a resistance, an absolute refusal to moving forward and taking up these bills.

Now, as we go into our last week next week before our August work period, there are several issues that we would love to see the Senate address. As I said, this is stacked in front of us covering everything that the American people are talking to us about, that our constituents are talking to us about when we go into our town halls.

One of the most important issues, energy, we have 16 bills that deal with the issues of energy, 16 different bills that are right here that would address energy issues. Many people have heard us talk about the Keystone pipeline approval. They are going to find right here in this hefty stack of paper.

For those who are just really concerned about what they are paying at the pump—and I don’t know about you, Mr. Speaker, but I have been watching the price of a gallon of gas when I fill up my car, and in the last few months, I have gone from $3.59 to as high as $4.15 to fill up one car up—far too much.

For individuals that feel like we are paying too much on our electricity rates—and we have all watched these rates go up. You look at that bill every month and you see, compared to last year, you are using fewer kilowatt hours but you are paying more. And you think, how could this be? Well, of course, we all remember the President saying that the prices would necessarily skyrocket under him, and he has made good on that promise. Maybe a lot of promises he hasn’t made good on, but, in fact, the gas was going to cost us more and electricity was going to cost us more, he is making good on that.

Well, here is a bill, the Electricity Security and Affordability Act. All of these are cost-of-living items that we look at in our monthly budgets, energy being one of those that affects us all. Every day we drive, when we turn on the lights, when we light the fireplace or turn on the burner of the stove to cook lunch. Bills that address those issues, they are found right in front of us.

So there is plenty of work on HARRY REID’s desk. HARRY REID has been unwilling to call the vote. I know that my colleagues join me in saying we would love to see him call the vote on one of these 332 bills.

At this time, I would like to yield to the gentlewoman from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. Mr. Speaker, I want to thank Mrs. BLACKBURN for the wonderful leadership that she is providing on this bill this evening.

It really is quite shocking. We have had a conversation this week about all the work that has been done in this Chamber. We have worked really hard. We have been here late at night, and we have been here every day because we know people across the United States are suffering. They are suffering in this economy, as Mrs. BLACKBURN has said. They are suffering in the rising gas prices. They are rising because of joblessness. They are very worried because their children aren’t getting jobs. Most particular, the African American youth, it is out of control the number of African American youth who don’t have employment, and in the Latino community, as well.

We are heartbroken about that because this is hurting families across the United States, so therefore we have been doing all we can. We have been here passing bills after bills. And this week we learned, as Mrs. BLACKBURN rightly said, that we passed 332 bills out of this Chamber.

Now, we didn’t fully expect when we passed these bills to think that every jot and every tittle of every bill would be immediately unanimously agreed to by the Senate.

We didn’t kid ourselves, but we thought at least let’s get started and do the work: 332 bills, and out of those HARRY REID couldn’t find one that he could pick up and we could have a conversation about and pass and do something to move this economy forward? The economy is one thing, Mr. Speaker, it is also all of the firings and the world that are happening. We are concerned about America’s national security issues. We are concerned about alliances, like Israel, what is happening in these countries.

We have bill after bill, scores of bills to address getting our Nation back in order. We want to work with the President. We want to work with the Democrat-controlled United States Senate and with HARRY REID, and what doesn’t make one bit of sense to me, Mr. Speaker, when we have all these scandals, whether it is the VA or the IRS that is using the power of the Federal Government to punish innocent American citizens for simply expressing their political beliefs, all of these scandals, and we can’t even get the attention of the U.S. Senate?

We have heard about a do-nothing Congress. I think we have to be a little more specific. It is a do-nothing U.S. Senate. There is a distinction here. There is no equivalency. So I wanted to come down to the floor when I heard Mrs. BLACKBURN speaking this evening, I wanted to come to the floor because she identified with the many of our colleagues on the floor today agreed with the position Mrs. BLACKBURN is putting forward this evening.
Many of our colleagues wanted to be here because they want to work, and have worked, and now we are saying to Harry Reid with one voice, please come back, we are happy to work with you. There is plenty of time. If you want to work in August, we will be here. Whatever it takes, we are here to work on behalf of the American people. Why not come and join us?

Mrs. BLACKBURN. I thank the gentlelady.

She mentioned jobs bills. Mr. Speaker, 40 of the bills sitting in this stack are related to jobs. Just the Keystone pipeline bill, there are 42,000 direct and indirect jobs that are related to getting the Keystone done. Why is it that you have a stack of these bills? I think we would all like to know the answer to that question. Do they like it? Do they like that they have a stack of work this high sitting on their desks that they are just not able to get around to?

You know, I used to do some door-to-door sales, and we had a little wooden coin and it was called “a round to-it.” Any time we felt like procrastinating, any time we felt like we just didn’t have the energy to do the heavy lift or make one more sales call or go to another prospect, we would take that round to-it out of our pocket and look at it and remind ourselves, the important thing is to go around to do the job in front of you. You know what, Mr. Speaker, I still have my round to-it. I have it on my desk. It is getting old and worn-out, but I think I could use it. I could just be lazy, I could just not finish this and go do something I want to do, you look at the work in front of you, you look at the fact that you have a cluttered desk, and you look at the fact and consider that people are counting on you to do your job, and you make it a priority to get around to it and to get the job done. That is precisely what the American people have expected of this body, and we have done it. We have done that. And it is frustrating to us and to the American people, and I tell you, we join them in their frustration because look at this, all of these bills, and nothing has been done.

The gentlewoman from Minnesota mentions the importance of veterans. Do you think it would be considered appropriate to not solve the VA issues and the issues for our Nation’s veterans? Of course not.

I yield to the gentlewoman from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. There is a heart-breaking story that happened to me this week. I was on the plane, the usual Delta flight that I take out of Minneapolis at 1 p.m. on Monday afternoon when we came back to resume our work here, and a veteran came up to me, a young man who couldn’t have been more than 30 years of age. He told me that his friend, a veteran in the Iraq war. While there, his knee had been shattered in a combat operation in service to his country. He told me that he has been waiting for over 1 year to get an appointment with the VA to go done to fix his knee with arthroscopy. He called the VA center in Minneapolis to try and get in, and it has been over a year for a young man of maybe 30 years of age, and he can’t get in and get his knee taken care of. I think that begs our involvement.

He wasn’t even from my district, but I took his name and his address. I took all of his information, and then I took his hand, most importantly. I held his hand and I looked into his eyes, and I called him by his name and I said: I promise you I will personally call the VA center and make sure that you get a call back and that you get the appointment you need. And I will make sure that your Member of Congress, requested that, and is able to help you because there is not one Member of Congress that I can imagine who wouldn’t want to see a veteran get the help he has earned and that he deserves and that he needs. Anyone I believe in this chamber would do it, Republican or Democrat, this is not partisan.

But what absolutely floors me, Mr. Speaker, and I think floors Mrs. BLACKBURN, is that we want to help these veterans. How could anyone on the Senate side, anyone, possibly refuse reform of the VA?

Mr. Speaker, I understand and I am sure that Mrs. BLACKBURN is aware that too, and I think it was supposed to be a conference committee hearing on the VA reform bill and the Democrats in the Senate chose not to even show up to conference the bill.

Now, how in the world is this young man who is a veteran who served his country honorably supposed to expect that his government cares about him when the Senate won’t even show up to talk about VA reform?

That is why I am so proud of the fact that Mr. Boehner has the physical stack of the work that this body has done, work to help veterans like this young, 30-year-old Iraq veteran. Or the moms that are waiting tables tonight and the dads who are at T-ball games tonight who are asking us, Could you please get the Keystone pipeline bill? Could you please do something about the Tax Code so my business can get up and fly?

That is why we are here tonight, not expecting that the President would agree what we think that is in these papers. We do not expect that for a minute. All we are saying is show up to your job, show up and work. We want to talk. We are here. The President is very happy to talk to the terrorist nation of Iran. He has been very willing to negotiate, even to offer them a deal on developing a nuclear weapon, but for some reason, they won’t talk to Republicans in the House of Representatives. Mr. Speaker, on the veterans issue, there are three bills specifically that cover exactly what Mrs. BACHMANN has just mentioned. H.R. 4031, which is the Department of Veterans Affairs Management Accountability for Veterans' Health Act, this is something desperately needed. Accountability in the VA, absolutely. Why will the Senate not take this up? Why will they not come to work on this bill?

Another, H.R. 2072, Demanding Accountability For Veterans Act, again languishing on the desk of Harry Reid. Of course the VA should be accountable to the veterans and to the American taxpayer. Why are they not moving this forward so that it gets addressed? H.R. 4810, Veteran Access to Care, this is precisely what Mrs. BACHMANN is speaking of, making certain that the veterans are guaranteed that they are seen in a timely manner.

I have one constituent who got on the VA list for a primary physician 15 years ago. Guess what? He is still waiting. I have another constituent who has been on the list for 3 years and has never gotten a call.

This is completely unacceptable, and in this stack of 332 bills, you are going to find bills that will put that accountability in place. Mrs. BACHMANN mentioned also the issue of taxes. We hear about it everywhere we go. People are overtaxed. They are overworked. They realize that they are taxed far too much, and they are tired of it. They want to see the tax rates lowered and the tax burden lowered as well as seeing the regulatory burden lowered.

And on taxes, we have got seven bills, one we passed today, the Student and Family Tax Simplification Act. We have got permanent Internet tax freedom. It is right here, seven bills that deal with taxes. We also have H.R. 4457, America’s Small Business Tax Relief Act. Hardworking men and women, small business owners, small business employees, they all want to make certain that we deal with this complicated and overbearing Tax Code. They want to make certain that we are reducing the burden on them.

We could take some steps, not solve all of the problems, but take some steps in that direction if the Senate would show up and take up some of the tax bills that are here and help us lower that burden.

We hear a lot about government spending. You know, government never gets enough of the taxpayers’ money and government spends too much. You give them a little, they are going to take a little more. We have 31 different bills that are in this stack that deal with rein in government spending, that deal with some of the budget reforms that are desperately needed so
that we get rid of some antiquated processes and move to a new template for how we need to approach our spend- ing and approach being a good steward of the taxpayers’ money: 31 different bills. Pick one. Get going.

It is amazing when you get going on a task, it is easier. You get momentum, and that is something that we would like to see the Senate get and take up some of these 332 bills that are sitting over on HARRY REID’s desk.

Many of us are frustrated about government waste and you are frustrated with regulatory overreach, and you would like to see a smaller Federal Government, and you would like it if some of these Federal agencies would stop wasting your money.

Well, we have 16 bills in this stack that deal with stopping that overreach and curbing that waste and putting the bureaucracy on the track to being a better steward of the taxpayer money. We have to remember it is not Federal Government money, it is not the money of this Chamber; it is the taxpayers’ money. They want these issues addressed.

Talking about red tape, you know, I talk to lots of small business manufacturers on a regular basis and they say to me, the red tape is killing us. The regulation and the red tape is just killing us. We spend too much time on compliance. We have four different bills in here that deal with compliance and cutting red tape. That is another way that government can do a better job of responding to the needs of the American people and the taxpayers.

I think everybody, Mr. Speaker, is concerned about national security.

Every time you pick up a paper or you flip on a channel or you turn a page on your iPad and go to a Web site and look at what is happening, whether it is in Ukraine, the belligerence of Russia, what is happening in the Middle East, and what we see happening in Israel, concerns about Iran, everybody is concerned about foreign affairs and concerned about our Nation’s security.

We have six different bills that would deal with these issues of national security. We would appreciate it if the Senate would take up some of these House-passed bills. Again, Mr. Speaker, 178 of these bills—178 of 332 bills have come out of this Chamber with no opposition at all.

Another 54 have passed, 54 have passed, with a two-thirds vote of this Chamber. As I said earlier, that is 232 of the 332 bills. By the way, 55 of the bills in this stack have been authored by the Democrats, our colleagues on the other side of the aisle.

Mr. Speaker, we hear a lot about repealing and replacing ObamaCare and making the health care system work, getting it into a healthy, healthy place, so that you are going to see people actually have access to health care.

Right now, we have got a situation where everybody’s health insurance costs are going up, and they are concerned about that. Access with these very narrow networks is becoming more difficult. We are hearing of people that are having to travel great distances to get to physicians or they are having longer waits.

We found 11 bills right here that deal with health care. Some of these are repealing and replacing ObamaCare, 11 bills right here that could be taken up that would stop the situations, that would help with the access to health care, access to the doctor.

What we have seen happen with ObamaCare is that people have access to the queue because they have got a health care card, but what they do not have is access to the physician.

By the way, education—I talked to a constituent at the grocery store on Saturday morning, and she said that she was beginning to plan toward back to school for her kids, and I said: Oh my goodness, it seems so early to be planning for back to school.

She said: Well, you know, they are going to be starting back to school the end of the first week of August and they have to shop in the second week of August, and there are fees to pay, there are different class fees that have to be paid, sports teams that have to be signed up for, sports physicals that the children have to get, and those beginning-of-school is the next.

So she was beginning to focus on education and asked what were we going to do about letting parents and local school districts and getting rid of common core and replacing it with com- monsense and putting parents and teachers in charge of those classrooms.

Well, we could make some progress in that direction. Seven of the bills that we have right here deal with education and with the issues that face parents and students.

We are all concerned about the future and what is going to be there for our children, in making certain that they are prepared for the future and having access to a quality education and having that right there in our neighborhoods and our communities.

We could take some steps in that di- rection if the Senate would begin to take up some of the legislation that is over there on the Senate desk. As was said earlier, they do nothing in the Senate because they have chosen not to get to work on this stack of legisla- tion that would address some of these issues.

Mr. Speaker, this week, as we have looked at the crisis on the southern border, we have heard quite a bit of talk and conversation about the issues of human trafficking, drug trafficking, the sex trafficking that is taking place in this country.

Many people are probably not aware, and many of our colleagues probably haven’t thought about the amount of work that we have done over the past 2 years on this issue, getting ready to address the issue, doing some research and some digging and some education and addressing human trafficking, taking steps to prevent this, to have the ability to do some intervention, pen- alties, and making certain that we are strengthening the law and fighting these trafficking elements.

We have 11 bills specific to human trafficking that are right here, 11 bills that would help hold accountable some of the traffickers and smugglers and put penalties in place, strengthen and shore up families, take care of victims, do some work on prevention. It would be encouraging if the Senate would join us and address those.

There are other bills that are here. We have got bills that deal with inno- vation. We have got flexibility for working families to make it easier for working moms. All of those issues are issues that could be addressed.

Yes, we have worked in a bipartisan manner. Indeed, we recently—just a few minutes ago, Congresswoman JACK- SON LEE was here on the floor talking about some of her work. I thought it was interesting. There was a report earlier in the week. She had had 18 rollover votes on her amendments in the House in the past year. That is more rollover votes than all the Repub- licans in the Senate combined.

She was asked about the amend- ments in a recent interview, and she said, “I want to thank the Republicans for their generosity.”

That is the manner in which we have approached our job. As I said, 178 of the 332 bills that you are going to find in this stack, unanimous votes. You have got another 54 bills that are in this stack that had two-thirds majority support.

I thought it was also interesting, in the same article, Senator MANCHIN has not received a rollover vote on an amendment since June of 2013. He had only aired his family’s story, and he said, “I’ve never been in a less productive time in my life than I am right now in the United States Senate.”

Mr. Speaker, I have to tell you that there are many people that probably share what thought was coming to the Senate because they are looking at the fact that things are not getting done in the Senate. Ninety-eight percent of these 332 bills have passed with support from both Democrats and Republicans.

If we were in school, that would be making an A grade on bipartisan sup- port for legislation that is coming out of this House. Our committee chairmen have worked hard to be able to do that, and we have, in good faith, passed these bills, and in good faith, we have moved these bills to the Senate.

Right now, we are watching these bills sit on HARRY REID’s desk. For whatever reason, he is choosing not to take these bills up.

At this time, I would like to yield some time to the gentleman from Mont- ana (Mr. DAINES).

Mr. DAINES. Mr. Speaker, I want to thank the gentlewoman from Ten- nessee for her leadership on this impor- tant issue of this do-nothing Senate.
The President likes to refer to us as the do-nothing Congress. Well, tonight, we are presenting 332 reasons why it is actually the do-nothing Senate, as seen by the stack of the bills here on the gentleman’s desk. This has made it the least productive Congress in history.

332 bills have passed the House and are sitting on HARRY REID’s desk. These are not just Republican bills. 178 of these bills passed the House with no opposition. In fact, nearly 70 percent of these bills passed with two-thirds support or more. Fifty-five of these House bills were introduced by Democrats—still, HARRY REID refuses to bring these bills up for a vote.

While House Republicans are focused on building up America’s middle class, the Senate Democrats are content to let dust gather on hundreds of bills that would grow the economy, reduce the size and scope of an overbearing Federal Government and, importantly, help create jobs in America.

Take the Keystone XL pipeline, for example. This is truly one of those shovel-ready projects that would create more than 70,000 direct and indirect jobs nationwide. Across the political spectrum, there is overwhelmingly support for this project, yet HARRY REID refuses to bring it up for a vote. I have got that bill right here. It is H.R. 3. This is a bill that we passed with bipartisan support, yet HARRY REID refuses to bring it up for a vote.

The Keystone pipeline enters Montana. It is the first State that the pipeline enters after it comes to us from Canada. I was out in eastern Montana recently, and I was meeting with the NorVal Electric Co-Op. This is a small co-op in Montana that provides electricity to a few thousand Montana families. They told me that if the Keystone pipeline is approved, they will be able to keep electric rates for these Montana families flat for the next 10 years.

If the Keystone pipeline is not approved, the electric rates for these Montana families will go up 40 percent over the course of the next 10 years because this co-op supplies electricity to one of the pump stations on the Keystone pipeline, and that extra volume will lower the rates for all users.

Sometimes, I wish the President would get out of the White House and come to a place like Montana and talk to the folks that have him explain to them why he continues to block the Keystone pipeline. I would like HARRY REID to come out to Montana and explain to these Montana families why the Senate refuses to take up a vote and allow the Keystone pipeline.

The House, we are going to continue enacting solutions to help create jobs and build a healthy economy because that leads to greater freedom and opportunity. We are not going to stop doing our job simply because Senator Majority Leader HARRY REID has stopped doing his. It is time for the Senate to get back to work.

It is interesting, it has been quoted here tonight that SHEILA JACKSON LEE, the Democratic congresswoman, who we serve with here in the House, has had 18 rollcall votes on her amendments in the House in the past year.

That is the Republicans in the Senate combined. When asked about those amendments in a recent interview, she said, “I want to thank the Republicans for their generosity.” It is time for the Senate to act. The Obama recovery, economic recovery, is 5 years old, and what have we seen? We shared this week the share of adults who are working is back to 1984 levels. That is the year I graduated from Montana State University, with a degree in engineering. Far more adults have left the workforce than have found new jobs, and it has been said this is the worst recovery ever for long-term unemployed Americans.

The House has passed dozens of bills to create good-paying jobs and build a healthy economy, bills like the America’s Small Business Tax Relief Act, which would lower costs for small businesses, to allow them to hire more workers; or the Veterans Economic Opportunity Act, which improves programs that promote economic opportunity and ensures our Nation’s vets have the tools and resources they need to find jobs they deserve.

Let me conclude by saying this: it is a shame that HARRY REID and the Senate Democrats won’t take up more of these 48-plus bills of these over 300 bills that we have passed that will get our economy moving because it is clear that the President’s policies aren’t working.

House Republicans have a plan to get America back to work and get our economy moving in the right direction once again.

Senate Majority Leader HARRY REID, he doesn’t have to agree with our ideas. That is the nature of democracy. That is the nature of having the Senate and the House pits us against him to agree on our ideas, but he does owe them a simple up-or-down vote. If he doesn’t owe it to us, he certainly owes it to the American people.

Mrs. BLACKBURN. I thank the gentleman. I would like to note the fact that he talked about Montana and what is going there and the northern route approval, Mr. Speaker, the H.R. 3, I wish he would hold that bill back up.

I will yield to the gentleman. How many pages or 2,700 pages or 2,300 pages. You can see the different bills. This one is two pages. This one can’t be more than about 15 or 20 pages.

So this is not too much of a heavy lift. You can look at a bill like the Keystone pipeline bill, H.R. 3. It is simple, easy to read, and something that would help create the environment for jobs growth. It would put in motion the components that are necessary to get 42,000 direct and indirect jobs started and on the books.

For an electric power co-op in Montana—and I think it is important to realize that co-ops are membership-led and owned organizations; these are the people that live in the communities that own these utilities—it would be able to hold those utility rates flat.

What a boom that would be for those families that are members of that co-op and those small businesses to be able to say, We have got certainty and stability and we have got security of electric power that is going to be predictable and our rates are going to be stable and low for a 10-year period of time.

Let that help them to know what to expect, to work those business plans, and develop plans for expansion. That aids job growth. And that is an indirect benefit. It is a positive consequence of taking a step and passing a bill that is not even 3-3 pages long that would approve a route for a project.

Mr. DAINES. Will the gentlewoman yield?

Mrs. BLACKBURN. I yield to the gentleman from Montana.

Mr. DAINES. On the issue of the Keystone pipeline and the benefits, many of those ratepayers in Montana are hardworking families that live month to month. Many of them are seniors that are living on fixed incomes. And so this President, by stopping the Keystone pipeline and not approving that bill that is just slightly over 2 pages in length, in essence, he is declaring war on the middle class of America that is struggling to make ends meet month to month.

Our daughter just graduated from Montana State University with a degree in elementary education. She is going to be a teacher. If we can approve the Keystone pipeline, we recognize these tax revenues in the State of Montana, and millions of dollars that will help fund our teachers, our schools, our infrastructure in Montana.

These are other benefits of the Keystone pipeline that we need to talk about that affect more than just the job creators and the small businesses, as we talked about, and keeping the electric rates flat for many, many Montanans that live on fixed incomes.
Mrs. BLACKBURN. That is exactly right. And it is about making certain that we get our labor force participation back up in this country. We have the lowest labor force participation rate we have had since the misery index in Jimmy Carter’s Presidency. We would love to see more individuals back into the workforce.

There are 40 bills that would deal with creating the environment for jobs growth to take place. There is opportunity for innovation in some of these bills. There is accountability and certainty in bills as simple as the little bit on the Keystone pipeline. All of it is sitting on HARRY REID’s desk.

Mr. Speaker, as I said earlier tonight, one of the questions many of us in the House are asking is, What is the Senate afraid of? What is it the majority leader and the Senate fearful of? Does he not take up some of these bills?

We have 332 bills, and 232 passed either unanimously or with a two-thirds vote. That is a pretty amazing record. And in those bills are solutions that the American people are looking for—solutions to jobs, to veterans issues, solutions in certainty for our Nation’s economy, for our national security, and opportunity for our children.

Those are the things that our focus is on. It is what our constituents have sent us here to do and the job they have sent us here to do.

So I would encourage my colleagues. And as we move forward, we will continue in the House to do our job and to send bills to the Senate.

Mr. Speaker, I have to tell you I think that we would be encouraging of our friends in the Senate to not be a do-nothing Senate—not to be content with that—but to be aggressive in taking up these bills. And as they get ready for August and go back to their districts to work, to get around to it and get to work to clean and organize their desks and do what is right for the American people by addressing the issues that concern them and finding solutions to the issues that they bring to us each and every day.

With that I yield back the balance of my time.

TERRORIST ORGANIZATIONS

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 9, the Chair recognizes the gentlewoman from Minnesota (Mrs. BACHMANN) for 30 minutes.

Mrs. BACHMANN. Mr. Speaker, as always, it is a supreme privilege to be able to stand here in the greatest deliberative body in the world, the well of the United States House of Representatives.

It is a thrill to be able to be here also to be able to stand in defense of our ally, the Jewish State of Israel, which is under attack, even now, as we are here in this Chamber this evening.

As all Americans have seen across the country, the fighting that is going on in the Middle East has been horrific, but we must remember that all of this began with an unprovoked attack by the terrorist organization named Hamas. Hamas is the governing organization over Gaza.

If a person looks at a map of the Middle East, there is the Mediterranean Sea. Just on the easternmost part of the Mediterranean Sea lies the very tiny Nation of Israel, approximately the size of New Jersey. On the southwest corner of Israel is a little area known as Gaza.

In 2005, Israel willingly gave up the area called Gaza. Why? Because the Palestinians that were in the area known as Gaza were continually attacking and murdering Jews that lived in the Gaza area.

Jews who had businesses, Jews who had homes, as well as synagogues, relinquished those homes and businesses voluntarily in an effort known as ‘‘land for peace’’ and gave up its land to Palestinians, and the Palestinians promised there would be peace.

At that time, Abu Mazen, also known as Abbas, the head of the now Palestinian Authority, had promised that the Gaza region would remain demilitarized. In other words, that there would be no weaponry and no rockets that would be contained in the Gaza region.

This has been a joke and an absolute lie and a fraud from the Palestinians and from the leader Abbas from the beginning in 2005. How do we know? Almost nearly overnight, the Palestinians in Gaza began firing rockets at Israel. That was individual harrassment-go, in 2005. Today is 2014. Nothing has changed. As a matter of fact, now we are seeing the rise once again from Gaza of rockets being fired into Israel—again, in an unprovoked attack.

We should also recognize Hamas isn’t a stand-alone terrorist organization. Hamas is a part of a wider constellation of terrorist organizations—franchises, you might say—under an umbrella know as the Muslim Brotherhood.

That umbrella is known as the international Muslim Brotherhood. It was began in 1928 to reconstitute the Islamic caliphate across the world. Again, the umbrella organization is known as the Ikhwan, the international Muslim Brotherhood.

There are various entities, Hamas being one of those terrorist children, you may say, under the umbrella of this international terrorist organization. It was 9 individuals who were part of forming and putting together the attack on the United States during 9/11, when our Nation was attacked and the Twin Towers came down, led by Mohammed Atta, and also by the tragic hijacking of an airplane that went into the Pentagon.

Also, one of the earliest terrorist attacks against the Twin Towers in 1993 was masterminded by an individual known as Khalid Sheikh Mohammed, now contained at Guantanamo Bay as a detainee for his work in that effort. He also was found guilty for the work he did there.

I am here tonight, Mr. Speaker, because I believe that the United States does have an option of aiding and assisting our ally Israel in this horrific tragedy that the world is seeing unfolding right now. And it is this.

We have seen with this terrorist organization under the auspices of the international Muslim Brotherhood, known as Hamas, Hamas had a very friendly entree when the Muslim Brotherhood was running Egypt, the largest Arab nation in the Middle East right now.

The Muslim Brotherhood, under then-President Morsi, had a deal with Hamas; again, the Muslim Brotherhood terrorist organization in Gaza. This was the deal. Hamas was allowed to run smuggling operations through tunnels between Egypt and the Gaza territory. So lucrative was the smuggling business that Hamas was making, it is reported, $2 billion a month.

When the people of Egypt decided to throw out the violent terrorist regime known as the Muslim Brotherhood, literally tens of millions of Egyptians took to the streets and said to the Muslim Brotherhood, You must go, and to Morsi. You must go, because the people wanted to stop the slaughter and murder of innocent people, including the Coptic Christians.

Coptic churches were burned in Egypt. Coptic businesses owned by Coptic Christians were also burned and dynamited. Innocent, loving Egyptians and Muslims took to the streets and said, We want the violent terrorists in the Muslim Brotherhood.

As I said, tens of millions of peace-loving Egyptians and Muslims took to the streets and said, We want the violent terrorist organization known as the Muslim Brotherhood to leave Egypt. The Muslim Brotherhood had to leave.

They no longer had any consent from the Egyptian people to rule. There was no process of impeachment in Egypt. This was the only avenue left to the Egyptian people.

The Muslim Brotherhood left, and in stepped the military led by General al-Sisi. The Egyptian people then conducted democratic elections and General al-Sisi was elected as the first President of the modern state of Egypt. He is the President now.

He has been engaged in a very serious struggle with the Muslim Brotherhood. He has worked with them. Their violent protests continued. Remarkably, now President al-Sisi has been able to bring down dramatically the level of violence from the Muslim Brotherhood.

The streets are far safer today in Egypt than they were before. And it came at a price. It came at a price of many deaths in Egypt, but now we see the results more toward peace. It is because of the work of President al-Sisi on the border with Gaza that we have seen a dramatic decrease in weapons, munitions, and
most particularly, $2 billion going into Gaza.

How does this frame into what a new alternative solution would be to tamp down this terrorist organization known as Hamas?

The United States Government designated Hamas a terror organization.

Again, let’s remember. This is a U.S.-designated terror organization called Hamas, which unilaterally and unprovoked launched thousands of rockets against our ally Israel. Israel did not provoke Hamas. Israel did not send munitions into the Gaza territory. Israel did not fire the first shot against Gaza. It was Hamas that fired the first shot.

Let us not forget that it was Hamas that fired rockets specifically at the greatest number of civilian targets. We even read this last week that Hamas dressed up in Israeli uniforms, Diana uniforms, and went through a tunnel, into Israel, to specifically go to an Israeli kibbutz so that they could slaughter a mass number of innocent Israeli citizens as well as IDF soldiers.

You see, we are dealing with—greater terrorist acts than we have ever seen before.

They are reporting now from Turkey and from other parts in the Middle East region that they are again calling on to come out the Jewish state—in other words, killing the Jews in the Jewish state and eliminating and annihilating the Jewish State of Israel. This is nothing more than a genocide.

How can we stop this continual slaughter by the terrorist organization known as Hamas?

They were greatly weakened when President al-Sisi did the United States—the world—a favor when they closed those tunnels between Egypt and Hamas. That greatly reduced the incentive of the coming into this ter-
rorist, corrupt, violent organization under the Muslim Brotherhood umbrella, but it is not enough because, you see, the umbrella is essentially the lifeline economically for the terrorist organization known as Hamas. If you will, the umbrella is the umbilical cord that feeds economically, politically, and with munitions into this violent terrorist organization.

The question then, Mr. Speaker, is: How do the United States Government stop feeding economically to prop up this terrorist organization known as Hamas?

This is how we can do it:

When the United States Government effectively labeled Hamas as a foreign terrorist organization, then any organ-
ization or person who tried to offer material support to Hamas was effect-
ively continuing a terrorist enterprise, and, thereby, there would be sanctions, and in fact, there would be convictions that could be brought against those people.

That happened in a charity called the Holy Land Foundation. This charity was directed by the international Muslim Brotherhood, the umbrella organization. The international Muslim Brotherhood directed the United States chapter of the Muslim Brother-
hood to raise men, raise money, and raise media support for Hamas, the ter-
orist organization firing rockets unprovoked against Israel.

That charity in the United States was found guilty by a United States Federal court. That happened in 2008. Our FBI has found that the umbrella organization, the Muslim Brotherhood has engaged in terrorist activities. We have Federal courts that have also found that the international Muslim Brother-
hood, the umbrella organization, has, in fact, engaged in terrorist activities. Also, our FBI Director in 2011, Robert Mueller, said before the committee of which I am privileged to be a part—the House Intelligence Committee—that the international Muslim Brotherhood has engaged in terrorist activities both abroad and in the United States.

Whether it is through entities, like designating Hamas a foreign terrorist organization, or through our Federal courts, where we have found Muslim Brotherhood, then in this case, the Holy Land Foundation, a Muslim Brotherhood terrorist organization—our government has found members of the international Muslim Brotherhood to be terrorists who are engaging in the myriad of terrorist activities. That would include Khalid Sheikh Mohammed, who this night is sitting in Guantanamo Bay, behind bars—where he should be—because his goal was to bring down the Twin Towers in New York City. This was in 1993.

We know that the Muslim Brotherhood was successful and brought down the Twin Towers in a horrific display of terrorism on American soil on Sep-

So, why, Mr. Speaker, it isn’t enough for the United States to cripple Hamas, the foreign terrorist organiza-
tion, by designating them a foreign ter-
orist organization. That was a good beginning. What this body can do is to pass a resolution to urge President Obama—who has the power to direct the United States Department of State—to now designate the interna-
tional Muslim Brotherhood a foreign terrorist organization.

If we want economic collapse—to collapse economically, to collapse politi-
cally, to collapse because they are bereft of munitions and weapons—what we must do is designate the interna-
tional Muslim Brotherhood a foreign terrorist organization because then, you see, it would cripple the inter-
national Muslim Brotherhood with various economic sanctions. Also, those who are members of the international Muslim Brotherhood would no longer have the ability to be granted visas by the United States government to come into the United States.

This is the best action that the United States could take today to ben-
et our ally Israel as they are being mercilessly attacked by the U.S.-design-
ated foreign terrorist organization known as Hamas. Cut off the head. Cut off the feeder unit to Hamas. Cut it off, and then we will see Hamas collapse. That is what we could do.

Now, President Obama doesn’t need the United States Congress to pass this resolution. He doesn’t need that. Presi-
dent Obama, on his own this evening, could designate the Muslim Brother-
hood a terrorist organization, and I call upon our Presi-
dent to do exactly that in order to help our ally Israel.

That would send a resounding signal across the world if the United States took that action because, you see, this has already been done by other countries—by Egypt, led by President al-
Sisi. They have already designated the international Muslim Brotherhood a terrorist organization. Jordan, our ally and friend, has designated the Muslim Brotherhood a terrorist organization. Saudi Arabia sees the international Muslim Brotherhood as a terrorist or-
ganization. The United Emirates sees the international Muslim Brother-
hood as a terrorist organization as does the Jewish State of Israel see the interna-
tional Muslim Brotherhood as a ter-
orist organization.

The nations that are most impacted by the terrorist activities of the interna-
tional Muslim Brotherhood could designate this nefarious organization as such after the Muslim Brotherhood’s participation in the greatest horrific acts in U.S. soil—September 11, 2001—and if we have designated charities and entities of the Muslim Brotherhood and leaders of the Muslim Brotherhood as terrorists, participating in terrorist ac-
tivities, why in the world wouldn’t the United States join Egypt, Israel, Jor-
dan, the United Arab Emirates, and Saudi Arabia in doing the right thing in designating the international Muslim Brotherhood a terrorist organiza-
tion?

You see, once we do that to the um-
brella organization, then all of the other organizations that are rep-
presented therein are also duly impacted by that designation. That is how we bring peace. That is how we bring peace to Israel. That is how we bring peace to this region.

Just a few years ago, the convent-
ional wisdom here in Washington, D.C., was that the Muslim Brotherhood would be a moderate. Middle East and bring democracy to the region. We had great hopes that that is who the Muslim Brotherhood would be. That was the face that they tried to present here in Washington. Tunisia removed their Muslim Brother-
hood-led governments because they saw that the Muslim Brotherhood wasn’t a moderating force. Hardly. It was a violent terrorist force. As I said, other Middle East nations have taken actions to designate this group as a terrorist group, and these nations banned the activities of the Muslim Brotherhood completely.
Even our British allies have opened an official investigation into the Muslim Brotherhood’s activities and connection to violent terrorism. For the past 20 years and in three different administrations, the United States Government has identified and designated branches of the Muslim Brotherhood as terrorist organizations, and its leaders are branded as terrorists. United States Government officials have testified under oath before Congress, here in this building, that the international Muslim Brotherhood has supported terrorism not only here at home but also across the world.

From its earliest days, the Muslim Brotherhood used violence as its strategy. They formed what was called a “secret apparatus”—that is their term—to attack government officials and foreigners in Egypt, even killing two Egyptian Prime Ministers. Richard Clarke was the counterterrorism czar to both Democrat President Bill Clinton and Republican President George W. Bush. Richard Clarke testified before the Senate Banking Committee in October of 2003 that the common links that are shared by al Qaeda, by the Islamic jihad and by Hamas were “leadership and the ideology of the Muslim Brothers.” As was recognized by our own 9/11 Commission Report, virtually every Islamic terrorist group has built its organization on the ideological bedrock the Muslim Brotherhood established—that is Iconoclastic, as well as Hamas.

Some have tried to paint al Qaeda as a great enemy of the Muslim Brotherhood, but whatever differences they have are merely tactical, and there are many reports of the groups cooperating together and endorsing their terrorist activities.

In February 1993, the United States House of Representatives Task Force on Terrorism and Unconventional Warfare reviewed branches of the international Muslim Brotherhood regularly took part in terror conferences with al Qaeda, Hamas, Hezbolah, and the Iranian Revolutionary Guard Corps, called the Quds Force. The senior clerical leadership of the Muslim Brotherhood is led by the group’s Qatari-based top jurist, Yusuf al-Qaradawi. The senior clerical leadership of the Muslim Brotherhood is led by the group’s Qatari-based top jurist, Yusuf al-Qaradawi. He issued a fatwa in November of 2004 that authorized the killing of American soldiers and contractors in Iraq while we were conducting military operations.\n
Many of al Qaeda’s leaders also came through the Muslim Brotherhood’s ranks. Mohamed Atta, as I previously stated, was the ring leader of the 9/11 terrorist attack here in America on our Twin Towers. According to The Washington Post, he was radicalized while he was a part of the Muslim Brotherhood’s engineering syndicate in Egypt. It is fair to say that, rather than being opposed to al Qaeda, the Muslim Brotherhood has been an open gateway to al Qaeda.

One of the enduring myths about the Muslim Brotherhood is that the group has renounced violence. Nothing could be further from the truth. Then how can one explain the Muslim Brotherhood’s long-time support for the Palestinian terrorist group, Hamas? In fact, Hamas identifies itself in its 1988 Covenant as the Palestinian branch of the Muslim Brotherhood—in other words, a franchise of the Muslim Brotherhood—in Palestine’s own words.

That is a fact that is recognized in the State Department’s annual Country Reports on Terrorism. It was President Bill Clinton who designated Hamas a terrorist organization in 1995, and I praised President Bill Clinton for doing that. It was the right thing to do. If not, President George W. Bush should have done the same thing.

Now, President Obama must do the same and also designate the international Muslim Brotherhood a foreign terrorist organization because, you see, Mr. Speaker, it is myopic to look at Hamas, as it rains down thousands of missiles and rockets on our ally, Israel, without considering the Muslim Brotherhood’s greater role in the larger context of global jihad.

In fact, our Justice Department, in 2007 and 2008, successfully argued in Federal court that the international Muslim Brotherhood has directed its affiliates here in this country, in the United States, to organize to provide the “media, money, and men” to Hamas, a U.S.-designated foreign terrorist organization.

As Federal prosecutors showed during the Holy Land Foundation trial, the largest terrorist financing trial in American history, the Muslim Brotherhood’s Palestine Committee raised millions of dollars for Hamas here in the United States.

The judge in the case wrote an opinion that there was "ample evidence" that establishes the association between Muslim Brotherhood groups here in the United States with Hamas. The convictions of the Holy Land Foundation executive who were held up by our United States Supreme Court, the highest court in the land.

This was one of the reasons, Mr. Speaker, why the FBI Director, Robert Mueller, testified before Congress in February of 2011 that "elements of the Muslim Brotherhood both here and overseas have supported terrorism."

The U.S. Government has designated branches, charities, and leaders of the Muslim Brotherhood, as I have pictured here, under the umbrella—branches, charities, and leaders of the Muslim Brotherhood.

U.S. Government officials have said, Mr. Speaker, that the Muslim Brotherhood around the world has supported terrorist groups, and the Justice Department has prosecuted elements of the Muslim Brotherhood here in the U.S. for materially supporting terrorism.

It is long overdue to act on what the U.S. Government has already acknowledged. It is time, Mr. Speaker, to designate the Muslim Brotherhood as a terror organization.

I wanted to speak just a little bit, Mr. Speaker, about who some of these people are under the umbrella, if I could have that slide right here. The umbrella organization, again, is the international Muslim Brotherhood. Under that umbrella is an individual known as Khalid Sheikh Mohammed.

Khalid Sheikh Mohammed was the operations chief under al Qaeda. The 9/11 Commission report stated that Khalid Sheikh Mohammed, also known as KSM, who is currently detained behind bars in Guantanamo Bay, he was radicalized in the Kuwaiti Muslim Brotherhood—Khalid Sheikh Mohammed, under the Muslim Brotherhood.

Abdullah Azzam is part of the Palestinian Muslim Brotherhood. He is a leader who was the cofounder, both of Hamas and of al Qaeda, also under the international Muslim Brotherhood.

Yusuf al-Qaradawi is the chief jurist of the international Muslim Brotherhood. Some call him the spiritual leader and guide of the Muslim Brotherhood. He has been banned from entering the United States since 1993. He is the first Sunni cleric to endorse suicide bombing.

Then Mohamed Atta, he was the ringleader of the horrific 9/11 attack against the United States of America, the ringleader of bringing down the Twin Towers and also the attack on our Pentagon. He was radicalized in the Muslim Brotherhood-controlled engineering syndicate in Egypt.

Then Hamas, the foreign terrorist organization raining down thousands of missiles, even tonight, against our ally, Israel. Hamas is self-identified as the Palestinian branch of the Muslim Brotherhood.

Then the Union of Good, this is a Muslim Brotherhood charity that was led by Yusuf al-Qaradawi. It was designated by our Treasury Department in November of 2008 for Hamas financing. Osama Bin Laden—no introduction necessary—he is the al Qaeda cofounder who was radicalized by Muslim Brotherhood leaders at the university in Jeddah.

You see, Mr. Speaker, the Muslim Brotherhood has its fingers all over the place, because its mission statement is jihad. It is radical, violent terrorism to achieve its goal of a global caliphate, to have control of all Muslim and all infidels across the globe.

Then Abdul Majeed al-Zindani, he is the head of Yemen’s Muslim Brotherhood. The mentor of Osama Bin Laden, designated by our Treasury Department in February of 2004.

Ramzi Yousef, he is the convicted leader of the 1993 World Trade Center bombing. He is the nephew of Khalid Sheikh Mohammed, also radicalized by Kuwaiti Muslim Brotherhood.

As a matter of fact, Mr. Speaker, if anyone watching this evening would go to the official Muslim Brotherhood Website today, they would see that the international Muslim Brotherhood is praising Hamas for the killing going on in Jerusalem and in Israel, even today.
This is why the best thing that the United States of America could do—and I call on President Obama to do it, hopefully, with support from both Democrats and Republicans, this is not a partisan issue—we need to stand with our ally, Israel. We need to stand against Iran.

In order to do that, we need to designate the international Muslim Brotherhood, the umbrella organization, for what it is, a foreign terrorist organization.

Mr. Speaker, I call, again, on President Obama to bring about this designation to bring peace to our world.

I yield back the balance of my time.

**LEAVE OF ABSENCE**

By unanimous consent, leave of absence was granted to:

Mrs. CAPITO (at the request of Mr. CANTOR) for this afternoon and the balance of the week on account of a family emergency.

Mrs. PELOSI (at the request of Ms. LEE) for this afternoon.

**SENATE JOINT RESOLUTION**

REFFERED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 40. Joint resolution providing for the appointment of Michael Lynton as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

**BILL PRESENTED TO THE PRESIDENT**

Karen L. Haas, Clerk of the House, reported that on July 23, 2014, she presented to the President of the United States, for his approval, the following bill:

H.R. 1528. To amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location.

**ADJOURNMENT**

Mrs. BACHMANN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 51 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, July 25, 2014, at 10 a.m.

**EXECUTIVE COMMUNICATIONS, ETC.**

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6575. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule—Organization; Disclosure to Shareholders; Disclosure to Investors in System-wide and Consolidated Bank Debt Obligations of the Farm Credit System; Advisory Vote (RIN: 3052-AD00) received June 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6576. A letter from the Acting Chief Information Officer, Department of Defense, transmitting a report on the “Department of Defense Next Generation Health Information/ Cyber Security System”; to the Committee on Armed Services.

6577. A letter from the Chair, Board of Governors of the Federal Reserve System, transmitting the Board’s semiannual Monetary Policy Report pursuant to Pub. L. 106-569; to the Committee on Financial Services.

6578. A letter from the Deputy Director, Department of Health and Human Services, transmitting the department’s final rule—Occupational Safety and Health Investigations of Places of Employment; Technical Amendments (Docket No.: CDC-2014-0001; NIOSH-721) (RIN: 0920-AAS1) received June 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.


6582. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Section 110(a)(2) Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards [EPA-R03-OAR-2011-0672; FRRL-2013-0062-OAR] received July 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6583. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule—Approval and Promulgation of Implementation Plans; Connecticut; Control of Visible Emissions, Record Keeping and Monitoring [EPA-R01-OAR-2009-0469; A-1-FRRL-9910-12-Region 1] received July 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.


6585. A letter from the Chief of Staff, WTIB, Federal Communications Commission, transmitting the Commission’s final rule—Amendment of the Amateur Service Rules to Establish Just and Reasonable Rates for Local Exchange Carriers; Define Qualifying Areas and Other Matters; Amendment of Part 97 of the Commission’s Amateur Service Rules to Give Permanent Credit for Examination Elec-
6594. A letter from the Director, Office of Personnel Management, transmitting the Office’s semiannual report from the office of the Inspector General and the Management Reform Board for the period October 1, 2013, through March 31, 2014; to the Committee on Oversight and Government Reform.

6595. A letter from the Special Counsel, Office of Inspector General, Department of Health and Human Services, transmitting the Office’s annual report for FY 2013; to the Committee on Oversight and Government Reform.

6596. A letter from the General Counsel, Peace Corps, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6597. A letter from the Chief, Branch of Permits and Regulations, Division of Migratory Bird Management, Department of the Interior, transmitting the Department’s final rule — Migratory Bird Permits; Extension of Expiration Dates for Double-Crested Cormorant Depredation Orders [Docket No.: FWS-HQ-MB-2013-0135; FFP00M2200-145-FXMB1213290916PF0] (RIN: 1018-A282) received July 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6598. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department’s final rule — Endangered and Threatened Wildlife and Plants; Endangered Species Status for Sierra Nevada Yellow-Legged Frog and Northern Distinct Population Segment of the Mountain Yellow-Legged Frog, and Threatened Species Status for Yosemite Toad [Docket No.: FWS-R6-ES-2012-0101] (RIN: 1018-A221) received July 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6599. A letter from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration’s “Major” final rule — Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations [Docket No.: 130201095-1400-02] (RIN: 0648-BC90) received July 8, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6600. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department’s final rule — Safety Zones - Vessels in the Port of Puget Sound Zone [Docket Number: USCg-2014-0485] (RIN: 1625-AA00) received July 17, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6601. A letter from the Deputy Assistant General Counsel for Aviation Enforcement and Proceedings, Department of Transportation, transmitting the Department’s final rule — Nondiscrimination on the Basis of Disability in Air Travel; Accessibility for Passengers with a Prosthetic Limb;.Schedule B for Air Carriers That Use Aircraft with Jet Engines; and for Other Purposes; [Docket No.: DOT-OST-2011-0105] (RIN: 2105-AD87) received July 1, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.


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. SHUSTER: Committee on Transportation and Infrastructure. H.R. 3941. A bill to authorize the Minnesota Valley Checkpoint project in Iuka, Mississippi (Rept. 113-553). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 4156. A bill to amend title 49, United States Code, to allow advertisements and solicitations for passenger transportation services to the base of the transportation, and for other purposes (Rept. 113-554). Referred to the Committee of the Whole House on the state of the Union.

Mr. McCaul: Committee on Homeland Security. H.R. 3846. A bill to provide for the authorization of border, maritime, and transportation security responsibilities and functions in the Department of Homeland Security and the establishment of United States Customs and Border Protection, and for other purposes (Rept. 113-555, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. Upton: Committee on Energy and Commerce. H.R. 594. A bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2006; with amendment (Rept. 113-556). Referred to the Committee of the Whole House on the state of the Union.

Mr. Upton: Committee on Energy and Commerce. H.R. 669. A bill to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness of the unexpected sudden death in early life; with an amendment (Rept. 113-557). Referred to the Committee of the Whole House on the state of the Union.

Mr. Upton: Committee on Energy and Commerce. H.R. 4250. A bill to amend the Federal, Food, Drug, and Cosmetic Act to provide an end-to-end process for review of safety and effectiveness of nonprescription sunscreen active ingredients and for other purposes; with amendment (Rept. 113-558). Referred to the Committee of the Whole House on the state of the Union.

Mr. Upton: Committee on Energy and Commerce. H.R. 4290. A bill to amend the Public Health Service Act to authorize the Emergency Medical Services for Children Program; with amendment (Rept. 113-559). Referred to the Committee of the Whole House on the state of the Union.

Mr. Upton: Committee on Energy and Commerce. H.R. 4341. A bill to amend the Breast Health Education and Awareness Requires Learning Young Act of 2009; to the Committee on Energy and Commerce.

Mr. Stivers: Committee on Transportation and Infrastructure. H.R. 5186. A bill to amend the definition of “homeless and homeless youth” in McKinney-Vento Homeless Assistance Act to include certain homeless children and youth, and for other purposes; to the Committee on Financial Services on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Mr. Cartwright: H.R. 5187. A bill to clarify the meaning of the term “residential property” with regard to the recovery of attorneys’ fees; to the Committee on the Judiciary.

Mr. Carney: H.R. 5188. A bill to amend the Consumer Financial Protection Act of 2010 to require the Bureau of Consumer Financial Protection to develop a model form for a disclosure notice that shall be used by depository institutions and credit unions, and for other purposes; to the Committee on Financial Services.

By Ms. Eddie Bernice Johnson of Texas (for herself and Mr. Hall): H.R. 5189. A bill to ensure consideration of water intensity in the Department of Energy’s energy research, development, and demonstration programs to help guarantee efficient, reliable, and sustainable delivery of energy and clean water resources; to the Committee on Science, Space, and Technology.

By Mr. Gerlach (for himself, Ms. Kaptur, Mr. Levin, Ms. Slaughter, Mr. Joyce, Mr. Tiberi, Mr. Renacci, Mr. Pascarella, Mr. Fitzpatrick, Mr. Stivers, and Mr. Fitzpatrick): H.R. 5190. A bill to authorize assistance for Ukraine, and for other purposes; to the Committee on Foreign Affairs; in addition to the Committees on Armed Services, and Intelligence (Permanent Select), 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. McNerney: H.R. 5191. A bill to extend the Higher Education Opportunity Act of 1998 to provide for an institution of higher education that has previously filed for bankruptcy to apply for the reinstatement of eligibility for purposes of Federal Pell Grants to the Committee on Education and the Workforce.

By Mr. Webster of Florida: H.R. 5192. A bill to provide for incentives for agencies and the private sector to increase operating efficiency; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, Rules, and Appropriations, 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. Boustany (for himself, Mr. Cassidy, Mr. McCallister, Mr. Scalise, and Mr. Richardson):
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. GERLACH:
H.R. 5190.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the U.S. Constitution.

By Mrs. MCMERNY:
H.R. 5191.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. WEBSTER of Florida:
H.R. 5192.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 which provides that:

"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 . . . ."

By Mr. BOUSTANY:
H.R. 5193.

Congress has the power to enact this legislation pursuant to the following:

Article I of the U.S. Constitution.

By Mr. COPPFMAN:
H.R. 5196.

Congress has the power to enact this legislation pursuant to the following:

Article I of the United States Constitution.

By Mr. FRANKEL of Florida:
H.R. 5197.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the Constitution.

By Mr. GALLEGO:
H.R. 5198.

Congress has the power to enact this legislation pursuant to the following:

Clause 7 of Rule XII.

By Mr. REED:
H.R. 5199.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Ms. SCHWARTZ:
H.R. 5200.

Congress has the power to enact this legislation pursuant to the following:

 Clause of Rule XII.

By Mr. SOUTHERLAND:
H.R. 5201.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. STOKEMAN:
H.R. 5202.

Congress has the power to enact this legislation pursuant to the following:

Amendment 4.

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 279: Mr. BOUSTANY.
H.R. 318: Mr. GIBSON.
H.R. 411: Mr. JOHNSON of Georgia and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 448: Mr. JOLLY.
H.R. 565: Ms. SCHAUKOWSKY.
H.R. 543: Ms. SEWELL of Alabama.
H.R. 680: Mr. McCaul, Mr. GALLEGO, Mr. JOHNS, Mr. SCHOCK, Mr. Israel, Mr. GARAMENDI, and Mr. LOBIONDO.
H.R. 708: Mr. LORISACK.
H.R. 789: Mr. RUIZ.
H.R. 789: Article I, Section 8, Clause 3; and Article I, Sec. 8, Clause 18.
H.R. 831: Mr. CLAY.
H.R. 851: Mr. SWALWELL of California and Mr. CONVELT.
H.R. 1015: Mr. BARBER and Mr. SINSHEIMER.
H.R. 1070: Mr. LATHAM and Mr. HOLT.
H.R. 1263: Mr. CLAY, Mr. RICHMOND, and Mr. FATTAB.
H.R. 1387: Mr. COSTA.
H.R. 1462: Mr. KELLY of Pennsylvania.
H.R. 1527: Mr. QUIGLEY.
H.R. 1563: Mr. RUNYAN.
H.R. 1620: Mr. BENTIVOGLIO, Mr. WALZ, Mr. JOLLY, and Mr. LOBIONDO.
H.R. 1763: Mr. VALADAO.
H.R. 1812: Mr. LINDBERG.
H.R. 2066: Mr. HOLT.
H.R. 2101: Mr. PRICE of North Carolina.
H.R. 2106: Mr. Sherrod of North Carolina.
H.R. 2224: Mr. KEATING.
H.R. 2450: Mr. TAKANO.
H.R. 2529: Mr. DURST and Ms. JACKSON Lee.
H.R. 2536: Mr. PITTENGER.
H.R. 2540: Mr. BARRER.
H.R. 2552: Mr. PRICE of North Carolina.
H.R. 2673: Mr. LATHAM, Mr. DUNCAIN of Tennessee, Mr. CHAFFETZ, Mr. BOUSTANY, and Mr. SESSIONS.
H.R. 2772: Mr. CLEAVER.
H.R. 2847: Mr. KEATING.
H.R. 2852: Mr. MURPHY of Florida.
H.R. 2856: Mr. KILMER.
H.R. 2917: Ms. DELAUGER.
H.R. 2957: Mr. PASTOR of Arizona.
H.R. 2988: Ms. CLARK of Massachusetts.
H.R. 2992: Mr. COBB.
H.R. 3006: Mr. GIROD, Mr. SCHOCK, Mr. ENYART, and Mr. LYNCH.
H.R. 3090: Mr. CAMPANAL.
H.R. 3123: Mr. RICHMOND.
H.R. 3237: Mr. JOYCE and Mr. REED.
H.R. 3461: Mr. CARDENAS.
H.R. 3476: Mr. WENSTROOP.
H.R. 3488: Mr. JOHNS.
H.R. 3508: Mr. ALVADAR.
H.R. 3538: Mr. FOSTER.
H.R. 3531: Mr. SCHIFF.
H.R. 3680: Mr. BAKER, Mr. BUCHON, Mr. CRENDEL, Mr. DENHAM, Mr. HUDSON, Mr. MARCHANT, Mr. MERRAN, Mr. TIPTON, and Mr. YOHO.

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. SCALISE:
H.R. 5184.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1 of the United States Constitution.

By Mr. WASSERMAN SCHULTZ:
H.R. 5185.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution, and to make all laws which shall be necessary and proper for carrying into execution such power as enumerated in Article I, Section 8, Clause 18 of the Constitution.

By Mr. STIVERS:
H.R. 5186.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States) and clause 3 (relating to the power to regulate interstate commerce).

By Mr. CARTWRIGHT:
H.R. 5187.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

By Mr. CARNEY:
H.R. 5188.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "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 . . . ."

By Ms. EDDIE BERNICE JOHNSON of Texas:
H.R. 5189.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.
Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:
H.R. 4098: Mr. Clay.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS
The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. WALSH, a Senator from the State of Montana.

Prayer

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, our rock and fortress, thank You for even giving us credit for our good intentions. You examine our motives, discerning the nuances of our motivation and the chasm between what we desire and what we are able to accomplish. Lord, we are grateful for Your mercy that does not make our limitations the standard for judging us, but You accept our faith in Your redemptive power.

Let us also pray for the Senate, that they produce a harvest of good deeds for Your glory. Help them to submit to Your spirit’s control. Provide them with vision, wisdom, and courage to meet today’s challenges.

We pray in Your great Name. Amen.

Pledge of Allegiance

The Presiding Officer led the Pledge of Allegiance, as follows:

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

Appointment of Acting President Pro Tempore

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:


To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. WALSH, a Senator from the State of Montana, to perform the duties of the Chair.

PRESIDENT PRO TEMPORE.

Mr. WALSH thereupon assumed the Chair as Acting President pro tempore.

Recognition of the Majority Leader

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Schedule

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will resume consideration of the motion to proceed to Calendar No. 453, the Bring Jobs Home Act. This will be postcloture time. Cloture has been invoked on this measure.

At 1:45 this afternoon there will be a voice vote on the adoption of the motion to proceed to the Bring Jobs Home Act. There will be a rolloff vote on the motion to invoke cloture on the nomination of Pamela Harris to be a U.S. circuit judge for the Fourth Circuit, followed by a voice vote on confirmation of the nomination of Lisa Disbrow to be an Assistant Secretary of the Air Force.

Order of Procedure

I ask unanimous consent that at 3:40 this afternoon, the Senate conduct a moment of silence in memory of the 1998 Capitol shooting that resulted in the deaths of Special Agent John Gibson and Officer Jacob Chestnut.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Measure Placed on the Calendar—S. 2648

Mr. REID. Mr. President, S. 2648 is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The assistant legislative clerk read the following:

A bill (S. 2648) making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to this legislation.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

Recognizing Officers John Gibson and Jacob Chestnut

Mr. REID. Mr. President, many years ago I came to Washington, DC, to go to law school. I came back here because Nevada did not have a law school. Although I had opportunities to go other places, I came back here because it was kind of the thing Nevadans did. I got a job through my Nevada Congressman—we only had one at the time—Walter S. Baring. I had what was called a patronage job. I was a Capitol police officer. I was assigned here to the Capitol, assigned to the House side. That is what I did. My badge is still in my conference room. I worked the evening shift—from 3 to 11, as I recall.

When I was a member of the Capitol Police Force, as I have said here on the floor, I did not do anything that was very dangerous. The most dangerous thing I did was direct traffic out on Constitution Avenue. At that time they had subway tracks in the road, and cars would bounce around. I did not do anything that was very dangerous; but I was a police officer. I am very proud of that.

In this Senate Chamber, as we speak, there are people who are assigned to take care of us, staff, and all of the tourists who come in. We have tourists in the galleries. The police officers are assigned everywhere. Some have uniforms; most of them do not. Their job...
is to do everything they can to make sure this magnificent Capitol Complex is safe. Every day there are people who, if they could, would do damage to this Capitol and to the people who work here.

In 1998 two of our Capitol police officers were on duty. A crazed man—16 years ago—came into the Capitol and shot Jacob Chestnut cold dead, right there at what we call the Memorial Door. John Gibson heard this commotion and saved many tourists and staff from this crazed man, but in the process he was also killed. Both officers died that day. They had served a combined 36 years on the force protecting all of us and all of the many people who come to this Capitol Complex.

I know the families of these two officers. I have met with them on a yearly basis. I know nothing can make up for the loss of these two fine men 16 years ago, but I hope their families and friends take comfort in knowing that those of us who were here that day hold them in our memories and in our hearts.

While it is little solace to their families, the tragedy that day made the Capitol a safer place. It was because of them that we finally were able to make this a safer place. We had worked on it for well more than 10 years. We now have a visitor center. You walk outside; you see a beautiful lawn. Under that is a visitor center. There is as much underground there as on top of the ground.

Now people can come into the Capitol. They can be safe and secure. There are places to go to the bathroom. There is food and wonderful viewing in that complex. So because of these two men, we can be safe and secure.

Today the Senate honors Officer Chestnut and Detective Gibson for their sacrifice. We send our sincere condolences to the family and friends left behind.

AMERICAN JOBS

Mr. McCONNELl. Mr. President, if Senator Demmick is as concerned about American jobs as they are about saving their own jobs this November, there would be almost no limit to what we could accomplish. Yet, rather than work with us to get anything serious accomplished for our constituents, we see the majority leader once again bowing to the whims of his campaign consultants and the Senate becoming little more than a campaign studio this week.

The majority leader can spend all of his time figuring for the consultant class if he wants, but that will not stop Republicans from offering common-sense, job-saving ideas that both sides should be able to support. For example, the senior Senator from Utah will offer an amendment that would repeal a Democratic tax that helped push manufacturing overseas and could kill as many as 165,000 American jobs. It is a measure that would likely pass if the majority leader would only allow a vote. I know my friends on the other side plan to offer amendments too. The question is, Will those Senators join us to demand that their amendments be considered too or will they allow the majority leader to shut down the legislative process one more time, silencing their constituents. I hope they will make the right decision.

Since the majority leader seems so determined to convince everyone that he cares about protecting American jobs this week, I am going to offer an amendment that would make serious changes about it. He can do it by allowing a vote or even voting himself for an amendment of mine called the Saving Coal Jobs Act. He has already blocked this bill once before, but I will give him a chance to reconsider.

Everyone knows the administration’s war on coal jobs is little more than an elitist crusade that threatens to undermine Kentucky’s traditionally low utility rates, splinter our manufacturing base, and ship well-paying jobs overseas. My amendment seeks to push back against this war on coal, this war on Kentucky’s traditional strength, and it seeks to help protect the administration’s targets too—Kentucky coal families who want little more than to put food on the table and give their children a better life. It is really not too much to ask. So the majority leader has a choice. Is he in favor of shipping Kentucky jobs overseas or will he help me protect the middle class by supporting this amendment?

Regardless of what he decides, though, I am going to keep fighting against this administration’s unfair regulations. Yesterday the EPA Administrator came to Capitol Hill to defend the administration’s extreme proposals. He tried to argue that the administration wanted input from the public as it went about developing and implementing its job-killing agenda. But it is hard to take her seriously because earlier this week I met with her in person and urged her to hold at least one listening session in coal country, the region most likely to be affected by the administration’s regulations. She was unmoved. Apparently the administration isn’t all that interested in what Kentucky thinks. Well, if Washington officials won’t come to Kentucky, then Kentuckians will come to Washington. Beginning next week, the administration plans to hold one of its listening sessions in Washington. I plan to testify and so do several of my constituents. Even though they will have to travel hundreds of miles to get here, these Kentuckians will make Washington understand they are more than just some statistic. They are our neighbors, they are moms and dads, and they refuse to be collateral damage in some elitist war dreamed up in a bureaucratic boardroom in Washington.

HONORING OUR ARMED FORCES

LT. COL. JOHN DARIN LOFTIS

Mr. President, today I celebrate the life of a Kentucky airman who lost his life this week in the line of duty. He wore our country’s uniform. Lt. Col. John Darin Loftis of Paducah, KY, a 17-year veteran of the Air Force, was killed on February 25, 2012, in an attack on the Interior Ministry in Kabul, Afghanistan. He was 44 years old.

For his service in uniform, Lieutenant Colonel Loftis received several awards, medals, and decorations, including the Bronze Star, the Purple Heart, the Meritorious Service Medal, the Joint Meritorious Unit Citation, the Air Force Commendation Medal, the Army Achievement Medal, and the Air Force Combat Action Medal.
Darin, as his friends called him, was working in the ministry as an adviser to a program that developed a team of U.S. service personnel skilled in Afghan and Pakistani culture and language. Darin himself spoke the Pashto language fluently and also was proficient in Dari and Arabic, enabling him to relate to the local Afghans. Darin was a liaison officer with top Afghan National Police officials in Pashto.

Darin’s work was so important that after his death he was praised by the Governor of Afghanistan’s Zabul Province. The Governor said this about Darin:

When the Afghan people see that an American is speaking Pashto, they’re more inclined to open up to him, and that’s the reason why he’s so successful. He can go among the local population and get their impression of U.S. forces. He can do this better than any other soldier because he speaks their language and knows their culture.

Darin’s commander, Lt. Gen. Eric Fiel of the Air Force Special Operations Command, said this about Darin: Lieutenant Colonel Loftis “embodies the first Special Operations Forces truth that humans are more valuable than hardware, and through his work with the Afghan people, he was undoubtedly bettering their society.”

Darin’s wife Holly agrees with these kind words but has one more important point to add: “Darin was a great American, but more importantly he was a devoted father to our two daughters, a loving husband and caring son.”

Born on February 22, 1968, in Indiana, Darin’s family moved to Kentucky when he was 3 years old. He attended Calloway County schools from kindergarten through his senior year in high school, from where he graduated in 1986. Described as a high school whiz kid by some, Darin received excellent grades and drove a black Studebaker with plain, cream-colored tires.

Jerry Ainley, former principal of Calloway High School, said:

He was such a fine young man. I remember his smile when he’d greet me in the hallway. He was very polite, a young man of high morals and high integrity, I guess everything you’d think of in an airman.

Darin went on to study engineering at Vanderbilt. While there, he met a girl named Holly while working for a university service that arranged security for anyone requesting it rather than having to go campus alone.

Darin and Holly got married, and in 1992 the couple joined the Peace Corps. Together they served 2 years in Papua, New Guinea, with the Duna tribe, where Darin spoke Melanesian pidgin. He clearly had a gift for languages.

Loftis entered the Air Force in 1996 and received his commission through officer training school. Originally classified as a space and missile officer, he became a regional affairs strategist in 2008.

By his first tour in Afghanistan in 2009, he had become a major serving in special operations forces. He deployed to Afghanistan for his second deployment with the 866th Air Expeditionary Squadron in 2011.

Darin continued to be an excellent student, earning three master’s degrees over the course of his Air Force career. His wife Holly recalls: “He loved going to school. . . . he loved going to school.”

Family was especially important to Darin. John M. Loftis, Darin’s father, said:

He lived for his kids and his family. I can tell you that when he was home, he fooled around with those kids all the time. He’d take them to school. They are going to miss him.

Darin was so skilled in communicating and respected for cementing relationships with the Afghans he worked with in Kabul that during his tour in 2009 he was given a Pashto name—Eesan—which translates to mean generous. Darin explained the nickname to his daughters by saying: “It’s an honorable sense of duty to help others.”

In Darin’s memory, the U.S. Air Force Special Operations School in Florida dedicated the school’s auditorium in his name—an auditorium Darin himself had previously taught and lectured in. The name at Darin’s alma mater, Calloway County High School, organized an annual scholarship fund in his name, beginning with two $1,000 scholarships to members of the Class of 2014.

We are thinking of Darin’s family today as I share his story with my Senate colleagues. He leaves behind his wife Holly, his two daughters Allison and Camille, his mother Chris Janne, his father John M. Loftis, his brother-in-law Brian Brewer, and many other beloved family members and friends.

The Airmans’ Creed, learned by every American airman, reads in part as follows:

I am an American Airman . . .

Guardian of Freedom and Justice, My Nation’s Sword and Shield, Its Sentry and Avenger.

I defend my Country with my Life.

I hope the family of Lt. Col. John M. Loftis, the Senator from Kansas, is comforted knowing his life and his service fulfilled every word of this sacred motto. That is why we pause today to remember his life, recognize his service, and stand grateful for his sacrifice.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tem. Under the previous order, the leadership time is reserved.

BRING JOBS HOME ACT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to Calendar No. 191, S. 2569, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 191, S. 2569, a bill to provide an incentive for business to bring jobs back to America.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to speak as if in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ISRAEL-GAZA CONFLICT

Mr. MORAN. Mr. President, thank you very much.

For 3 weeks we have seen fighting going on in Israel and the Gaza Strip. It has carried on between the Israeli military and Hamas. In both Gaza and Israel lives, unfortunately, are being lost, homes are destroyed, families are devastated, security is threatened, and daily life is polluted by this war.

Since the fighting began, Hamas has made it abundantly clear it is unwilling to behave in any responsible manner. The organization is using civilian areas such as schools and hospitals, restaurants and playgrounds, as rocket-launching sites. Caches of rockets have been discovered inside two Gaza schools sponsored by the United Nations. A chance for peace emerged when Egypt put forward a cease-fire plan that Israel agreed to. Hamas refused to cease hostilities. Later Israel agreed to a temporary truce, the pause requested by Hamas to facilitate the delivery of humanitarian supplies to Gaza. Despite the Israeli cooperation, Hamas quickly violated the cease-fire, resuming rocket launches into Israeli territory.

Hamas’s actions seek to kill and terrorize those across the Israeli border while they also do great harm to the people of Gaza. Ending the rocket attacks would hasten an end to the current violence and bloodshed that has taken a disproportionate toll on Gazan lives.

On July 17, the Senate unanimously passed a resolution to express American support for Israel’s self-defense efforts and called for an immediate cessation of Hamas’s attacks against Israel. S. Res. 498 also serves as a reminder to anyone ascribing legitimacy to Hamas’s deadly aggression toward Israel; despite any governing agreement with Fatah and the Palestinian Authority, Hamas’s violence is not legitimate in the eyes of the United States of America. Since 1997, Hamas has been included on the U.S. State Department’s list of foreign terrorist organizations. The group’s ongoing attack on civilian targets further justifies this designation.

Hamas’s participation in a unity government limits improvements to life in Gaza as American law restricts U.S. aid to Palestinian groups aligned with terrorist organizations such as Hamas. Gaza’s poor economic state, which is cited by Hamas as justification for their attacks on Israel, is not at all improved by Hamas’s belligerency. Instead, Hamas’s strategic objective is to incite violence only worsens Gaza’s economic outlook.

Hamas’s actions compound the consequences of funding weapons and
smuggling tunnels rather than investing in the future of Gaza and its people. The point being that what Hamas is doing is damaging to the people of not only Israel but to the folks who live in Gaza.

This reality begs observers to question Hamas’s commitment to the people it supposedly represents. Since the beginning of the current conflict, Hamas’s commitment to violence against Israel appears to be their primary mission, not the care and well-being of their people. Unless cessation of hostilities becomes Hamas’s priority, Israel will retain and must retain the right to defend its people and the welfare of those living in Gaza will regrettably continue to deteriorate.

Americans would not tolerate this. We would not. Our constituents would be insistent that we not tolerate the threat of terrorism that Israel faces on a daily basis. Since 1948, attacks from its neighbors, especially during these turbulent times as Israel takes necessary action to reduce Hamas’s means of terror, to disarm those who stand firmly in the way of a real and lasting peace.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore, The clerk will call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

Mr. REID. I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. TESTER. Mr. President, are we in morning business?

The ACTING PRESIDENT pro tempore. The Senate is postcloture on the motion to proceed.

Mr. TESTER. Mr. President, I have come to realize that we are never going to get politics completely out of the legislative process. In the system we have today, there is always another election and there is always another campaign. This political posturing must be addressed. It is hurting our democracy, and it is a prime reason Congress’s approval rating is in the single digits.

Today politics is hurting the men and women who bravely served our Nation. It is hurting our veterans.

When the news about the problems at the VA became public, lawmakers ran to the press and slammed the VA. They even dragged good men through the mud to score political points. They even treated the VA as if there was just one thing that should cause our politicians to look past political games, it is our veterans. It is our commitment to our veterans,
our commitment to making sure they get the care they have earned. But today some lawmakers decided to forgo the hard work of compromise. Instead of putting veterans first, they have made improving veterans care political.

We have been working for 6 weeks to find a compromise bill that improves veterans’ access to care, that holds the VA more accountable, and that hires more medical professionals so veterans can get the care they need when they need it. But 6 weeks Members on the other side of the aisle in both the House and the Senate have balked at the cost of taking care of our veterans. Many of these lawmakers are the same ones—the same ones—who put our wars in Iraq and Afghanistan on a credit card. Many of them didn’t blink twice when we sent hundreds of troops into Iraq earlier this month. Way back when, when the Iraq war was authorized, Congress spent less than 3 weeks debating. True, for 4 years when it comes to taking care of our men and women who served—many in the same wars they put on a credit card—they worry about the cost.

Well, I have news for them: Taking care of our veterans is a cost of war. We do not send young Americans to war and then not take care of them. And it should not be the case that we rush to war but drag our feet when it comes to our vets. But today I will announce they are forgoing the veterans conference committee and introducing a bill of their own. It is not a proposal aimed at benefiting our veterans. It is not. It is not a bill that takes the best ideas of veterans organizations, experts, or VA officials and moves the ball forward. It is a proposal that is meant to gain political favor. It is a proposal that sheds the responsibility of governing, of honoring our commitment to veterans. It is a proposal that is aimed at shifting the responsibility to the private sector.

Chairman SANDERS has been working hard to bridge the divide and produce a bill that gets veterans the support they need and can pass in Congress, but Chairman SANDERS can’t do it himself, and neither can just one-half of the conference committee. I am incredibly disappointed by what is taking place today. I had real hopes that this conference committee could rise above the political process and get something done for our veterans.

I have been holding listening sessions with Montana’s veterans since early June. They didn’t have much faith. Those veterans did not have much faith in Washington politicians solving the problem, but I told them it could be done. If we don’t change course, if we don’t leave politics at the door as we promised, then it is going to be hard for me to go back to Montana and look those veterans in the eye.

We can do better, and we must do better.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BOOKER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum be temporarily suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. Mr. President, on June 11—a month and a half ago—in a very strong bipartisan way, the Senate voted 93 to 3—an overwhelming vote—to pass legislation written by Senator JOHN MCCAIN, a Republican, and myself to address crises facing our veterans community and the VA and to protect and defend the men and women who have put their lives on the line to defend us. I wish to take this opportunity again to thank Senator McCAIN for his very strong efforts on getting that legislation passed.

As you know, the legislation we passed was estimated by the Congressional Budget Office, the CBO, to cost about $35 billion. At just about the same time, the House of Representatives passed legislation dealing with, more or less, the same issues, and the bill that passed in the House was estimated by CBO to cost $44 billion. $9 billion more than what we passed in the Senate.

In the last 6 weeks, my staff, my colleagues, and I have been working very hard to refine this legislation, to come up with a more reasonable price tag, and to address the needs of our veterans community in a significant way. In that process, I have been accused by some of “moving the goalposts.” I guess I have. I have moved the goalposts so the legislation we are introducing today is substantially lower—substantially lower—than what passed the Senate and what passed the House. If that is called moving the goalposts, I suspect in this case it is moving the goalposts in the direction. In fact, the bill we are presenting would cost less than $25 billion—a lot of money, no doubt—but that is some $10 billion less than what we passed on the Senate floor, and it is $19 billion less than what the House passed.

Our proposal is a commonsense proposal which deals in a significant way with the needs of the veterans community. What it does is provide emergency funding for contract services so they can go outside of the VA and get private health care or care at a community health center or whatever. They no longer have to wait during this emergency period for long periods of time to get into the VA. I think that is a very important part of this proposal. It is something we have to do.

In addition, what we also say is if a veteran lives more than 40 miles from a VA facility—and there are veterans in some cases are living hundreds of miles away—they do not have to, when they are ill, get in their car and travel for 3 or 4 hours to get health care at a VA facility. They will be able to go to a non-VA facility, a private physician, if they live more than 40 miles away from a VA facility. I think that is significant.

But what our legislation also does is address an issue of huge concern to the veterans community. Just yesterday—just yesterday—I received, and many members in the Veterans’ Committee received, a letter from 16 major veteran organizations and the American Legion expressing unanimous consent to have the letter printed in the RECORD.

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

Chairman BERNIE SANDERS, Senate Committee on Veterans’ Affairs, Washington, DC.

Ranking Member RICHARD BURR, Senate Committee on Veterans’ Affairs, Washington, DC.

Chairman JEFF MILLER, House Committee on Veterans’ Affairs, Washington, DC.

Ranking Member MIKUL MIKULICH, House Committee on Veterans’ Affairs, Washington, DC.

Chairman SANDERS, CHAIRMAN MILLER, RANKING MEMBER BURR, RANKING MEMBER MIKULICH: Last week, Acting Secretary Sloan Gibson appeared before the Senate Veterans’ Affairs Committee to discuss the progress made by the Department of Veterans Affairs (VA) over the past two months to address the ongoing access crisis for thousands of veterans. Secretary Gibson testified that after re-examining VA’s resource needs in light of the revelations about secret waiting lists and hidden demand, VA required supplemental resources totaling $17.6 billion for the remainder of this fiscal year through the end of FY 2017.

As the leaders of organizations representing millions of veterans, we agree with Secretary Gibson that there is a need to provide VA with additional resources now to ensure that veterans can access the health care they have earned, either from VA providers or through non-VA purchased care. We urge the American public to join these organizations in supporting the VA and the Congress in taking up this request.

In our conferenceletter to you outlining the principles and priorities essential to addressing the access crisis, a copy of which is attached. The first priority “...must be to ensure that all veterans currently waiting for treatment must be provided access to timely, convenient health care as quickly as medically indicated.” Second, when VA is unable to provide that care directly, “...VA must be involved in the timely coordination of and fully responsible for prompt payment for all authorized non-VA care.” Third, Congress must provide funding for this year and additional funding for next year to pay for the temporary expansion of non-VA purchased care. Finally, whatever access VA or Congress provides to the current access crisis must also “... protect, preserve and strengthen the VA health care
system so that it remains capable of providing a full continuum of high-quality, timely health care to all enrolled veterans.”

In his testimony to the Senate, Secretary Gibson said that VA health care is already overwhelmed by the current patient population and that VHA has already reached out to over 160,000 veterans to get them off wait lists. He said that VHA also accomplished this by adding more clinic hours, aggressively recruiting to fill physician vacancies, deploying mobile medical units, using electronic medical records, and expanding the use of private sector care. Gibson also testified that VHA made over 353,000 referrals for veterans to receive non-VA care in the past fiscal year, up from 336,000 more than a year ago. In the comparable period a year ago. In a subsequent press release, VA stated that it had reduced the New Enrollee Appointment Report (NEAR) from its peak of 46,000 on June 1, 2014, to 2,000 as of July 1, 2014, and that there was also a reduction of over 17,000 veterans on the Electronic Waiting List since May 15, 2014. We appreciate this progress, but more must be done to ensure that every enrolled veteran has access to timely care.

The majority of the supplemental funding required by VA, approximately $8.1 billion, would be used to expand access to VA health care over the next three fiscal years by hiring up to 28,000 new VA clinical staff, including 1,500 new doctors, nurses and other direct care providers. That funding would also be used to cover the cost of expanded non-VA purchasing authority, to focus shifting over the next three years, VA would purchase care to VA-provided care as internal capacity increased. The next biggest portion would be $6 billion for VA’s physical infrastructure, which according to Secretary Gibson would include 77 lease projects for outpatient clinics that would add about two million square feet, $7 billion for major construction projects and 700 minor construction and non-recurring maintenance projects that together could add roughly four million appointment slots at VA facilities. The remainder of the funding would go to IT enhancements, including scheduling, purchasing care and project coordination systems, as well as a modest increase of $400 million for additional “VBA staff to address the claims and appeals backlog.”

In reviewing the additional resource requirements identified by Secretary Gibson, the undersigned find them to be commensurate with the historical funding shortfalls identified in recent reports from veterans organizations, including The Independent Budget (IB), which is authored and endorsed by many of our organizations. For example, in the prior ten VA budgets, the amount of funding for medical care requested by the Administration and ultimately provided to VA by Congress was more than $7.8 billion less than what was recommended by the IB. Over the past five years, the IB recommended $4 billion more than VA requested or Congress approved and for next year, FY 2015, the IB recommended over $6 billion more than VA requested. Further corroboration of the shortfall in VA’s medical care funding came two weeks ago from the Congressional Budget Office (CBO), which issued a revised report on H.R. 3230 estimating that... under current law for 2015 and CBO’s baseline projections for 2016, VA’s appropriations for health care funding resources are projected to keep pace with growth in the patient population or growth in per capita spending for health care—meaning that waiting times will tend to increase.

Similarly, over the past decade the amount of funding requested by VA for major and minor construction, and the final amount appropriated, has been projected to be about $9 billion less than what the IB estimated was needed to allow VA sufficient space to deliver timely, high-quality care. Over the past five years alone, that shortfall is more than $6.6 billion and for next year the VA budget request is more than $2.5 billion less than what the IB recommends. Funding for nonrecurring maintenance (NRM) has also been woefully inadequate. Importantly, the IB recommendations closely mirror VA’s Strategic Capital Investment Plan (SCIP), which VA uses to determine infrastructure needs. According to SCIP, VA should invest between $56 to $69 billion in facility improvement projects over the next 10 years, which would require somewhere between $5 to $7 billion annually. However, the Administration’s budget request over the past four years have averaged less than $2 billion annually for major and minor construction and for NRM, and Congress has not significantly increased the funding requests in the final appropriations.

Taking into account the progress achieved by VA over the past two months, and considering the funding shortfalls our organizations have identified over the past decade and in next year’s budget, the undersigned believe that Congress must quickly approve supplemental funding that fully meets the critical needs identified by Secretary Gibson, and which fulfills the principles and priorities of VA’s Strategic Capital Investment Plan (SCIP), which VA uses to determine infrastructure needs. According to SCIP, VA should invest between $56 to $69 billion in facility improvement projects over the next 10 years, which would require somewhere between $5 to $7 billion annually. However, the Administration’s budget request over the past four years have averaged less than $2 billion annually for major and minor construction and for NRM, and Congress has not significantly increased the funding requests in the final appropriations.

Mr. SANDERS. Mr. President, 16 major veterans organizations, including the Disabled American Veterans, the Veterans of Foreign Wars—the VFV—Paralyzed Veterans of America, the Iraq and Afghanistan Veterans of America, the Military Officers Association of America, and many others—wonderful veterans organizations that have worked for years representing the interests of veterans—what these organizations say in this letter is that while we must address the immediate crisis of doing away with these long waiting lines and allowing veterans to get private care, what they also say—loudly and clearly—is that the VA must have the doctors, the nurses, and the space capacity that it needs so that in the future it will be able to permanently eliminate these long waiting lines so that 2 years from now, 3 years from now, when veterans come into the VA, they will get quality care, they will get timely care. That is what the veterans organizations have said.

We went to you one small paragraph of a long letter. They say that the charge of the conference committee should be “to ensure that all veterans currently waiting for treatment must be provided access to timely, convenient health care as quickly as reasonably indicated,” and at the same time “protect, preserve and strengthen the VA health care system so that it remains capable of providing a full continuum of high-quality, timely health care to all enrolled veterans.”

Last week, in a Senate Veterans’ Affairs Committee meeting, Sloan Gibson, the Acting Secretary of the VA, stated that the VA needed over $16 billion—$14 billion (Ret.) Jack Du Toit, Executive Director, United States Army Warrant Officers Association; John R. Davis, Director, Legislative Programs, Fleet Reserve Association; Robert Cervin, Executive Director, Military Chaplain Association of the United States; Michael A. Blum, National Executive Director, Disabled American Veterans; James T. Currie, Ph.D, Colonel, USA Reserve, Veterans of Foreign Wars; John R. Totushek, USN (Ret), Executive Director, Association of the U.S. Navy; Robert L. Askew, Executive Director, Association of US Navy Veterans; Homer S. Washington, Director, Association of the U.S. Navy; John W. Merryman, Executive Director, American Veterans; John R. Gibson, the new Acting Secretary of the VA—approved with wide Republican support—they said we support his proposal. The legislation does not give the VA all that Mr. Gibson would like, but we do provide them with the doctors and the nurses and the medical staff they need so we do not continue to have...
long waiting lines at VA hospitals all over this country, so we do not come back 2 years from now in the same position, with veterans not being able to get timely care.

I have worked for a month and a half with the Senate Veterans’ Affairs Committee, led by the Veterans’ Affairs chairman, Mr. McCaIN, to find a compromise. Everybody knows the House looks at the world differently than the Senate—we all know that—and if we go forward, we need a compromise. We have had days of debate on the table time and time again and we have tried to meet our Republican colleagues more than halfway, but I am very sad to say that at this point—and I hope this changes—but at this point I can only conclude, with great reluctance, that the good faith we have shown is simply not being reciprocated by the other side.

Standing here and saying this is the last thing I want to be doing. Our veterans deserve a responsible solution to this crisis.

Last night—this is an example of what has happened—somewhere around 10 o’clock in the night, the chairman of the Veterans conference committee, Mr. McCaIN in the House, announced unilaterally, without my knowledge or without my concurrence, that he was going to hold a so-called conference committee meeting in order to introduce his proposals.

Needless to say, his proposal is something I have yet to see. I do not know what it is. This is a proposal nobody on our side has seen. My understanding is he then wants to take this to the House on Monday to come up with a vote. In other words, his idea of negotiation is: We have a proposal. Take it or leave it. Any sixth grader in a school in the United States understands this is not negotiation, this is not what democracy is about.

I note his presence on the floor of the coauthor of the bill passed in the Senate, Senator McCaIN, and I am happy to yield the floor for Senator McCaIN.

THE PRESIDING OFFICER. The Senator from Arizona.

Mr. McCaIN, Mr. President, could I say that I understand the frustration of the chairman of the committee feels, and this has been, for everyone involved, a very frustrating process. I think to some degree the real effort has been this whole issue of the pay-fors, the cost of this legislation. I fully understand the frustration of the Senator from Vermont, the distinguished chairman of the committee. I would hope we could maybe, all of us, cool down some and maybe go to this meeting at noon and ahead of time—as far ahead of time as is possible—tell the chairman what their proposal is and also a counterproposal of Senator Sanders’ would be fully considered by the conference committee.

It is the proper process to go to a conference. Unfortunately, we only did that once, and that was largely a pro forma kind of activity.

Again, I fully appreciate Senator Sanders, who has worked very hard on this very terrible issue. But I hope all of my colleagues recognize that for us not to come to agreement on legislation which is not that dissimilar, which this body passed by 93 to 3, and over on the House side I believe it was unanimous, is a gross disservice to those who deserve our consideration most.

There is no group of citizens in this country who deserve our help in this time of crisis, as our veterans, the men and women who have served. So may I say to my friend from Vermont, who, like me, is very given to calm deliberation of all issues, we are very similar in that respect. I say, with my colleagues on both sides of the aisle, you are not the chairman, you are not the ranking member, but I think you could play a good role.

What I would like to see—and I beg my colleagues to sit down and let’s work this out. It is a matter of money. It is not a matter of the provisions of the bill. That cannot be the reason for us not to reach some agreement. I intend at noon to attend. I intend to make a strong case that we would be glad to hear any proposal by the chairman of the Senate and rankings members of the Senate and ranking members of the House committee, that I hope that kind of thing could lead to an agreement.

Mr. SANDERS. Let me ask Senator McCaIN one more question. I thank the Senator very much. He is not on, at the Veterans Affairs Committee, but he has jumped into this with both feet and is playing a very big role. Would the Senator be prepared if, generally speaking, what happens is the chairmen and ranking members of the Senate and the House get together—you are not the chairman, you are not the ranking member, but I think you could play a good role. Would the Senator be prepared to sit down with the other four members, myself, the other three, and help us reach a compromise?

Mr. McCaIN. Well, could I say to my friend from Vermont, the Senator, as the chairman of a committee, should be asked to come to a meeting with the other major chairmen and ranking members of the committees. I hope that kind of thing does not happen again.

I want to say to my friends who are deeply concerned about the costs here of some of these provisions: My argument is that, yes, we should seek ways to pay for as much as we can. I believe we can compromise on some areas of spending. But we cannot allow that to prevent us from acting.

I thank my friend from Vermont. I look forward to engaging with him. I think maybe it is important that we show courtesy to all Members who are involved in this, including the chairman of the committee. I thank the Senator.

Mr. SANDERS. One more second. I wanted to paraphrase. Tell me if I am misquoting. I do not have it in front of me. When we were doing this bill on the floor, the Senator said—we were talking about emergency funding—something to the effect of if this is not an emergency, I do not know
what an emergency is. Is that a correct paraphrase?

Mr. MCCAIN. That is absolutely my conviction, that the reason why we have emergency funding from time to time in times of crisis is for when there is an emergency. I will repeat: I do not know of a greater domestic emergency than the care we owe the men and women who have served this country.

I thank my colleague. I yield the floor.

Mr. SANDERS. I thank Senator MCCAIN very much for his statements and for his hard work on this and would reiterate what he said; that is, my belief that what we have here on the Senate floor, that if taking care of the men and women who have put their lives on the line to defend us and who came home without arms or legs, or without their eyesight or 500,000 of them who came home with post-traumatic stress disorder or traumatic brain injury—if that is not an emergency, taking care of those brave men and women, I agree with Senator MCCAIN, I do not know what an emergency is.

I am happy to yield the floor to my colleague from Alaska. Senator BEGICH.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. I say to my chairman on the Veterans’ Affairs Committee, we talked very briefly on the phone. I wanted to come down here because I find this amazing. I am new around here. I know it has been almost 6 years. I still feel new around here. But late last night, early this morning, I get a notice of a supposed conference committee meeting, which I was totally unaware of, was unaware of the proposals they are putting on the other side. It would like to have time to study this. I know on the other side they talk a lot about transparency and timeliness and making sure the public is aware of what they are doing. But, lo and behold, they just kind of snap together a meeting where they have an idea that they want to move forward.

I am all game for more ideas on how to solve the problems with our veterans. But the public demands—demands—we to solve this problem, and also demands it to be done in a transparent way, not in the dark of the night a meeting is called. The chairman of the other side, in this case the Senator from Vermont, the chairman of the subcommittee, is not even notified. I recognize Senator MCCAIN’s comments about the courtesy. It should be a courtesy. But on top of it, the basic understanding of compromise and working with each other—that is what has to happen. We are not seeing that. We had a conference committee. We all made 5-minute speeches, grand statements about how to help veterans. We all want to do that. But it also means sitting down with each other and putting proposals out. I think the way the chairman described it best is: Roll up your sleeves and solve this problem.

Think about this: What is the real issue here? You heard it from Senator MCCAIN, that we pretty much have agreement on a lot of the basics. It is the money.

What is so amazing to me—I was not here the first couple of the veterans to be funded or, excuse me, not funded—two trillion dollars, Afghanistan even more. But even if you use that $2 trillion number, what we are talking about today is about 1 percent, 1 percent to take care of the veterans and their families who put their lives on the line, have come back, some missing limbs, some having mental issues, a variety of services they need, they earned, they deserve.

You know, when you think about it, my simple statement—the chairman has heard me say this before: You are for veterans or you are not.

We are going to quibble and nickel-and-dime our veterans. I appreciate what the chairman has done trying to lower the costs, trying to find compromise. But this is, as Senator MCCAIN said, an emergency. We need to take care of these veterans. For the House to nickel-and-dime our veterans is absolutely obscene. It is outrageous. They served our country. We need to do what we can to take care of them. It does not mean having midnight emails to tell us about a meeting that is going to occur on a day 12 hours later when I have no idea what their proposal is. They have not shared it with me. It would be nice. They are all about transparency. Let’s do it. Let’s have transparency. Let’s have a debate.

I know the chairman has been working on this for the last 6 weeks. Many of us met, as the chairman in the last week did, talking about—with the new potential Secretary, which I am very excited for. He already has a 90-day idea, a plan, which I was amazed to see that he is already moving forward. I met with him yesterday, I told him: Be bold. Start doing things. Get nominated, get approved, let’s get some stuff going.

But for this body on the other side to just out of the blue decide they are going to have a conference—usually the way it works—maybe I am wrong—conference committee usually means Senate and House. The two chairmen talk to each other, pick a time, everyone tells their Members, and we all attend. We see a paper beforehand. It is transparent. The press is aware of it, the public is aware of it. It is open to the people.

This is like a midnight ride to, in my view, potentially shortchanging our veterans. I am outraged. The chairman probably got that sense when I sent an email to the chairman this morning. Within seconds we were on the phone, because this is not how we need to do this business. The veterans deserve the care; they earned it; we owe it to them. It is time they pay up and they can’t nickel-and-dime our veterans. Prepare the services they need. Give the VA the capacity they need in order to perform the many different services, from hiring people—the chairman is right—nurses, doctors, mental health providers. We need them all.

I am very proud of some of the work—you heard me talk about it before—in Alaska. But we are one State. There are 49 other States. We need to do everything we can. I came down here—I had something else going on right now, but I was very frustrated and outraged by the lack of transparency on the body that proclaims to always talk about transparency.

But again, I can go on a rant here. I am going to stop. I am going to say the last thing I will say is: This is an emergency. We need to be in it. The American people know it. Quit nickel-and-diming our veterans. Quit complaining about: Is it $25 or $26 billion. It is an emergency. We did not complain about one dime when they wanted all of the basically all of those $2 trillion dollars before.

Actually, as some remember those photos, we put cash on pallets—cash on pallets—and shipped it over there. Now it is time to take care of our veterans. It is time to put up or shut up. It is time to get the work done. You are for veterans or you are against veterans. It is a simple equation.

It is a simple equation.

Mr. SANDERS. I thank Senator BEGICH.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Mr. President, there is no question that immigration is one of the most discussed issues we talk about in Washington, DC, perhaps because it is an economic issue, it involves cultural considerations, and it also includes security concerns. It is not just any one of those things; it is basically all of those. It is an issue that we need to have a comprehensive immigration reform. We all want to do that. But it also means sitting down with each other and putting proposals out. It is not just any one of those things; it is basically all of those. It is an issue that we need to have a comprehensive immigration reform. We all want to do that. But it also means sitting down with each other and putting proposals out. It is not just any one of those things; it is basically all of those. It is an issue that we need to have a comprehensive immigration reform. We all want to do that. But it also means sitting down with each other and putting proposals out. It is not just any one of those things; it is basically all of those. It is an issue that we need to have a comprehensive immigration reform.
I said just a moment ago that no one is arguing that the status quo is acceptable, but I fear that unless we sit down and reason together, we are going to end with a status quo before we leave for the August recess. Unless we are successful in passing the needed policies, we will actually be addressing some of the causes of the current crisis—as well as appropriate money that is needed on an emergency basis to help build capacity to deal with it—the status quo is what we are going to get. That would be disappointing and it would be tragic.

So people may have good ideas, and I would love to hear them. But working together with my colleague Henry Cuellar from the House—Henry likes to call himself a Blue Dog Democrat, but he is from Laredo, TX, lives on the border and understands it very well—he and I have come up with a bipartisan, bicameral proposal that would discourage illegal immigration from Central America by ending the de facto policy of catch-and-release.

What I mean by that is when people are coming into the country illegally, they are detained by the Border Patrol. But there is a policy of de facto release whenever end-  

If people are successful in navigating this glitch in our enforcement system, then they are going to keep coming and the cartels and the people who make money off of transporting people through Mexico—a journey in which women are routinely sexually assaulted, the migrants are routinely kidnapped and held for ransom, and some never make it because they die of injuries or exposure.

If we don’t fix that by the time we leave for our August recess, we will have failed in some of our more basic responsibilities. But more specifically, our bill would reform a 2008 human trafficking act that currently has been exploited as it has been in a way that weakened U.S. immigration enforcement and incentivized Central American children to risk everything they have to make this perilous journey from Central America through Mexico—a journey in which women are routinely sexually assaulted, the migrants are routinely kidnapped and held for ransom, and some never make it because they die of injuries or exposure.

I wish the President would take the same opportunity to see with his own eyes what his fellow Democrats saw. When I was in McAllen and then in Mission, TX—which is close to McAllen—last Friday, they made crystal clear to me and Congressman Cuellar that they didn’t care if we were Republicans or Democrats. As a matter of fact, that part of our State is heavily Democratic. What they cared about is whether we were serious about offering a meaningful solution to this crisis.

I will give one sense of the problem. On Tuesday of this week, 20 unaccompanied minors from Central America had hearings scheduled before a Federal immigration court in Dallas—20 scheduled; 18 failed to show up. So roughly 10 percent showed up, and the other 90 percent currently don’t have the resources through Immigration and Customs Enforcement to locate those children and make sure that they actually do appear. What happens is they are part of that 40 percent of illegal aliens who entered the country, just simply melt into the landscape, and we don’t hear from them again, but they are still here. Given how few unaccompanied minors actually appear for their hearings, Members of both parties have expressed their view that the 2008 law needs to be changed.

The Secretary of Homeland Security, whom I talked to as recently as yesterday, said on Tuesday: The administration has been working on a broad and comprehensive immigration reform, and we are in active discussions with Congress right now about doing that. That is a little bit mysterious to me because the majority leader has said the border is secure and he is not interested in a comprehensive fix such as the HUMANE Act Congressman Cuellar and I have sponsored.

I would say to the majority leader, if you don’t think that is the right solution, then where is yours? Are there other ideas that people have that are better ideas? I am game.

I think we ought to have that discussion, and we ought to be focused on trying to fix it as Secretary Johnson said is needed. I am sure there will be some differences, but that is what this place is for, to work out those differences and come up with the 80 percent solution, hopefully, and then get the job done.

But the irony of what Secretary Johnson is saying is that the administration acknowledges that change is needed. But is any change forthcoming from the majority leader?

Well, apparently it is not, because he is in the process of having us vote on a so-called clean emergency appropriation bill without any reforms attached to it. I have called this a blank check, and indeed I believe it is, because it is not responsible just to spend the money without trying to fix the problem actually at issue. So how can any guide and I think it is—we are seeing these numbers go up every year.

In other words, it is estimated that of the 57,000 unaccompanied minors that have been detained at our southwestern border since August, that number could grow as high as 90,000 this year. Next year, the estimate is it could be as many as 145,000.

I know the Presiding Officer has read, as I have, stories in the Washington Post, the New York Times, and even the Weekly Standard that is occurring around the country as these children are being transported and warehoused in different locations around the country. This is going to do nothing but get worse, in my view, as the numbers continue to escalate and as we don’t deal with the source of the problem.

This is a very dangerous situation when the American people demand we act on our best judgment, trying to work together in a bicameral, bipartisan way. But so far at least, the majority leader, the Democratic leader has rejected any changes in the 2008 law—even along the lines that the President Johnson, Secretary of Homeland Security, has suggested.

I have actually heard there are proposals, legislative language that has been floated among our Democratic colleagues in the Senate. But under orders of the White House, none of that has been shared with anyone on this side of the aisle. I hope that changes because we need to be sharing ideas. We need to be working toward a consensus here because we have basically two weeks to get this right. And then we are out of here, and the problem is not going to get better. It is only going to get worse. We could use some help from the President, using some of his political capital—the power that only the President has—the authority that only the President has—to try to work together with Congress to get something done.

Seven weeks ago he called this an urgent, humanitarian crisis, but for some reason it is heavily Democratic. What they cared about is when people are coming into the country illegally, they are detained by the Border Patrol. But there is a policy of de facto release whenever end-

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I know the Presiding Officer has read, as I have, stories in the Washington Post, the New York Times, and even the Weekly Standard that is occurring around the country as these children are being transported and warehoused in different locations around the country. This is going to do nothing but get worse, in my view, as the numbers continue to escalate and as we don’t deal with the source of the problem.

This is a very dangerous situation when the American people demand we act on our best judgment, trying to work together in a bicameral, bipartisan way. But so far at least, the majority leader, the Democratic leader has rejected any changes in the 2008 law—even along the lines that the President Johnson, Secretary of Homeland Security, has suggested.

I have actually heard there are proposals, legislative language that has been floated among our Democratic colleagues in the Senate. But under orders of the White House, none of that has been shared with anyone on this side of the aisle. I hope that changes because we need to be sharing ideas. We need to be working toward a consensus here because we have basically two weeks to get this right. And then we are out of here, and the problem is not going to get better. It is only going to get worse. We could use some help from the President, using some of his political capital—the power that only the President has—the authority that only the President has—to try to work together with Congress to get something done.

Seven weeks ago he called this an urgent, humanitarian crisis, but for some reason it is heavily Democratic. What they cared about is when people are coming into the country illegally, they are detained by the Border Patrol. But there is a policy of de facto release whenever end-
this is concentrated on the Rio Grande Valley in South Texas. It is overwhelming the capacity of those local communities and of our State to deal with it. This is why our Governor, in the absence of any Federal response, thought it was important to get more boots on the ground in the form of the National Guard. That is not a permanent solution by any means, but at least Governor Perry is willing to do something when the President is apparently willing to use any political capital to get a meaningful response from Washington, DC.

I would say that it is obvious to any fairminded observer that the status quo along the border is unacceptable and unsustainable. But the response of the majority leader appears to be: Let's just spend some more money on an emergency basis. But I dare to say that if the Senate were to spend $2.7 billion on an emergency basis now, we are going to be back at the end of the year doing it again. We are going to be back in 6 months doing it again. We are going to be back in another 6 months doing it again.

In other words, unless you are dealing with the source of the problem, we are going to continue to hemorrhage money to try to deal with this crisis when we should be all about deterring people from coming into our country when they have no realistic hope of being able to stay under our current laws.

As former Border Patrol Chief Ron Coburn recently reported: Not only has the Border Patrol's morale been lower than ever—we have Border Patrol who are being diverted from their law enforcement responsibilities in order to change diapers and to feed children. You can imagine what advantage the cartels and drug are taking when the Border Patrol is being relieved of their duties at the border and is busy trying to process these immigrant children through these various centers down here.

Well, they are having a field day. They are laughing at the Federal Government's ineptitude. Our current policies are emboldening transnational gangs, jeopardizing public safety, and making a mockery of United States sovereignty.

By contrast, the HUMANE Act that Congressman CUELLAR and I have offered would accelerate the removal of unauthorized migrants and have no valid basis for staying. It would give those who have a valid basis for staying a timely hearing in front of an immigration judge so they can make their case. And if they can make their case under current law, then they will be able to stay. But it would strongly deter and discourage illegal migration, and it would help restore something that is sorely needed, which is some order in the rule of law in a situation that is characterized now by sheer chaos.

Just to clarify, this isn't about comprehensive immigration reform. We still have a lot of work we need to do beyond this. This is what we can do now together on a bipartisan basis that needs to be done on a timely basis. It is a narrowly targeted measure designed to alleviate a national crisis—nothing more, nothing less. I would think that would be something we would all agree is worth doing.

I would point out that some of the cosponsors of the HUMANE Act include Members who voted for the Gang of 8 immigration bill coming out of the Senate. I urge the Senate to vote against it. So this is one of those rare points of bipartisanship and clarity as to what the problem is and what we need to do to fix it that is bringing people together on a bipartisan basis.

Our legislation transcends the typical left-right, Democratic-Republican immigration debate. It is a genuine bipartisan solution to a genuine emergency, and it deserves a vote. I hope the majority leader will reconsider his earlier position that all he wants us to do is write a blank check without any real reform.

The majority leader may not particularly like the legislation Congressman CUELLAR and I have introduced, but if he thinks about it, doesn't it make sense that he would offer something different, something he thinks maybe would be a better solution? I would be glad to take a look at it.

If you don't like our plan, fine. But I would also say that if you don't offer one and if you block a vote on sensible reforms, all you are doing is guaranteeing that the current border crisis will continue.

Again, I urge the President and the majority leader to come down to South Texas, like so many of our other colleagues have done, and take a look for themselves. The very least they could do is say thank you to the Border Patrol and other Federal officers, such as FEMA, who are trying to deal with this crisis. Unless we take action here in Washington, the problems are only going to get worse.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, I rise today to discuss the current bill before this body, the Bring Jobs Home Act.

At a time when Washington is stuck in political gridlock, I believe Democrats and Republicans should work together on policies that will create jobs not only in Nevada but, of course, across this country.

I have filed five amendments on policies I have been working on here in the House and the Senate that will spur natural resources jobs throughout the West, and I stand before this body today to urge action on what I consider to be commonsense proposals.

As the Presiding Officer knows, roughly 85 percent of the land in Nevada is controlled by the Federal Government. Other Western States range somewhere between 50 percent and 80 percent. This situation presents our local and State governments with a lot of unique challenges.

Our communities' economic vitality is directly tied to the way the Federal Government manages our Federal lands. As a result, one of my top priorities in the Senate is the implementation of reforms that streamline bureaucratic red tape that gets in the way of natural resources job creation.

I have five amendments I have filed to deal with public land issues that specifically directly affect rural Nevada and rural America. I encourage my colleagues across the aisle to work with me so we can consider my amendments and other job-related amendments. If given the opportunity, we could spur natural resources-related economic development across this country and especially across the West.

My first amendment, the Lyon County Economic Development and Conservation Act, is a Nevada-centric jobs bill which I have been focusing on for years. It allows for creation of hundreds of new jobs by streamlining the bureaucratic process, cutting red tape, and ensuring that the BLM reviews Federal Register notices in a timely manner.

The Lyon County Economic Development and Conservation Act could transform the local economy of the State of Nevada and is struggling the most during this current recession. The bill allows the city of Yerington to partner with Nevada Copper to develop roughly 12,500 acres of land surrounding the Nevada Copper Pumpkin Hollow project site. The intent of this legislation is economic growth, and the land purchased by the city will be used for mining activities, industrial and renewable energy development, recreation, and open space. Enactment of this legislation is the last obstacle in the way of the company moving forward in the creation of over 1,000 jobs.

For a rural county such as Lyon County, 1,000 jobs truly is a game changer.

My second amendment, the Public Lands Job Creation Act, will create jobs by streamlining the bureaucratic process, cutting red tape, and ensuring that the BLM reviews Federal Register notices in a timely manner.

The permitting and approval process for energy and mining projects on Federal lands takes several years, largely because of unnecessary delays, which costs businesses valuable time, resources, and jobs.

This amendment, which I have also introduced as stand-alone legislation, streamlines the process by holding these agencies accountable to work effectively and timely to limit the negative effects of bureaucratic delays. Specifically, if BLM does not review a Federal Register notice by 45 days, the notice will be considered disapproved and the State BLM office will immediately forward the notice to be published in the Federal Register. This type of work is basically the transfer of paperwork but a transfer that is consistently holding up important job-creating projects.

Earlier this year I facilitated a meeting between a local company going...
through the process to start a large hard rock mineral mine in Elko County and the local BLM to break this bureaucratic logjam. This mine will create hundreds of new jobs. While we were able to get the ball rolling in this particular instance—and I greatly appreciate the agency's work to move forward—it also shouldn't require congressional interaction to spur prompt action.

My legislation will provide certainty to our local job creators.

My amendment, the Public Lands Renewable Energy Development Act, is an initiative we have been working on for many years. This legislation is a strong bipartisan proposal that will help create jobs, progress toward energy independence, and preserve our Nation's natural wonders by spurring renewable energy development on public lands.

Energy is one of Nevada's greatest assets, and I believe continuing to develop and use alternative energy resources is important for Nevada's economic future. Geothermal and solar production in my State is a major part of the U.S. "all the above" energy strategy. In 2013 Nevada ranked second in the Nation for geothermal energy production and third for solar production. Eighteen percent of our total electricity generated came from renewable, compared to the national average of 13 percent.

Our Nation's public lands can play a critical role in that mission, but uncertainty in the permitting process impedes or delays our ability to harness the renewable energy potential. Under current law, permits for wind and solar development are completed under the same process for other surface uses, such as pipelines, roads, and power lines. The BLM and Forest Service need a permitting process tailored to the unique characteristics and impacts of renewable energy projects. My amendment will develop a straightforward process that will drive investment toward the highest quality renewable sources.

In addition, the legislation ensures a fair return for public lands communities. Since Federal lands are not taxable, State and local governments deserve a share of the revenues from the sales of energy production on public lands that are within their county or State borders. These resources will help local governments deliver critical services and develop much needed capital improvement projects—projects such as roadways, public safety, and, of course, law enforcement.

In my opinion, this proposal is a win-win situation. It is good for economic development while at the same time protecting the natural treasures out West that all of us value most.

My fourth amendment, the Energy Consumers Relief Act, gets the government out of the way of our private sector natural resources job creators.

Instead of advocating for policies that will put people back to work, this administration's EPA continues to develop rules that will increase Americans' utility bills, cause companies to lay off employees, and stifle economic growth.

My amendment will specifically require the EPA to be transparent when proposing and issuing energy-related regulations with an economic impact of more than $1 billion. Additionally, it prohibits the EPA from finalizing a rule if the Secretary of Energy, in consultation with other relevant agencies, determines that a rule will have significant adverse effects to the economy.

Finally, my final amendment, the Emergency Fuel Reduction Act, tackles a major problem many of our communities out West are facing right now; that is, catastrophic wildfires.

One of the greatest challenges facing our western forests and rangelands is the growing severity and length of the fire season. Nevada is one of a handful of Western States that keeps enduring recordbreaking fire seasons year after year. We are always going to have fires out West, but we must be proactive in treating our forests and rangelands so that we can reduce the size, the frequency, and the intensity of these forest fires.

My amendment streamlines the bureaucratic process for fire prevention projects, where a dangerous density of fuels threatens critical infrastructure such as power lines, schools, and water delivery canals, private property owners who live adjacent to Federal lands, and areas that threaten endangered species candidates such as the greater sage-grouse.

Every year I hear from ranchers who live in northern Nevada's rural counties, such as Humboldt County, where, through no fault of their own, fires on Federal lands spread onto their private property. The Federal agencies have prioritized proactive preventive work in these areas. My constituents should not have to suffer because the Federal Government is simply not doing their job to properly manage our own lands.

I think nearly everyone can agree on a commonsense proposal such as the Emergency Fuel Reduction Act.

If this body adopts my five amendments, Congress could go a long way toward spurring economic development and job creation within the mining, energy, tourism, timber, and outdoor recreational industries. These types of jobs are the bedrock of our Western way of life, and currently these fields are struggling the most under this administration's restrictive Federal land management policies. It is no coincidence that our western rural communities are suffering from unemployment rates well above the national average. Let's get the government off their backs and allow them to do what they do best; that is, provide jobs.

At a time when the American public continues to lose faith in Congress, I hope the Senate can put partisan politics aside and restore order to the traditional amendment process this deliberative body has been known for over time. We should break through the political gridlock and have an open amendment process in the Senate.

Mr. President, I yield the floor.
In 2009 Ms. Harris was named the executive director of the Supreme Court Institute at Georgetown, serving until 2010. Ms. Harris joined the Justice Department's Office of Legal Policy, where she served as Principal Deputy Assistant Attorney General until returning to Georgetown in 2012.

Ms. Harris is currently a visiting professor at Georgetown University Law Center and a senior advisor to the Supreme Court Institute.

It is not surprising that the American Bar Association has given her the highest rating of unanimously "well qualified." She has appeared as counsel or cocounsel in approximately 100 cases before the Federal courts of appeals and the U.S. Supreme Court. Her practice has been pretty evenly divided between criminal cases and civil cases.

When it comes to Supreme Court litigation, I must tell you I don't think Ms. Harris has an equal as far as her qualifications are concerned. She has represented the Supreme Court Institute at Georgetown which she supervises prepares litigants for the Supreme Court. In other words, she provides experience for those who are going to be before the Supreme Court and how to properly litigate these cases. She also takes them on a first-come, first-served basis. It is not ideological at all. It is to make sure the highest quality presentations are made in the highest court of our land so we get the best decisions made by the highest Court of our land, the Supreme Court of the United States. That is the type of person we need on our court of appeals.

As I know of a person whom I have interviewed who is more qualified to be an appellate court judge than Ms. Harris. She understands the different role of an advocate or someone writing an opinion or commentary column and a judge. I want to emphasize this. She is a person who brings—we all bring our views and our passion to life, but she understands what the judiciary is all about.

As the Ranking Member of the Judiciary Committee—and I serve on the Judiciary Committee and I am proud of my service—I thank Senator Leahy for his credible leadership. As you know, after the committee there are questions for the record that are submitted by the Senators. That is certainly true in Ms. Harris's case, and I have those answers here. I would like my colleagues to read these answers because I can imagine the White House going through all the legal cites that Ms. Harris gave in each of the answers to the questions our colleagues requested. It is one of the most thorough answers I have ever seen and thoroughly vetted by the Supreme Court decisions. I mention that because it is exactly why I believe what she has told us is what she will do. She understands the role of a judge in our system.

Quoting her answer: I fully recognize that the role of a judge is entirely different from the role of an advocate. If confirmed as a judge, my role would be to apply governing law and precedent impartially to the facts of a particular case.

Pam Harris went on to state:

It is inappropriate for any judge or Justice to base his or her decision on their personal views or on public opinion... If confirmed as a circuit judge, I would faithfully follow the mandate of the U.S. Supreme Court and the Fourth Circuit, applying the interpretive approaches and only the interpretive approaches used by those courts.

Don't take my word for it. Don't take her qualifications for it. Look at the record. Look at the letters that have been sent in support of Ms. Harris to the Judiciary Committee. There are numerous letters.

I will quote from one that was signed by more than 80 of her professional peers, and I will tell you it includes individuals who were appointed by Republican Presidents to key positions, including Gregory Garre, the former Solicitor General for George W. Bush, but it includes many in that category, and I am reading from that letter. This letter is part of the record. It was made part of the record in the Judiciary Committee.

I would ask unanimous consent it and another letter be printed in the RECORD.

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

JUNE 20, 2014

Re Nomination of Pamela Harris as Circuit Judge, United States Court of Appeals for the Fourth Circuit.

Hon. PATRICK J. LEAHY, Chairman.
Hon. CHUCK GRASSLEY, Ranking Member, U.S. Senate.
Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN LEAHY AND RANKING MEMBER GRASSLEY: We write in enthusiastic support of the nomination of Pamela Harris to the U.S. Court of Appeals for the Fourth Circuit. We are lawyers from diverse backgrounds and varying affiliations, but we are united in our admiration for Pam's skills as a lawyer and our respect for her integrity, her intellect, her judgment, and her fairness.

Many of us have had the opportunity to work with Pam on appellate matters. She has been co-counsel to some of us, opposing counsel to others, and a valuable colleague to all. In her appellate work, Pam has demonstrated extraordinary skill. She is a quick study, careful listener, and acute judge of legal arguments. Pam's clarity, candor, vigor, and responsiveness. Of equal importance, she has always conducted herself with consummate professionalism, grace, and collegiality, and has a humble and down-to-earth approach to her work.

After 20-plus years devoted largely to federal appellate practice, Pam is naturally suited to serve as a federal appellate judge. She clerked, first, on the United States Court of Appeals for Judge Harry Edwards and then on the U.S. Supreme Court for Associate Justice John Paul Stevens. In private practice, she represented a wide range of clients (both corporate and individual) before the U.S. Supreme Court and in the U.S. Courts of Appeals. She was Lecturer and Co-Director of the Supreme Court and Appellate Practice Clinic at Harvard Law School. She was then appointed as Executive Director of the highly regarded Supreme Court Institute at the Georgetown University Law Center, which is heavily involved in preparing advocates for their appearances before the United States Supreme Court. Pam has served as a Legal Deputy Assistant Attorney General in the Office of Legal Policy at the United States Department of Justice. And she has taught Constitutional Law and Criminal Procedure at the University of Pennsylvania and at Georgetown. Her well-rounded experience makes her well qualified as a federal appellate court. Pam's substantive knowledge, intellect, and low-key temperament will be great assets for the position for which she has been nominated.

We expect that the Senate, after full inquiry, will see the strengths we know from firsthand experience with Pam. Pamela Harris has exceptional legal savvy and personal character, and we urge the Senate to confirm her to be a Circuit Judge.

Sincerely,

Gregory G. Garre, Latham & Watkins LLP; Michael Kellogg, Kellogg, Huber, Hansen, Todd Evans & Figel, PLLC; Carter Phillips, Sidley Austin LLP; Scott H. Angstreich, Kellogg, Huber, Hansen, Todd, Evans & Figel, PLLC; Donald B. Ayer, Jones Day; Dori K. Bernstein, Georgetown University Law Center; Richard D. Bernstein, Wilkie, Farr & Gallagher, LLP; Rebecca A. Beynon, Kellogg, Huber, Hansen, Todd, Evans & Figel, PLLC; Lisa S. Blatt, Arndt & Porter LLP; Gill Bradbury, Dechert LLP; Henk Brands; Richard P. Bress, Latham & Watkins LLP; Caroline M. Brown, Covington & Burling LLP; D. Michael Finnegan, Henderson, Farabow, Garrett & Dunner LLP; Gregory A. Canalis, Adams, Moser, Charnes, Kilpatrick Townsend & Stockton LLP; David D. Cole, Georgetown University Law Center; Brendan J. Crimmings, Kellogg, Huber, Hansen, Todd, Evans & Figel, PLLC; Mark S. Davies, Orrick, Herrington & Sutcliffe LLP; Susan M. Davies, Kirkland & Ellis LLP; David T. Dameron & Block LLP; William S. Dodge, Hastings College of the Law; Scott M. Edson, O'Melveny & Myers LLP; Clifton S. Elgarten, Crowell & Moring LLP; Roy T. Englert, Jr., Robbins, Utter, Unterline & Sauber LLP; Mark L. Evans (retired), Kellogg, Huber, Hansen, Todd, Evans & Figel, PLLC; Bartow Farr; James A. Feldman, University of Pennsylvania Law School; David C. Geller, Kellogg, Huber, Hansen, Todd, Evans & Figel, PLLC; Paul Gewirtz, Yale Law School; Lauren R. Goldman, Mayer Brown LLP; Thomas C. Goldstein, Goldstein & Russell, P.C.; Irving L. Gornstein, Georgetown University Law Center; Jeffrey T. Green, Sidley Austin LLP; Joseph R. Guerra, Sidley Austin LLP; Jonathan Hacker, O'Melveny & Myers LLP; Mark E. Haddad, Sidney Austin LLP; Mark C. Hansen, Kellogg, Huber, Hansen, Todd, Evans & Figel, PLLC; Scott Blake Harris, Harris Wiltshire & Grannis LLP; Derek T. Ho, Kellogg, Huber, Hansen, Todd, Evans & Figel, PLLC; Paul J. Hertz, Jenner & Block LLP; Stephen B. Kinnard, Paul Hastings LLP; Wan J. Kim, Kellogg, Huber, Hansen, Todd, Evans & Figel, PLLC; Jeffrey A. Lamken, MotoloLamken LLP; Christopher Landau, Kirkland & Ellis LLP; Richard J. Levinson, Brooklyn Law School; Michael R. Lazerwitz, Cleary Gottlieb Steen & Hamilton LLP; William F. Lee, Wilmer Cutler Pickering Hale and Dorr LLP; Sunset T. Englert, Jr., Massey, Massey & Gail LLP; Brian R. Matsui, Morrison & Foerster LLP; Deanne E. Maynard,
Pam was also the primary author of an amicus brief on behalf of a bipartisan group of House members (Members Dingell and Tautilin were the lead amici) in defense of the constitutionality of the Federal Trade Commission's "do not call" rule. And in Schaeffer v. Weast, 546 U.S. 49 (2005), Pam authored an amicus brief in the United States Supreme Court supporting the Montgomery County, Maryland, public school system. The case arose under the Individuals with Disabilities Education Act and concerned the interpretation of federal case-based education programs" developed by public schools for each covered student. The Supreme Court agreed with Pam's position and ruled for the school district.

Appreciation for Pam's work extended beyond the firm's appellate practice and appellate clients. In particular, she sought out opportunities to partner with others to help those less able to afford an attorney. Pam was the principal author of well-written and important briefs on behalf of a range of clients. Pam and has witnessed firsthand her out- standing dedication to helping those less able to afford an attorney. Pam was the principal author of well-written and important briefs on behalf of a range of clients. Pam and has witnessed firsthand her outstanding dedication to helping those less able to afford an attorney.

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the nomination of Pamela Harris to serve on the U.S. Court of Appeals for the Fourth Circuit. She is a highly accomplished lawyer with excellent legal credentials and has the strong support of her home State Senators, Senator Mikulski and Senator Sasser. Her nomination is among the American Bar Association’s highest rating of unanimously “well qualified”.

Pam Harris is currently a visiting professor at my alma mater, George-town University Law Center. In her diverse career she has served in the Office of Legal Policy at the Department of Justice, as a partner in private practice, as a professor at University of Pennsylvania Law School, and the executive director of the Supreme Court Institute at Georgetown. After graduating from Yale Law School, she served as a law clerk to Judge Harry Edwards on the DC Circuit and Justice John Paul Stevens on the U.S. Supreme Court. She is beyond qualified—an excellent practitioner with background in both criminal and civil litigation and a command of the law that rivals that of any lawyer in the United States.

Some partisans have tried to misrepresent her statements in order to caricature her. This account of her record is simply unrecognizable to those individuals who actually know Pam Harris and who know that as a judge she would be committed to the rule of law, and that she has practiced with Pam Harris have written in support of her nomination, including many prominent Republicans who are respected in the legal community.

One letter, signed by more than 80 of her professional peers, including Gregory Garre, the former U.S. Solicitor General for President George W. Bush, reads, “We are lawyers from diverse backgrounds and varying affiliations, but we are united in our adoration for Pam’s skill, education, respect for her integrity, her intellect, her judgment, and her fair-mindedness.”

Another letter of support from a number of current and former partners at O’Melveny and Myers LLP, including A.B. Culvahouse, who served as White House Counsel during the Reagan administration, and Walter Dellinger, who served as Assistant Attorney General of the Office of Legal Counsel and U.S. Solicitor General during the Clinton administration, reads, “Although we may not all share Pam’s views on a range of legal and political issues, we are united in the belief that Pam possesses the intellect, fair-mindedness, humility, and fundamental decency to make an excellent federal judge.”

I ask that these and other letters of support received for Pam Harris’ nomination be printed in the Record.

Pam demonstrated her judicial philosophy at her nomination hearing she testified that “the role of a judge is to decide cases through impartial applica-

tion of law and precedent. It is a limited role . . . they decide the concrete disputes in front of them with attention to particular facts, attention to the arguments of the parties and their briefs, and by applying law and precedent to those facts.”

Both her testimony and the letters of support for her nomination demonstrate that Pam Harris has a clear understanding of the role of a judge and make clear her commitment to follow Supreme Court precedent and to uphold the Constitution. I believe Pam Harris will be an outstanding judge, and she has my full support. I urge all Senators to vote to end this filibuster and confirm Pam Harris to serve on the Fourth Circuit.

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

JUNE 20, 2014.

Hon. Patrick Leahy, Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

Hon. Charles Grassley, Ranking Member, Committee on the Judiciary, U.S. Senate, Washington, DC.

Dear Chairman Leahy and Ranking Mem-

ber Grassley: We write in strong support of the nomination of Pamela A. Harris to the United States Court of Appeals for the Fourth Circuit and urge prompt consideration and confirmation of her nomination.

As her classmates in the Yale Law School Class of 1990, we have known Pam for more than 25 years. We all believe that Pam would be a tremendous asset to the appellate bench.

In law school, Pam stood out for her keen intellect, her grasp of legal issues, her intellectual curiosity, her integrity and her fair-mindedness. Because of those qualities, Pam was often able to forge bonds and build consensus among classmates with very different views.

Many of us have kept in touch with Pam since law school and are familiar with her outstanding legal career. Pam’s breadth of experience makes her exceptionally well-suited to serve on the federal appeals court. After law school, Pam clerked for two distinguished jurists, Judge Harry T. Edwards of the United States Court of Appeals for the Fifth Circuit, and Justice John Paul Stevens of the United States Supreme Court. Since then, Pam has served in the United States Department of Justice, represented businesses and other clients in private practice, taught such subjects as constitutional law and appellate practice as a law professor, and served on the boards of directors of both national and local legal and educational organizations.

Of particular relevance to the Court of Appeals is Pam’s long experience as an expert in appellate advocacy, having served as Executive Director of the Georgetown Law Center’s Supreme Court Institute and Co-Director of Harvard Law’s Supreme Court and Appellate Practice Clinic.

Pam has devoted a significant portion of her career to pro bono work. She has represented numerous, nonprofit and public interest organizations as well as individuals. Pam served as Co-Chair of the Amicus Committee of the National Association of Criminal Defense Lawyers, and she established a pro bono program at the law firm O’Melveny & Myers, focusing on Maryland cases, where she handled cases herself and supervised and mentored law students and junior lawyers throughout her career. She received a prestigious legal

teaching award at the University of Pennsylvania Law School and has been recognized as a popular and highly respected professor at Penn, Georgetown and Harvard Law Schools. Pam grew up in Bethesda, Maryland, and graduated at the top of her class from Whitman High School there. For the last 15 years, Pam and her family have lived in Potomac, Maryland, just a few miles away from her childhood home. Pam is as invested in her community as she is in appellate practice, serving in roles that range from membership on the Board of Trustees at Norfolk School to “cookie mom” for her daughter’s Girl Scout troop.

We believe Pam to be exceptionally well-qualified and well-suited to serve on the Fourth Circuit Court of Appeals. We urge the Judiciary Committee and the full Senate to promptly review and confirm Pamela Harris for a position on that Court.

Please do not hesitate to contact any of us if you have any questions.

Sincerely,

(SIGNED BY 82 INDIVIDUALS)

National Women’s Law Center  

Re: Nomination of Pamela A. Harris for the United States Court of Appeals for the Fourth Circuit

Senator Patrick Leahy,  
Chairman, U.S. Senate Committee on  
the Judiciary, Washington, DC.

Senator Charles Grassley,  
Ranking Member, U.S. Senate  
Committee on the Judiciary, Washington, DC.

Dear Senators Leahy and Grassley: on behalf of the National Women’s Law Center (the “Center”), an organization that has worked since 1972 to advance and protect women’s legal rights, we write in strong support of the nomination of Pamela Harris to the United States Court of Appeals for the Fourth Circuit.

Ms. Harris is exceedingly well-qualified to serve on this important court. She graduated from Yale College and Yale Law School. She clerked for Judge Harry T. Edwards on the United States Court of Appeals for the District of Columbia Circuit, and for Associate Justice John Paul Stevens on the United States Supreme Court. Pam’s service on the Board of Trustees at the Georgetown University Law Center as the Executive Director of the Georgetown Law Center as the Executive Director of the Supreme Court Institute. In 2010, she became the Principal Deputy to the Assistant Attorney General in the Office of Legal Policy at the United States Department of Justice. She rejoined the Georgetown faculty as a visiting professor of law in 2012.

Ms. Harris’ legal career reflecting excellence, a dedication to public service, and the best contributions of the legal profession to the public interest. During her career, Ms. Harris has argued in over 100 federal appellate cases, and argued before the Supreme Court. This record reflects her considerable experience, and the brilliant advocacy for which she is known. She is the last to honing her skills as an exceptionally talented litigator in the private sector, Ms.
Ms. Harris has spent a good part of her career in private practice, public service, and academia. Ms. Harris has served on the boards of directors of several nonprofit organizations, including the Norwood School in Potomac, Maryland. Ms. Harris’ many accomplishments are reflected by the unanimous “Well-Qualified” rating she received from the ABA Standing Committee on the Federal Judiciary. The Center has had several opportunities to work with Ms. Harris. In particular, Ms. Harris served as co-counsel with the Center in representing Frederick Jackson before the Supreme Court in 2005, in Jackson v. Birmingham Bd. of Ed., 544 U.S. 167 (2005). Mr. Jackson was a teacher and girls’ basketball coach at Birmingham, Alabama. He described practice and game conditions for the girls’ team that were inferior to those provided, and complained to school administrators. He was fired as a coach after doing so, costing him his coaching salary and full retirement. Ms. Harris was part of the team that litigated his case before the Supreme Court, successfully arguing that Title IX provided a cause of action for retaliation for those seeking to secure compliance with the law. Working with Ms. Harris in Jackson allows us to personally attest to her outstanding legal skills, judgment, and analytical thinking, as well as to her excellent temperament and collegiality.

Ms. Harris’ litigation experience, commitment to improving the administration of justice, and dedication to the public interest make her well-suited for the position to which she has been nominated. In addition, Ms. Harris’ confirmation would increase the diversity on the Fourth Circuit, making her only the sixth female judge to serve on a court as important as the Fourth Circuit. At every stage in her career, Ms. Harris has demonstrated an unwavering integrity and ready to serve on the court. In addition, Ms. Harris has a mature and able lawyer with significant experience in practice, no small part of which consisted of high-quality advocacy for business enterprises. Beyond that, she continues a fundamental deficiency, without which her impressive academic credentials and professional skills would be for naught. I have no doubt that she would bring to the important charitable law firm, and on the Supreme Court of Appeals for the Fourth Circuit, where she was the Executive Director of the Supreme Court Institute, a unique and respected project dedicated to improving advocacy before the Supreme Court.

In sum, I believe that Ms. Harris is an ideal candidate for an appellate court judge. As her academic credentials demonstrate, she has a first-rate intellect. Equally important, she is a mature and able lawyer with significant experience in practice, no small part of which consisted of high-quality advocacy for business enterprises. Beyond that, she continues a fundamental deficiency, without which her impressive academic credentials and professional skills would be for naught. I have no doubt that she would bring to the important charitable law firm, and on the Supreme Court of Appeals for the Fourth Circuit, where she was the Executive Director of the Supreme Court Institute, a unique and respected project dedicated to improving advocacy before the Supreme Court.

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Hon. PATRICK LEAHY,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

Hon. CHARLES GRASSLEY,
Ranking Member, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY AND RANKING MEMBER GRASSLEY: We are writing on behalf of Constitutional Accountability Center, other think tanks, law firms, and action centers dedicated to the Constitution’s text and history, to urge that Pamela Harris be reported favorably by the Committee and advanced promptly to the United States Court of Appeals for the Fourth Circuit.

Pam is one of the country’s leading appellate advocates. Her exceptional qualifications to serve as a federal judge are well known to us, as Pam has been a member of CAC’s Board of Directors since 2012. After growing up in Maryland, Pam graduated magna cum laude from Yale Law School. She then held two prestigious clerkships, first for Judge H.R. Hughes on the D.C. Circuit and then to Justice John Paul Stevens on the Supreme Court. Following her clerkships, Pam’s legal career has included broad experience in private practice, government service, and teaching. Among other things, Pam has served as the Principal Deputy Attorney General of the United States, the Office of Legal Policy at the Department of Justice and practiced as a partner at O’Melveny & Myers, where she focused on Supreme Court and appellate litigation.

Throughout her career, Pam has dedicated herself to improving the quality of appellate advocacy before our courts, believing that the court is best served when the advocates on both sides of a case present the strongest possible arguments. Pam is currently a Visiting Professor at Georgetown University Law Center, where, in addition to teaching the next generation of lawyers, she has also served as the Executive Director of the Supreme Court Institute, working to prepare counsel for oral argument before our Nation’s highest court. The Institute’s “ moot court” services are provided without charge, as a public service, on a first-come, first-served basis (the Institute will generally “moot” only one side of a case), and without regard to the nature of the controversy. Pam has been involved in advising the clerk and advocates when the advocates present both sides of a case in a compelling manner.

In her testimony before this Committee on June 24, Pam demonstrated that she understands clearly the difference between the roles she has played in her career as an advocate representing clients and as an academic and an expert witness in court. Indeed, the new role she would take on if confirmed as a judge. In particular, pointing among other things to her work in creating the Supreme Court Institute on an entirely nonpartisan basis,” Pam testified that “I have never let any personal views I have, political views I may have, affect the discharge of my professional responsibilities. And I would not do that if I were confirmed as a judge.

In sum, Pam Harris clearly has the qualifications, experience, intellect and temperament to serve with great distinction on the Fourth Circuit. We urge every Senator to support her confirmation.

Respectfully,

DOUGLAS T. KENDALL, President.
JUDITH E. SCHERRER, Vice President.

With that, I would yield the floor.

THE PRESIDING OFFICER (Ms. BALDWIN). The Senator from Iowa.

Mr. GRASSLEY. Madam President, I just want to say I think we have the American Constitution Society in the forefront of those discussions in many years. So how exactly did the pre-nomination Professor Harris view the sources of constitutional meaning? Here is a statement she made before the American Constitution Society in 2008:

I just don’t think that any account of the Constitution that even seems to privilege the Constitution as it was originally ratified is consistent with the way we should think about the Constitution. Yes, the values, the principles, on some level of generality, are there at the beginning, but they take their meaning—and they should take their meaning—what comes out of them.

We should pause for a moment because she said a lot in that quote. For example, we hear how the professor rejects out of hand the idea that the Constitution as originally ratified should guide its interpretation. Instead she sees only ambiguous principles. Those principles, according to the professor, are more or less empty and meaningless by themselves. That is because those principles, as she formulates them, take their meaning primarily from subsequent developments. So for the professor goes on to specify exactly what subsequent developments she is talking about.
She explains that her interpretive “source of legitimacy most particularly,” is “what the People do” at what she calls “critical junctures,” including “the civil rights movement, the women’s movement, the gay rights movement.” When asked to take a look at Professor Harris, these movements “reconstitute what it is we’re talking about when we talk about American constitutional tradition, when we say words like equality and liberty, when we change what they mean.”

We need to pause and unpack that statement. First, the professor explicitly identifies for herself “a source of legitimacy” to be used in constitutional interpretation. That source of legitimacy is not the Constitution’s text, nor its structure, nor its history, nor its original intent, nor any other established interpretive method. It is something outside the law altogether, and that happens to be social and political movements.

I will put it this way: They are the social and political movements that Professor Harris chooses for inspiration. They are the social and political movements Professor Harris has decided to raise all the way to constitutional status. It is these extralegal sources that she says change the scope of the Constitution’s guarantees of equality and liberty.

I am sure you are going to say this sounds as though I am making it up, but the professor said, “We change what they mean.” Who is the “we” the professor is talking about? I suspect it is the people in social movements that Professor Harris finds particularly inspirational. I suspect it is also the people who share her view that the Constitution’s original guarantees are merely empty vessels which can be filled with whatever political or social ideas a judge might privilege,” as the professor puts it.

In other contexts, Professor Harris has decided to raise all the way to constitutional status Professor Harris viewed her beliefs and the Constitution embodies the nominee’s personal political philosophy, but that is exactly what Professor Harris does in that statement.

Think about how she put it: The Constitution is pretty much where she is as a liberal. It is almost in sync with her views. That was a crystal-clear explanation of how the pre-nomination Professor Harris viewed her beliefs and the Constitution.

But what does the post-nomination Professor Harris have to say? At her hearing, she told our Judiciary Committee: I do not believe that it is the view of a judge ever to import his or her personal values into judicial decisionmaking.

Again, the post-nomination statement is strikingly at odds with the pre-nomination views. Or, perhaps we should actually think about Professor Harris in the democratic process. Now, what I am told a gathering of the American Constitution Society about that issue in 2009: I always feel unapologetically, you know, left to my own devices, my own best reading of the Constitution. It’s pretty close to where I am.

Professor Harris because there is absolutely no principled or objective way of making that kind of a decision. It is certainly not a legal decision. It happens to be a matter of personal preference.

What else can we take away from that? Well, we also learned that Professor Harris is definitely not an originalist. She literally says: “I’m not an originalist.” I want you to keep that in mind because what I have to say shows how quickly she can change her views.

Let’s turn now to what the post-nomination professor thinks about constitutional interpretation. As I said before, the contrast is so striking that it is almost as if we are dealing with two different nominees for the single seat on the Fourth Circuit. Does the post-nomination professor still think constitutional principles change with the times?

In a response to my question for the record, Professor Harris wrote: I do not believe that the Constitution’s provisions and principles change or evolve, other than by the amendment process in Article V. They are fixed and enduring and judges are not to change them by incorporating public preferences or their own policy views.

That is astounding. It is like a night-and-day difference with the judicial philosophy I have previously quoted from the pre-nomination Professor Harris, and it is totally incompatible with the philosophy which Professor Harris has developed over the decades. Now we suddenly hear that the professor believes in unchanging and permanent constitutional principles and in fixed—dare I say eternal—principles that cannot be changed except by an Article V amendment.

All of a sudden there are no more social movements. All of a sudden there are no more “critical junctures.” All of a sudden there is no more “what the people do.” All of a sudden there is no more “privileging” or “reconstituting”—those are her words. So no more “privileging” or “reconstituting” of constitutional provisions and principles change or evolve, other than by the amendment process in Article V. That is a massive sea-change. That was a crystal-clear explanation of how the pre-nomination Professor Harris viewed her beliefs and the Constitution.

What about the professor’s views on a particular judicial philosophy? Re-read earlier her views on criticism of originalism and her assertion that she is definitely not an originalist.

That happens to be out the window as well. Here is her post-nomination testimony: “I do not reject originalism as an interpretive method.”
Those are just a few of the contradictory quotes from the pre- and post-nomination Professor Harris which strikingly illustrate almost unbelievable inconsistencies in her judicial philosophy and understanding of constitutional law.

The quotations also point to issues that are deeply troubling about this nominee, and I'll discuss a few of them. First, this nominee has made many statements suggesting that if confirmed, she would move the courts leftward to suit her ideological preferences.

For example, in discussing the Warren Court, the professor said she wondered “whether we almost have, by now, a stunted sense of what the legal choices really are, what really is a liberal legal outcome.” Just listen to that phrasing again: “liberal legal outcome.” Is there any doubt this nominee views the courts as simply a third political branch? I will quote again:

If Chief Justice Warren came out a certain way, that must be as liberal as it gets. That’s not right! I think that we’ve stunted the spectrum of legal thought in a way that removes the possibility that there could have been more progressive readings of the Fourth Amendment and the Fifth Amendment.

It seems Professor Harris doesn’t think the Warren court was nearly liberal enough. That is a fairly astonishing view in itself.

I often hear liberals and some of our nominees talk about the so-called living Constitution. Well, it is clear to me this nominee sees not a living Constitution but a profoundly political Constitution. She said so herself. She sees judges as proxies engaged in a tug-of-war who use judicial power as an instrument of political control. Her statements, as I explained a few minutes ago, also are a clear indication of her belief that the role of a judge is to be a “sympathetic vote for liberal causes.”

The other side dismissed the notion that the rules change was designed to tilt the court in the President’s direction and against the public. Well, as we all know, a three-judge panel of the DC Circuit decided the Halbig case this week against the administration, and it only took the administration about an hour to announce that it would seek a rehearing by the en banc DC Circuit, which now includes four of the President’s nominees.

As we all know, our distinguished majority leader rushed through three of those four nominees immediately after the rules change. And yesterday the distinguished majority leader finally admitted that the upcoming en banc panel on the Halbig ruling vindicated his decision to go nuclear. He said, “I think if you look at simple math, it does.”

So the distinguished majority leader isn’t even trying to disguise his intent, and that is exactly what happened with this nominee on her way to the Fourth Circuit.

This nomination is being considered ahead of other circuit nominees on the executive calendar. Why is this Fourth Circuit nomination being fast-tracked? Why fast-track one of the most liberal nominees we have considered to date? If history is any guide, the answer is a simple one: saving ObamaCare. The other side wants to stack the Fourth Circuit just like the DC Circuit, because the Fourth Circuit hears a disproportionate number of significant cases involving Federal law and regulations, as does the DC Circuit.

So my colleagues should understand a vote for this nominee is also a solid vote for the Affordable Care Act as the cases make their way through the court.

I am voting “no” on this nominee and I urge my colleagues to do the same. I yield the floor.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I ask unanimous consent that withstanding rule XXII, following the closure vote on Executive Calendar No. 777, Disbrow, the Senate consider and vote on calendar No. 919, Mendez; No. 920, Rogoff; and No. 921, Andrews; further, that at a time to be determined by me, in consultation with Senator Mcconnell, on Monday, July 28, the Senate consider Calendar Nos. 915, Kaye; 916, Kaye; 913, Mohorovic; and 744 McKeon; that there be 2 minutes for debate equally divided between the two leaders or their designees prior to each vote; that upon the filing back of time the Senate proceed to vote without intervening action or debate on the nominations; further, if any nomination is confirmed, the motion to reconsider be considered made aloud upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate’s action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. For the information of all Senators, we expect nominations considered today to be confirmed by voice vote.

The PRESIDING OFFICER. The Senator from Washington.

WASHINGTON WILDFIRES

Mrs. MURRAY. Madam President, I come to the floor today to speak for a few minutes about the absolutely devastating wildfires currently burning through the farms, communities, and public lands of our home State of Washington.

As a lifelong resident of Washington State and the Pacific Northwest, I have always been aware of the annual risks and dangers that wildfires pose to our region. Every summer, a combination of rising temperatures, months of dry weather, and our State’s obvious abundance of forest and fields have resulted in wildfires capable of threatening homes and businesses across our State. Each summer we have worked to become better and better prepared to help protect our communities.

But one wildfire burning this year is the single largest we have seen in Washington State. Since last Tuesday, massive wildfires covering hundreds of thousands of acres have ravaged our farm lands, our agricultural areas, our cherished public lands, and most importantly, communities throughout Chelan County, Okanogan County, and others across eastern Washington.
I have talked about a massive wave of fires that has burned an area now four times the size of Seattle, which is our State’s largest city. Even for those of us who have lived our entire lives with the reality of wildfires, this is unprecedented. So while I am here in what we call “the other Washington,” today, my heart, my thoughts, and my prayers are in Central and Eastern Washington. Even here on the Senate floor, I can’t help but think of the firefighters and first responders and every one who is working 12-hour shifts to protect their communities. Most of all, I can’t stop thinking about the families who lost their homes and all they own to this horrific disaster.

There are Governors from all over the political spectrum—liberal Democrats, to moderate Democrats, to moderates, to Republicans—so there are Governors out there from Neil Abercrombie of Hawaii, to Governor Paul LePage of Maine, who want to get this important tool reauthorized. Even though they are from many different spectrums, they see that this creates jobs in their State.

I would like to point out that nine of those signatures come from Republican Governors, plus five Republican Governors sent their own letter. So that is 14 Republican Governors who joined a chorus of voices in the legislative body to make sure we are doing what is right for the economy and renew this tool for the important Export-Import Bank.

I wish to point out from the letter that it basically says that without the financing, U.S. firms would have lost sales to overseas competitors, so I think the Governors are trying to tell us. They are stewards in their States of jobs and the economy, and they are very concerned about the Export-Import Bank. So we want to make sure we continue to listen to those Governors and get their help in making sure their Members of Congress from their individual States support this legislation.

I thank the individuals who have helped their neighbors no matter what it takes. There is a huge spirit alive in the Okanogan people who are working very hard to make sure they are also contributing. They have a great deal of self-reliance, spirit, and they want to make sure that, as FEMA and others are moving in, they are also responsible in helping with fighting the fires and to work to make sure as many people as possible in the community can be saved from this devastation.

We are hearing many moving stories of Washingtonians donating their time, volunteering goods, things everybody in the community needs.

So I thank the people of Washington and particularly in the central part of the State for everything they are doing to help battle this fire.
They also are talking to thousands of small business owners who are saying that failing to reauthorize the Export-Import Bank would lead to fewer exports and a loss of jobs in all 50 States. They are out there trying to make sure they are drumming up support in the congressional delegations throughout the States. That is because trade is a critically important aspect to our economy.

I just talked to one of my colleagues today who was telling me how much their State was recovering, but the areas where they were doing the most exports, their State was really growing—that particular part.

In 2013, U.S. exports reached $2.3 trillion in goods and services. So exports across the Nation that are attributable to the Ex-Im Bank support about $37 billion worth of U.S. exports and about 205,000 related jobs. So you can see that the Export-Import Bank is a vital tool to creating jobs in our U.S. economy, and it does all of this returning $1 billion to the Federal Treasury. To me, it is a win-win for taxpayers and it is a good asset for jobs. As I said, it is 205,000 export-related jobs and $37 billion in exports. That supports over 2,000 small businesses throughout our country, actually the impact of businesses that are exporting with the help of the Export-Import Bank. I say that because there are so many more people who are involved in the supply chain, and we talked about that last week.

I would like to address one issue today that I hear about from a lot of colleagues: Well, isn’t this just something the private sector can do?

I guarantee you, if the private sector could just do it and would do it, we would be very happy. I am here to debunk that myth. In fact, in the words of the private sector, it is all about them needing the help of the bank to actually make deals work. Anyone who thinks they know what they are talking about, I want to make sure they understand.

First and foremost, in the bank’s charter, it prohibits them from competing with private financing and requires that all financing have a reasonable chance of repayment. So literally in the bank’s charter it says they are not there to compete with these banks. Yet I hear so many times my colleagues on the other side trying to say: Oh, well this is just something that we, the government, should not be involved in.

I just pointed out that we actually make money off of it. So that part is really good for us because it helps us pay down the Federal deficit. And I just mentioned how banks want to partner with this credit agency because it helps them, but it is actually in their charter that it prohibits them from doing so. Specifically, the charter says, in section 2, that the bank should “supplement, not compete with, private capital” — “not compete with, private capital.” So there it is in their own charter, exactly how they are supposed to operate. So this is not a bank that is somehow competing with banks across America. They are partnering with financial institutions that see risks in overseas markets that they think are undeveloped and do not have the banking and financialization organizations to help get these things done, and so they want to partner with the Export-Import Bank.

It is helping businesses all across our country. In fact, 90 percent of the Export-Import Bank transactions were involved with banks throughout 2013. So it is not taking business away from them; it is actually helping businesses throughout our country.

The Export-Import Bank is a leading indicator for U.S. companies in how to get business done in these developing markets, and it is often in the national and local banking interest to have a partner such as this because they see deals and opportunities that come through these banks and the deal gets done. I know there are banks—the President’s major banks in parts of the Midwest, KeyBank—and others have talked to me about how important it is because they have home-grown businesses that compete to them, and they see the opportunity but they also see the risk, and having this credit agency be a partner with that local bank helps them secure the deal.

As we look at this chart, it basically shows that 98 percent of the Ex-Im Bank transactions are involving commercial banks. So, again, there is this notion that somehow this bank is competing with the private sector when, in fact, it is basically prohibited in their charter, and 98 percent of the deals are actually done with an individual bank, which shows that this is really a tool for our commercial banking.

So these are banks everywhere, from the Alaska Commercial Fishing and Agricultural Bank in Anchorage, to the Wallis State Bank in Texas, as well as national banks such as Wells Fargo and others. So they find it a very viable tool and something that is important to do.

According to a recent statement by the Bankers Association for Finance and Trade and the Financial Services Roundtable, the Export-Import Bank of the United States plays a critical role “in international trade and US job creation by providing financing for products that help fill gaps in trade financing otherwise not provided by the private sector.”

So we are hearing from these individual banks that are saying this and basically articulating that this is a tool. In fact, one CEO, John Stumpf from Wells Fargo, recently talked about his work with a company called Air Tractor. Air Tractor is a Texas company that manufactures agricultural aircraft, with 50 percent of its products going to those emerging markets. I said how important it was that the Export-Import Bank—I am going to quote him: Air Tractor would not be where they are today without the Export-Import Bank and there are certain things that would not have been done without them.

I want to go back to the fact that the banking industry really does believe the Export-Import Bank is a necessary tool to keep the Ex-Im Bank remains a vital partner for the lending community,” according to the bankers association. I think this shows there are people who are just not educated on the structure of the bank, how it works, how important it is to be an important tool for us. I want to make sure we understand why the private sector cannot do these loans.

If people understand how the bank works, some still want to come back and say: Well, they still should be doing it themselves. I want to go to one chart that basically shows some of the challenges bankers face when they are dealing with this. They face bank balance sheet limitations; they face the added risk of exporting to foreign markets, which can be challenging at best. And they have the lack of the financial sector presence in those emerging markets.

So as to all of those things, if you are, as I just mentioned, one of these banks—from the Wallis State Bank in Texas to the Alaska Commercial Fishing and Agricultural Bank—you can see that their exports are going to be able to go out and assess all these international marketplaces and assess whether that end customer is going to be able to continue to pay on the life of this purchase. No. This bank is not figuring out how to do that. They are just turning this business down.

Yet we have a U.S. manufacturer that has figured out a great product, figured out how to make it, figured out how to get customers overseas, figured out how to compete with international competitors, and we have people here strangling the one tool they need—the credit agency that helps the local bank in their community finance the deal.

So I just want to say I hope we resolve this issue with the Export-Import Bank. I hope our colleagues on both sides of the aisle can come to terms with the amendments that are necessary to move this bill to the Senate floor. I know last time we had a similar debate and a lot of discussion, but in the end there were about 79 votes for the Export-Import Bank.

I guess I would ask all of my colleagues now to think about our economy and how much U.S. manufacturers need to sell in overseas markets. We are achieving an unbelievable growth in the middle class around the globe. It is going to double in the next 15 years. That is 2.7 billion more middle-class
consumers who could buy U.S. products and U.S. services, but they will not if we hamstring the export-import credit agencies that help support banks in the financing of U.S. manufacturers' goods sold overseas.

I hope my colleagues will help us get this bill to the floor, get it reauthorized, and not for a short term, not for 3 months, not for more mischief to be had, but to give predictability and certainty to people who are actually growing jobs in the United States of America, our manufacturers.

**UNANIMOUS CONSENT AGREEMENT EXECUTIVE CALENDAR**

Madam President, I ask unanimous consent that the confirmation votes on Mendez, Rogoff, and Andrews occur following the vote to confirm the Disbrook nomination, and with all other provisions of the previous order remaining in effect.

**THE PRESIDING OFFICER (Ms. HIRONO.)** Without objection, it is so ordered.

The Senator from Virginia.

**EXPORT-IMPORT BANK**

Mr. KAIN. Madam President, I have got a deal for you: Let's create American jobs, let's help American businesses abroad, and do it at no cost to the American taxpayer. I rise to speak about exactly the point. Chairwoman CANTWELL just spoke about, the chairwoman of our Small Business Committee, the importance of the Export-Import Bank, so we can create American jobs.

It is an independent, self-sustaining Federal governmental agency. It is one of the most important tools that U.S. companies have to boost exports to all the countries and all the customers abroad who want high-quality products produced in the United States. The bank assumes country and credit risks, and it is at no cost to the American taxpayer. Chairwoman CANTWELL did a good job of explaining the bank, and what it does. I will just spend a few minutes on that.

WELL did a good job of explaining the importance of the Export-Import Bank, and they are critical in helping exports. Without the Export-Import Bank financing and would have to service the majority of its international business and Orbital does the same. This neutralizes the advantage that our competitors have when it comes to competition.

This commercial business that Orbital has is faced with significant competition from European satellite manufacturers, ESA/Alenia, and France's Thales and a German company called Airbus. So Orbital relies on the Export-Import Bank to level the playing field. These European manufacturers get assistance from their governments to go out and compete for this commercial business and Orbital does the same. This neutralizes the advantage that European governments try to give to their satellite industry. In the last few years, since 2012, Orbital has produced 38 satellites. Six of them relied on Export-Import Bank financing and would not have been possible if the back-stop the Ex-Im Bank provides. For every commercial satellite that Orbital builds, 300 jobs are supported, direct and indirect, within the company, and then there is a supply chain, with suppliers across the country. There are an additional 300 jobs in other supply chains. So the story of Orbital, manufacturing rockets and satellites, is illustrative of the contribution the Export-Import Bank makes to U.S. small and medium-sized aerospace companies.

Let's switch from rockets and talk about apples for a minute. Turkey Knob, who do not have a large international office or large international export offices around the globe. Without Ex-Im credit insurance, Turkey Knob would export less and their exports would be exposed to more risk, more potential liability.

Additionally, with the credit insurance program, small exporters are able to build these deals so they can build long-term relationships and expand business that otherwise would not be possible.

We want importers abroad to buy Virginia apples. We think our apples are every bit as good as Washington State's or any other State's apples. We are proud to market them, and other products from Virginia as well, especially at a time when the economy needs to be stronger. We would not be able to find those clients for growers such as Turkey Knob without the Ex-Im Bank.

Compressors. Bristol Compressors in Bristol, VA, right on the border with Tennessee in the State's far southwestern corner. This is a manufacturing company, very cutting edge. They design and manufacture compressors for residential and commercial applications—air-conditioning, heat-recovery systems. It is one of the largest compressor manufacturers in the world. They also serve manufacturers and distributors across six continents. I think Antarctica may be the exception. They have enough air conditioning there.

But Bristol has worked directly and indirectly with the Ex-Im Bank through their credit lenders for many years. Bristol would not be able to service the majority of its international business without the support of the Ex-Im Bank. I have been to this company. It is a part of the State that needs more jobs, not less. Without the Ex-Im Bank, they would not be able to service their customers on six continents.

Bristol has told us that without the support, at risk, which would have a negative impact on the local economy. We want to promote American manufacturing, not shrink it.

Let's switch to paper. Eagle Paper International in Virginia Beach. This is an international paper manufacturer and distributor, been around since 1988.
Virginia Beach is an important place, because we have an active port in Virginia Beach, one of the busiest ports on the east coast of the United States. So it is a great place to find exports and ship exports from.

Eagle Paper has succeeded in its 25 years in business in exporting paper worldwide. Eagle has told us very plainly:

- Ex-Im is a crucial part of our business. Without the export credit insurance we would not support the customer base that we currently have. Without this customer base our sales would decrease and in turn we would have to eliminate employees in order to keep our business up and running.

- Not often do we have such no-brainers present themselves on the floor. I will end where I started: Let’s create American jobs. Let’s help businesses find customers around the world. Let’s do it at no cost to the American taxpayer. We do not make general fund applications to the Ex-Im Bank because their charges to the customers for the services they provide. Not only do they break even, they actually raised $2 billion above the loans they made in the last few years, which they then used to make more loans to more American businesses to create more jobs.

I have been heartened to see 50-plus months of private sector job growth. I know the Presiding Officer has as well. But we also know we are not where we need to be yet. GDP needs to be higher. More jobs need to be created. We need to create more skilled workers to fill those jobs. The Ex-Im Bank is one of the best tools we have to help move the economy forward. If it did not exist, we would have to create it. The good news is, it does exist. All we have to do is vote to reauthorize it before September 30.

It is my hope that my colleagues on both sides of the aisle and in both Houses will join in this very important and completely logical mission.

I suggest the absence of a quorum.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. THUNE. Madam President, I rise today to speak in opposition to the legislation pending before the Senate, the so-called Bringing Jobs Home Act. I oppose this bill because it is a political stunt designed as an election-year campaign ploy that will have no meaningful impact on job creation or on economic growth. In fact, this bill is a carbon copy of a bill the Senate rejected 2 years ago when it was offered by another Democratic Senator who just happened to be up for re-election.

Simply put, if there is a Democratic bill on the Senate floor supposedly about outsourcing, you can rest assured it must be election season. The bill before us purports to deal with the problem of companies relocating jobs from the United States to foreign countries by denying the deduction associated with doing so. This must be the tax benefit that does not matter most that we heard so much about from the Obama campaign in 2008 and again in 2012.

There is only one problem with repealing this special tax break for companies that ship jobs overseas. It does not exist. According to the Joint Committee on Taxation, “Under present law, there are no targeted tax credits or disallowances of deductions related to relocating business units inside or outside the United States.”

This statement is not surprising, given that numerous independent fact checkers disputed the repeated claims in 2008 that companies were receiving tax breaks for shipping jobs overseas. These fact checkers called that statement “false” and “misleading.” But I guess that when it is an election year, anything goes. What this bill will do is insert yet more complexity and uncertainty into our Tax Code.

The reality is the United States economy is a $17 trillion enterprise, with businesses all across this country constantly closing old operations and opening new ones. If this bill becomes law, companies that might want to close an old factory or open a new one might do so if they knew they would have to pay a tax penalty, even if their decisions are totally unrelated to any business decisions they might make outside of the United States.

The legislation also includes a new tax credit for companies that eliminate a business operation in a foreign country and move that operation to the United States. Well, that sounds like a good idea. But consider how this would tilt the playing field against companies here in America that have not opened operations overseas. A purely domestic company that opens a new factory in my State of South Dakota will not get a Federal tax credit for doing so, but a global company with jobs overseas will get a generous credit under this bill.

Consider what a coalition of leading business organizations made up of the Business Roundtable, the Information Technology Industry Council, the National Association of Manufacturers, the National Foreign Trade Council, and the U.S. Chamber of Commerce had to say recently in a letter regarding the legislation that is pending before us:

- "Many of the major business organizations in this country said:
  - While intended to promote U.S. job creation, the legislation actually would have the unintended consequence of making it even more difficult for American worldwide companies to compete at home and in world markets, thereby placing at risk jobs of American workers.

This is a letter from some of the major business organizations in this country.

If we want greater economic growth and more jobs, we need a Tax Code that creates a level playing field, not one that picks winners and losers based on the preferences of Members of Congress.

Even if we were to assume that a new tax credit for it would be a good thing, the official estimate of the bill from the Joint Committee on Taxation tells us that this particular tax credit will have essentially no impact on our economy. According to this new estimate, the new credit will provide a tax credit to U.S. companies of $35 million a year. That is $35 million out of a $17 trillion economy or, put another way, this credit will equal .000002 percent of annual U.S. economic activity. Yes, that is a decimal point followed by five zeroes. This bill isn’t a drop in the budget; it is more like a drop in the Pacific Ocean.

Yet despite the fact this legislation won’t help our economy or create jobs or make America more competitive in the global economy, we are to put most of my colleagues to move forward with this debate because I believe we need to have a robust debate about those measures that will energize our economy.

As such, I filed a number of amendments that would have a meaningful, positive impact on our economy—unlike, I might add, the underlying bill. For example, I filed an amendment to make the small business expensing limits, which expired at the end of last year, permanent, something that I hear about consistently from farmers, ranchers, and small businesses in my State of South Dakota.

These limits allow small businesses, farmers, and ranchers to deduct up to $500,000 per year in expenses, making it easier for these businesses to grow and to hire new workers.

I filed an amendment to make the R&D tax credit permanent. This amendment would also strengthen the credit by raising the credit rate from 14 percent to 20 percent, thus making this credit more competitive with the research incentives offered by many European and Asian nations.

I have also filed an amendment to improve the tax treatment of S corporations if they convert into a C corporation. Thus making this popular form of business operation more easily accessible. This amendment would also make it easier for S corporations to give appreciated property to charity.

I filed an amendment to make permanent the Internet Tax Freedom Act, which currently protects most Internet users in America from taxes on their Internet access. This law was first enacted in 1998. For more than 15 years it has helped our economy grow, and it has helped the digital economy flourish by keeping State and local taxes off of consumers’ access to the Internet via their home computers or by handheld device. Unfortunately, this law is scheduled to
expire in just over 3 months on November 1 if we don’t take action to prevent that. Some may claim that my amendments are partisan amendments—that these tax relief measures are simply Republican priorities that can’t muster support on the Democrat side of the aisle. The problem with this claim is that all the measures I have just mentioned have found Democratic support already—significant Democratic support.

Consider the R&D amendment I just mentioned. It is identical to the bill that passed the House of Representatives with 274 votes in favor, including 62 House Democrats. That is right, roughly one-third of House Democrats have already voted for this exact amendment.

The same is true for the small business expensing amendment I mentioned. An identical measure passed the House in June with 272 votes, including 62 House Democrats. Consider the S corporation improvements, which were passed by the House with 263 votes, including 42 House Democrats voting yes.

Consider my amendment to make the Internet tax moratorium permanent. My bill, with Finance Committee Chairman Ron Wyden, to make this law permanent has 52 Senate supporters.

In fact, this bill has so much support that an identical bill in the House, just last week, passed by a voice vote. This measure, supported by a majority of Senators, sponsored by the Democratic chairman of the Finance Committee, and approved by the House of Representatives by a voice vote isn’t even scheduled for a vote in the Senate. What a shame.

Consider the medical device tax repeal, which is supported by 79 Senators, including 34 Democratic Senators.

Unlike the minuscule economic impact of the bill pending on the Senate floor before us now, repealing the medical device tax would remove an ObamaCare tax increase totaling $24 billion over 10 years on some of the most innovative companies in America. According to a survey by the trade association AdvaMed, the medical device tax is estimated to destroy as many as 165,000 American jobs.

So let’s be clear. It is not that there aren’t reasonable measures to boost our economy that we could be considering. All of the measures I have mentioned have broad bipartisan support. The problem is simply that the Democratic majority refuses to allow their consideration.

The Senate majority would prefer we spend our time on inconsequential election-year gimmicks rather than risk having to take difficult votes. Consider that the Senate has had rolloff calls on only 12 Republican amendments since last July. House Democrats—the minority in the House of Representatives—in contrast have had 189 amendments voted on during that same period of time.

Put another way, House Democrats have been allowed, on average, more than one vote for each legislative day the House has been in session over the past year. In the Senate, Senate Republicans have been allowed just one vote per month.

Let me repeat that. The minority in the House is being allowed one vote per legislative day. The minority in the Senate is being allowed one vote per month.

The Senate used to be known as the world’s greatest deliberative body. That description now sounds like a cruel joke, considering how few amendments we have been allowed to consider.

The other measure our economy desperately needs is comprehensive tax reform. If we really care about making America a more attractive place to do business so as to lure new business investment jobs, we need to have a much simpler tax code with their current rates that are competitive with our global competitors.

Let’s consider the facts. When President Reagan signed the Tax Reform Act of 1986 into law, the United States had a corporate tax rate that was more than 5 percentage points below our major economic competitors.

The U.S. corporate tax rate has basically stayed the same since 1986. Yet today our tax rate is the highest in the developed world and is more than 14 percentage points higher than the average of developed economies.

Why? Look at what has happened.

Unlike the United States, other nations decided they needed to lower their tax rates to spur economic growth and job creation. Unfortunately, today we are reaping the negative consequences of inaction as we see more and more investment and economic activities moving to those nations that have created a more favorable business environment.

If we want to keep the best, highest-paying jobs at home, we don’t need new tax credits targeted at a narrow set of companies. We need a complete overhaul of our tax code with new, competitive tax rates and a modernized system for taxing the global revenues of American companies. Yes, it is going to be a difficult lift, but it is far from impossible.

Consider the United Kingdom, which as recently as 2010 had a 28 percent tax rate and an outdated system for taxing global income. The U.K. enacted tax reform that will result in a 20 percent tax rate by next year and has already resulted in a modernized system for taxing the income earned by global U.K. companies.

Over the past 5 years, Japan—an other major economic competitor of the United States—has done something similar. Japan cut its corporate tax rate by 5 percentage points and has moved to a more competitive system for taxing global income.

If the UK, Japan, and other nations can improve their tax levels in the 21st century global marketplace, certainly we in the United States can do it as well.

In closing, I hope the Senate Democrats will change course and allow for open and robust amendment process to allow a wide variety of job-creating measures to be considered.

Our economy, still mired in the sluggish Obama economy, could certainly use it. But, if not, I look forward to a future Congress where the Senate can get back to real debate and real solutions.

I hope that once the campaigning is done, once the election-year slogans have been retired, we can get back to real, substantive legislation that benefits all workers and ensures that our economic priorities that can’t muster support.

First, instead of a short-term bill, we should be undertaking a long-term extension of transportation funding to provide certainty to the States and create much-needed jobs.

Second, the House version of this bill uses the very offsets that House Republican leaders rejected when they were included as part of my bipartisan legislation to extend jobless benefits for the long-term unemployed. House leadership has used every excuse to deny
Aging infrastructure is a major challenge for Rhode Island, which has the highest percentage of roads that are in poor condition and the highest percentage of bridges that are deficient or obsolete according to the American Society of Civil Engineers and the U.S. Department of Transportation.

In the last 5 years, Rhode Island has had to act to replace two major bridges on the I-95 corridor. Luckily, the State has been able to take action to avert a disaster, but it hasn’t been easy. One of these bridges, the Pawtucket River Bridge, was effectively closed to all large trucks for several years until it was replaced. The other, the Providence Viaduct, which is currently being replaced, has required boards to be placed beneath it in order to protect traffic and passersby below from falling concrete.

Each year, these kinds of deficiencies cost American families $120 billion in extra fuel and time, and according to the White House. Businesses pay $27 billion annually in extra freight costs, which then get passed on to consumers. In Rhode Island, the poor road conditions cost: millions of dollars in vehicle repair and operating expenses, which is over $650 per year for each motorist.

To tackle the significant challenges to keep our roads, bridges, and transit in a state of good repair, States such as Rhode Island will need a strong Federal commitment. According to the American Society of Civil Engineers, we need to increase our surface transportation spending by 20% of government by $846 billion by 2020 to restore our transportation system to a state of good repair and meet the demands for our growing population and economy.

Without more investment, we increase the likelihood that we can pass a long-term bill that increases our investment in our transportation system. Regardless of the duration of this short-term bill, we should be working to address the issue before the end of the year.

As Secretary Foxx and his predecessors admonished:
What America needs is to break this cycle of governing crisis-to-crisis, only to enact a stopgap measure at the last minute, as we are doing now—as short as possible to increase the likelihood that we can pass a long-term bill that increases our investment in our transportation system. Regardless of the duration of this short-term bill, we should be working to address this issue before the end of the year.

The Secretaries made another important point. They wrote this:

Until recently, Congress understood that, as America grows, so must our investments in transportation. And for more than half a century, they voted for that principle—and increased funding—with broad, bipartisan majorities in both houses. We believe they can, and should, do so again.

We should follow their advice.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise again on the Senate floor to talk about the crisis at our southern border, and it is a crisis. I don’t use that word lightly, but it is clearly a crisis on many levels.

This fiscal year alone, since October 1, 2013, over 381,000 illegal aliens have entered our country through that border. Of course, a big part of that crisis is unaccompanied alien children—58,000 of them. The Obama administration itself says that number will probably grow to 65,000 or 90,000 in just the next few months, by the end of this fiscal year.

We see on this chart that since 2008, sending these UACs back, deporting them, effectively has plummeted—absolutely plummeted. This is a key part of the problem.

Since this crisis came into clear focus, I have been doing several things. I have asked the administration, through a letter to the Department of Homeland Security Secretary Jeh
Johnson, for facts, details about the impact of this crisis—the numbers, the particulars, and specifically what impact it can have on Louisiana, my home State. I haven’t gotten any response. That is very disappointing. I am asking publicly again for a detailed response to those legitimate straightforward questions.

I have agreed with many others in the House and Senate to partner with the administration around strong action to change this trend, to change our policy and make the public effective, to send a very new and different message to Central and South America to stem this growing crisis. Unfortunately, that plea has not gotten a positive response from the administration either.

In reaction to that, I have had to dig around wherever I can find credible sources and find out key information myself, particularly as it affects Louisiana. I have been making calls to military leaders, local ICE officials, and anyone else with significant credible information.

Again, this should be able to come directly from the Department of Homeland Security. It has not. But this is what I have found out. The Louisiana ICE office has a backlog of juvenile cases—cases involving minors. First of all, it already had about 2,000 of those cases in Louisiana alone before this wave upon wave of minor illegal aliens reached the crisis proportions. Adding on to those 2,000 cases—1,056 to be exact—there are now over 1,200 new juvenile cases in Louisiana. These are unaccompanied children coming into the country illegally and then being brought into Louisiana, in most cases turned over to the custody of a family member or a sponsor, and many of these family members are themselves illegal.

We are not a border State. We are not Texas, we are not Arizona or New Mexico, where not one of the States most affected. Yet even Louisiana has this significant impact with very troubling numbers.

I talked to folks at the Hirsch Memorial Coliseum in Shreveport and found out that the International Association of Fairs and Expositions—a trade association for their sorts of facilities around the country—was contacted by the Department of Homeland Security about locating mass space for housing of illegal alien UACs. The Hirsch Memorial Coliseum in particular in Shreveport was contacted to see if they could be part of that, and they said they couldn’t. It was not practical at all. But that inquiry was made.

On the military side, I talked to leadership at Pope. They were contacted by the U.S. Army Installation Management Command Headquarters and asked if they could house between 400 and 500 unaccompanied alien children. They said they couldn’t for very compelling practical reasons at Fort Pope.

Barksdale Air Force Base in Shreveport was asked via the Air Force Globale Strike Command and the Department of Defense if they had capacity for the same mass housing operation. Their response was as follows: Barksdale’s answer has been consistent with our strategic mission and supporting the President’s legislation’s 1st mission (nuclear)—we would not support or participate. But it is significant those inquiries were actively made. Belle Chasse Naval Air Station in New Orleans, again, on behalf of the Department of Homeland Security, was contacted about their capacity for this same sort of thing twice. Again, it makes the point that even Louisiana—not a border State, not a State most affected—is fielding many inquiries and significant impacts—1,259 new juvenile cases being brought into the State, all of these inquiries. I wish I could get this information directly from the Department of Homeland Security and get it for you. They have not been forthcoming.

Unfortunately, the administration likewise has not been forthcoming about real solutions, partnering with Congress to make changes in the law and anything else necessary to stem this tide and reverse the policy that continues to encourage this tide. We have seen no leadership there either. While the President spent the first 10 days of focus on this crisis talking about various parts of Federal law that he said were tying his hands, when it came to sending a request to Congress, there was no request to change any of that law. There was no request to streamline any deportation procedures. There was no request to heighten the standard for asylum or anything else. The only request was to send him a huge amount of additional money, billions upon billions of dollars.

So in the absence of that leadership and partnership and information, I am asking publicly to develop legislative ideas with many others myself, and I have introduced a legislative solution—S. 2632—to address this specific unaccompanied alien children crisis, and it has been introduced in the House by my Louisiana colleague, Congressman Bill Cassidy.

Fundamentally, this legislation would reverse the policy we have in place which accepts these folks over and does nothing to quickly deport disabled or otherwise deportable. It would reverse that policy so we would have quick, effective, immediate deportations to send the message to Central and South America that this has to stop and to stem that tide.

Specifically, the legislation would do nine things:

No. 1, it would mandate detention of all unaccompanied alien children upon apprehension. No catch and release. No catch and then, yes, here. We will further the smuggling and give you to your family members or sponsors in this country.

No. 2, we would amend the law to bring parity between UACs from contiguous and noncontiguous countries. All UACs, regardless of country of origin, will be given the option to voluntarily depart. That is a practical solution, in the case of those coming from Mexico and Canada—obviously many more from Mexico.

No. 3, those UACs who do not voluntarily depart will be immediately placed in a streamlined removal process and detained by the Department of Homeland Security. Currently, they are transferred instead to Health and Human Service’s Office of Refugee Resettlement, where they are basically resettled.

The PRESIDING OFFICER. All time has expired.

Mr. VITTER. Mr. President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. I have to object. I have no objection to having more time after this vote, but I object before the vote.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Ms. MIKULSKI. I ask unanimous consent to speak for up to 5 minutes prior to the cloture vote on the Harris nomination.

The PRESIDING OFFICER. Is there objection?

The Senator from Louisiana.

Mr. VITTER. Mr. President, I will consider objecting, but I would far prefer to amend the unanimous consent request so that I get the additional minute I was just denied and the Senator from Maryland gets her time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Maryland.

Mr. VITTER. Mr. President, my unanimous consent request was for me to finish my remarks in 1 minute and then have the Senator.

The PRESIDING OFFICER. The pending unanimous consent request is from the Senator from Maryland.

Is there objection?

Mr. VITTER. I object.

The PRESIDING OFFICER. The objection is heard.

Ms. MIKULSKI. Mr. President, I ask unanimous consent to give me 5 minutes to respond to the nomination of Pamela Harris—a brilliant litigator, professor, and public servant—to serve on the Fourth Circuit.

Senator CARDIN and I recommended Ms. Harris to President Obama with
the utmost confidence in her abilities, talent, and competence for the job. The ABA agreed—they gave her her highest rating of unanimously well-qualified.

I thank Senator REED for being so prompt in seeking this vote. I also thank Senator LEAHY for his expeditious movement of her nomination through the Judiciary Committee.

I have had the opportunity to recommend several judicial nominees for our district and appellate courts. I take my “advise and consent” responsibilities very seriously. When I consider nominees for the Federal bench, I have four criteria: absolute integrity; judicial competence and temperament; a commitment to core constitutional principles; and a history of civic engagement in Maryland. I expect our recommendations to not only meet these criteria but to exceed them, as Ms. Harris surely does. She has dedicated her career to the rule of law, achieving the law and the perfection of appellate advocacy. She is truly an outstanding nominee.

Ms. Harris’s career spans academia, private practice, and government. But there has been a common thread of public service. We are proud to say that she is “home-grown”—although born in Connecticut, she has called Maryland home since she was a child, eventually graduating from Walt Whitman High School in Bethesda, MD. She went on to Yale where she received her bachelor’s degree summa cum laude as well as her law degree. After completing a clerkship on the D.C. Circuit, Ms. Harris went on to clerk for Justice Stevens on the Supreme Court. She has served at the Department of Justice Office of Legal Counsel and at the Office of Legal Policy under two different administrations. She also spent 10 years appearing regularly before the Supreme Court while counsel and then partner at O’Melveny & Myers, taking on some of the most complex issues of our time.

Ms. Harris also has a distinguished career in academia as a Professor at the University of Pennsylvania Law School, co-director of the Harvard Appellate Practice Clinic, and later, at Georgetown, where she is today. At Georgetown she serves as executive director of the Supreme Court Institute, preparing students—first-time counselors—and regardless of their position—for arguments before the Court. But Ms. Harris remained connected to Maryland, whether it was a pro bono appellate clinic at O’Melveny to work with Maryland’s public defender or an amicus brief in major litigation involving Montgomery County Public Schools.

Ms. Harris has a commitment to the legal profession that is unmatched. It should come as no surprise to the students that she has taught, the litigants that she has prepared, the briefs that she has written, and the pro bono service that she has rendered. She has risen to the highest levels of her education and career. Yet she has seen people in her life confront adversity and she knows the impact that the law has on people’s daily lives. I believe it is this which contributes to her very humble nature. She believes that the Court is a place for justice and not a stepping stone. Ms. Harris continues to give back to the community, serving on the board of trustees at her children’s school, and also to legal scholarship, as a member of the board of directors for the American Constitution Society and the Constitutional Accountability Center.

So I am so honored to be here today to support her nomination. I ask that you all join me in doing the same. It is critical that we have judges with commitment to public service, civic engagement, and the rule of law. And we have that in none other than Pamela Harris.

Mr. VITTER. Mr. President, I would just like to again ask unanimous consent to be recognized for an additional minute following the Senator from Maryland being recognized for 4 additional minutes.

The PRESIDING OFFICER. Is there objection?

Ms. MIKULSKI. I object.

The PRESIDING OFFICER. The objection is heard.

The PRESIDING OFFICER. The previous order, all post cloture time is expired.

The question occurs on agreeing to the motion to proceed to S. 2569.

The motion was agreed to.

BRING JOBS HOME ACT

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2569) to provide an incentive for businesses to bring jobs back to America.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Pamela Harris, of Maryland, to be United States Circuit Judge for the Fourth Circuit.


The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Pamela Harris, of Maryland, to be United States Circuit Judge for the Fourth Circuit shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. CHAMBLESS), the Senator from Oklahoma (Mr. COONS), the Senator from Kansas (Mr. MORAN), and the Senator from Kansas (Mr. ROBERTS).

The PRESIDING OFFICER (Ms. HIRONO). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 54, nays 41, as follows:

[Rollcall Vote No. 241 Ex.]

YEAS—54

Baldwin
Bennet
Baucus
Bechtel
Blumenthal
Booher
Boxer
Brown
Cassel
Cardin
Carper
Collins
Coons
Donnelly
Durbin
Feinstein
Franken
Gillibrand
Yates

NAYS—41

Alexander
Ayotte
Barrasso
Baucus
Blumenthal
Booher
Boxer
Brown
Cassel
Cardin
Carper
Collins
Coons
Donnelly
Durbin
Feinstein
Franken
Gillibrand

NOT VOTING—5

Burr
Chambliss
Cochran
Corzine
Crapo
Cruz
Enzi
Fischer
Flake

The PRESIDING OFFICER. On this vote the yeas are 54, the nays are 41. The motion is agreed to.

EXECUTIVE SESSION

NOMINATION OF PAMELA HARRIS TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the Harris nomination, which the clerk will report.

The assistant bill clerk read the nomination of Pamela Harris, of Maryland, to be United States Circuit Judge for the Fourth Circuit.
NOMINATION OF LISA S. DISBROW TO BE ASSISTANT SECRETARY OF THE AIR FORCE

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action with respect to each of these nominations.

The nomination was confirmed.

NOMINATION OF BRUCE ANDREWS TO BE DEPUTY SECRETARY OF COMMERCE

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Bruce Andrews, of New York, to be an Assistant Secretary of the Air Force?

The PRESIDING OFFICER. The majority leader.

Mr. REID. Would it be appropriate at this time to yield back the 2 minutes of time? I ask unanimous consent to do that.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Lisa S. Disbrow, of Virginia, to be an Assistant Secretary of the Air Force?

The nomination was confirmed.

NOMINATION OF VICTOR M. MENDEZ TO BE DEPUTY SECRETARY OF TRANSPORTATION

The PRESIDING OFFICER. The clerk will report the Mendez nomination.

The assistant bill clerk read the nomination of Victor M. Mendez, of Arizona, to be Deputy Secretary of Transportation.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Victor M. Mendez to be Deputy Secretary of Transportation?

The nomination was confirmed.

NOMINATION OF PAMELA HARRIS TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT—Continued

The PRESIDING OFFICER. The Senator from Wisconsin.

Mildred E. "Pam" Harris, of Virginia, to be United States District Judge for the District of New Hampshire.

The nomination was confirmed.

NOMINATION OF LISA S. DISBROW TO BE ASSISTANT SECRETARY OF THE AIR FORCE

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action with respect to each of these nominations.

The nomination was confirmed.

NOMINATION OF ASHLEY S. PENTEK TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA

The PRESIDING OFFICER. The nomination was confirmed.

NOMINATION OF GAIL M. RODGERS TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA

The PRESIDING OFFICER. The nomination was confirmed.

NOMINATION OF PAMELA HARRIS TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT—Continued

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN, Madam President, we have an opportunity to address an issue of concern to foresting communities in Wisconsin and across the nation in the emergency supplemental appropriations bill now pending before Congress.

The supplemental addresses a number of very urgent issues. The issue of unaccompanied minors who are crossing our southern border has rightly received much attention and there is, indeed, a crisis. I believe Congress must pass a supplemental appropriations bill to help address this humanitarian crisis.

This afternoon I wish to call attention to another emergency that Congress must address: extreme wildfires and the dysfunctional way the Federal Government manages our firefighting operations.

Devastating wildfires are raging in Washington and Oregon States, and many other States have felt the heartbreaking impact of major forest fire destruction. As I presided earlier today, I heard the two Senators from Washington State come to the floor and talk about the devastation the wildfires in their State are causing and the bravery of citizens who are facing these destructive fires. It is why I am pleased Appropriations Committee Chairwoman Mikulski has drafted an emergency supplemental appropriations bill that includes $653 million for wildfire suppression. I thank her for her tremendous leadership in putting together a strong bill, and I urge Congress to take up and pass this legislation without delay to provide much needed support to these suffering communities.

But it is not just Western States that feel the impact of wildfires. In fact, a State such as Wisconsin is hurt very significantly by a broken budget process called fire borrowing. It forces the U.S. Forest Service to take funding intended to manage our forests instead use it for wildfire suppression. In fact, fire borrowing is a misnomer. The money is never paid back. This cripples Wisconsin’s forests and diverts critical funding from my home State and many others.

In Wisconsin, over 50,000 people are employed in the forest products industry, from jobs in forestry and logging to paper makers in the State’s many mills. The industry pays over $3 billion in wages into the State’s economy and ships products worth over $7 billion each year.

Unfortunately, fire borrowing has led to long project delays that are impacting this vital industry and jeopardizing the jobs which it supports.

The practice of fire borrowing has increased in recent years, triggered when we have a bad fire season and the Forest Service runs out of funds available for firefighting. When the firefighting funding is gone, the agency transfers funds from other parts of its budget and borrows them to pay for the fire suppression. When these funds are diverted, agency work is simply put on hold.

No business owner would select a supplier who couldn’t provide a clear delivery schedule or who would routinely delay delivery of products for undetermined amounts of time. Loggers and other local businesses that partner with the Forest Service have to deal with just such uncertainty because of fire borrowing. Government can work better than this.

Fortunately, the Senate emergency supplemental appropriations bill would solve this broken process by triples the largest fires as other natural disasters such as hurricanes or tornadoes, and it would stabilize the rest of the Forest Service budget so that other essential work, ranging from timber sales to the management of forest health, can be completed on schedule.

Furthermore, the proposal is fiscally responsible, because it would help reduce long-term costs by allowing for increased fire prevention activities and because it would not increase the amount that Congress can spend on natural disasters.

Ending fire borrowing has strong bipartisan support. In fact, over 120 Members of the House and Senate, and more than 260 groups ranging from the timber industry to conservation groups, to the National Rifle Association, support the Wildfire Disaster Funding Act—the bipartisan bill that contains the fire borrowing fix included in the supplemental. The consensus is we need to get this fix done this year.

While there is strong bipartisan support for ending fire borrowing, it is unclear if the House of Representatives is going to support this fix in the supplemental appropriations bill that is being considered now. In fact, my friend, the House Budget Committee chairman Paul Ryan, has consistently stood in the way of bipartisan solutions offered in both the House and the Senate. He has ignored the fact that the current budget structure is flawed and has resulted in the Forest Service taking the forest management funding Wisconsin’s forests rely upon and instead using it to fight wildfires.

As this Republican House colleague Representative Mike Simpson recently pointed out:

Unfortunately, continuing the status quo, as Chairman Ryan advocates, prevents us
from reducing the cost and severity of future fires by forcing agencies to rob the money that Congress has appropriated for these priorities to pay for increasingly unpredictable and costly suppression needs.

I urge my friend and fellow Wiscon
sinite to join us and support ending fire
borrowing.

I thank Chairwoman Mikulski and
subcommittee Chairman Reed for in-
cluding this important provision in the
supplemental bill. I wish to also thank
Senators Wyden and Crapo for their
tireless leadership in the fight to end
fire borrowing.

The proposal included in the emer-
gency appropriations supplemental is a
fiscally responsible solution to a de-
structing problem with wide-ranging
impacts. It will help us respond to
wildfires and it will support businesses
and thousands of jobs in the timber in-
dustry in Wisconsin as well as through-
out the country.

I urge my colleagues in the Senate
and in the House to come together to
solve this problem once and for all.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Sen-
ator from Nevada.

Mr. Heller. Madam President, last
week the Washington Post ran an op-
ion piece titled “Moral clarity in Gaza.” The thesis of the article states that Israel is not interested in cross-
border violence; rather, the goal of the current military option is to estab-
lish peace. I believe the writer correctly
suggests that Israel has been left with
no choice but to act in order to defend
herself from the terrorist organization Hamas.

The piece also made the important
conclusion that Hamas wants to pro-
voke a fight with Israel and that this
group is willing to sacrifice their own
people in order to win international
support and ultimately undermine
Israel’s legitimacy and right to defend
itself.

There is no question regarding
Israel’s legitimacy, and there is also no
question regarding Israel’s right to de-
defend itself. The international commu-
nity has affirmed this principle. Fur-
ther, this body affirmed Israel’s right to
defend itself when the Senate re-
cently passed Senator Graham’s reso-
lution on this matter.

As a cosponsor, I believe this resolu-
tion makes clear terms: The Senate
stands with Israel’s right to defend
itself, and it demands that Hamas im-
mediately—immediately—stop attack-
ing Israel.

While the Senate has made its posi-
tion on this issue clear, Israel has been
forced to take matters into its own
hands. As we speak, Israeli defense
forces are engaged in Operation Protet-
tive Edge, working to identify and de-
stroy the infrastructure Hamas has used to execute attacks and move arti-
illery into Gaza.

Recent reports have stated that the
IDF has destroyed more than 20 tun-
nels and identified many more as
ground troops moved from building to
building. They are utilizing air,
ground, and sea to strike designated
targets and provide support as IDF
works its way through Gaza City.

The fighting will likely continue and
more casualties will in-
crease until either a cease-fire can be
negotiated or Israel believes the tunnel
system has been successfully negated.

I believe Israel has been left with no
choice but to defend itself. Israel has
faced a barrage of rocket attacks from
Gaza Strip, and according to Secretary
of State Kerry Hamas has attempted to
sedate and kidnap Israelis through the
network of tunnels used to stage cross-
border raids.

Prime Minister Netanyahu cannot
tolerate rocket attacks and cannot tol-
erate kidnap
goings aimed at Israelis.

Their right to defend themselves is
without question. But through the
use of innocent Palestinians are
being killed. This tragic loss of inno-
cent life must not go unnoticed, but we
must acknowledge Hamas’s role in
risking the lives of their own through
their own actions.

Hamas stores and launches rockets
from heavily populated areas. They do
this because they know it will draw re-

turn fire from Israel, and even if some
Palestinians are killed, the coverage
aired worldwide will be favorable to
Hamas and therefore well worth the
loss. Hamas is sacrificing its own to
win a media war against Israel. In con-
trast, in the lead-up to military action,
Israel dropped thousands of leaflets ex-
plaining to Palestinians where they
can go to be safe.

There is no clearer picture of right
versus wrong than Israel fighting to
protect its citizens against a terrorist
operation operating underground and
using Palestinians they live with as
human shields.

Hamas is a terrorist organization
willing to let women and children die if
there is a possibility it advances inter-
national sympathy for them and under-
scores Israel’s illegitimacy.

The footage of innocent Palestinians
dying in Gaza is tragic, but the blame
is not at the foot of Israel; it is on
Hamas.

Over the next weeks and months, the
military action in Gaza may escalate.
If a cease-fire is not negotiated, the
United States cannot turn its back on
Israel. We must continue to stand with
them and allow them to eradicate this
terrorist organization and shut down its
underground tunnels. It is their right
as a nation, and the United States must
stand with them.

I thank the Presiding Officer and
yield the floor.

The PRESIDING OFFICER. The Sen-
ator from Utah.

Mr. Hatch. Madam President, I wish
to compliment the distinguished Sen-
ator from Nevada for his very cogent
remarks. They are true, and I appreci-
ate his leadership on this matter.

BRING JOBS HOME ACT

Madam President, the Senate is cur-
rently debating the so-called Bring
Jobs Home Act—a bill supposedly
aimed at preserving and creating jobs
in the United States. However, as I
noted here on the floor yesterday, the
Bring Jobs Home Act is little more than
political posturing and election-
year messaging. It really does get old.
We have gone too far and all the way
over while we do not do what we ought
to do for this country.

The Senate Democrats want to por-
tray the Republicans as the party of
outsourcing, which is a joke. So they
have crafted a bill that does nothing
other than raise the amount of tax
to actually address the problem of out-
sourcing but will provide them with a
few days’ worth of talking points on
the subject. We went through precisely
the same exercise in 2012. We voted on
the exact same bill during the last
election cycle. It was meaningless
then, and it is meaningless now.

As I said, I went over this yesterday.
I talked at some length about the
shortcomings of this bill, and I do not
want to rehash all of that again today.
Instead, I would like to take a few min-
utes to talk about some things we
should actually do something along
those lines. If we get a chance to offer
amendments to this bill—which is, of
course, improbable under the way the
Senate is currently being run—I think
these are the types of amendments we
should consider.

One of my amendments is a four-part
tax amendment that would help busi-

esses create jobs in the United States.

If enacted, it would provide additional
cash flow for businesses that would
allow them to hire workers, increase
wages, and invest in plant and equip-
ment in the United States, among
other things. It would do so by making
four separate temporary tax provisions
permanent.

The first of these provisions relates to
section 179, small business expen-
sing. My amendment would perma-
nently increase the amount of equip-
ment, certain real property, and soft-
ware a business can deduct in a year to
$500,000 and index that amount to infla-
tion. That means sense.

The second provision would make
bonus depreciation permanent, allow-
ing businesses to permanently deduct
50 percent of the cost of qualified prop-
erty in the first year that property is
placed in service.

My amendment would also make the
research and development tax credit
permanent, increasing the alternative
simplified credit to 20 percent and
eliminating the traditional research
and development credit test.

Finally, the amendment would per-
manently provide for a full exclusion
of capital gains income derived from the
sale of stock of certain small sub-
chapter C corporations held on a long-
term basis.

All of these would be tremendous
amendments and would really create
jobs. They ought to be allowed on this
Together, these four provisions would provide much-needed certainty for job-creating businesses and allow companies to more effectively plan for the future.

If we are going to amend the Tax Code in the name of creating jobs, this is a far better approach, as it removes uncertainty and simplifies elements of the code. The Bring Jobs Home Act would actually do the opposite.

I have also filed two health-related amendments to this bill.

The first of these amendments would repeal the medical device tax that was included as part of the so-called Affordable Care Act. ObamaCare’s $24 billion tax on lifesaving and life-improving medical devices is reducing U.S. employment.

A recent study by industry group AdvaMed estimated that the tax has cost as many as 165,000 jobs. That is 165,000 American jobs eliminated by this misguided tax. Ten percent of respondents to that survey have relocated manufacturing outside of the country or expanded manufacturing abroad rather than in the United States.

This would help solve the inversion problem, but our colleagues on the other side will not do anything about it. Yet they are trying to blame the Republicans for the inversion? Give me a break.

The tax is also curbing American innovation. Thirty percent of AdvaMed survey respondents have reduced their investments in research and development.

If we really want to keep companies from moving American jobs offshore, this is a far better approach. It is far more substantial, and, as the survey data shows, it will have an immediate, real-world impact on jobs in the United States.

It is bipartisan. Republicans and Democrats support repeal of the medical device tax. Last year 79 Senators on this body— including 34 Democrats—voted to repeal the tax. It really is a no-brainer. I hope we can finally get a vote on it. But sooner or later, we are going to get a vote on it, and it is going to be on a bill that will pass both Houses.

My other health care amendment would repeal ObamaCare’s job-killing employer mandate. As we all know, the so-called Affordable Care Act requires employers with more than 50 employees to provide health coverage to their workers or pay a $2,000 tax per employee. This deters business growth as it discourages small businesses from hiring more than 50 employees and has led many employers to cut workers’ hours to keep from going over the mandate’s threshold. How stupid can we be? Even the administration has acknowledged that the employer mandate is harmful. They have already delayed it several times in hopes of delaying its harmful impact during an election year. Isn’t that nice?

If we really want to keep people in their jobs and encourage businesses to hire more American workers, repealing the employer mandate would go a long way.

My last amendment would advance U.S. trade policy by renewing trade promotion authority. Specifically, the amendment is to include in the text of the Bipartisan Congressional Trade Priorities Act of 2014, a bill I introduced in January along with Chairman CAMP of the House Ways and Means Committee and former chairman of the Finance Committee, Senator Max Baucus of Montana.

This bill establishes 21st-century congressional negotiating objectives and rules for the administration to follow when engaged in trade talks, including strict requirements for congressional consultations and access to information. If the administration follows these rules, the bill provides special procedures to more quickly move a negotiated deal through Congress.

Renewing TPA, which expired in 2007, is necessary to fully conclude ongoing trade negotiations, such as the Trans-Pacific Partnership, the TPP, negotiations as well as free-trade agreement talks with the European Union, often referred as T-TIP, involving 28 nations, including ours. These are two landmark trade deals with the potential to greatly boost U.S. exports and create jobs here.

The TPP countries—which represent many of the fastest-growing economies in the world—accounted for 4 percent of total U.S. goods exports in 2012. Think of the jobs that would be created.

Another, the EU, the European Union, purchased close to $460 billion with a “b”—in U.S. goods and services that same year, supporting 2.4 million American jobs.

In addition, the United States is negotiating the Trade in Services Agreement, or TISA, with 50 countries, covering 90 percent of global GDP and over 70 percent of global services trade. This agreement would create many opportunities for U.S. jobs in this critical sector.

It is vital that we get these trade agreements over the finish line, and the only way we are going to be able to do that is to renew trade promotion authority. My amendment provides a reasonable, bipartisan path forward on renewing TPA and would do far more to create jobs and grow our economy than the legislation before us today, which is minuscule in effort. As with other amendments, I hope we can vote on this TPA amendment.

Of course, I am not the only Senator who has offered reasonable job-creating amendments to the Bring Jobs Home Act. Numerous amendments have already been offered, and I am sure more are on the way—or should I say filed because we have been prohibited from really offering amendments on these bills and meant to have a robust debate for a long time now because of the actions of the current leadership of the Senate. The Senate is hardly operating as the Senate always has in the past; that is, in an effective, let’s-be-positive way.

Sadly, if the recent past is any indication, there will not be any votes on amendments to this bill. The Bring Jobs Home Act is not designed to create jobs. It is not even designed to pass the Senate. Once again, the entire purpose of this bill is to give Democrats some political talking points as the August recess approaches. Having an open and fair debate on amendments would distract from this partisan goal. We understand that everything is partisan around here. Everything is political right now. But my gosh, when are we going to start acting as the Senate?

That being the case, it is doubtful that any amendments are going to be considered on this legislation, which is, of course, a crying shame. The stated purpose of this bill is to create and protect American jobs. The Republicans have amendments that would do just that and more. I mentioned a few such amendments that would have a far greater impact on American workers and businesses than the bill before us today—most of which are bipartisan amendments.

That is what is amazing to me. This is just a game that is being played. It is really an irritating game to me. If we are serious about the idea of creating jobs in the United States, let’s have a real debate about it. Let’s discuss some alternative approaches. I know my friends on the other side will have great ideas on some of these, if they would be allowed to act like legislators for a change.

Let’s talk about the real problems that are hampering job growth. Let’s set votes on some of the ideas we have proposed. I hope we can do that this time around. But of course I am not under any illusions that the Democratic leadership here in the Senate is about to change course and let this body function the way it is supposed to. They are not about to let the Senate be the Senate. They are not about to let both sides have a full-fledged opportunity to improve these bills. They are not about to allow full and fair debate on both sides.

To me, it is mind-boggling in the case of this bill. I hope I am wrong. I hope we can get amendments up that would make this bill a real bill about jobs, instead of just politics. But, sadly, I do not think I am wrong. My experience has been that politics is triumphant around here and getting the people’s work done is secondary.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. Warren.) The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.
CHILD REFUGEE CRISIS

Mr. DURBIN. Madam President, the child refugee crisis on America’s border is a human tragedy.

Two weeks ago in Chicago I met 70 of these children. It was a meeting I won’t forget. These children come from some are infants. How they ever made it to the United States is nothing short of a miracle, and many who tried didn’t.

Those who made it—some of them—come scarred from the journey—young women who were assaulted, children who were beaten. Some lost their lives on the way, but these were the survivors. They made it. They were in a transitional shelter in Chicago that has been there for 19 years, and 70 of them were getting physical exams and meals. As one person there said, for the first time in their lives, many of them, were free to be children.

These children are in the United States and they are testing us. It is a test for the United States as to whether we care. I believe we are a caring nation. We proved it over and over. How many times in far-flung places in the world we have rallied—politically to stand behind 300 girls who were kidnapped in Nigeria, to be there during the Haiti earthquake to make sure the families and children would at least have shelter, medicine, and food. The list goes on and on for this caring nation.

But this is different. This is not about a problem over there. This is about a challenge here. What President Obama has said to us is we must rise to this challenge. As we have in so many places in this world, we must rise to the challenges at home. When it comes to these children, we can be humane and caring and do the right thing.

He sent us a bill to pay for the services they need. It is expensive. Some people argue it is too expensive. Well, we can argue about the exact amount of money, but I hope we aren’t arguing about the value and the principle that is being tested. I hope we are not arguing about whether the United States is a caring and compassionate nation.

I just left a meeting with the Presidents from the three Central American countries which are responsible for 80 percent of these refugees: El Salvador, Honduras, and Guatemala. Yesterday we met with their Ambassadors.

It is easy to understand what is happening to understand when the economies are so poor in this area that families cannot feed their children. It is easy to understand when the drug gangs are so powerful that these children are being threatened, exploited, raped, and killed. It is only then that in desperation some member of the family says: There is only one chance. We send you to the United States—putting these children in the hands of coyotes and smugglers who take them on a journey that lasts six months and is 2,000 miles. Imagine. Imagine a mother taking her child to the freight train—this 12-year-old boy—watching him climb up the ladder on the side and hang on. She says: You will be there in 4 days.

Can you imagine that? Can you imagine the family in Honduras, who before they send their young girl on this journey with the coyote, giving her birth control pills in anticipation that she will like an abortion or have an abortion during the course of that journey? How desperate must that family be? That is the reality of this human child refugee crisis that we face.

The President has said we need to do several things. First, we need to tell these countries: Don’t send these children. It is too dangerous, and when they have arrived, they have no special legal rights to be citizens or to stay. We need to get that message through loudly and clearly: Do not send your children. The countries involved—Honduras, El Salvador, and Guatemala—are joining us now in getting that message out.

Secondly, we need to start apprehending and prosecuting these coyotes, these smugglers. They extort from these families 1 year of wages to try to bring children into this country.

Some of these children are teenagers—most of them are—but many of them are very young babies and infants.

Five women walked into the dining room at the shelter carrying newborn babies. All of these women are from Honduras and all are victims of rape. They had gone on these buses for 8 days to bring these infants to a safer place so that they might survive.

I am heartened by the fact that religious groups all around the United States have rallied behind these children. I am proud the Catholic Church—which I associate with; occasionally they associate with me—I am proud the Catholic Church and the bishops have spoken. Evangelicals are one of the first groups to come forward and say: We have to do something for these children.

Even some of the most conservative political commentators have said: First, America, show your heart that you care for these children.

That is what the President is asking us to do.

So let us take care, when we consider the supplemental appropriations bill, that we don’t lose sight of our values. To those who politically disagree and sometimes even despise the President, I say to you all to show how tough they are with this President at the expense of these small children.

Let’s show how big we are as a nation first. The political debate can be saved for another day.

I support this legislation. I think it is the right thing to do.

I want history to write this chapter about America, and I want it to be a chapter of which we are proud. I want a future generation to look back to this year and say that in this year, when the United States was presented with this border crisis with children, America showed its heart; America stood and did what was right for these children, as we have so many times in the past.

IRON DOME

There are other parts of this bill. One of them is a section I have worked on in my capacity as chair of the Defense Appropriations Subcommittee. This is called the Iron Dome. It is much different than a debate about children or refugees.

Over the past 3 weeks, more than 2,000 rockets have been fired from Gaza into Israel. According to reports, civilian casualties have been limited—maybe even only 2 out of 2,000 rockets. There are two reasons for the low number of injuries from this barrage.

First, many of these rockets land in uninhabited areas. Second, these rockets are headed for cities and towns, but these rockets are stopped and destroyed before they strike their targets. The reason? The Iron Dome missile defense system, a joint effort by the United States and Israel to protect against just an attack. The United States and Israel have deep ties on this program. Of the 10 Iron Dome batteries that have been fielded, the United States provided funding for 8 of them. I am pleased we have come this system has saved innocent lives.

Our country has been asked for additional assistance to ensure that the Israeli stockpile of Iron Dome interceptors is adequate to the challenge. We don’t know when this crisis will end. Secretary of Defense Chuck Hagel endorsed an additional $225 million in funding for Iron Dome in a recent letter.

The requested funds are in addition to next year’s appropriations. It may be some time before the appropriations bills are enacted, and that is why the President has asked to include in this supplemental appropriation $225 million to speed up the production of Iron Dome missiles.

The Senate simply has too little time. There is next week, and then we are gone for 5 or 6 weeks, return for perhaps 2, and then we are gone until November. So we have to act and act now.

This supplemental appropriations bill with the Iron Dome money needs to pass. I am going to be supporting it. This is an emergency which is front and center.

The Ambassador from Israel to the United States came to see me last week. He said at one time two-thirds of the population of Israel was in bomb shelters during these attacks. It is a serious threat to them.

Let me add too that all of us are praying this violence and war between Gaza and Israel will come to an end so that they will institute a cease-fire, sit at a table and resolve their differences.

But we cannot expect any country—not Israel, not the United States—any country—to sit and take 2,000 incoming rockets and not respond. This saves lives—the Iron Dome.

But now we need to take the next step, bringing peace to this region so
that innocent people on both sides of the border are going to be spared.

Hamas, a group which we have characterized as terrorist since the late 1990s, is leading this attack on Israel. This terrorist group is politically popular in some parts of Gaza. How do they protect their rocket launchers? They place them in homes, they put them in crowded areas, and they build tunnels under Gaza streets for their weapons and to escape when they are attacked.

The latest report is they were building these tunnels under hospitals, knowing that Israel and other countries would spare these hospitals. Meanwhile, the hospitals are covering tunnels, which is just the source of much more violence in the area.

**CHILD REFUGEE CRISIS**

I wish to close on the issue about the child refugees. I see Senator PORTMAN of Ohio is on the floor. I will close and yield in a moment for him.

One of the questions I asked of the Ambassadors from Honduras, El Salvador, and Guatemala was this: We believe the children who come into the United States once given a chance to state why they are here—we believe that half of them or maybe more will be returned to their countries. I asked the Ambassadors from these countries: Can we have confidence that if these children, who have come to our border, are returned back to their countries, they will be safe. A simple question, Will they be safe. Do you have people, charities, agencies of government to guarantee that when they return, when they get off the plane or the bus, they will be safe?

The Ambassador from Guatemala said: Yes, we do. The Ambassador from Honduras said: No, we don’t. The Ambassador from El Salvador said: Neither do we.

Let us think about this for a moment. Let us reflect on this for a moment. Let us make sure we do everything in our power to hand these children over to a safe situation.

Let us work with these countries to stop the flow into this country, but to make certain that when they return, they are returned to a safe setting.

Can you believe that in Chicago a brother and a sister—a 6-year-old and a 3-year-old brother and sister—came to one of these shelters? I could see from the bruises on their bodies they had been through something on their way here. It took 2 months before these children—the 6-year-old—finally talked about what she can remember from this horrendous journey. I won’t recount the details, but it is heartbreaking to think that a child of 6 years would have endured this experience.

Let’s do right by these children. Let’s make sure at the end of the day America has proven again we are a caring nation that for those children who come to our shores, come to our borders, we will treat them humanely and compassionately, as we would want our own children to be treated if they were ever in such a desperate circumstance.

Let’s set the politics aside. Let’s put these children front and center.

Mr. PORTMAN. Madam President, earlier today the Senate voted to proceed to debate on legislation called the Bring Jobs Home Act. It is about tax reform. It is about the tax system in this country.

I am glad we are having the debate. I voted to proceed to the debate. I think it is important to talk about it.

I had a reporter come to me earlier today who said: I hear that Democrats are going to talk about inversions. That means when a company of the United States goes overseas and buys a company—usually smaller than they are—and then inverts, they become a foreign corporation.

They said: Are you concerned about that?

I said: No. I think that is great. I think we need to talk about it. I think it is a hidden problem that no one is talking about, and I think it is terrific that we are talking about it.

So I hope what will happen over the next week on the floor of the Senate is we will have an honest conversation about what is happening in our great country, where we have more and more American companies saying, because of the Tax Code they are saddled with, they cannot compete around the globe.

So what do they do? Having a responsibility to their shareholders, they go and find either a foreign company to become part of and become foreign—or they make themselves a foreign company by being acquired by a foreign company. Some of them are simply not growing because they can’t compete with other companies from other countries that are buying some of their assets.

A company recently came to me from Ohio, my home State, and said: We do work in Korea. We were in South Korea. We wanted to buy this subsidiary there so we could expand what we are doing in Korea and push more of our product there, more of our exports there. We finished the negotiation with the Korean company, and a company from Germany stepped up and said: Do you know what. Whatever you guys have negotiated, we can take it, but we will pay 18 percent more.

The reason the German company could pay 18 percent more is their after-tax profits were higher, because of the German tax code they are saddled with, they cannot compete around the globe.

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The German company could pay 18 percent more is their after-tax profits were higher, because the German tax code treats the German company more favorably. So what do they do? Having a responsibility to their shareholders, they go and find either a foreign company to become part of and become foreign—or they make themselves a foreign company by being acquired by a foreign company. Some of them are simply not growing because they can’t compete with other companies from other countries that are buying some of their assets.

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So I hope what will happen over the next week on the floor of the Senate is we will have an honest conversation about what is happening in our great country, where we have more and more American companies saying, because of the Tax Code they are saddled with, they cannot compete around the globe. So what do they do? Having a responsibility to their shareholders, they go and find either a foreign company to become part of and become foreign—or they make themselves a foreign company by being acquired by a foreign company. Some of them are simply not growing because they can’t compete with other companies from other countries that are buying some of their assets.

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OECD, which is all the developed countries—every single one of them is re-forming their tax code, except us.

In the 1980s, we established the rate we have now, which is 35 now—then it was 34 percent. When we add the State tax rates for the companies, it is about 39 percent of income in America. We are the highest rate in the world.

So at the time we set our rate in the mid-thirties, that was just below the average. It was done deliberately, and it was the rate of the 1986 tax reform. We said: Let's set the business rate at something below the average so we can be competitive.

But since that time, we have become the highest rate, and every single one of our developed country competitors—all of them—have reformed their tax code and lowered their rate.

But they haven't just lowered their rate to make us No. 1 in the world—which is not a No. 1 you want to be if you want to compete and develop jobs—there have been a number of reforms to make it more competitive internationally. We haven't done that. We have been bystanders in this effort to attract jobs and investment opportunities.

We still have what is called the worldwide system, where we don't tax income where it is earned. That has created a real problem.

So I am glad we are having this debate on the floor. I am glad there is an opportunity to talk about this. I must say that, unfortunately, the bill before us, the Bring Jobs Home Act, is not going to help because it doesn't get at this underlying problem we have been talking about today. It does nothing about lowering the rate. It does nothing about changing the international system of taxation. It tinkers around the edges with one issue, and that is to remove deductions and tax credits that, according to the authors of the bill, incentives companies to move overseas.

There is a group here in Washington called the Joint Committee on Taxation. They are nonpartisan, and they tell us in Congress what tax policy means, how much it costs, and what the effects are going to be. Here is what they say:

Under present law, there are no targeted tax credits or disallowances of deductions related to relocating business units inside or outside the United States. So why are we having this debate? Why aren't we debating the core issue—the real problem? I guess because this is the better political debate and it is easier to do. But it is not going to help. It would be nice if there were these targeted tax credits that some of the authors claim, because then we could get rid of those and that might help some. But, as the Joint Committee on Taxation has said, that doesn't exist.

Let's take a look at the numbers.

According to the Joint Committee on Taxation, the very small tweaks this legislation will make to the Tax Code by disallowing some of these deductions will amount to around $143 million over 10 years. So they say $143 million over 10 years, because even though there is no targeted allowance or targeted tax credits, they think this legislation they have written will cause this to happen. The IRS will interpret it. By the way, it is left up to the IRS to interpret it, and it is a subjective decision by the IRS since it is not targeted.

But let's say that $143 million over 10 years is the right number. That is what the Joint Committee on Taxation says. So $143 million over 10 years. Let me give one example.

There is a company in Ohio that is about a Fortune 200 or Fortune 300 company. So it is a big company—not the biggest company, but it is a big company in Ohio. They decided a year or so ago to do an inversion. They bought a company that was one-quarter their size overseas and they became a foreign company. Based on the public filings, we know this company will save $160 million on its taxes because it chose to become a foreign company. That is wrong. Our tax system should be fair, it should be competitive. It shouldn't be driving these companies overseas. It is an abuse of the shareholder and of their fiduciary responsibility.

That is $160 million a year versus what? That is $160 million a year versus what will happen? What happens every time we try to put up a wall to stop something? Nothing will happen. So let's get to the core problem.

The other problem is, if we continue to make it harder to be a U.S. company—which is what it is to take away a tax credit, whether it is to take away a deduction, whether it is to do something else, to try to block inversion, what will happen? What happens every time we try to put up a wall to stop something? Nothing will happen and the underlying problem? These companies will continue to look overseas, and they will be targets for acquisition.

We talked about the fact that there are no American beer companies anymore, except ones that have less than 2 percent market share. These companies didn't invert. They were bought by foreign companies. That is happening right and left in America, and that is what would happen even more if we make it even more disadvantageous to be an American company because we are trying to block this.

We have to get to the core issue. We can't have the highest tax in the world, and we can't have an international system that is not competitive and hope to have these companies stay American companies. So let's deal with the underlying problem.

Thirty-five companies over the past 5 years have chosen to invert, but so many others have done other things to try to be competitive, including to sell to foreign companies, or not to grow, not to be able to compete with acquisitions, because their after-tax profits are not as high as their foreign competitors.

It is not going to be easy to do tax reform. I understand that. It is never easy. That is not what we were hired to do, the easy things. We are on the floor right now debating this proposal called the Bring the Jobs Home Act, which I think is a misnomer, unfortunately. I guess that would be easy. It wouldn't help, but it would seem easy.

Tax reform is going to be hard, because we have to have the rate and broaden the base and get rid of some of these deductions and credits and exemptions and so on that are out there. The Tax Code is now riddled with them. Everybody likes their special provisions. But it is an effort well worth undertaking, because it is about our economy, it is about our future, it is about our kids having jobs here. It is about keeping American companies here. We simply have to do it.

By the way, Congress has done this before. We did it back in 1986. It was led by a Republican, Ronald Reagan, and a Democrat here in the Senate, Bill Bradley; and in the House, Dan Rostenkowski, Tip O'Neill. This was a bipartisan effort. It should be again. There is no reason it shouldn't be bipartisan.

The President has talked about it as a big problem right now in our economy, that our Tax Code is so inefficient, antiquated, needs to be updated. He has talked about lowering the rate, broadening the base. I agree with him, let's do it. Unfortunately, we haven't seen a proposal from the administration.

We had a hearing on this recently and I asked the administration: Where is the proposal? They said: Well, we are interested in working with you.

Great. I am, too. All of us are.

Some Republicans, including DAVE CAMP, have put out very specific proposals in the House Ways and Means Committee.

We have to move forward on this. And we have done this before. We can do hard things. It is our job to do hard things. We did welfare reform a year before an election—actually, months before election day, with President Clinton, working with Republicans, including Newt Gingrich.

This seems to be the kind of thing that is harder and harder to do around here, and yet there is more and more urgency to do it.

People call it corporate tax reform or business tax reform and think: It must be about the boardroom and about the executives. It is not. They will be fine either way. We don't need to worry about them. We need to worry about the workers. CBO, the Congressional Budget Office, which is the group that analyzes legislation, has looked at this and said: Do you know who is hurt the most by these high corporate taxes we have? It is the workers, of course. More than 70 percent of the burden, they said, is borne by the workers in the
form of lower pay, lower benefits, and fewer job opportunities.

So we need to do this not because we are looking to help the boardroom but because we are looking to help the American worker at a time when it is already tough.

Over the last 5 years, they say, average take-home pay has gone down about $3,500 for a typical family. So pay is not going up, it has gone down. Health care costs have gone up. In fact, they are skyrocketing.

I talked to some folks in Ohio last weekend who asked: Why aren’t you doing more to get health care costs down?

I said: Well, I didn’t support the ObamaCare proposal. It was promised that the costs would go down, and they are now going up. That is why we need real health care reform.

This is a middle-class squeeze. Health care costs are up, and wages are down, now stagnant. This is an opportunity—usually it is one after the other beneficiaries. Usually it is one after the other beneficiaries. Often it is not a sideshow like we are going to see on the floor here talking about how to do these tweaks that aren’t going to make any difference, but to really get at the problem is the way to get pay up. That is what the Congressional Budget Office tells us.

Our Tax Code should draw companies to our shores, should bring investment here and bring jobs here instead of pushing companies away. All we are looking for is a level playing field. If America has a level playing field here, we will be able to be competitive, and we will be able to bring back jobs. We have the greatest innovators in the world, we have the greatest resources, and we have incredible infrastructure in this country. We have a lot of advantages. Our energy advantage now, thanks to what we are doing now on private lands—we should do more on public lands, but what we are doing on private lands is really giving us an advantage in terms of a stable supply of relatively low-cost natural gas, particularly for manufacturing. We see this in Ohio. It is a great opportunity, but to take advantage of that opportunity, we have to reform and improve these basic institutions of our economy, including the Tax Code.

By the way, it is not just the Tax Code, it is about regulatory relief to ensure that American companies are not being saddled, as they are now, with higher costs associated and more regulations that make it harder for them to compete, make it harder for them to create jobs.

It is also about being assured that we have a trade policy that actually works to expand exports. That is a huge issue in my home State of Ohio. We do a lot of exporting. We could do a whole lot more. Twenty-five percent of our factory jobs are now export trade jobs. One in every three acres planted in Ohio is for export. We want to do more. That gives the prices up to farmers and producers. That is adding more jobs and creating more opportunity for good-paying jobs. These great jobs tend to pay more and have better benefits. We are sitting on the sidelines there too.

Congress could move quickly to provide this President with the negotiating authority every President since Franklin Delano Roosevelt has had. And let’s give him the tools he will need. He has asked for it. This President has now asked for it. You heard him in his State of the Union earlier this year. He hadn’t asked for it earlier in his term, but now he has asked for it. Let’s provide him the ability to knock down the barriers of trade for our workers, our service providers, and our farmers to get this economy moving, along with tax reform and regulatory reform. These are things that would actually make it better for the American people.

On the regulatory side, I am offering amendments in the context of this legislation, and they are bipartisan amendments. One has to do with ensuring that we do allow companies to permit quickly. Right now it can take years to permit a project in the United States of America. We have a bipartisan bill. Senator McCaskill and I are the two lead sponsors, but we have other Democrats and Republicans on this. It is just good common sense. Let’s make one agency accountable. Let’s be sure there is a way for everybody to transparently look at a windmill and see what the status of the project is and move it forward. It would actually make it better for the hydro people who brought this to my attention initially a few years ago—they cannot get foreign investors because it takes so long to permit something in America.

We used to be at the top of the heap, by the way, and now in the annual ease-of-doing-business surveys that are done. America has fallen behind. America is now something like 34th in the world in terms of the ease of doing business on permitting because more and more regulations have been added. For an energy project, there are sometimes up to 34 Federal regulations. Usually it is one after the other because there is no coordination and accountability. That is what this bill does. It is very simple. It is common sense. It already passed the House. It is the kind of bill that, if passed, would create jobs and good construction jobs, which is why the building trades support it.

By the way, there are some unions, building trades, and others who support this kind of legislation do so because they figured out that America cannot be competitive unless we have these basic institutions of our economy—whether it is regulatory reform or whether it is a smarter energy policy or whether it is the ability to have a tax code that works, they want to be sure we are expanding opportunities for their members. So I appreciate the building trades stepping forward.

The other one is simply to make sure regulations are accountable, make sure there is a cost-benefit analysis, make sure there is a benefit to risk analysis. This is something that has been signed into law. That has not been done. That is why the President has asked for it. This President has now asked for it. Congress should act.

I am offering these because I do think it is important for us to have this debate on tax reform, and I look forward to further debate on Monday and Tuesday of next week. I think this is a great opportunity for us to talk about the real problems. I am not going to support this solution because I don’t think it will help, but I welcome the debate, and I am glad we have proceeded to this debate. I am glad my colleagues on the other side of the aisle are raising this issue.

To the reporter who asked the question I got today—Are you concerned that Democrats are talking about inversions?—no, I am really happy they are talking about it. We should all be talking about it—Republicans, Democrats, Independents alike. As Americans, we should be focused on this issue and the broader issue that by our companies not being competitive, we are hurting American workers. If we don’t turn this around—not by shoe votes, but by something that is good politically but doesn’t make any difference, but by actually getting at the root of the problem—the highest rate in the developed world, an international system that doesn’t let us be competitive globally because people cannot move around their assets to find the best, most efficient use for them—those two issues, if addressed, will unlock all kinds of opportunities. That is the potential we have. There is a whole day ahead, right around the corner, if we do some of these basic things.

I was also asked today at a press conference we do every week with Ohio reporters: How would you grade this Congress? Are they doing the things they ought to be doing?

I have to tell you there are small things that have been done, but, no, Congress is not doing the work of the people. And the work of the people at the center of these debates is the laws, the Federal laws that this place alone—the House and the Senate and the President—have control over, those laws need to help the American people to be successful. It needs to be an environment for success, an environment for people to be able to say look, my kids and grandkids could have it better than I have it because we see America on the upswing.

That is not what we see today—the worst economic recovery since the Great Depression. I talked about wages going down, not up. I talked about the higher cost of health care. I talked about the fact that we have now in this
country a lot of people who are discouraged about the future.

CNN did a poll recently, and normally when people are asked in a poll whether they think their kids or grandkids are better off, they say: Yes. That is the American dream. The next generation will be better off.

That is what my grandparents believed, and that is what my parents believed. That is not what today's generation believes. Sixty-three percent of the people said: No, I don't believe that is going to happen.

What is even more troubling is that 63 percent of young people do not believe that. They don't believe their lives are better off than their parents'. We can change that.

I hope we get a vote on these amendments I talked about. I hope we will have a good discussion and debate on these issues. We owe it to the people we represent to solve these big problems.

I thank you for the time, Madam President, and I yield the floor.

MOMENT OF SILENCE

The PRESIDING OFFICER. Under the previous order, the Senate will now observe a moment of silence in remembering Officer Jacob J. Chestnut and Detective John N. Gibson of the United States Capitol Police.

(Moment of silence.)

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, I ask to be recognized as if in morning business.

The PRESIDING OFFICER. Without objection.

ISRAELI-GAZA CONFLICT

Mr. RUBIO. Thank you, Madam President.

I come to the floor today to discuss the ongoing situation in Israel. We all watch with great concern the images of the loss of life, young children, innocents who have lost their lives over the last few days, and also the men and women who served in the defense forces of Israel who have lost their lives in this operation. Our hearts also go out to the men and women who live in the nation of Israel who are living under the constant threat of rockets that are coming over from Gaza.

I came to the Senate floor a week ago to express not simply my concerns with this but also my solidarity—and I believe that of almost everyone in this body—with our ally Israel, and I received a response, a pretty heated letter from the Palestinian Ambassador in Washington, DC. He expressed outrage that I and my colleagues had not expressed the same level of concern for Palestinians as we had for the Israelis. He particularly pointed to the case of the three murdered Israelis but said we had not expressed similar feelings for the young Palestinian who lost his life.

I responded to his letter by pointing out a number of things. The first is that I believe that I and all my colleagues wish and pray and will do all we can to further the ideal that the Palestinian people could live peacefully side-by-side with their Israeli neighbors. It is a sentiment I expressed when I visited the Palestinian officials in the West Bank a year and a half ago.

But I also expressed that there was a significant difference between the way Israel and the Palestinians reacted to these two horrible incidents. The Palestinian Authority had to be basically nudged into expressing any sentiment about the three young people who were missing at the time. In fact, when the bodies were discovered, it led to street demonstrations. It led to celebrations on the streets of the West Bank and Gaza.

In Israel, the discovery of the death of the young Palestinian led to strong statements by the Prime Minister and condemnation. It led to a phone call from the Prime Minister to the family of the Palestinian. It led to visits by Israelis to the family of the Palestinian. It led to real outrage. There was a difference there, although both are horrible tragedies.

But I think there is something new emerging that is not being talked about. We have all seen the images of people being killed, civilians who are losing their lives in Gaza, and some are beginning to say that this is all Israel's fault, that this is Israel's fault. In fact, earlier today—or maybe it was last night—the Prime Minister of Turkey said that what the Israelis are doing in Gaza is worse than what Adolf Hitler did to the Jews. It is, of course, a ridiculous statement, but it gives an indication of where this is headed.

There is a story here that is not being told and that the Palestinian Ambassador himself has ignored, as I point to in my response to him. The first thing that comes to mind is that we have never in the modern history of the world seen any organization use human shields like Hamas is using human shields today. In fact, the reality behind it is unbelievable.

I would like to read from some press accounts with regards to this.

Washington Post correspondent William Booth, reporting from Gaza, wrote in an article on the 15th of July:

At the Shifa Hospital in Gaza City, crowds gathered to throw shoes and eggs at the Palestinian Authority's health minister, who represents the crumbling "unity government" in the West Bank city of Ramallah. The minister was turned away before he reached the hospital, which has become a de facto headquarters for Hamas leaders, who can be seen in the hallways and offices.

Another report by the Washington Post on July 17 recounts:

During the lull—

I imagine in the action—a group of men at a mosque in northern Gaza said they had returned to clean up the green glass from windows shattered in the previous day's bombardment. But they could be seen moving small rockets into the mosque.

The Japanese Mainichi Daily's correspondent in Gaza reported on July 21:

Hamas criticizes that "Israel massacres civilians." On the other hand, it tries to use evacuating civilians and journalists by stopping them and turning them into "human shields," counteracting thoroughly with its guerilla tactics...

It doesn't end there. A Globe and Mail correspondent in Gaza, Patrick Martin, wrote on July 20:

The presence of militant fighters in the Shejaia became clear Sunday afternoon when, under the cover of a humanitarian truce intended to allow both sides to remove the dead and wounded, several armed Palestinians scurried from the scene.

Some bore their weapons openly, slung over their shoulder, but at least two, disguised as women, were seen walking off with weapons partly concealed under their robes. Another had his weapon wrapped in a baby blanket and held on his chest as if it were an infant.

If you think that is bad, it gets worse. I obviously cannot play a video on the floor of the Senate, so instead I will read a statement from Hamas spokesperson Sami Abu Zuhri. This is a quote on television in Gaza:

The people oppose the Israeli fighter planes with their bodies alone.... I think this method has proven effective against the occupation. It also reflects the nature of our heroic and brave people, and we, the [Hamas] movement, call on our people to adopt this method in order to protect the Palestinian homes.

The response to this is, Israel drops fliers and sends text messages and makes phone calls telling people—civilians—we are going to undertake a military operation, you should leave the area. What does Hamas do? I will tell you what they do:

This is from the Facebook page of their Interior Ministry spokesperson:

An important and urgent message: The [Hamas] Ministry of the Interior and National Security calls on our honorable people in all parts of the [Gaza] Strip to ignore the warnings [to evacuate areas near rocket launching sites before Israeli bombs them] that are being disseminated by the Israeli occupation through manifests and phone messages, as these are part of a psychological war meant to sow confusion on the [Palestinian] home front, in light of the [Israeli] enemy's security failure and its confusion and bewilderment.

This next statement was on television on July 14:

We call on our Palestinian people, particularly the residents of northwest Gaza, not to obey what is written in the pamphlets distributed by the Israeli occupation army. We call on them to remain in their homes and disregard the demands to leave, however serious the threat may be.
This is evidence that Hamas is using its own people as human shields.

It doesn’t stop there, Mr. Ambassador. Ask yourself: Why did your organization—why did your government—unify with this terrorist organization to use its own people as human shields? You didn’t mention that in your letter. You didn’t mention in your letter that you aligned yourself with an organization that calls for the destruction of the Jewish state. You left that out of your letter as well, Mr. Ambassador.

What has been the international reaction to this? Well, I already told you about what came out of Turkey. Just yesterday the so-called United Nations Human Rights Council—and I say so-called because it has such distinguished human rights beacons as Cuba and China on its membership—voted unanimously, except for the United States, to condemn Israel and to call for an investigation into war crimes against Israel. There is a 700-page document that briefly mentions rockets and does not mention Hamas or human shields whatsoever. Meanwhile, this crisis continues.

What do we see coming out of Hamas? Have they stopped what they are doing beyond the human shields? No. What we discovered—and what has been discovered now—is an intricate web of underground tunnels designed to bring killers into the Israeli territory. They keep on the way, to carry out a massacre at a kibbutz near the border with Gaza. Luckily they were intercepted by Israeli defense forces. They discovered tranquilizers in their possession, the purpose of which, of course, was to use them to abduct and kidnap Israelis and take them back to Gaza for ransom or worse. The rockets continue to rain down as well.

You also didn’t mention in your letter, Mr. Ambassador, the cease-fire, which, by the way, Israel agreed to even though it was extremely unpopular in Israel. Why? Because three times in the last 5 years they had to face this.

I want you to imagine for a moment that you lived in a country with a neighbor that blitzed you three times in the last 5 years with rockets, trying to kill your children and destroy your cities and disrupt and paralyze your economy. There comes a point where you say enough, we have to put an end to this. So you can just imagine how unpopular that cease-fire must have been among some elements of the cabinet and the unity government in Israel, and certainly among the population. Yet the Prime Minister went ahead with it because they desire peace, and in just a few hours Hamas violated the cease-fire.

So please don’t come to me and say that both sides are to blame here. That is not true. This crisis would end tomorrow if Hamas would turn over its rockets and stop bombing people. This would end tomorrow, by the way, if the Hamas commanders were not such cowards. I will tell you why they are cowards. While they are on TV asking these people to go to the rooftops of these buildings, you know where they are? They are hiding in their basement command center, which, by the way, is under a basement underneath a hospital.

This would end tomorrow—the civilian deaths could end tomorrow—if they stopped storing rockets in schools, in a maternity ward in the way they did the other way when the U.N. discovered these rockets, do you know what they did with them? They turned them back over to Hamas. Don’t tell me both sides are to blame here because it is not true. It is not true. This is the result of one thing and one thing alone: Hamas has decided to launch rockets against Israel, Hamas has decided to build this extensive network of underground tunnels so that in a moment of conflict they can get these commandos into Israel and kill Israelis.

What is Israel doing? What any country would do. Of course this is not an excellent example, but imagine for a moment if one of our neighboring countries were doing this with tanks and rockets. What would the United States do? Would we sit there and say: We really have to be restrained and hold back here? We would not tolerate that. Imagine that every night and every morning you wake up wondering if your city because rockets were on their way in and you spent the better part of the day running in and out of shelters and taking cover. What would you say? You would say: Take care of this problem once and for all.

Why would we ever ask Israel to do anything less than we would do if we were in the same situation? And that is what they are doing.

In the process of taking care of the situation, tragically, civilians are dying, and do you know why? Because Hamas is deliberately putting them in harm’s way and act as human shields because they want these images to be spread around the world. They are willing to sacrifice their own people to win a PR war.

I think it is absolutely outrageous that some in the press corps domestically and most of the press corps internationally are falling for this game. So please don’t tell me that both sides are to blame here, and please don’t tell me this was caused by a lack of will or a lack of aggression. Hamas is asking their people to do what their leaders are saying to kill their own people to get in harm’s way and act as human shields because they want these images to be spread around the world. They are willing to sacrifice their own people to win a PR war.

In my time here in the Senate, I had the opportunity to visit multiple countries. I have never met a people more desirous of peace than the people in Israel. It is a shame that the destruction, and that is what they are facing here—an enemy force that wants to destroy them and wipe them out as a country. It is impossible to reach any sort of peace agreement with an organization like that. That is what Israel is facing here.

Mr. Ambassador, I ask that you go back to your government and ask them to separate completely from Hamas, condemn what Hamas is doing to your own people—condemn the use of human shields. That is what I ask you to do. Stop writing letters to Senators and being angry at us when, by the way—by the way, we should be kinder because the law says no money should be going toward any organization linked with Hamas—the United States has been helping you to stand up your security forces in the West Bank through military and other letters to the U.S. Congress complaining to us about what Israel is doing when the people you just created a unity government with are launching rockets against civilians in Israel and using its own people as human shields.

I think you need to take responsibility for your own people and your own part of the world. If you truly want peace, peace begins with laying down your arms and stopping these attacks and condemning those who are conducting these attacks and using innocent civilians as human shields. If you want peace, you are what you spend your time doing and not what you write in letters to the President complaining about the world for the idea that Israel is responsible for war crimes.

From our perspective, I hope the United States continues to be firmly on the side of Israel because there is no moral equivalency here. What is happening between Israel and Hamas is totally 100 percent the fault of Hamas. There is no moral equivalency here. All of the blame lies on Hamas.

For this crisis to end Hamas must either be eliminated as an organization or they must lay down their weapons and adhere to the true precepts of peace, which is the desire to live peacefully side by side with our neighbors in Israel.

I yield the floor.

The PRESIDING OFFICER (Mr. Markey). The Senator from Alabama.

BORDER SECURITY

Mr. SESSIONS. Mr. President, we are dealing with a very disturbing crisis on our borders. The situation that has developed is unbelievable. It is unbelievable how rapidly it has developed, but it has, indeed, been building up for more than a year. It is a direct and predictable result of the President’s policies and not enforcing the laws of the United States when it comes to immigration. It is a very sad day, and it can only end when the President stops suspending laws and starts enforcing laws.

The President is the chief law enforcement officer in America. Every Border Patrol officer, every ICE officer, every Coast Guard officer, every military officer, every Department of Homeland Security employees, and FBI employee works for him. He supervises them and directs them. He has been directing them not to enforce the law rather than to enforce the law. The evidence of that is undeniable.

The law enforcement officers—the ICE officers, Immigration and Customs Enforcement officers—sued their supervisor directly appointed by President
Obama for blocking them from fulfilling their oath to enforce the laws of the United States of America. There is a Federal court case that is still ongoing, and the judge found, at least at one point in his order, that the President has no right to direct officers not to prosecute a law.

We now know that we are facing an exceedingly grave threat of an unbelievable expansion of his unilateral Executive orders of amnesty that go beyond anything we have ever seen in this country and which threatens the very constitutional framework of our Republic and the very ability of this Nation to even have borders, it seems to me, and certainly to create a lawful, equitable, consistent enforcement in our country.

The respected newspaper National Journal, which is here in Washington, a nonpartisan and respected organization, reported on July 3—and a lot of people have missed this, and we need to know what it means—saying: We need to know what it means, and we need, as Members of Congress and this Senate, to resist it. We cannot allow it to happen. We will not allow it to happen. The American people, when they find out what is going on, will not allow it to happen, in my opinion. Congress needs to be directed by the people—I hate to say—to resist it. It says:

Obama made it clear he would press his executive powers to the limit. He gave quiet credence last week to the idea that he would increase the number of illegal immigrants in the United States, through his elected representatives, have chosen to enact. To the contrary, it is the duty of the Executive to take care that these laws are faithfully executed. Congress has the power to permit people to illegally enter the country or to ignore their visa expiration dates, so long as they do not have a felony conviction or other severe offenses. Your actions demonstrate an astonishing disregard for the Constitution, the rule of law, and the rights of American citizens and legal residents.

Our entire constitutional system—

The letter goes on to say—

is threatened when the Executive Branch suspends the law at its whim and our nation’s sovereignty is imperiled when the commander-in-chief defies to defend the integrity of its borders.

You swore an oath—

The letter says to the President—

to preserve, protect and defend the Constitution of the United States. We therefore ask you to uphold that oath and to carry out the duties required by the Constitution and entrusted to you by the American people.

The President is limited. He is not all-powerful. He is entrusted with certain limited powers to the people of the United States of America.

Now we understand he intends to go even further. In the response we got back, he never addressed it at all, except for his Secretary of Homeland Security, Mr. Jeh Johnson. He announced that, yes, he is indeed, at the order of the President of the United States, conducting a review of how many other people he can provide this amnesty for and work authorization for.

So last week, one of our able colleagues, Senator TED CRUZ—a former solicitor general for the attorney general’s office in Texas who has argued cases in appellate courts in the country—identified this problem and proposed I think a legislative fix that every Member of this body should sign. Some may say, Well, the President, I don’t think he is going to do this. OK. Why not bar him from doing it? Some say, I don’t think we should sign it. Why not? He basically said he has all the support of his group, it is not a larger group, and he said it is going to be a tenfold increase in the 5 million to 6 million people who are suggested to be legalized by the President’s unilateral Executive order; represents about 10 times the number of people who have already been given lawful status, in effect, by the President’s unlawful Executive order.

So at this time perhaps it would be appropriate, and I would appreciate it, if the Senator from Texas would explain his analysis of this issue and how his legislation would be effective in ensuring that we don’t go down this illegal road any further.

Mr. CRUZ. Mr. President, I thank my friend, the junior Senator from Alabama, for his very kind comments and for his relentless leadership in defense of the rule of law and standing against amnesty.

What I wish to speak about this afternoon is the humanitarian crisis that is playing out on our southern border right now and the application of responsibility that is playing out in Washington, DC.

A couple of weeks ago President Obama was in my home State of Texas. He found time to go to two Democratic Party fundraisers, to pal around with wealthy party fat cats, to collect a whole bunch of checks. Yet somehow he didn’t have time to go visit Lackland Air Force Base and see the 1,200 children who are being held there who are paying the price for the failure of the Obama immigration policy. In the coming weeks he is headed to Martha’s Vineyard. He is, I am sure, going to enjoy himself palling around with swells. Yet the people held in detention facilities up and down the border are not going to see the Commander in Chief because he cannot be bothered to address the human suffering.

He was just in California, in Hollywood, where the producer of “Scandal” hosted him. That is kind of fitting because it is scandalous that the President has more time to be “Fundraiser in Chief” than he does to do his basic job as Commander in Chief in securing our borders.

I just want to tell my colleagues, while the President was running around collecting checks from Democratic Party fat cats, I was back home in Texas. I was on the border this weekend down in McAllen. I sat down with the chief of the Border Patrol in McAllen. I sat down with the line officers of the Border Patrol in McAllen. I visited the detention facilities that are being constructed to hold these children. I saw a remarkable facility. It was to be a gigantic warehouse, and in 18 days the Border Patrol had to stand up a facility to house 1,000 children because that is the volume coming through there every couple of days.
The President is right in one regard. He has publicly stated we are seeing a humanitarian crisis, and that is correct, but it is a crisis of his own creation. This humanitarian crisis is the direct consequence of President Obama’s lawlessness. I will note he cannot even bother to set eyes on the people who are suffering because of it.

If we want to know what is causing this crisis, a simple examination of the numbers will suffice. Just 3 years ago, in 2011, the number of unaccompanied children entering this country was roughly 6,000. Then, in June of 2012, just a few months before the election, President Obama unilaterally granted amnesty to some 800,000 people who were here illegally in this country who entered as children. He did so, presumably, because he thought there would be a political benefit. It was a few months before an election and he thought there was good politics in ignoring the law and granting amnesty. But the foreseeable consequence of that amnesty—the predictable and the predicted consequence of that amnesty—if we tell people across the globe that if they enter as children, they will be amnesty, suddenly we create an incredible incentive for more and more children to come and more and more children to come alone.

This year, the Department of Homeland Security estimates that 90,000 unaccompanied children will enter this country illegally. Next year they estimate 145,000. I want my colleagues to compare those numbers for a second. Three years ago, it was 6,000. Now it is 90,000, and next year we expect 145,000. The direct and proximate cause was President Obama’s amnesty.

There are some in this body who might not believe what a Member of the opposite party says on this. There is a whole lot of partisanship in Washington. It shut down the ability of this body to deal with real challenges facing this country.

If people don’t believe what a Member of the opposite party says, perhaps they will believe the Border Patrol. Just a few weeks ago the Border Patrol conducted a confidential study that was given to members of the Senate Judiciary Committee by a whistleblower in the Border Patrol, where they interviewed over 200 people who had entered this country illegally. They told us particularly, and they asked them the question: Why are you coming? Ninety-five percent said we are coming because we believe once they get here and hand their papers to. Why? Because they believe once they get here and hand their papers over, they get amnesty.

Several weeks ago I visited Lackland Air Force Base where roughly 1,200 of these children are being held. I visited with the senior officials there. It is a base that serves as a place to take these children and hold them. There are many victims of the President’s refusal to enforce the law, but some of the most direct victims are these little boys and little girls because the coyotes are bringing these children from Central America. They are doing it for money. They do not have beards and Birkenstocks, and they are not there out of love. These coyotes are hardened, vicious transnational drug cartels, and these children are being subjected to horrific physical and sexual abuse.

When I was at Lackland Air Force Base, a senior official there described to me how these coyotes get custody of these kids to smuggle them illegally into this country. Sometimes they will decide to hold the children for ransom, to get even more money from the families. If the families cannot or will not pay, horribly, what these coyotes are doing is severing body parts of these children and sending them back to the families.

The senior official at Lackland described coyotes putting machine guns to the back of the head of a little boy or a little girl and ordering them to cut off their first-class seat for a little boy or little girl. If the child resists, they shoot that child and move on to the next one. They described how on our end we are seeing children come into this country—some of whom have been horribly maimed by these violent coyotes and not government workers. They do not have beards, and we see children being captured. They go look for someone in the front row of a commercial airline. They go look for the Border Patrol to hand over their papers to. Why? Because they believe once they get here and hand their papers over, they get amnesty.

President Obama proposed a $3.7 billion supplemental bill. Mind you, he did not have time to visit the border, to visit the children, to see the suffering, but he proposed yet more spending. The $3.7 billion supplemental is a HHS social services bill. It spends a whole bunch of money. By the way, to give you a sense of just how much $3.7 billion is, for $3.7 billion we could purchase 18,000 one-class seats on a first-class seat for each one of these 90,000 children to return them home—first-class—sitting in the front row of a commercial airline. After doing so, we could deposit $3.6 billion back in the Federal Treasury. It is a massive amount of money he has asked for, and what is striking, less than 5 percent of it goes to border security.

Here is the cynical part. Here is the sad part. Nothing in the President’s actions does anything to solve the underlying problem. Nothing does anything to eliminate the promise of amnesty. Nothing does anything to solve the problem. What the President is
saying is he is perfectly content for this crisis to continue in perpetuity. Under the President’s bill, next year we can expect 145,000—DHS expects—to come. We can expect tens of thousands or hundreds of thousands of little boys and little girls to be physically assaulted and sexually assaulted by coyotes.

That is not humane. That is not compassionate. Any system that continues to have children in the custody of these vicious coyotes is the very epitome of humane and compassionate. As my friend the junior Senator from Alabama pointed out, the magnet of amnesty has been significantly exacerbated in recent months. Why? Because President Obama, in a very high-profile way, met with far-left activists and made a promise. He said: I am going to study how to expand amnesty and to grant amnesty to another 5 or 6 million people here illegally.

Let’s be clear: there is nothing—zero—zero—the U.S. treat immigration law that gives the President the power to grant amnesty. It is open lawlessness and contempt for rule of law, but yet that promise is heard. That promise is heard throughout Central America. That promise is heard by those mothers and fathers who make the heart-wrenching decision to hand their sons and daughters over to these coyotes. They do so because they love their kids and they believe, as terrible as the journey will be, that if they get here, they get a chance. That promise is heard by those mothers and fathers who make the heart-wrenching decision to hand their sons and daughters over to these coyotes. They do so because they love their kids and they believe, as terrible as the journey will be, that if they get here, they get a chance. There is something convenient about that talking point because if it is violence in Central America. There is something convenient about that talking point because if it is violence in Central America, it is not President Obama’s fault. It is not anything they have done. It is something else extrinsic. But the second talking point that sometimes the administration will say is that the cause of this crisis is the 2008 law. There is a reason they point to that. Because it seems there is nothing President Obama enjoys more than blaming everything bad on this planet on George W. Bush. The 2008 law was signed by George W. Bush. So if this crisis was caused by the 2008 law, then mirabile dictu, it is not this administration’s fault.

But John Adams famously said: Facts are stubborn things. If someone is going to say that a crisis is caused by the 2008 law, they have to be willing to take at least a moment to look to the facts.

The 2008 law was passed, unsurprisingly, in 2008. The number of children entering unaccompanied did not spike in 2008. It did not spike in 2008. It did not spike in 2009. It did not spike in 2010. It did not spike in 2011. In 2011 it was roughly 6,000. If the 2008 law were the cause of this crisis, we would have seen these numbers spike in 2008, 2009, 2010 or 2011. No, they did not spike until 2012—June of 2012—when the President pulled out his pen and granted amnesty. That is the cause—the direct cause—the cause that the Border Patrol tells us. The facts are telling us why they are coming.

Once the crisis was created, the 2008 law has had unintended consequences. The 2008 law allowed expedited removal for unaccompanied children from Mexico and contiguous countries—but created slow, delayed, bureaucratized removal for children from more distant countries.

That did not create significant problems in 2008 or 2009 or 2010 or 2011 because we did not have a massive influx of kids from those gates. But once the President illegally granted amnesty and we started getting—as we are expected to this year—90,000 unaccompanied children, these kids are from Central American countries—now we are seeing the 2008 law cause real problems because returning these children home is delayed, often delayed indefinitely.

When I was in the McAllen meeting with the line Border Patrol agents, I asked them another question. I said: Listen. Washington is dysfunctional. Partisan politics rips the town apart. If you could ignore the politics, what do you say on the frontlines? How do we actually secure the borders? How do we solve this problem? Every single one of the Border Patrol agents answered the same way. They said: We have to send them home.

We treat them humanely. We treat them compassionately—because that is who we are as Americans; those are our values—but humanely and compassionately we need to expeditiously return them to their families back home. We do it because if the children are allowed to stay—and, mark my words, President Obama wants these children to stay and he wants to grant amnesty to the next children and the next children, which means that promise of amnesty will cause tens of thousands and hundreds of thousands of children to continue to be physically assaulted and sexually assaulted in perpetuity.

If we grant amnesty, all it will do is incite yet more kids to be victimized. The only way to solve this problem—this is coming from the Border Patrol agents—is to humanely and expeditiously send them home, reunite them with their families.

The legislation I am introducing this week changes the 2008 law so the policies for sending them home are the same as the policies for Mexico and Canada. We treat Mexico and Canada with great friendship and compassion. There is no reason the very same procedures cannot apply to children from Central America.

The final element of this bill is dealing with the real security crisis that is occurring.

Just today the junior Senator from Arizona and I both heard a briefing from one of our senior military leaders on the national security threats caused by our porous borders, by the same avenues that are taking those kids in and that are also being used to smuggle vast quantities of drugs. The same corridors that are taking those kids in are also being used to smuggle thousands of aliens from special interest countries, from the Middle East, aliens from countries that face serious issues of radical Islamic terrorists. President Obama’s Governors have stepped forward to respond to this crisis. I commend the Governor of my home State of Texas, Rick Perry, for
showing leadership and calling up the National Guard in Texas. It was the right thing to do. He should not have to do it. The Constitution gives that responsibility to the Federal Government. The Governor should not have to stop the violence and the threat from Hamas terrorist rocket fire. So why is the majority leader stuck that way?

Well, it is called partisan politics. Because when it fails, the talking points will come out. The majority leader will come out and say: The Republicans do not want to solve the problem on the border. The Republicans are unwilling to stand with our friend and ally Israel. Let me tell you right now, every Republican on this side of the Chamber would vote right now, this afternoon, to replenish the Iron Dome missiles. To be honest, we have provided for in this action for most parts of the country. Thursday afternoon, 4:30, people who actually have an honest job are still at work. Not in the Senate. The Senate people head on home. People are out camping. How about we actually have Senators show up on this floor more than one or two at a time and debate these issues? How about we actually see Senators stand, debate the issues, and resolve the problems?

The majority leader knows that. The President knows that. The intention is to have it voted down. One of the incredible things about where we are right now is: We have a series of vote on that is a do-nothing Senate. We do not pass any legislation of consequence. There is a reason for that. The majority leader has decided we are not going to pass any legislation of consequence. So instead of pointing the finger and saying, seeking for border security, we have a series of vote, every one of which is designed to fail, every one of which the majority leader knows will fail, and every one of which is poll tested or focus group tested to allow Democrats run and hide for re-election to campaign based on those votes.

It is not legislating. It is not doing the job the Senate was meant to do. This border security bill that we will likely vote on next week will do nothing for border security. It is not designed to. Even if it were to pass, it is not designed to. It is not designed to do anything to stop President Obama’s amnesty. It is not designed to do anything to expedite reuniting these kids with their parents. It is simply designed to be a fig leaf, to say: The Democrats have responded to this crisis. The evil, mean, nasty Republicans did not go along.

That is a political narrative that is not new. It is common in partisan politics. It just happens not to be true. Unfortunately, the Democratic majority in this body has demonstrated no interest in actually solving this problem. You have to ask how cynical the majority leader’s strategy is? They have added to this border bill a provision that would replenish the Iron Dome missiles for the nation of Israel.

I would note that has nothing to do with border security. That is a policy that is unambiguously good. Every Member on the Republican side of this Chamber supports replenishing the Iron Dome missiles that are right now keeping Israel safe from the Hamas terrorist rocket fire. So why has the majority leader stuck that onto a bill that he knows will fail and is designed to fail?
about that. I’m going to keep my promise and move forward with executive action soon."

It makes the hair stand up on the back of my neck as a former Federal prosecutor in Federal court for almost 15 years to have the President say this. The article went on to say:

In the room, there was something of a collective, electric gasp. The assembled immigration-rights groups had been leaning hard on Obama for months to use executive action to sidestep Congress and privately mocked what they regarded as Pollianna hopes that House Republicans would budge... Obama told the groups what they had been dying to hear—that he was going to condemn House Republicans for inaction and... provide legal status to millions of undocumented workers—all by himself.

Mr. CRUZ. Would the Senator yield for a question?
Mr. SESSIONS. I would be pleased.
Mr. CRUZ. The junior Senator from Alabama has just described President Obama’s intended intention to grant amnesty to an additional 5 to 6 million people here illegally in the months preceding this next election. As the junior Senator from Alabama is certainly aware, there are a number of Senators up for reelection, including a number of Democrats in bright red States where the constituents of those States, whether in Louisiana or Arkansas or North Carolina or many other States, do not support amnesty for another 5 to 6 million people here illegally.

The question I would ask my friend from Alabama: Is he aware of any Democrat in this Chamber, including those Democrats running for reelection in conservative States where the citizens strongly oppose amnesty—is he aware of any Democrat in this Chamber who has had the courage to stand with him in standing up to President Obama and saying: Do not grant amnesty illegally? Is he aware of any Democrat in this Chamber who has joined the two of us in our legislation to prohibit President Obama from illegally granting amnesty to 5 to 6 million people?

Mr. SESSIONS. Well, I am not. One of the things I think the American people do need to understand is when Majority Leader Reid, in conjunction with the President of the United States, blocks even amendments up for a vote, where does he get his power? He gets his power from every Member of his conference.

None of them are breaking in and saying: This is not right.

Senator Cruz’s bill would deal with this future danger, that the President might do this again. I think—and we have looked at it hard, our Judiciary staff—we both serve on that committee—and have said this will actually work to ensure that we don’t have another rogue action, unlawful, by the President of the United States, directly contrary to deciding the will of the American people and congressional action.

The President is happy that Congress doesn’t pass his law, and he says: They won’t act, so I will.

But, colleagues, when we don’t act, we act. That is an act. It is a decision as sure as if we had passed a law. A decision not to act is a decision. The President of the United States can’t simply go around and say: I can do anything I want because Congress didn’t act. How ridiculous is that? A National Journal article calls this policy explosive, and I believe that is a direct action.

One more question. Senator Cruz, I know, is a student of the Constitution, and Professor Turley at George Washington University has testified numerous times before Congress. I think he considers himself a Democrat, a liberal, but he is deeply concerned about the future of our Republic because of the President’s overreach and exceeding the lawful powers given to the President.

Is some other President going to expand it further and very soon Congress becomes nothing? I would ask if the Senator from Alabama said that because he was very active in the attorney general’s office in Texas.

Professor Turley said:

"The President’s pledge to effectively govern alone is alarming, and what is most troubling is that he remains unmoved by that pledge. When a president can govern alone, he can become a government unto himself, which is precisely the danger the framers sought to avoid.

What we’re witnessing today is one of the greatest crises that members of this body will face. The President has reached a constitutional tipping point that threatens a fundamental change in how our country is governed.

Does that cause the Senator concern and does he have any thoughts about that?

Mr. CRUZ. Senator Sessions, it causes me great concern. One of the most troubling aspects of the Obama Presidency has been the persistent pattern of lawlessness from this President. We have never seen a President who, if he disagrees with a particular law, so frequently and so brazenly refuses to enforce it, refuses to comply with it, and asserts the power to unilaterally change it.

The President famously said: I have a pen and I have a phone, and he seems to confuse his pen and his phone for the constitutional process of lawmaking our country was built on.

Rule of law does not mean you have a country with a whole lot of laws. Most countries have laws, and many totalitarian countries have a whole lot of laws. Rule of law means no man is above the law. It means that everyone, everyone, everyone, and especially the President, is bound by the law.

President Obama openly defies his constitutional obligation under article 2 of the Constitution to take care that the laws will be faithfully executed.

I would note that Professor Turley, as the junior Senator from Alabama quoted, is a liberal Democrat who in 2008 voted for President Obama. Professor Turley also testified before the House that President Obama has become the embodiment of the imperial President. Barack Obama has become the President Richard Nixon always wished he could be.

Those are the words of a liberal Democratic constitutional law professor who voted for Barack Obama.

But my friend the junior Senator from Alabama is certainly aware, there are a number of Senators who has joined the two of us in our legislation to prohibit President Obama from illegally granting amnesty to 5 to 6 million people here illegally.

We have never seen a President who, if he disagrees with a particular law, so frequently and so brazenly refuses to enforce it, refuses to comply with it, and asserts the power to unilaterally change it.

What is unprecedented today is that on the left side of the Chamber it is both literally and figuratively empty. Had it not too long ago, the President abuse his power with recess appointments. One of the important checks and balances the Constitution creates on Presidential authority is it gives this body, the Senate, the power of confirmation. Professor Obama apparently didn’t like any checks and balances on his power, so he made a series of recess appointments when the Senate wasn’t in recess. It was brazen, it was naked. The President simply asserted: I say the Senate is in recess. Mind you, the Senate didn’t say we were in recess, but the President claimed the power to declare us in recess when we weren’t.

Do you want to know how extreme that was? Do you want to know how extreme was that? Do you want to know how extraordinary that was?

Just a few weeks ago the Supreme Court unanimously struck it down as unconstitutional.
It is important to underscore that. There is a lot of coverage in the newspaper that suggests we have liberal justices, conservative justices, and on any close issue it is going to be 5 to 4. This wasn’t 5 to 4, it wasn’t 6 to 3, it wasn’t 7 to 2, and it wasn’t even 8 to 1—9 to 0. Everyone agreed on the Court—both of President Obama’s appointees on the Court. They looked at the substantive issue and they said: This ain’t hard. The President doesn’t get to say when the Senate is in recess, the Senate gets to say when the Senate is in recess. And if the Senate isn’t in recess, the President has to respect the checks and balances of confirmation.

So we have an easy, no-brainer layup of a constitutional law question about the President usurping the constitutional prerogatives of the Senate, and how many Senate Democrats stood up to their party’s President? Not a single one. Not the majority leader of the Senate, who we would think might have some credibility on defending this institution; Robert Byrd, who stood there defending this institution; Ted Kennedy. I would say to my friend the junior Senator from Alabama, what is truly unprecedented is that there are no Senate Democrats who say: Enough is enough.

I am hopeful at some point we will see a Senate Democrat listen to their constituents, listen to the Constitution, and listen to the rule of law.

I can assume the reason why Senate Democrats don’t do it and why our friends in the press often don’t report on this. I can assume their reasoning goes something such as: Well, I basically agree with the policies of President Obama. I like the policies. I like what he is doing, and he is our guy. We kind of have to back our guy. I am guessing that is a reason, but I will note, as the Scriptures say: There came a pharaoh who knew not Joseph and his children.

President Barack Obama will not always be President of the United States. There will be another President. And even to my friends on the Democratic side of the aisle—I must say something shocking and terrifying to you—there will come another Republican President.

If the President has the authority to do what President Obama is claiming, with Obamacare—28 times—he simply unilaterally changed the text of the law, said: It doesn’t matter what the law says, I say it is something different. If the President has that power, a Republican President has that power too.

So I would encourage all of my friends on the left who like these policy issues—well, imagine some of the policy issues you don’t like, whether on labor law or environmental law or tort reform or let’s take tax law. I will give an example.

Imagine a subsequent Republican President who stood up and stated quite sensibly the economy might do much better if we move to a flat tax, so I am therefore instructing the IRS: Do not collect any tax above 20 percent. Now one might say, well, that sounds extreme. That sounds radical. As a policy matter, that would be a terrific policy.

But could the President instruct the IRS not to enforce tax laws? Fifty-five Members of this body are already on record saying yes. Do you know why? Because when the President suspended the employer mandate for big business, the text for ObamaCare says the employer mandate kicks in on January 1, 2014. The President said: I am suspending that provision of law. I am granting my buddies in big business a waiver. That was a tax law.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Senator from Texas.

I think what he is saying is reflected in what Professor Turley said. It is almost like a plea to his colleague, maybe his colleague, his friend. He said: “The President’s pledge to effectively govern alone is alarming, and what is most alarming is his ability to fulfill that pledge.”

In other words, his ability to get away with anything that Congress acquires in it. Let me say this the President is not going to get away with a unilateral amnesty. We are going to take this to the American people, and at some point this Congress will be held to account if he does so. Remember, every Member is going to have to vote and be responsible for allowing a President to run roughshod over the law of this country, the people’s representatives, and, in effect, the people of the United States.

His plan for amnesty, under the circumstances he advocated them, has been rejected.

Congress is always available to consider any issue and make any decision it chooses, but it has, under the circumstances driven in this body, been rejected.

He has no power to go forward and beyond that, and we are not going to allow it to happen. It is wrong. Whether we agree or disagree about how amendable it is, it is wrong for the President to unilaterally execute such a policy, as Professor Turley said and as the Senator from Texas has said, the former solicitor general of the State of Texas. He understands it is law, and this matter is not over. We will continue to advocate.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Iowa.

Mr. HARKIN. Mr. President, I thank the Chair.

(The remarks of Mr. HARKIN pertaining to the introduction of S. 2658 are printed in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Thank you, Madam President. This is my 15th climate change hearing. I am not going to talk about one of the minor benchmarks, I suppose. I come here urging my colleagues to wake up to the threat of climate change. I do this every week we are in session, hoping someday a spark will occur. But the evidence of climate change deepens, the dialogue in Washington remains one-sided.

Climate change was once a bipartisan concern. In recent years something changed. I think I know what changed, and I will get to that. First, let’s reminisce about the bipartisanship. As we take a look back in this body, we have Republican colleagues who once openly acknowledged the existence of carbon-driven climate change and who called for real legislative action to cut carbon emissions. Imagine that. It wasn’t that long ago.

We have a former Republican Presidential nominee amongst us who campaigned for the Presidency on addressing climate change. We have Republicans here who have spoken favorably about charging a fee on carbon, including an original Republican cosponsor of a bipartisan Senate carbon-fee bill. We have a Republican colleague who co-sponsored carbon fee legislation in the House of Representatives for the Waxman-Markey cap-and-trade bill when he was in the House. For years—for years—there was a steady, healthyheartbeat of Republican support for major U.S. legislation to address carbon pollution.

Let me be specific. In 2003, Senator JOHN MCCAIN was the lead cosponsor of Democrat Joe Lieberman’s Climate Stewardship Act, which would have created a market-based emissions cap-and-trade program to reduce carbon dioxide and other heat-trapping pollutants from the biggest U.S. sources.

Here is what Senator MCCAIN said at the time:

While we cannot say with 100 percent confidence what will happen in the future, we do know the emission of greenhouse gases is not healthy for the environment. As many of the top scientists through the world have stated, the sooner we start to reduce these emissions the better off we will be in the future.

His Climate Stewardship Act actually got a vote. Imagine that. When it did not prevail, Senator MCCAIN reintroduced the measure himself in the following Congress. Republican Senator Snowe of Maine and Lincoln Chafee of Rhode Island, my predecessor, were among that bill’s cosponsors. Other Republicans got behind other cap-and-trade proposals. Senator Tom CARPER’s Clean Air Planning Act at one time or another commanded Senators Lamar Alexander of Tennessee, Senator Lindsey Graham of South Carolina, and Senator Susan Collins of Maine among its supporters.

And if a Republican colleague was not enough, then it was two Republicans. Senator Lisa Murkowski and Senator Susan Collins were co-sponsors of the bipartisan Senate cap-and-trade bill of 2010.

Now one might say, well, that sounds extreme. That sounds radical. As a policy matter, that would be a terrific policy.

But could the President instruct the IRS not to enforce tax laws? Fifty-five Members of this body are already on record saying yes. Do you know why? Because when the President suspended the employer mandate for big business, the text for ObamaCare says the employer mandate kicks in on January 1, 2014. The President said: I am suspending that provision of law. I am granting my buddies in big business a waiver. That was a tax law.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Senator from Texas.

I think what he is saying is reflected in what Professor Turley said. It is almost like a plea to his colleague, maybe his colleague, his friend. He said: “The President’s pledge to effectively govern alone is alarming, and what is most alarming is his ability to fulfill that pledge.”

In other words, his ability to get away with anything that Congress acquires in it. Let me say this the President is not going to get away with a unilateral amnesty. We are going to take this to the American people, and at some point this Congress will be held to account if he does so. Remember, every Member is going to have to vote and be responsible for allowing a President to run roughshod over the law of this country, the people’s representatives, and, in effect, the people of the United States.

His plan for amnesty, under the circumstances he advocated them, has been rejected.

Congress is always available to consider any issue and make any decision it chooses, but it has, under the circumstances driven in this body, been rejected.

He has no power to go forward and beyond that, and we are not going to allow it to happen. It is wrong. Whether we agree or disagree about how amendable it is, it is wrong for the President to unilaterally execute such a policy, as Professor Turley said and as the Senator from Texas has said, the former solicitor general of the State of Texas. He understands it is law, and this matter is not over. We will continue to advocate.

I yield the floor.

The PRESIDING OFFICER(Ms. HEITKAMP). The Senator from Iowa.

Mr. HARKIN. Mr. President, I thank the Chair.

(The remarks of Mr. HARKIN pertaining to the introduction of S. 2658 are printed in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”)
In 2007, Republican Senator Olympia Snowe was a lead cosponsor of then-Senator Kerry’s Global Warming Pollution Reduction Act. Senators Murkowski and Stevens from Alaska and Senator Specter of Pennsylvania, then a Republican, were original cosponsors of the Bingaman Low Carbon Economy Act. That same year Senator Alexander introduced the Clean Air/Clim ate Change Act of 2007. Each of these bills sought to reduce carbon emissions through a cap-and-trade mechanism.

said Senator Alexander:

It is also time to acknowledge that climate change is real. Human activity is a big part of the problem up to us to solve.

That bipartisan heartbeat remained strong in 2009. Senator Mark Kirk of Illinois, while he served in the House of Representatives, was one of eight Republicans to vote for the Waxman-Markey cap-and-trade proposal. In that same year, 2009, Senator Jeff Flake of Arizona, then representing Arizona in the House, was an original cosponsor of the Raise Wages, Cut Carbon Act to reduce penalties for employers and employees in exchange for eventual revenue from a carbon tax. On the House floor then-Representative Flake argued the virtues of this approach. He said:

If we want to be honest about helping the environment, then just impose a carbon tax and make it revenue neutral. Give commensurate tax relief on the other side. Myself and a number of my colleagues have introduced that legislation to do just that. Let’s have an honest debate about whether or not we want to help the environment by actually having something that is revenue neutral where you tax consumption as opposed to income.

It was a good idea then and it is still a good idea now. Senator Flake’s words were echoed that year in the Senate by Senator Collins, a lead cosponsor of the Carbon Limits and Energy for America’s Renewal Act, Senator Cantwell’s carbon fee bill.

“In this United States alone,” said Senator Collins, “emissions of the primary greenhouse gas carbon dioxide have risen more than 20 percent since 1990. Clearly climate change is a daunting environmental challenge.” She said, “we must develop solutions that do not impose a heavy burden on our economy, particularly during these difficult economic times.”

Madam President, 2009—think of it. There was once not too long ago a clear and forceful acknowledgment from leading Republican voices of the real danger posed by climate change and of Congress’s responsibility to act.

What happened? Why did the steady heartbeat of Republican climate action suddenly flatline?

I believe we lost the ability to address climate change in a bipartisan way because of the evils of the Supreme Court’s Citizens United decision. Our present failure to address climate change is a symptom of things gone awry in our democracy due to Citizens United.

You behave—cast a dark shadow over Republicans who might work with Democrats on curbing carbon pollution. Tens, perhaps even hundreds of millions of dark-money dollars are being spent by polluters and their front groups. Donors know that they only know what private threats and promises have been made.

The timing is telling. Before Citizens United, there was an active heartbeat of Republican activity on climate change. Since then, the evidence has our voice become stronger. But after Citizens United uncorked all that big, dark money and allowed it to cast its bullying shadow of intimidation over our democracy, Republicans—other than those few who parrot the polluter party line that climate change is a big old hoax—have all walked back from any major climate legislation.

We have Senators here who represent historic native villages that are now washing into the sea and needing relocation because of sea level rise. We have Senators here who represent great American coastal cities that are now overwhelmed by high tides because of climate change. We have Senators representing States suffering from drought and heat. We have Senators whose home State forests by the hundreds of square miles are being killed by the marauding pine beetle. We have Senators whose home State glaciers are disappearing before their very eyes. We have Senators whose States are having to raise offshore bridges and highways before rising seas. We have Senators whose emblematic home State species are dying off, such as the New Hampshire moose, for instance, swarmed by ticks by the tens of thousands that snows no longer kill. Yet none will work on a major climate bill. It is not safe to ever since Citizens United allowed the bullying, polluting interests to pour millions of dark-money dollars into elections, and threaten and promise to bombard our elections with their attack ads.

Despite all the dark money, despite the threats and intimidation, I still believe this can be a courageous time. We simply need conscientious Republicans and Democrats to work together in good faith on a common platform of facts and common sense to protect the American people and the American economy from the looming effects of climate change in our atmosphere, on our lands, and in our oceans. We simply need to shed the shackles of corrupting influence and rise to our duty.

In courageous times, Americans have done far more than that. It is not asking much to ask this generation to stand up to a pack of polluters just because they have big checkbooks. In previous generations, Americans have put their very lives, fortunes, and sacred honor at risk to serve the higher interests of their God and country. We know it can be done because it has been done.

We do not have to be the generation that failed at our duty. We are headed
down a road to infamy now, but it doesn't have to be that way. We can leave a legacy that will echo down the corridors of history so that those who follow us will be proud of our efforts. But sitting here doing nothing, yielding to the special interest bullies and their handlers, means that we are extending that the problem isn't real, will not accomplish that. As I have said before, 74 times, and as I say tonight for the 75th time, it is time for us to wake up. I thank the Presiding Officer. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPORTING ISRAEL.

Mr. MCCONNELL. Madam President, yesterday Secretary of Defense Chuck Hagel wrote to the majority leader seeking $255 million in additional U.S. funding for the production of Iron Dome components in Israel so they can maintain adequate stockpiles and defend their population. Republicans are united in support of our ally Israel. We have legislation that would allow Congress to meet the Secretary's request, and we hope our friends on the other side will join us in coming to a sensible, bipartisan solution that can be passed quickly.

As most Senators know, the Iron Dome missile defense system has played a critical role in defending Israel's population from rocket attacks launched by Hamas from within the Gaza Strip.

While our friends in Egypt are working to stop a cease-fire and end this mirage of rocket attacks—attacks that indiscriminately target the civilian population of Israel—the Iron Dome system will remain critical to Israel's security until a true cease-fire is achieved. It will remain vital afterwards as well, because this defensive system helps blunt the impact of one of Hamas' preferred tools of terror.

By passing a bipartisan measure to meet the Secretary's request, we can send a message to Hamas that its terroristic tactics and its attempts to terrorize Israel's populace will not succeed. And we can help Israel defend its civilian population against indiscriminate attacks as it continues its campaign—Operation Protective Edge—to destroy the terrorist organization. Iran-supplied weapons stockpiled within Gaza, as well as to eliminate the tunnels that allow terrorists to infiltrate into Israel and smuggle arms into Gaza.

BURMA

Now, on a different matter in a different part of the world. For more than two decades I have been coming to the Senate floor to discuss the latest events in Burma. Typically, in the spring, I would introduce legislation to renew the import sanctions on the then-Burmese junta contained in the Burmese Freedom and Democracy Act. In addition to pressuring the junta, the annual renewal of the import sanctions provided a useful forum to focus public attention on the plight of the Burmese people.

After much deliberation, last summer Members of Congress chose not to renew these sanctions for another year as Burma had demonstrated progress towards implementing government reforms. That said, Burma's path to reform is far from complete. Much work remains to be done. As such, it is important to continue focusing attention on the country in a regular fashion. That is what I wish to do today, to highlight an important, immediate, intuïtive step that the country can take to reassure those who wish the country well, that it remains on the path to reform.

In many ways the Burma of 2014 so far resembles the nation that existed in 2003 when Congress first enacted the BFDA against the Burmese junta. Beginning about 3 years ago, Burma began to make significant strides forward in several key areas. Under President U Thein Sein, the Burmese Government began to institute reforms that surprised virtually all of the onlookers. In the following years, the government granted numerous amnesties and political pardons to political prisoners and has released more than 1,100 political prisoners to date.

As a result of the new government's actions, Daw Aung San Suu Kyi, the Nobel Peace Prize laureate, was released from house arrest after spending 15—15—of the previous 21 years in detention. Since her release from House arrest, Daw Suu has been permitted to travel abroad. Moreover, a by-election was held in April 2012 and she was elected to Parliament, along with a number of her National League for Democracy colleagues. In fact, when she did travel abroad back in 2012, at my invitation she came to Louisville, KY. It was an incredible experience to have her in our State and in our country.

In light of these democratic reforms—many of which I witnessed firsthand when I visited the country in January of 2012—I believe that to no small degree Burma has been a remarkable story among many dark developments in the world today.

However, even though the country has made incredible progress in a relatively short period of time, many Burma of late appears stalled amidst a score of pressing challenges. These include continued conflict between the government and ethnic minorities, governmental restrictions on civil liberties, and ongoing humanitarian issues in Rakhine State. All are serious and deserve the Senate's close attention. And related to all of these issues is the need for Burma to continue to bring the military under civilian control if it is to evolve into a more representative government.

With the by-election in Burma scheduled for late this year and a parliamentary election scheduled for late 2015, reformers in the Burmese Government have an opportunity to regain their momentum. The time between now and the end of 2015 is pivotal—for Burma. The elections will help demonstrate whether the country will continue on the reformist path.

With that in mind, the Burmese Government should understand that the United States, and the Senate specifically, will watch very closely at how Burma's authorities conduct the 2015 parliamentary elections as a critical marker of the sincerity and the sustainability of democratic reform in Burma.

President U Thein Sein has made public assurances that the upcoming parliamentary election will be “free and transparent.” Parliament’s pledge has already been challenged by several campaign restrictions.

One of those restrictions is a simple one. It involves who can be chosen for the most important civilian office in Burma. President Thein Sein has several requirements governing who can hold this highest office. Some of them make sense. For instance, like the United States, Burma has a minimum age requirement for its highest office. Its President must be at least 45 years old. I suppose that helps assure that only someone with a fair amount of life experience can be President.

In addition, the Burmese constitution stipulates that the President must be a citizen who is “well acquainted” with the country’s “political, administrative, economic, and military” affairs, and is “loyal to the union and its citizens.” This requirement helps ensure that a president is knowledgeable about public affairs and has a vested interest in serving in Burma’s executive office.

However, Burma’s constitution also includes a deeply disconcerting limitation on Presidential eligibility. Section 59 stipulates that the Burmese President may not be a foreign national and may not have any immediate family members who are foreign nationals. This limitation on the home nation of a candidate’s interest has no bearing on an individual’s fitness for office. This restriction prevents many, including Daw Suu herself, from even being considered for Burma’s highest office, Daw Suu, for example, would not be permitted to run because her deceased husband was, among his two sons, a British national. To think that the nationalities of family members have relevance for fitness to hold office or allegiance to Burma is dubious at best.

Not only is Daw Suu discriminated against but so are the Burmese who fled or were exiled from the country during the junta’s rule. Many of them
were out of Burma for years—not by choice. I would add—and during this time many became naturalized citizens in another country out of necessity. These men and women are also ineligible to be President.

Deciding who will be the next Burmese President is obviously up to the people of Burma through their elected representatives and not up to the international community. But, at a minimum, I believe that otherwise qualified candidates should be permitted to stand for office.

More important than the provision’s unfairness for certain Presidential candidates is that this provision restricts the ability of the people of Burma, through their representatives, to have a choice in who can hold their highest office. This is profoundly undemocratic, and it is profoundly undemocratic at a time when Burma’s commitment to democracy is actually open to question.

It is notable that one apparent roadblock to amending the Presidential eligibility requirement is the fact that the military holds de facto veto power over constitutional amendments. Under the constitution, the military controls a block of 25 percent of the parliamentary seats and in excess of a 75-percent vote is required for a constitutional amendment to go forward. The military controls 25 percent of the Parliament; they need over 75 percent of the Parliament to change the constitution. It becomes clear what this is about.

I understand the Burmese parliamentary committee is in the process of finalizing plans for the implementation of constitutional reform, but I am concerned that eligibility changes will apparently not—include amending the narrow restrictions of the constitution that limit who can run for President. To me, it will be a missed opportunity if this provision is not revisited before the 2015 parliamentary elections.

Modifying this provision is one way the Burmese Government can display to the world, in an immediate and clearly recognizable way, that it remains fully committed to reform. Permitting a broad array of candidates to run for President is an unmistakable symbol to the world—even to those who do not follow Burma closely—that Burmese reformers actually mean business; otherwise, such a restriction will quite simply cast a pall over the legitimacy of the election in the eyes of the international community and certainly to Members of the U.S. Senate.

While Congress did not renew the BFDA’s import ban last year and there is little appetite to renew the measure this year, several U.S. sanctions toward Burma remain on the books. They include restrictions on the importation of jade and rubies into the United States and sanctions on individuals who continue to hinder reform efforts. It is hard to see how those provisions get lifted without there being progress on the constitutional eligibility issue and the closely related issue of the legitimacy of the 2015 elections.

As the 2015 elections approach, I urge the country’s leadership—it’s President, Parliament and military—to remain resolute in confronting the considerable obstacles to a more representative government that Burma faces. That is the only way the existing sanctions are going to get removed—the only way.

I wanted to highlight the eligibility issue as an example of an important step we can take to advance its reformist momentum. Such a step is of course necessary but not sufficient. As I noted, undergirding many of Burma’s problems is the need to enhance civilian control over the military. This concern manifests itself in many ways, including the need to clarify that the commander in chief serves under the President and the importance of removing the military’s de facto veto authority over constitutional amendments.

One tool the United States could use to help reform Burma’s armed forces is through military-to-military contacts. I believe that exposure to the most professional military in the world—our own—will help Burma develop a force that is responsive to civilian control and to professional standards. Security assistance and professional military education are not simply rewards to partnering countries, as some view such programs. They are tools with which we can advance policy objectives. Helping the Burmese military to reform is in our interest but it cannot be done through mere exhortation; it needs to be done through training and regular contact with the highest professional military standards. Only then, I believe, will the Burmese military see that being under civilian control is not—inimical to its interests.

This realization by the Burmese military, coupled with a successful 2015 election, may well otherwise discourage qualified Presidential aspirants, will greatly enhance the cause for reform and peaceful reconciliation in Burma.

Madam President, I suggest the absence of a quorum.

THE PRESIDENTIAL OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

MR. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDENTIAL OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

MORNING BUSINESS

MR. REID. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators to be permitted to speak therein for up to 10 minutes each.

The PRESIDENTING OFFICER. Without objection, it is so ordered.

TRIBUTE TO JEREMY HOLBROOK

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate do now adjourn in honor of Jeremy Holbrook, a Marine from my home State, the Commonwealth of Kentucky.

Jeremy hails from Magoffin County, and graduated from Magoffin County High School in 2004. The attacks of September 11, 2001, had a profound impact on Jeremy, and inspired him to enlist in the Marine Corps after graduating at the age of 18.

After completing basic training, counter-insurgency training, and tank school, Jeremy was deployed to Ramadi as a part of Operation Iraqi Freedom. Despite being wounded on this first tour, for which he received the Purple Heart, he remained determined to serve his country. Jeremy returned to Iraq for a second tour, this time in Fallujah and, as in his previous tour, participated in counter-insurgency missions.

Both Jeremy’s uncle and grandfather served in the U.S. Army, and for Jeremy’s mother it just made sense to continue that legacy of service. As he puts it—“pretty much whenever I saw our Nation needed people to defend our Nation, I felt I needed to take the call, and that’s what I did.”

Jeremy’s honor to serve to this country is deserving of the praise of this body. Therefore, I ask that my Senate colleagues join me in honoring Jeremy Holbrook.

The Salyersville Independent recently published an article detailing Holbrook’s two tours of Iraq. I ask unanimous consent that the full article be printed in the RECORD.

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

[From the Salyersville Independent, July 3, 2014]

HOLBROOK INSPIRED BY 9/11 TO JOIN MARINES

(By Heather Oney)

Jeremy Holbrook, a Marine from my home county, Kentucky.

Jeremy hails from Magoffin County, and graduated from Magoffin County High School in 2004. The attacks of September 11, 2001, had a profound impact.

At 18 years old in 2004, Holbrook enlisted with the Marines, making his family sad, but proud, he said. Since his grandfather and uncle had both been in the Army, he said it just seemed like the right thing to do.

“Pretty much, whenever I saw our nation needed people to defend our nation, I felt I needed to take the call and that’s what I did,” Holbrook said.

The Magoffin County High School graduate boot camped at the Marine Corps Recruit Depot Parris Island in South Carolina in July 2004, graduating from there in October 2004. He had his combat training at Camp Lejeune, North Carolina, then tank school in Fort Knox, Kentucky, assigned to the M1A1 Abrams Tank Crew. He trained for Operation Iraqi Freedom at Twenty-nine Palms, California, in 2005.

Holbrook did two combat tours in Iraq, the first time in Ramadi, Iraq, running counter-insurgency missions, and the second time in Fallujah, Iraq, where he supervised counter-insurgency missions androute clearing.

Based in an old Iraqi Army barracks, Holbrook said the living conditions were dingy and rundown, with little access to toilets. With temperatures climbing upward of 150 degrees during the day and 110 degrees at...
night, he said they would actually get cold at night. In a normal day he said they would go into a city and look for insurgents. If found, they would try to eliminate them, all while trying to protect and liberate the Iraqi people, Holbrook said.

"We slept when we could, ate when we could and spent a lot of time, much time for a bath," Holbrook remembers.

Even though he was wounded in his first tour, receiving the Purple Heart, he still went back for the second tour, deployed for seven months each time. In addition to the Purple Heart, he also received the National Defense Medal, Iraqi Freedom Medal, Combat Action Ribbon and Global War on Terrorism Medal.

Holbrook said the hardest thing he had to deal with when he returned to the States was coping with the loss of a friend, who was killed during their first tour together.

Holbrook is married to Britani Holbrook, and has three kids, Gavin, Austin and Bentley.

TRIBUTE TO JIM MORTIMER

Mr. MCCONNELL. Madam President, I rise today to pay tribute to Jim Mortimer. Mortimer hails from Magoffin County, KY, and served his country honorably over the course of his career with the Kentucky National Guard.

After graduating from Castle Heights Military Academy in Tennessee, Mortimer enlisted in the U.S. Army Reserves. Only 22 at the time, he would be 30 years before he retired from the military.

In 1960, 2 years after enlisting, he was transferred to the Kentucky National Guard. His experiences in the Guard ran the gamut from clearing out swamps in southern Georgia to riot control on the University of Kentucky campus during the Vietnam war to responding to natural disasters. It is this diverse range of service to our country that exemplizes the National Guard motto—"Always Ready, Always There."

Mortimer retired from the Guard in 1988 with the rank of command sergeant major. In addition to his military service, he also took the time to substitute teach in Lexington high schools and obtain his masters from Georgetown College.

His service to this country is worthy of our praise here in the Senate—so, I ask that my colleagues join me in paying tribute to Mr. Jim Mortimer.

The Salyersville Independent recently published an article detailing Mortimer’s military career. I ask unanimous consent that the full article be printed in the RECORD.

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

(From the Salyersville Independent, July 3, 2014)

MORTIMER RETIRES FROM THE GUARD

(By Heather Oney)

Geared up early for a career in the military, Jim McCullough native Jim Mortimer left Magoffin when he was 14 years old and attended Castle Heights Military Academy, in Lebanon, Tennessee. When he was 22 years old and with the draft imminent, Mortimer joined the U.S. Army Reserve in Salyersville, West Virginia, in 1958.

In 1960 he was ordered to attend the Kentucky National Guard and was called to active duty during the Berlin Crisis in 1962.

Mortimer’s unit replaced another unit that had been deployed to Germany, taking their place at Fort Stewart, Georgia, in charge of repairing vehicles and armament, as well as various National Guard functions, he said, such as riots and building paratroopers.

While he was never sent overseas, he said the year he spent in southern Georgia preparing to be deployed was his strongest memory of service.

For a year Mortimer said they lived in Quonset huts and were tasked with clearing out swamps with saws and rakes, cutting trees and brush along the way.

Also while he was at Fort Stewart, Mortimer said they had a tornado and all the men got in their vehicles armored much like tanks, while he and two other sergeants laid in the ditch.

"It was maybe a mile away," Mortimer laughed. "Just lots of wind."

With an expected flat terrain, he said lightning was a problem there, with two of their soldiers hit. He remembers one was near a radio and the lightning hit the antenna, knocking the radio off the shelf.

During Desert Storm, Mortimer was sent to Frankfort, working as a liaison aiding the dependents of the men at war.

During his 38 years of service, he worked at Fort Knox, Kentucky; Fort Campbell, Kentucky-Tennessee border; Fort Jackson, South Carolina; Fort Hood, Texas; and Fort Sill, Oklahoma. Mortimer was involved in rifle marksmanship on the Kentucky State Rifle Team, winning several awards. He had a scout troop sponsored by the National Guard, as well.

In North Little Rock, Arkansas, he attended National Guard matches, where Guards from all over sent teams to compete. During active duty, Mortimer taught second lieutenants in Officer Candidate School (OCS), as well as many other courses, such as marksmanship and all weapons.

In 1965 he was sent to Fort Stewart, Georgia, to deal with Vietnam War riots on the University of Kentucky’s campus, where students had burned down the ROTC building.

Mortimer obtained the rank of command sergeant major in 1980, retiring from his employment with the Kentucky National Guard and as a part-time soldier in 1988.

While in the Guard, Mortimer went to school, receiving a degree in 1980. He began substitute teaching in Lexington high schools while still in the service.

In 1973 he returned to Magoffin and started substitute teaching in 1977 at the middle school and high school, where he eventually retired from in 2000. In the meantime, he received his masters from Georgetown College in 1982.

Mortimer is presently a member of the Salyersville Lions and works part-time with the Magoffin County Sheriff’s Office. He has a daughter and two sons, as well as six grandchildren. His wife of 53 years, June, passed away in 2011. In 2013, he married Gayle King Mortimer and the two sons still live in Magoffin.

RECOGNIZING ELIZABETHTOWN COMMUNITY AND TECHNICAL COLLEGE

Mr. McCONNELL. Madam President, I rise to commemorate the 50th anniversary of Elizabethtown Community and Technical College, ECTC, a comprehensive community and technical college that has been serving the central Kentucky region since 1964. ECTC provides education and training to all types of Kentuckians to prepare them to succeed in a constantly changing world.

ECTC is a member of the Kentucky Community and Technical College System. It provides accessible and affordable education and training through associate, technical and certificate programs; diploma and certificate programs in occupational fields; pre-baccalaureate education; adult, continuing and developmental education; customized training for business and industry; and distance learning.

ECTC has its roots in the founding of the Elizabethtown Community College, which first opened its doors in 1964 to 355 students from 11 counties. Meanwhile, Elizabethtown Technical College was founded in 1915 and was established to provide for a bond issue by the Elizabethtown Independent School Board. ECTC was formed by the consolidation of the two schools in 2004, following historic legislation that established the Kentucky Community and Technical College System.

For five decades, ECTC has enriched the lives of citizens by providing access to quality, affordable academic, technical and occupational education programs, and by partnering with communities to enhance the economic vitality of the region. A comprehensive college with regional reach, ECTC now offers certificates, diplomas and associate degrees through 34 academic and technical programs on the Elizabethtown, Springfield, Leitchfield and Fort Knox campuses, and at extended campus sites throughout its 12-county service area.

Enrollment has grown steadily from 355 students in 1964 to 7,000 today, and thousands of alumni have distinguished themselves through service to their professions and communities.

During the 2014-2015 academic year, the college will celebrate 50 years of educational excellence and service to Kentuckians. I want to be among the many who congratulate ECTC for 50 years of outstanding service in education to the central Kentucky region. I want to commend the school for 50 years of educating Kentuckians, and thank its president/CEO, Dr. Thelma J. White, for her extraordinary leadership of the institution.

REMEMBERING GERALDINE FERRARO

Ms. MIKULSKI. Madam President, I wish to commemorate the 30th anniversary of Geraldine Ferraro’s nomination as the Democratic candidate for Vice President of the United States.

On the night of July 19, 1984, Gerry gave her acceptance speech as the first woman to be nominated for U.S. Vice President by a majority party. I was there, experiencing the thrill, excitement, and turbo energy as 10,000 people
that a full-time job shouldn’t mean a minimum wage because we know the Fairness Act. We are fighting for equal work and to pass the Paycheck Protection Program.

Why we are fighting for equal pay for women are fighting for women’s right to work. That is why we are fighting so hard for seniors by saving Medicare from becoming a coupon and a promise. We are ensuring Social Security remains inflation proof. We are also fighting for health care that is affordable and accessible, by passing the Affordable Care Act to end gender discrimination in health care. I was so proud when we passed my Mikulski preventive health amendment, so simply being a woman is no longer a preexisting condition. We are taking a stand against the Supreme Court decision that denies women contraception and family planning, while valuing employers’ rights. And we are fighting to ensure the safety and education of women and girls around the world—whether they are in Nigeria, Central America, or Afghanistan.

When Gerry took the stage at the 1984 Democratic Convention, she forever altered the course of history. For the rest of her life, she remained dedicated to empowering thousands of women in the United States and around the world to honor her lasting legacy and her impact on generations of women with a dream—and a desire to make a difference.

STENNIS CENTER PROGRAM FOR CONGRESSIONAL INTERNS

Mr. COCHRAN. Madam President, 2014 is the 12th year in which summer interns working in congressional offices have benefited from a program run by the John C. Stennis Center for Public Service Leadership. This 6-week program is designed to enhance their internship experience by providing an inside look at how Congress works and a deeper appreciation for the role that Congress plays in our democracy. Each week, the interns meet with senior congressional staff and other experts to discuss issues such as the legislative process, power of the purse, separation of powers, the media and lobbying, foreign affairs, and more.

Interns for this program based on their college record, community service experience, and interest in a career in public service. This year, 27 outstanding interns have taken part in the program. Most of the participants are juniors and seniors in college who are working in Republican and Democratic offices in the House or Senate, including two interns in my office, MaryBeth Cox and James Moody.

I congratulate the interns for their participation in this valuable program and I thank the Stennis Center and the Senior Stennis Fellows for providing such a meaningful experience for these interns and for encouraging them to consider a future career in public service.

I ask unanimous consent that a list of 2014 Stennis Congressional Interns and the offices in which they work be printed in the RECORD.

Mr. COCHRAN. Mr. President, we have had some amazing victories along the way. We increased breast cancer research funding at NIH by 75 percent to $657 million in fiscal year 2013. We increased breast cancer funding by 75 percent—$2.2 billion in fiscal year 2014. We made sure good science included women. We increased childcare funding by 75 percent to $657 million in fiscal year 2013. We increased breast cancer research funding at NIH by 750 percent to $657 million in fiscal year 2013. We increased breast cancer research funding by 75 percent to $657 million in fiscal year 2013. We increased breast cancer research funding at NIH by 75 percent to $657 million in fiscal year 2013.

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S4897

CONGRESSIONAL RECORD — SENATE

July 24, 2014

Shannel Wise, attending Howard University, interning in the office of Representative John Conyers, Jr.

HONORING OUR ARMED FORCES

SPECIALIST DENNIS J. PRATT

Mr. INHOFE. Madam President, I wish to pay tribute to a true American hero, Army SPC Dennis J. Pratt, who died on July 29, 2009, serving our Nation’s security and freedom in Afghanistan, Okinawa, Japan.

Specialist Pratt, SPC Anthony M. Lightfoot, SPC Andrew J. Roughton, and SGT Gregory Owens, Jr., died of wounds sustained when an improvised explosive device detonated near their vehicle followed by an attack from enemy forces using small arms and rocket-propelled grenades.

Dennis was born January 7, 1975, in Waterbury, CT. After graduating high school in Southington, CT, he moved to Arizona, Oklahoma, and then Texas, where he joined the military. He married Michelle Bryant on May 9, 2008 in Lawton, OK.

After completing basic training at Fort Sill, OK, Dennis was assigned to 4th Battalion, 34th Field Artillery (Strike), 3rd Brigade Combat Team, 10th Mountain Division (Light Infantry), Fort Drum, NY. A third-generation soldier and a 34-year-old father of three, Dennis was called “the old man” among comrades in his unit.

On January 6, 2009, he was deployed to Afghanistan as a field artillery automated tactical data systems specialist and reenlisted while there. “Dennis wasn’t supposed to be at that place at that time, but he always told us that the Army and serving his country was where he wanted to be. He had found his niche in life in the military,” said his mother.

Funeral services were held July 31, 2009, at the Fort Sill chapel, and he was laid to rest in Fort Sill National Cemetery, Elgin, OK.

Dennis is survived by his wife Michelle, three children, Collin Kessler, Gabrielle Pratt, and Caden Bryant, parents, Jim and Sinammon Pratt, an in-law, Fred and Margaret Bryant, two brothers, Jim Pratt and wife Staci and their children, Miranda, D.J. and Morgan and Kyle Hansan and wife Nicole and their daughter Calista, one stepfather, Leam Pratt, and a host of other relatives and friends.

Today we remember Army SPC Dennis J. Pratt, a young man who loved his family and country and gave his life as a sacrifice for freedom.

PETTY OFFICER 2ND CLASS TONY M. RANDOLPH

Madam President, I would also like to remember the life and sacrifices of PO2 Tony M. Randolph, who died on July 6, 2009, of injuries sustained when his unit was attacked by insurgents with small arms fire while on foot patrol in Garmisir District, Afghanistan.

Tony joined the Navy on September 27, 1986, in Santa Rosa, CA. Growing up in Oklahoma, he was a 2005 graduate of Henryetta High School in Henryetta, OK, where he was a star athlete earning all-district honors in football.

“Tony was a leader. I truly believe he was a natural born leader,” said Henretty football coach Kenny Speer. He was known for his toughness. In his high school career he made him run lap after lap. All Tony had to do was say “yes sir” for the punishment to end. “I said, Tony, you say the two magic words to make you stop running. So he looks at me and goes, ‘Si Senor,’ ” said Speer.

Tony joined the Navy on September 28, 2005, and graduated from boot camp at Recruit Training Command, Great Lakes, IL, in December 2005. Other military assignments include Joint Forces Staff College in Norfolk, VA; Naval Dive and Salvage Training Center in Panama City, FL; Naval Explosive Ordnance Device School at Eglin Air Force Base, FL; and Explosive Ordnance Device Training and Evaluation Unit 1 in San Diego, CA.

He reported to Explosive Ordnance Disposal Mobile Unit Eight, Sigonella, Sicily, in March 2008 and deployed to Afghanistan in March 2009.

“Petty Officer 2nd Class Randolph brought an incredible sense of youthful spirit, professionalism and dedication to this unit,” said CDR Todd Siddall, commanding officer of EODMU 8. “He will forever be remembered by his fellow Sailors as an example of true service to country and selfless sacrifice.”

Funeral services were held July 15, 2009, at First Baptist Church in Henryetta, OK, and he was laid to rest in Hillcrest Cemetery, Weleetka, OK.

“He loved his friends. He loved his family. He loved his country. That was Tony,” said his mother, Peggy Randolph.

Tony is survived by his parents, Fred and Peggy Sue Randolph, his brothers, Richard, and his sisters, Shawn and Kelly.

I extend our deepest gratitude and condolences to Jonathan’s family and friends. He lived a life of love for his family and country. He will be remembered for his commitment to and belief in the greatness of our Nation. I am proud to pay tribute to this true American hero who volunteered to go into the fight and made the ultimate sacrifice for our protection and freedom.

LEGAL SERVICE CORPORATION’S 40TH ANNIVERSARY

Mr. HARKIN. Madam President, Friday, July 25, marks the 40th anniversary of the Legal Services Corporation, LSC. In 1974, Congress, with bipartisan support, including that of President Nixon—established LSC to be a major source of funding for civil legal aid in this country. LSC is a private, non-profit corporation, funded by Congress, with the mission to ensure equal access to justice under law for all Americans by providing civil legal assistance to those who otherwise would be unable to afford it. LSC distributes nearly 94 percent of its annual Federal appropriations to 134 local legal aid programs, with nearly 800 offices serving every congressional district and U.S. territories.

LSC-funded legal aid programs make a crucial difference to millions of Americans by assisting with the most basic civil legal needs, such as addressing matters involving safety, subsistence, and family stability. These low-income Americans are women seeking protection from abuse trying to obtain child support, families facing unlawful evictions or foreclosures that could leave them homeless, veterans seeking benefits duly earned, seniors defending against consumer scams, and individuals who have lost their jobs and need help in applying for unemployment compensation and other benefits.
It is LSC-funded attorneys who help parents obtain and keep custody of their children, assist parents in enforcing child support payments and help women who are victims of domestic violence. In fact, three out of four legal aid attorneys in Polk County, IA. I experienced the challenges—and also the rewards—of representing people who otherwise would not have the legal assistance they deserve. And I developed a deep appreciation for the role that legal aid attorneys play within our system of justice.

Investing in civil legal aid helps ensure that we have equal justice under the law. That is a fundamental American value, and it is reflected both in the first line of our Constitution and in the opening words of our Pledge of Allegiance. As former Justice Lewis Powell said: “Equal justice under law is not merely a caption on the facade of the Supreme Court building. It is perhaps the most inspiring ideal of our society and the one that justice should be the same, in substance and availability, without regard to economic status.”

Given the vital role played by LSC-funded attorneys, it is disturbing to note that 50 percent of eligible clients who seek assistance continue to be turned away because of lack of LSC program resources. With the growing number of Americans eligible for services and increased demand for legal services, the need for legal aid attorneys has never been greater. On this anniversary, I salute the Legal Services Corporation and LSC-funded legal aid programs for their contributions to ensuring that Americans of all backgrounds have access to adequate legal services. LSC is essential to protecting the lives and liberty of the most vulnerable Americans. We are all better served by the availability of service and advocacy on their behalf.

Ms. LANDRIEU. Madam President, July 25, 2014, marks the 40th anniversary of the Legal Services Corporation (LSC). With bipartisan support, including that of President Nixon—established LSC to be a major source of funding for civil legal aid in this country. LSC is a private, nonprofit corporation, funded by Congress, with the mission to ensure equal access to justice under law for all Americans by providing civil legal assistance to those who otherwise would be unable to afford it. LSC distributes nearly 94 percent of its annual Federal appropriations to 134 local legal aid programs, with nearly 800 offices serving every congressional district and U.S. territories.

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In fact, I began my career as one of these attorneys. Beginning in 1969, I worked in Skowhegan, ME for a legal services provider called Pine Tree Legal Assistance. Although my time predated LSC, today Pine Tree is funded by LSC and continues to provide high-quality legal services to those in need. I am especially proud of this period in my career, and I believe that LSC-funded attorneys are a critical element of making the promise of our country to our disadvantaged and disenfranchised citizens.

Given the vital role played by LSC-funded attorneys, we need to do better than turn away more than 50 percent of eligible clients who seek assistance because of lack of LSC program resources. With the growing number of Americans eligible for services and increased demand for legal services, the need for legal aid attorneys has never been greater. On this anniversary, I salute the Legal Services Corporation.
and LSC-funded attorneys for the vital work they do every day on behalf of Americans who need qualified counsel. Every day that a legal aid attorney protects the safety, security, and health of our most vulnerable citizens, they bring this Nation closer to living up to the ideals enshrined in stone above the entrance to the Supreme Court building here in Washington, DC—"Equal Justice Under Law."

WORLD WAR II VETERANS VISIT

Mr. UDALL of Colorado. Madam President, I wish to pay tribute to the outstanding military service of a group of incredible Coloradans. At critical times in our Nation’s history, these veterans each played a role in defending the world from tyranny, truly earning their reputation as guardians of peace and democracy through their service and sacrifice. Now, thanks to Honor Flight, these combat veterans came to Washington, DC to visit the national memorials built to honor those who served and those who fell. They’ve also come to share their experiences with later generations and to pay tribute to those who gave their lives. I am proud to welcome them here, and I join with all Coloradans in thanking them for all they have done for us.

I also want to thank the volunteers from Honor Flight of Northern Colorado who made this trip possible. These volunteers are great Coloradans in their own right, and their mission to bring our veterans to Washington, DC is truly commendable.

I wish to publicly recognize the veterans who visited our Nation’s capital, many seeing for the first time the memorials built as a tribute to their selfless service. Today, I honor these Colorado veterans on their visit to Washington, DC, and I join them in paying tribute to those who made the ultimate sacrifice in defense of liberty.


Our Nation asked a great deal of these individuals—to leave their families to fight in unknown lands and put their lives on the line. Each one of these Coloradans bravely answered the call. They served our country with courage and dedication. Let us ensure they are shown the honor and appreciation they deserve. Please join me in thanking these Colorado veterans and the volunteers of Honor Flight of Northern Colorado for their tremendous service.

ADDITIONAL STATEMENTS

TRIBUTE TO THOMAS J. MINKLER

Ms. ATOTTIE. Madam President, I wish to recognize Thomas J. Minkler of Keene, NH, as he nears the end of his term as the 109th chairman of the Independent Insurance Agents & Brokers of America, also known as the Big "I." Tom was installed as chairman of the Big "I" in September 2013, and he has been a strong and thoughtful leader for our industry across the country during his term as the 109th chairman of the Independent Insurance Agents & Brokers of America, also known as the Big "I" national board, and as president of the Massachusetts Association of Insurance Agents.

As I recognize Tom, I would also like to acknowledge his wife Heather Minkler. She serves as chief executive officer of the Clark-Mortenson Agency in Keene. Together, Tom and Heather are a truly dynamic team. They always find time to give back to the community, serving as members of numerous charitable organizations and civic boards when they aren’t managing their agency, which has 52 employees in five office locations in New Hampshire and Vermont.

I am pleased to join Tom’s colleagues from across New Hampshire and the Nation in congratulating him as he finishes his term as chairman.

CONGRATULATING REBECCA ESPINOZA

Mr. HELLER. Madam President, I wish to congratulate one of Nevada’s brightest students—Rebecca Espinoza being chosen to participate in the United Health Foundation’s Diverse Scholars Forum in Washington, DC. The United Health Foundation named scholars from 28 States throughout the Nation this year, and I am pleased that Rebecca Espinoza, who attends the University of Nevada, Las Vegas, is among them. The Diverse Scholars Initiative serves to improve our Nation’s health care system by increasing the number of health care professionals from multicultural backgrounds. Rebecca’s academic achievements thus far and her continued commitment to serving her community have made her a qualified candidate for the forum.

In an effort to continue her dedication and service to her community, Rebecca is currently majoring in social work at UNLV and hopes to one day become a clinical social worker operating as a for-profit to provide health care to those in need. Rebecca serves as chairman of the Nevada chapter of the United Health Foundation’s Diverse Scholars Forum in Washington, DC.

I am proud that Rebecca Espinoza, who attends the University of Nevada, Las Vegas, is among them. The Diverse Scholars Initiative serves to improve our Nation’s health care system by increasing the number of health care professionals from multicultural backgrounds. Rebecca’s academic achievements thus far and her continued commitment to serving her community have made her a qualified candidate for the forum.

On behalf of the residents of the Silver State, I am proud to recognize Rebecca for her accomplishments and contributions to our State. She undoubtedly represents Nevada’s best and brightest. Today, I ask my colleagues to join me in congratulating this exceptional young Nevadan.

TRIBUTE TO DENNIS JAEGER

Mr. JOHNSON of South Dakota. Madam President, today I wish to recognize and honor the public service of Mr. Dennis Jaeger as the deputy forest supervisor for the Black Hills National Forest. He has been asked to serve as the new forest supervisor with the Medicine Bow-Routt National Forest
and will shortly be assuming those duties. I want to recognize him for the exceptional service and leadership he has provided in working for the Black Hills of my Home State of South Dakota.

A graduate of St. Mary’s High School, Jaeger earned a bachelor of science degree in civil engineering from the United States Military Academy at West Point, NY, in 1982. He served 7 years Active Duty in the U.S. Army and retired from the South Dakota Army National Guard in 2010 as a colonel.

Jaeger started his Forest Service career as a civil engineer on the Rio Grande National Forest in Monte Vista, CO, followed by working as district engineer on the Medicine Bow-Routt National Forests and Thunder Basin National Grasslands on the Douglas Ranger District in Wyoming. In 1996 he became the works program officer for the Angell Job Corps in Yachats, OR, and in 1998 was selected as the leader of the Boxelder Job Corps Center in Nemo, SD. In 2007 Mr. Jaeger assumed the duties as the deputy forest supervisor for the Black Hills National Forest of South Dakota and Wyoming.

Jaeger is an avid skier, hiker, and enjoys mountain biking. He and his wife Carole have three wonderful children.

There have been a number of key accomplishments on the Black Hills National Forest that Jaeger has helped facilitate, including guiding the successful merger of the Tribal Youth Natural Resources Crew with the Boxelder Job Corps Center Crew to become the Youth Natural Resources, YNR, Crew. The YNR Crew is much better organized, provides unique work training and education, remains very diverse and productive, and improves the land.

The YNR Crew received a Regional Forester’s Honor Award in 2013. Dennis, as a key member of the Forest Leadership Team, was one of the largest forest restoration programs in the United States. The Black Hills Forest received the Regional Forester’s Honor Award for its timber program in 2013 and the Chief’s Honor Award in 2013 for its Mountain Pine Beetle Response Project.

Dennis has served as the Agency Administrator on two very large and complex fires in 2012, White Draw and Myrtle. Dennis interacted professionally with several Federal, State, and county partners, and the National Guard and private citizens under very difficult circumstances.

Dennis is known for his positive, “can do” attitude, his outstanding customer service, and his passion for the Forest Service mission and the well-being of employees and the public he serves. He is highly visible and respected by the Federal delegation, tribes, the National Forest Advisory Board, State officials and many stakeholders.

I am proud to recognize and honor Dennis’ service to the U.S. Forest Service and am delighted to join with his family and friends in congratulating him on this promotion to forest supervisor.

REMEMBERING LANCE HOWARD TURNER

Mr. LEE. Mr. President, I would like to take this opportunity to pay tribute to a great Utahn and patriot, Lance Howard Turner. Lance passed from this life on Monday last, and his family and friends will dearly miss him.

There is a beautiful painting hanging on the wall of the Rex E. Lee conference room in my office. It is a painting of a majestic landscape in the Southwestern portion of United States painted by Lance Turner. This painting shows the beauty of the land that he loved so dearly and demonstrates the mastery developed over a lifetime of hard work.

During his career, Lance was able to take part in and lead many successful programs. One such program, well known to all, involves a talking bear that helps campers keep our forests safe. In 2009, KSL, a Utah news station, ran a story on Lance, who was the art director at Foote, Cone & Belding in the 1950s. In the story, Lance worked with marketing the newly created Smokey Bear, whose mission was to reduce manmade forest fires. The campaign was a success and remains the longest running PSA campaign in our country’s history. Smokey Bear also remains a highly recognized American character and continues his original mission of encouraging fire safety.

More important than any success in his professional life, Lance was a good husband and father who, according to his children, was always willing to share the wisdom he had gained through a life of service. He was a faithful member of the Church of Jesus Christ of Latter-day Saints and made sure to take care of those in need. He loved to hunt pheasants and continue his original mission of encouraging fire safety.

I offer my heartfelt condolences to his children, Heidi, Josh, Chip, and Matt, and his 14 grandchildren and 22 grandchildren. I know his legacy will continue the work he started, and the young men and women of the YNR Crew will continue to build on the legacy of leadership he started so many years ago.

REMEMBERING CHRISTOPHER GOODELL

Mr. BOOKER. Madam President, it is with great sadness that I pay tribute to a New Jersey police officer who tragically lost his life in the line of duty last week.

Officer Christopher Goodell, a lifelong resident of the Borough of Waldwick, NJ, was killed when his patrol car was struck by a tractor-trailer early Thursday morning, July 17. He was 32 years old and will be greatly missed by all who knew him. Officer Goodell is described by friends and colleagues as having been a protector of everyone and a gift for comedy and a kind heart. He was also long-committed to serving others.

Officer Goodell was named Officer of the Year at the Waldwick Police Department in 2009 and was later as a police officer. Officer Goodell embraced the responsibilities that came with being a police officer, and he cherished the opportunity to protect and serve the town.
that helped raise him. He was a role model for children in the community, and he always took the time to speak with students at the local high school about staying on the right track. Officer Goodell was eager to help others, from working to make our streets safer to one on one to help a man who had collapsed at his gym. Simply put, his dedication saved lives.

Officer Goodell is mourned by his father Mark, his mother Patricia, his fiancée Jillian, his sister Nicole, his niece and nephew, a large extended family, many friends and neighbors, fellow Waldwick Police Department personnel, the Borough of Waldwick, and the entire State of New Jersey. His spirit of service and his dedication to his community and to our Nation will be long remembered by those he protected and served. I ask my colleagues in the Senate to please join me in honoring this remarkable young police officer and marine, and in recognizing his tremendous service.

RECOGNIZING VETERANS SUPPORT NETWORK

• Mr. HELLER. Madam President, I wish to recognize a veterans education program within Las Vegas known as Veterans Support Network for its continued dedication to helping its fellow servicemen gain training and certifications that will assist them in becoming self-sufficient. This unique program works to improve the lives of disabled, visually impaired, and homeless veterans by providing educational classes and trainings, funding for on-the-job training, as well as professional talking books and Braille books to assist those with disabilities.

The brave men and women who served the United States and fought to protect our freedom have often come home to a struggling economy. A number of veterans are unable to find a job or afford to buy or rent a home. As the demographics of our Armed Forces have changed throughout the years, so too have the needs of homeless veterans. As a member of the Senate Veterans’ Affairs Committee, this is an issue I have been personally involved with and have introduced legislation to address. Organizations like the Veterans Support Network serve to help those in need in the Las Vegas community. This organization is a shining example of the kind of initiatives that will help to get our veterans off of the streets.

There is no way to adequately thank the men and women that lay down their lives for our freedoms, but the founders and volunteers at the Veterans Support Network are working to assist our Nation’s veterans by giving them the opportunity to start a new career. The organization was founded by Ed Manley, a brave veteran who has selflessly worked towards the sustained commitment of the homeless veteran community by teaching certification classes and working tirelessly to find funds to assist the homeless and wounded veterans within the community. This organization’s continued dedication to serving veterans needing to learn new skills, build resume experience and earn wages through work assistance programs is commendable.

As a member of the Senate Veterans’ Affairs Committee, I know the struggles that our veterans face after returning home from the battlefield. Congress has a responsibility not only to honor these brave individuals, but to ensure that the quality care they have earned and deserve. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation. I am very pleased that veterans service organizations like the Veterans Support Network are committed to ensuring that the needs of our veterans are being met.

Today, I ask my colleagues and all Nevadans to join me in recognizing the Veterans Support Network, an organization whose mission is both noble and charitable. I am both humbled and honored to recognize the Veteran’s Support Network’s mission of providing veterans with the skills that will allow them the opportunity to change their circumstances. This organization’s commitment to helping struggling veterans get back on their feet is admirable, and I wish them the best of luck in all of their future endeavors.


The PRESIDING OFFICER laid before the Chamber the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to section 123 d. of the Atomic Energy Act of 1954, as amended, the text of an amendment (the “Amendment”) to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes of July 3, 1958, as amended (the “1958 Agreement”). I am also pleased to transmit my written approval, authorization, and determination concerning the Amendment. The joint unclassified letter submitted to me by the Department of Defense and Energy providing a summary position on the unclassified portions of the Amendment is also enclosed. The joint classified letter and classified portions of the Amendment are being transmitted separately via appropriate channels.

The Amendment extends for 10 years (until December 31, 2024), provisions of the 1958 Agreement that permit the transfer between the United States and the United Kingdom of classified information concerning atomic weapons; nuclear technology and controlled nuclear information; material and equipment for development of defense plans; training of personnel; evaluation of potential enemy capability; development of delivery systems; and the research, development, and design of military reactors. Additional revisions to portions of the Amendment and Annexes have been made to ensure consistency with current United States and United Kingdom policies and practice regarding nuclear threat reduction, naval nuclear propulsion, and personal security.

In my judgment, the Amendment meets all statutory requirements. The United Kingdom intends to continue to maintain viable nuclear forces into the foreseeable future. We have had close and previous close cooperation, and the fact that the United Kingdom continues to commit its nuclear forces to the North Atlantic Treaty Organization, I have concluded it is in the United States national interest to continue to assist the United Kingdom in maintaining a credible nuclear deterrent.

I have approved the Amendment, authorized its execution, and urge that the Congress give it favorable consideration.

BARACK OBAMA.


MESSAGE FROM THE HOUSE

At 1:16 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. 2283. An act to prioritize the fight against human trafficking within the Department of State according to congressional intent in the Trafficking Victims Protection Act of 2000 without increasing the size of the Federal Government, and for other purposes.

H.R. 3136. An act to establish a demonstration program for competency-based education.

H.R. 4449. An act to amend the Trafficking Victims Protection Act of 2000 to expand the training for Federal Government personnel related to trafficking in persons, and for other purposes.

H.R. 4980. An act to prevent and address sex trafficking of children in foster care, to extend and improve adoption incentives, and to improve international child support recovery.

H.R. 4983. An act to simplify and streamline the information regarding institutions of higher education made publicly available by the Secretary of Education, and for other purposes.

H.R. 5076. An act to amend the Runaway and Homeless Youth Act to increase knowledge concerning, and improve services for, runaway and homeless youth who are victims of trafficking.
H.R. 5116. An act to direct the Secretary of Homeland Security to train Department of Homeland Security personnel how to effectively deter, detect, disrupt, and prevent human trafficking during the course of their primary roles and responsibilities, and for other purposes.

H.R. 5134. An act to extend the National Advisory Committee on Institutional Quality and Integrity and the Advisory Committee on Student Financial Assistance for one year.

H.R. 5135. An act to direct the Interagency Task Force to Monitor and Combat Trafficking to identify strategies to prevent children from becoming victims of trafficking and review trafficking prevention efforts, to protect and assist in the recovery of victims of trafficking, and for other purposes; to the Committee on Foreign Relations.


H.R. 4449. An act to amend the Trafficking Victims Protection Act of 2000 to expand the training for Federal Financial Assistance personnel related to trafficking in persons, and for other purposes; to the Committee on Foreign Relations.

H.R. 4983. An act to simplify and streamline the information regarding institutions of higher education made publicly available by the Secretary of Education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5076. An act to amend the Runaway and Homeless Youth Act to increase knowledge concerning, and improve services for, runaway and homeless youth who are victims of trafficking; to the Committee on the Judiciary.

H.R. 5116. An act to direct the Secretary of Homeland Security to train Department of Homeland Security personnel how to effectively deter, detect, disrupt, and prevent human trafficking during the course of their primary roles and responsibilities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5134. An act to extend the National Advisory Committee on Institutional Quality and Integrity and the Advisory Committee on Student Financial Assistance for one year; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5135. An act to direct the Interagency Task Force to Monitor and Combat Trafficking to identify strategies to prevent children from becoming victims of trafficking and review trafficking prevention efforts, to protect and assist in the recovery of victims of trafficking, and for other purposes; to the Committee on the Judiciary.

H.R. 2668. A bill to prohibit future consideration of deferred action for childhood arrivals or work authorization for aliens who are not in lawful status, to facilitate the expeditious processing of minors entering the United States across the southern border, and to require the Secretary of Defense to reimburse States for National Guard deployment to the border and to require the crossing of unaccompanied alien children from noncontiguous countries.

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–6600. A communication from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Approval and Amortization of Interest Expense” (FRL No. 91545–B535 (TD 9676)) received during adjournment of the Senate in the Office of the President of the Senate on July 23, 2014; to the Committee on Finance.

EC–6609. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Foreign Tax Credit Guidance Under Section 901(c)” (Notice received in the Office of the President of the Senate on July 23, 2014; to the Committee on Finance.

EC–6610. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Disclosures of Financial Information Returns to Officers and Employees of the Department of Commerce for Certain Statistical Purposes and Related Activities” (FRLNo.91545–BL60 (TD 9676)) received during adjournment of the Senate in the Office of the President of the Senate on July 18, 2014; to the Committee on Finance.

EC–6611. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Allocation and Apportionment of Interest Expense” (FRL No. 91545–B535 (TD 9676)) received during adjournment of the Senate in the Office of the President of the Senate on July 23, 2014; to the Committee on Finance.

EC–6621. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Mixed Straddles; Straddle-by-Straddle Identification Under Section 1992” (FRL No. 91545–B535 (TD 9676)) received during adjournment of the Senate in the Office of the President of the Senate on July 23, 2014; to the Committee on Finance.

EC–6622. A communication from the Director of the Office of Regulations and Reports Clearinghouse, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled “Technical Corrections to Regulations” (FRL No. 91540–AH15 (TD 9676)) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2014; to the Committee on Finance.

EC–6614. A communication from the Director of the Office of Regulations and Reports Clearinghouse, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled “Strengthening and Expanding the Coverage of the ‘Special Exemptions’” (FRL No. 91540–AH14 (TD 9676)) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2014; to the Committee on Finance.

EXECUTIVE ORDER — SENATE

July 24, 2014

S4902

The following bill was read the second time, and placed on the calendar:

S. 2668. A bill making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.
Office of Innovation and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Final Priorities, Requirements, and Definitions—Innovation and Improvement Grants for National Leadership Activities” (CFDA No. 84.282N) received in the Office of the President of the Senate on July 22, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-661H. A communication from the Acting Assistant General Counsel for Regulatory Services, Department of the Treasury, to the President of the Senate on July 22, 2014; to the Committee on Health, Education, Labor, and Pensions.

S. 2665. A bill to reauthorize the Young Women’s Breast Health Education and Awareness Requires Learning Young Act of 2009; to the Committee on Environment and Public Works.

By Mr. PORTMAN and Mr. BEGICH:

S. 2667. A bill to prohibit the exercise of any waiver of the imposition of certain sanctions with respect to Iran unless the President certifies to Congress that the waiver will not result in the provision of funds to the Government of Iran for activities in support of international terrorism, to develop nuclear weapons, or to violate the human rights of the people of Iran; to the Committee on Foreign Relations.

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment to the title:

S. 2968. A bill to establish a comprehensive United States Government policy to assist countries in sub-Saharan Africa to improve access to and the affordability, reliability, and sustainability of power, and for other purposes (Rept. No. 113-219).

By Mr. ROYCE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1353. A bill to provide for an ongoing, voluntary public-private partnership to improve cybersecurity, and to strengthen cybersecurity research and development, workforce development and education, and public awareness and preparedness, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time, and referred to committee by unanimous consent, and referred as indicated:

By Mr. COBURN (for himself and Mr. CARPER):


By Mrs. FISCHER:

S. 2652. A bill to improve the design-build process in Federal contracting; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. FEINSTEIN (for herself, Mr. PORTMAN, and Mr. BRIGGS):

S. 2653. A bill to amend the definition of “homeless person” under the McKinney-Vento Homeless Assistance Act to include certain homeless children and youth, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. LANDRIEU:

S. 2654. A bill to direct the Secretary of Veterans Affairs to conduct outreach to veterans affected by the effect of certain delays to payments by the Secretary, to require the Secretary to submit to Congress an annual report regarding such delayed payments, and for other purposes; to the Committee on Veterans’ Affairs.

By Ms. KLOBUCHAR (for herself and Mr. MARKEY):

S. 2655. A bill to authorize the Young Women’s Breast Health Education and Awareness Requires Learning Young Act of 2009; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY:

S. 2656. A bill to provide for the regulation of persistent, bioaccumulative, and toxic chemical substances, and for other purposes; to the Committee on Environment and Public Works.

By Mr. PAUL:

S. 2657. A bill to reclassify certain low-level felonies as misdemeanors, to eliminate the increased penalties for offenses where the cocaine involved is cocaine base, and for other purposes; to the Committee on the Judiciary.

By Mr. HARKIN:

S. 2658. A bill to prioritize funding for the National Institutes of Health to discover cures, to maintain global leadership in medical innovation, and to restore the purchasing power the NIH had after the historic doubling campaign that ended in fiscal year 2003; to the Committee on the Budget.

By Mr. MURPHY:

S. 2659. A bill to amend title 49, United States Code, to require the Assistant Secretary of Transportation for Security (Transportation Security Administration) to establish a process for providing expedited and dignified passenger screening services for veterans visiting war memorials built and dedicated to honor their services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. CANTWELL (for herself, Mr. CRAPO, Mrs. MURRAY, and Mr. RISCH):

S. 2660. A bill to amend the Internal Revenue Code of 1986 to clarify the special rules for accident and health plans of certain governments, and for other purposes; to the Committee on Finance.

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

S. 2661. A bill to designate the facility of the United States Postal Service located at 767 States Road in Cudahy, Wisconsin, as the “National Clandestine Service of the Central Intelligence Agency NCS Office Gregg David Wenzel Memorial Post Office”; to the Committee on Homeland Security and Governmental Affairs.

By Mr. COCHRAN (for himself and Mr. WICKER):

S. 2662. A bill to promote and expand the application of telehealth under Medicare and other Federal health care programs, and for other purposes; to the Committee on Finance.

By Mr. ISAKSON (for himself, Mr. BLUMENTHAL, and Mr. BRIGGS):

S. 2663. A bill to provide high-skilled visas for nationals of the Republic of Korea, and for other purposes; to the Committee on the Judiciary.

By Mr. BEGICH (for himself and Ms. COLLINS):

S. 2664. A bill to amend the Homeland Security Act of 2002 to direct the Administrator of the Federal Emergency Management Agency to modernize the integrated public alert and warning system of the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BEGICH:

S. 2665. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide for an ongoing, voluntary public-private partnership to improve access to and the affordability, reliability, and sustainability of power, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRUZ:

S. 2666. A bill to prohibit the exercise of any waiver of the imposition of certain sanctions with respect to Iran unless the President certifies to Congress that the waiver will not result in the provision of funds to the Government of Iran for activities in support of international terrorism, to develop nuclear weapons, or to violate the human rights of the people of Iran; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself, Mr. SCHUMER, Ms. AYOTTE, Mr. CARDIN, Mr. RUBIO, and Mr. BLUMENTHAL): [S. Res. 517. A resolution expressing support for the State of Israel’s right to defend itself and calling on Hamas to immediately cease all rocket and naval attacks against Israel; to the Committee on Foreign Relations.]
S. Res. 521. A resolution designating July 26, 2014, as “United States Intelligence Professionals Day”; to the Committee on the Judiciary.

By Mr. COONS (for himself, Mr. FLAKE, Mr. MENENDEZ, and Mr. CORKER):
S. Res. 522. A resolution expressing the sense of the Senate supporting the U.S.-Africa Leaders Summit to be held in Washington, D.C. from August 4 through 6, 2014; to the Committee on Foreign Relations.

By Mr. WARNER (for himself, Mr. CORNYN, Mr. KAIN, and Mr. Risch):
S. Res. 523. A resolution expressing the sense of the Senate on the importance of the United States-India strategic partnership and the continued deepening of bilateral ties with India; to the Committee on Foreign Relations.

By Mr. CRUZ (for himself and Mrs. GILLIBRAND):
S. Con. Res. 41. A concurrent resolution denouncing the use of civilians as human shields by Hamas and other terrorist organizations in violation of international humanitarian law; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 339

At the request of Mrs. SHAHEEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 339, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes and diabetes.

S. 620

At the request of Mr. CORNYN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 620, a bill to withhold the salary of the Director of OMB upon failure to submit the President’s budget to Congress as required by section 1105 of title 31, United States Code.

S. 677

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 677, a bill to amend the Public Health Service Act to provide for the expansion and sophistication, and coordination of the programs and activities of the National Institutes of Health with respect to Tourette syndrome.

S. 836

At the request of Mr. BROWN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 836, a bill to amend the Internal Revenue Code of 1986 to strengthen the earned income tax credit and make permanent certain tax provisions under the American Recovery and Reinvestment Act of 2009.

S. 865

At the request of Mr. WHITEHOUSE, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 865, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 942

At the request of Mr. CASEY, the name of the Senator from Illinois (Mr. DURBIN) 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.

At the request of Mr. THUNE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1341, a bill to permanently extend the Internet Tax Freedom Act.

At the request of Mr. SCHUMER, the name of the Senator from New Hampshire (Ms. SHAHEEN) was added as a cosponsor of S. 1351, a bill to amend the Internal Revenue Code of 1986 to modify the types of wines taxed as hard cider.

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 2329, a bill to prevent Hezbollah from gaining access to international financial and other institutions, and for other purposes.

At the request of Mr. REED, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2406, a bill to amend title XII of the Public Health Service Act to expand the definition of trauma to include thermal, electrical, chemical, radioactive, and other extrinsic agents.

At the request of Mr. MENENDEZ, the name of the Senator from Florida (Mr. MURPHY) were added as cosponsors of S. 2449, a bill to reauthorize certain provisions of the Public Health Service Act relating to autism, and for other purposes.

At the request of Mr. WHITEHOUSE, the name of the Senator from Illinois (Mr. GRASSLEY) was added as a cosponsor of S. 2471, a bill to amend title 11 of the United States Code to provide bankruptcy protections for medically distressed debtors, and for other purposes.

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2483, a bill to amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes.

At the request of Mr. McCONNELL, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2488, a bill to amend the Internal Revenue Code of 1986 to provide an exception to the exclusionary requirement for home offices if the other use involves care of a qualifying child of the taxpayer, and for other purposes.

At the request of Mr. PORTMAN, the name of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. Res. 502, a resolution

At the request of Ms. AYOTTE, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2545, a bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes.

At the request of Mr. BOOKER, the names of the Senator from Nebraska (Mr. JOHANNS) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 2622, a bill to extend and modify the pilot program of the Department of Veterans Affairs on assisted living services for veterans with traumatic brain injury, and for other purposes.

At the request of Mrs. FEINSTEIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2622, a bill to require breast density reporting to physicians and patients by facilities that perform mammograms, and for other purposes.

At the request of Mr. CORNYN, the names of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2635, a bill to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes.

At the request of Mr. CORNYN, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Kansas (Mr. ROBERTS) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 2650, a bill to provide for congressional review of agreements relating to Iran's nuclear program, and for other purposes.

S. Res. 502

At the request of Mr. FYROR, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. Con. Res. 39, a concurrent resolution expressing the sense of Congress regarding support for voluntary, incentive-based, private land conservation implemented through cooperation with local soil and water conservation districts.

S. Res. 462

At the request of Mr. RUBIO, the name of the Senator from Alaska (Ms. MURkowski) was added as a cosponsor of S. Res. 462, a resolution recognizing the Khmer and Lao/Hmong Freedom Fighters of Cambodia and Laos for supporting and defending the United States Armed Forces during the conflict in Southeast Asia.

S. Res. 502

At the request of Mr. PORTMAN, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. Res. 502, a resolution
concerning the suspension of exit permit issuance by the Government of the Democratic Republic of Congo for adopted Congolese children seeking to depart the country with their adoptive parents.

S. RES. 513

At the request of Ms. Mikulski, the name of the Senator from Illinois (Mr. Kirk) was added as a cosponsor of S. Res. 513, a resolution honoring the 70th anniversary of the Warsaw Uprising.

AMENDMENT NO. 3994

At the request of Mr. JOHNS, his name was added as a cosponsor of amendment No. 3994 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3998

At the request of Mr. ENZI, the name of the Senator from South Carolina (Mr. SCOTT) and the Senator from Maine (Ms. COLLINS) were added as co-sponsors of amendment No. 3998 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3999

At the request of Mr. ENZI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 3999 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3991

At the request of Mr. JOHNS, his name at the request of Mr. PORTMAN and Mr. BEGICH: S. 2563. A bill to amend the definition of ‘homeless person’ under the McKinney-Vento Homeless Assistance Act to include certain homeless children and youth, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the bill be placed on the Senate’s Executive Calendar.

STATMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. PORTMAN, and Mr. BEGICH): S. 2563. A bill to amend the definition of ‘homeless person’ under the McKinney-Vento Homeless Assistance Act to include certain homeless children and youth, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce bipartisan legislation with my colleagues Senator PORTMAN and Senator BEGICH that would extend the definition of ‘homeless’ used by the U.S. Department of Housing and Urban Development, HUD, to ensure all homeless children and families are eligible for existing Federal homeless assistance programs.

According to the U.S. Department of Education, approximately 1.1 million children were homeless during the 2011-2012 school year; this is a 24 percent increase from the 939,903 homeless students enrolled in the 2009-2010 school year.

In California, nearly 250,000 children experienced homelessness last year, up from 220,000 in 2010 and nearly four times the 65,000 homeless children in the State in 2003.

Unfortunately, the numbers reported by the HUD “Point-in-Time Count” fall to reflect these increasing numbers. According to the 2012 HUD “Point-in-Time Count,” there were only 247,178 people counted as homeless in households that included children, a fraction of the true number.

This is important because only those children counted by HUD are eligible for vital homeless assistance programs. The rest of these children and families are simply out of luck.

The Homeless Children and Youth Act of 2014 would expand the homeless definition to allow homeless assistance programs to serve extremely vulnerable children and families, specifically those staying in motels or in doubled up situations because they have nowhere else to go.

These families are especially susceptible to abuse and trafficking because they are often not served by a case manager, and thus remain hidden from potential social service providers.

As a result of the current narrow HUD definition, communities that receive federal funding through the competitive application process are unable to prioritize or direct resources to help these children and families.

This bill would provide communities with the flexibility to use federal funds to meet local priorities.

I would note that the bill comes at no cost to taxpayers and does not impose any new mandates on service providers.

Finally, this legislation improves data collection transparency by requiring HUD to report data on homeless individuals and families currently recorded under the existing Homeless Management Information System survey.

I am pleased that Senators ROB PORTMAN and MARK BEGICH have joined me as original cosponsors on this bill.

Homelessness continues to plague our nation. If we fail to address the needs of these children and families today, they will remain stuck in a cycle of poverty and chronic homelessness.

It is our moral obligation to ensure that we do not erect more barriers for these children and families to access services when they are experiencing extreme hardship. I believe this bill is a commonsense solution that will ensure that homeless families and children can receive the help they need.

Mr. President, I ask unanimous consent that the text of this 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:

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 “Homeless Children and Youth Act of 2014.”

SEC. 2. AMENDMENTS TO THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT.

The McKinney-Vento Homeless Assistance Act (42 U.S.C. 11901 et seq.) is amended—

(1) in section 103—

(A) in subsection (a)—

(i) in paragraph (5)(A)—

(1) by striking “are sharing” and all that follows through “charitable organizations’’;-

(ii) by striking “14 days” each place that term appears and inserting “30 days’’;

(iii) in clause (i), by inserting “or” after the semicolon;

(IV) by striking clause (ii); and

(V) by redesignating clause (ii) as clause (iv) and—

(1) by amending paragraph (6) to read as follows:

(6) unaccompanied youth and homeless families with children and youth defined as homeless under other Federal statutes who—

(A) are certified as homeless by the director or designee of a director of a program funded under any other Federal statute; or

(B) have been certified by a director or designee of a director of a program funded under this Act or a director or designee of a director of a public housing agency as lacking a fixed, regular, and adequate nighttime residence, which shall include—

(i) temporarily sharing the housing of another person due to losses of housing, economic hardship, or other similar reason; or

(ii) living in a room in a motel or hotel;

and—

(2) in section 401—

(A) in paragraph (1)(C)—

(i) by striking clause (v); and

(ii) by redesigning clauses (v), (vi), and (vii) as clauses (iv), (v), and (vi);

(B) in paragraph (7)—

(i) by striking “Federal statute other than this subtitle” and inserting “other Federal statute’’; and

(ii) by inserting “or” before “this Act’’;

(C) by redesigning paragraphs (14) through (33) as paragraphs (15) through (34), respectively; and

(D) by adding after paragraph (15) the following:

(14) OTHER FEDERAL STATUTE.—The term ‘other Federal statute’ includes—

(A) the Runaway and Homeless Youth Act (42 U.S.C. 2001 et seq.);

(B) the Head Start Act (42 U.S.C. 9831 et seq.);

(C) subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 1304(q) et seq.);

(D) section 330(h) of the Public Health Service Act (42 U.S.C. 254(h));

(E) section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1766);

(F) the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.); and

(G) subtitle B of title VII of this Act’’;

and—

(2) inserting after section 408 the following:

SEC. 409. AVAILABILITY OF HMIS REPORT.

(a) In GENERAL.—The information provided to the Secretary under section 408(3) shall be made publically available on the Internet website of the Department of Housing and Urban Development in aggregate, nonpersonally identifying reports.

(b) REQUIRED DATA.—Each report made publically available under subsection (a) shall be updated at least at an annual basis and shall include—

(I) a cumulative count of the number of individuals and families experiencing homelessness;

(II) a cumulative assessment of the patterns of assistance provided under subtitles...
B C and for the geographic area involved; and
“(3) a count of the number of individuals and families experiencing homelessness that are documented through the HMIS by each collaborative applicant;”.

(ii) by amending paragraph (1)—
”(A) would meet the priorities identified in the plan submitted under section 427(b)(1)(B); and
”(B) is cost-effective in meeting the overall goals and objectives identified in that plan;”; and

(iv) by striking subparagraph (F); and

(ii) by adding at the end the following:
”(1) IN GENERAL.—The Secretary may not consider or prioritize the specific homeless populations intended to be served by the applicant if the applicant demonstrates that
”(A) the project—
”(i) in subparagraph (A)—
”(II) in clause (vi), by striking “and” at the end;
”(II) in clause (vii), by striking “and” at the end;
”(II) in clause (iv), by striking “and” at the end;
”(2) IN GENERAL.—The Secretary shall submit to Congress an annual report, which shall contain—

SEC. 433. REPORTS TO CONGRESS.

“(a) IN GENERAL.—The Secretary shall submit to Congress an annual report, which shall—

“(1) summarize the activities carried out under this subtitle and set forth the findings, conclusions, and recommendations of the Secretary as a whole of the activities; and

“(2) include, for the year preceding the date on which the report is submitted—

“(A) a data required to be made publically available in the report under section 406; and

“(B) data on programs funded under any other Federal statute, as such term is defined in section 401.

“(b) TIMING.—A report under subsection (a) shall be submitted not later than 4 months after the end of each fiscal year.”.

By Mr. HARKIN:

S. 2658. A bill to prioritize funding for the National Institutes of Health to discover treatments and cures, to maintain global leadership in medical innovation, and to restore the purchasing power the NIH had after the historic doubling campaign that ended in fiscal year 2003; to the Committee on the Budget.

Mr. HARKIN. Mr. President, last year, 2013, marked the 10-year anniversary of the completion of the historic campaign to double funding for the National Institutes of Health. Beginning in fiscal year 1998, I worked with Congressman John Porter and Senator Arlen Specter in our leadership roles on the Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies. In that year, 1998, funding for the National Institutes of Health was $13 billion. By fiscal year 2003, we had doubled to $27 billion. We doubled funding in 5 years. We said we were, and we laid out a plan under both Republican and Democratic administrations and we got it done. That was a historic milestone for biomedical research in the United States.

Truly, increasing our Nation’s investment in NIH was a bold statement of our Nation’s commitment to retaining our standing as the undisputed world leader in biomedical research, and we have reaped extraordinary benefits from that investment. We reaped benefits in terms of new treatments, new diagnostics, and the new jobs and economic growth that biomedical research brings.

But where does NIH stand today, 10 years after the historic doubling of funding for biomedical research, which did so much to advance America’s economy and our standing in the world? Are we today? Sadly, as this chart illustrates, we have been falling behind.

So here we are. We got back up to where we should be by doubling the funding. Since that time, it has basically leveled off. We are now short about $8 billion below where we would be if we had just kept up with inflation. So NIH has lost about 20 percent of its purchasing power from that time. Success rates for applicants fell from the traditional range of 25 to 35 percent to just 16 percent last year, 2013. Promising research was not funded, and many young scientists had no choice but to find other occupations. This has had profoundly negative consequences. Our biomedical pipeline is clearly showing the negative effects. So today I am introducing a bill that allows us to find common ground, on a bipartisan basis, to jump-start our reinvestment in the National Institutes of Health and ensure America’s leadership in biomedical research.

Republicans and Democrats may disagree on what level of revenue is appropriate. We disagree about the value of investing in education in order to build the next generation of workers. But where does NIH stand today? 10 years after the historic doubling of funding for biomedical research, which did so much to advance America’s economy and our standing in the world? Are we today? Sadly, as this chart illustrates, we have been falling behind.

Some may say that changing the budget allows for more spending so it should be offset by cuts to other programs. Well, to that I say there can be little doubt that NIH funding abundantly pays for itself in expanded economic activity. Respected economists have studied this, and they have estimated that each dollar of investment in the National Institutes of Health generates anywhere from $1.80 to $3.20 in economic output.

Let me take just one vivid example of the payoffs from our Federal investments in biomedical research. In 2003 NIH completed the Human Genome Project, a 13 years earlier. In total, the Federal Government invested $3.4 billion of taxpayers’ money in sequencing the human genome. That project has had a truly staggering economic impact. As of 2012, it had generated $965 billion in economic activity, personal income exceeding $293 billion, and more than 4.3 million job-years of employment. For every dollar our government spent on the Human Genome Project, America has returned $176 in economic benefits for every dollar invested. And this is just the economic impact. The positive impact in terms of cures discovered and lives saved is incalculable.

But research doesn’t have to launch an entire industry to contribute significantly to our economy as the Human Genome Project did. I will give an example from my home State.

Dr. Joseph Walder, a researcher at the University of Iowa, received a $5.7 million research grant many years ago from the National Heart, Lung, and Blood Institute. In the course of his research, he developed synthetic DNA and RNA technology. Realizing that
Dr. Francis Collins, Director of NIH, testified before my subcommittee about the ambitious investments of America’s rivals. He said this:

China has made policy changes to invest heavily in the life sciences industry, moving into a leadership position in the world. This is a healthy sign of China’s growing interest in science and technology by the end of the decade. Over the past decade, Singapore has also made a prominent role as a global leader in the life sciences. For example, their pharmaceutical industry R&D funding was five times greater than that of the United States in 2008 as a share of GDP.

I will say one thing about China’s ambitious plans. China has identified biotechnology as one of seven key “strategic and emerging pillar” industries. They have pledged to invest $308.5 billion in biotechnology over the next 5 years. By contrast, the U.S. invested over the same period of time will be roughly $160 billion, just about half of what China is doing.

It is a shocking and disturbing fact that, if current trends continue, the U.S. government’s investment in life sciences research as a share of GDP will soon be about one quarter of what China is doing.

According to the NIH, China already has more gene sequencing capacity than the entire United States, and they have around one third of global capacity.

Imagine that. We are the ones that mapped and sequenced the entire human genome. We are the ones that put the $3.6 billion into that. We reaped some rewards and— as I just said— but right now China has more gene sequencing capacity than we do.

That again, illustrates my point that they are moving ahead and we have sort of slowed down and stopped, resting on our laurels, so to speak.

The budget caps enacted by Congress are forcing disinvestments in a whole range of priorities that are the key to our Nation’s prosperity. These disinvestments are having devastating impacts across our economy—lower growth and fewer jobs.

Again, I appreciate there are honest disagreements about the appropriate levels of investment in education, job training, and other domestic priorities. But from countless conversations with Senators from both parties, there seems to be one area of broad agreement, and that is that we should invest robustly in the National Institutes of Health.

Today, I want to introduce this bill today. It is time for us on a bipartisan basis to reverse this erosion of support for biomedical research to ensure America’s standing as a world leader in this field. This is what we are talking about, a discrete & logical proposal. That’s what our bill would do to allow NIH to make up for lost ground.

Here is what is happening. We are about $8 billion behind. By providing a budget cap adjustment we can close the $8 billion gap up to where it should be if we could allow for increases due to inflation. Quite frankly, I guess I could argue we have to do even more than that, but this is the minimum we ought to do, a minimum to close the gap in biomedical research.

We have to do this for the health of our people, our economy, and our Federal budget. So I urge my colleagues to support the Accelerating Biomedical Research Act.

I yield the floor.

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

NATIONAL GROUPS SUPPORTING THE BILL


RESEARCH INSTITUTIONS SUPPORTING THE BILL

Arizona: Banner Alzheimer’s Institute, Biodesign Research Institute of Arizona.
California: Cedars-Sinai Medical Center, Salk Institute for Biological Studies, Stanford-Burnham Medical Research Institute, UC San Diego Moores Cancer Center, UCSF Helen Diller Family Comprehensive Cancer Center.

Delaware: Yale University and Yale Cancer Center.

District of Columbia: The GW Cancer Institute.

Florida: Moffitt Cancer Center.

Georgia: Emory University Winship Cancer Institute.

Illinois: University of Chicago Medicine Comprehensive Cancer Center.

Iowa: University of Iowa Health Care.

Kansas: University of Kansas Cancer Center.

Louisiana: Tulane University School of Medicine.

Maryland: Johns Hopkins University and the Sidney Kimmel Comprehensive Cancer Center.

Massachusetts: Dana Farber Cancer Institute, Northeastern University, Tufts University.

Michigan: Karmanos Cancer Center, University of Michigan Comprehensive Cancer Center.

Minnesota: Mayo Clinic, University of Minnesota Masonic Cancer Center.

Nebraska: Fred & Pamela Buffett Cancer Center.

New Jersey: North Shore-LIJ Health System and its Feinstein Institute for Medical Research.

New Mexico: Taos Health Systems, Inc., University of New Mexico Cancer Center.

New York: Associated Medical Schools of New York, Memorial Sloan-Kettering Cancer Center, New York Academy of Sciences, The NYU Langone Medical Center, Roswell Park Cancer Institute, The State University of New York System.

North Carolina: Duke Cancer Institute, UNC Lineberger Comprehensive Cancer Center.

Ohio: Cleveland Clinic Foundation, The Ohio State University Comprehensive Cancer Center, James Cancer Hospital, and the Solove Cancer Institute, The Ohio State University Wexner Medical Center, University of Cincinnati.

Pennsylvania: University of Pittsburgh School of Medicine, The Wistar Institute.

South Carolina: Hollings Cancer Center.

Tennessee: Vanderbilt University Medical Center and Vanderbilt-Ingram Cancer Center.

Virginia: University of Virginia.

Washington: Fred Hutchinson Cancer Research Center.

Utah: Huntsman Cancer Institute.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 517—EX-PRESSING SUPPORT FOR ISRAEL’S RIGHT TO DEFEND ITSELF AND CALLING ON HAMAS TO IMMEDIATELY CEASE ALL ROCKET AND OTHER ATTACKS AGAINST ISRAEL

Mr. GRAHAM (for himself, Mr. SCHUMER, Ms. AYOTTE, Mr. CARDIN, Mr. RUBIO, and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 517

Whereas, on July 17, 2014, the Senate unanimously passed a resolution supporting Israel’s absolute right to defend its citizens and ensure the survival of the State of Israel, condemning the actions of Hamas, and calling for the President of the Palestinian Authority to dissolve the unity government;

Whereas, since June 2014, Hamas has fired over 1,800 rockets at Israel;

Whereas Hamas has used a system of tunnels to smuggle weapons and launch attacks on Israel;

Whereas, since ground operations in Gaza began, the Israeli Defense Forces (IDF) have discovered 28 of these tunnels whose only purpose is to kill and kidnap Israelis;

Whereas Hamas’ weapons arsenal includes approximately 12,000 rockets that vary in range;

Whereas innocent Israeli civilians are indiscriminately targeted by Hamas rocket attacks;

Whereas 5,000,000 Israelis are currently living under the threat of rocket attacks from Gaza;

Whereas the Iron Dome system has saved countless lives inside Israel;

Whereas, consistent with Article 51 of the United Nations charter, which recognizes a nation’s right to self-defense, Israel must be allowed to take any actions necessary to remove those threats;

Whereas the IDF has used text messages, leaflets, drone missiles, and other methods to clear out areas and avoid unnecessary civilian casualties;

Whereas Hamas uses civilians in Gaza as human shields by placing missile launchers next to schools, hospitals, mosques, and private homes;

Whereas Hamas’ interior ministry has called on residents of Gaza to ignore IDF warning to get out of harm’s way; and

Whereas any effort to broker a ceasefire agreement that does not eliminate those threats cannot be sustained in the long run and will leave Israel vulnerable to future attacks: Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms its support for Israel’s right to defend its citizens and ensure the survival of the State of Israel;

(2) calls on the United Nations Secretary General to immediately condemn the terrorist attacks by Hamas on Israel;

(3) urges the international community to condemn the unprovoked rocket fire at Israel;

(4) recognizes that the Government of Israel must be allowed to take actions necessary to remove the present and future threats posed by Hamas’ rockets and tunnels;

(5) calls on Hamas to immediately cease all rocket and other attacks against Israel;

(6) opposes any efforts to impose a cease fire that does not allow for the Government of Israel to protect its citizens from threats posed by Hamas rockets and tunnels; and

(7) calls on Hamas to stop using residents of Gaza as human shields.

SENATE RESOLUTION 518—DESIGNATING OCTOBER 12 THROUGH OCTOBER 18, 2014, AS “NATIONAL CASE MANAGEMENT WEEK’’ TO RECOGNIZE THE ROLE OF CASE MANAGEMENT IN IMPROVING HEALTH CARE OUTCOMES FOR PATIENTS

Mr. PRYOR (for himself and Mr. MER, Ms. AYOTTE, Mr. CARDIN, Mr. RUBIO, and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 518

Whereas case management is a collaborative process of assessment, education, planning, facilitation, care coordination, evaluation, and advocacy;

Whereas the goal of case management is to meet the health needs of the patient and the family by getting the patient to the right place at the right time, while respecting the right of the patient to self-determination through communication and other available resources in order to promote high-quality, cost-effective outcomes;

Whereas case managers are advocates who help patients understand their current health status, guide patients on ways to improve their health, and provide cohesion with other professionals on the health care delivery team;

Whereas the American Case Management Association and the Case Management Society of America work diligently to raise awareness about the broad range of services case managers offer and to educate providers, payers, regulators, and consumers on the improved patient outcomes that case management services can provide;

Whereas through National Case Management Week, the American Case Management Association and the Case Management Society of America aim to continue to educate providers, payers, regulators, and consumers about how vital case managers are to the successful delivery of health care;

Whereas the American Case Management Association and the Case Management Society of America will celebrate National Case Management Week during the week of October 12 through October 18, 2014, in order to recognize case managers’ critical link to patients receiving quality health care; and

Whereas it is appropriate to recognize the many achievements of case managers in improving health care outcomes: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of October 12 through October 18, 2014, as “National Case Management Week’’; and

(2) recognizes the role of case management in providing successful and cost-effective health care; and

(3) encourages the people of the United States to observe National Case Management Week and learn about the field of case management.

SENATE RESOLUTION 519—DESIGNATING AUGUST 16, 2014, AS “NATIONAL AIRBORNE DAY’’

Ms. MURKOWSKI (for herself, Mr. REED of Rhode Island, Mr. REID of Nevada, Mr. MONNENEL, Mrs. HAGGADA, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. MANCHIN, Mr. CASEY, Mr. RUBIO, Mr. BLUNT, Mr. BURR, Mr. BECHT, Ms. AYOTTE, Mr. MORAN, Mr. COCHRAN, Mr. TESTER, and Mr. WALSH) submitted the following resolution; which was considered and agreed to:

S. Res. 519

Whereas the members of the airborne forces of the United States have a long and honorable history as bold and fierce warriors who, for the national security of the United States and the defense of freedom and peace, project the ground combat power of the United States by air transport to the far reaches of the battle area and to the far corners of the world;

Whereas the experiment of the United States with airborne forces began on June 25, 1940, when the Army Parachute Test Platoon was first authorized by the Department of War, and 48 volunteers began training in July 1940;

Whereas August 16 marks the anniversary of the first official Army parachute jump,
which took place on August 16, 1940, to test the innovative concept of inserting United States ground combat forces behind a battle line by means of a parachute;

Whereas the success of the Army Parachute Test Platoon in the days immediately before the entry of the United States into World War II validated the airborne operation, and led to the creation of a formidable force of airborne formations that included the 11th, 13th, 17th, 82nd, and 101st Airborne Divisions;

Whereas individuals in those divisions, and among other separate formations, were many airborne, combat, combat support, and combat service support units that served with distinction and achieved repeated success in armed hostilities during World War II;

Whereas the achievements of the airborne units during World War II prompted the evolution of those units into a diversified force of parachute and air-assault units that, over the years, have fought in Korea, Vietnam, Grenada, Panama, the Persian Gulf region, and Somalia, and have engaged in peacekeeping operations in Lebanon, the Sinai Peninsula, the Dominican Republic, Haiti, Bosnia, and Kosovo;

Whereas, since the terrorist attacks of September 11, 2001, the members of the United States airborne forces, including members of the XVIII Airborne Corps, the 82nd Airborne Division, the 101st Airborne Division, the 173rd Airborne Brigade Combat Team, the 4th Brigade Combat Team (Airborne) of the 10th Infantry Division, the 75th Ranger Regiment, special operations forces of the Army, Marine Corps, Navy, and Air Force, and other units of the Armed Forces, have demonstrated their bravery and honor in combat, stability, and training operations in Afghanistan and Iraq;

Whereas the modern-day airborne forces also include elite forces composed of airborne trained and qualified special operations warriors, including Army Special Forces, Marine Corps Reconnaissance units, Navy SEALs, and Air Force combat control and pararescue teams;

Whereas, of the members and former members of the United States airborne forces, thousands earned the distinction of making jump kits, dozens have earned the Medal of Honor, and hundreds have earned the Air Force Paratrooper Badge, the Distinguished Service Cross, the Silver Star, or other decorations and awards for displays of heroism, gallantry, intrepidity, and valor;

Whereas the members and former members of the United States airborne forces are all members of a proud and honorable tradition that, together with the special skills and achievements of those members, distinguishes the members as intrepid combat parachutists, air assault forces, special operation forces, and, in the past, glider troops;

Whereas individuals from every State of the United States have served gallantly in the airborne forces, and each State is proud of the contributions of its paratrooper veterans during the many conflicts faced by the United States;

Whereas the history and achievements of the members and former members of the United States airborne forces warrant official expressions of the gratitude of the people of the United States; and

Whereas, since the airborne forces, past and present, celebrated August 16 as National Airborne Day; be it

Resolved, That the Senate—

(1) designates August 16, 2014, as “National Airborne Day”;

(2) calls on the people of the United States to observe National Airborne Day with appropriate programs, ceremonies, and activities;

SENATE RESOLUTION 520—CONDEMNING THE DOWNING OF MALAYSIAN AIRLINES FLIGHT 17 AND EXPRESSING CONDOLENCE TO THE FAMILIES OF THE VICTIMS

Mr. MURPHY (for himself and Mr. JOHNSON of Wisconsin) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. Res. 520

Resolved, That the Senate—

(1) condemns the shooting down of Malaysian Airlines Flight 17 in Eastern Ukraine that resulted in the deaths of all 298 passengers and crew;

(2) expresses its deepest condolences to the families of the victims and the people of the Netherlands, Malaysia, Australia, Indonesia, Great Britain, Germany, Belgium, the Philippines, Canada, and New Zealand;

(3) supports the ongoing international investigation into the attack on Malaysian Airlines Flight 17, including unobstructed access to the crash site;

(4) calls on the Government of the Russian Federation to immediately stop the flow of weapons and fighters across the border with Ukraine, allow an Organization for Security and Co-operation in Europe (OSCE) monitoring mission on the border, and fully cooperate with the international investigation currently underway; and

(5) urges the European Union to join the United States Government in holding the Government of the Russian Federation accountable for its destabilizing actions in Ukraine through the use of increased sanctions.

SENATE RESOLUTION 521—DESIGNATING JULY 26, 2014, AS “UNITED STATES INTELLIGENCE PROFESSIONALS DAY”

Mr. WARNER (for himself, Ms. MILKULSI, Mr. BURR, Mrs. FEINSTEIN, Mr. CHAMBLISS, Mr. ROCKEFELLER, Mr. KING, Mr. WHITEHOUSE, Mr. RUBIO, Mr. UDALL of Colorado, and Mr. Kaine) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. Res. 521

Resolved, That whereas on July 26, 1908, Attorney General Charles Bonaparte ordered newly-hired Federal investigators to report to the Office of the Chief Examiner of the Department of Justice, which subsequently was renamed the Federal Bureau of Investigation; whereas on July 26, 1947, President Truman signed the National Security Act of 1947 (50 U.S.C. 3001 et seq.), creating the Department of Defense, the National Security Council, the Central Intelligence Agency, the National Reconnaissance Office, other offices within the Department of Defense for the collection of specialized national intelligence through reconciliations programs, the intelligence communities of the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Department of Energy, the Bureau of Intelligence and Research of the Department of State, the Office of Intelligence and Analysis of the Department of Homeland Security; whereas the intelligence community is defined by section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(b)) to include the Office of the Director of National Intelligence, the Central Intelligence Agency, the National Security Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Reconnaissance Office; whereas the intelligence community of the United States; whereas the intelligence community is de-
considerations, and based upon all sources available;

Whereas Congress has previously passed joint resolutions, signed by the President, to designate the Peace Officers Memorial Day on May 15, Patriot Day on September 11, and other commemorative occasions, to honor the sacrifices of law enforcement officers and of those who lost their lives on September 11, 2001;

Whereas the United States has increasingly relied upon the men and women of the intelligence community to protect and defend the security of the United States in the decade since the attacks of September 11, 2001;

Whereas numerous intelligence officers of the elements of the intelligence community have been injured or killed in the line of duty;

Whereas intelligence officers of the United States are routinely called upon to accept personal hardship and sacrifice in the furtherance of intelligence operations and actions by the United States, to undertake dangerous assignments in the defense of the interests of the United States, to collect reliable information within prescribed legal authorities upon which the leaders of the United States rely in life-and-death situations, and to “speak truth to power” by providing their best assessments to decision makers regardless of political and policy considerations;

Whereas the men and women of the intelligence community have on numerous occasions succeeded in preventing attacks upon the United States and allies of the United States, saving numerous innocent lives; and

Whereas intelligence officers of the United States often recommend others who are unknown and unrecognized for their substantial achievements and successes; Now, therefore, be it

Resolved, That the Senate—
(1) designates July 26, 2014, as “United States Intelligence Professionals Day”;
(2) acknowledges the courage, fidelity, sacrifice, professionalism, and dedication of the men and women of the intelligence community of the United States; and
(3) concurs the people of the United States to observe this day with appropriate ceremonies and activities.

SENATE RESOLUTION 522—EXPRESSING THE SENSE OF THE SENATE SUPPORTING THE U.S.-AFRICA LEADERS SUMMIT TO BE HELD IN WASHINGTON, D.C. FROM AUGUST 4 THROUGH 6, 2014

Mr. COONS (for himself, Mr. FLAKE, Mr. MENENDEZ, and Mr. CORRER) submits the following resolution, which was referred to the Committee on Foreign Relations:

S. Res. 522

Whereas the United States will convene the first U.S.-Africa Leaders Summit from August 4 through August 6, 2014, featuring a congressional reception welcoming African heads of state, the U.S.-Africa Business Forum, the African Growth and Opportunity Act (AGOA) Forum, and dialogue sessions between African leaders and President Barack Obama on investing in Africa’s future, promoting peace and regional stability, and governing for the next generation;

Whereas the U.S.-Africa Leaders Summit will be the largest event held between the United States Government and African heads of state and governments;

Whereas the U.S.-Africa Leaders Summit will build on the President’s trip to Africa in May 2013 and will strengthen ties between the United States and one of the most dynamic and fastest growing regions in the world;

Whereas the United States Government has built strong and enduring partnerships with African heads of state bilaterally and through the United Nations, African Union, and African regional institutions;

Whereas the United States Government has demonstrated its commitment to Africa’s development through resources, legislation, economic relationships, and initiatives, including the African Growth and Opportunity Act (19 U.S.C. 3701 et seq.), Power Africa, President’s Malaria Initiative, the Global Fund to Fight, and the President’s Emergency Plan for AIDS Relief (PEPFAR), and the President’s Peanut Initiative (PMI), and the Global Alliance for Vaccines and Immunization (GAVI);

Whereas, through its investments in health across 16 priority countries in Africa over the last two decades, the United States Government has contributed to the reduction of child mortality rates by 44 percent and the reduction of maternal mortality rates by 39 percent;

Whereas the majority of the fastest growing economies in the world are in Africa, and the continental economic growth rate of 5 percent has exceeded that of other regions in the world;

Whereas there are currently 1,000,000,000 Africans representing the fastest growing population in the world, and by 2035, the African continent will have the world’s largest workforce;

Whereas individual nations in Africa and the African Union have made significant achievements and remarkable progress since the inception of the African Union 51 years ago and its transition from the Organization of African Unity;

Whereas the United States Government, recognizing the importance of Africa’s youth and future generations, has invested in the next generation of African entrepreneurs, educators, civic leaders, and innovators, including through the United States-led Young African Leaders Initiative (YALI), helping them develop skills and networks to build brighter futures for their communities and countries; there are 10 authorized United Nations peacekeeping operations in Africa with over 94,000 United Nations peacekeepers working to promote peace and stability for over 310,000,000 people across the continent, in addition to additional missions led by the African Union, with United States and international support and training;

Whereas the United States has served as the global leader in investments and innovations in health across Africa, contributing significant resources to improvements in health over the past two decades through United States-led programs such as the President’s Emergency Plan for AIDS Relief (PEPFAR), the President’s Malaria Initiative (PMI), and the Global Alliance for Vaccines and Immunization (GAVI);

Whereas, through its investments in health across 16 priority countries in Africa over the last two decades, the United States Government has contributed to the reduction of child mortality rates by 44 percent and the reduction of maternal mortality rates by 39 percent;

Whereas the majority of the fastest growing economies in the world are in Africa, and the continental economic growth rate of 5 percent has exceeded that of other regions in the world;

Resolved, That the Senate—
(1) deeply values the historic United States commitment to Africa;
(2) affirms a future commitment to increased economic partnership with Africa;
(3) supports innovations in development and an expanded partnership with the private sector, including in the areas of energy, food security, and health;
(4) supports efforts to facilitate increased trade and investment between the United States and Africa, as well as amongst African countries;
(5) supports ongoing African-led efforts to improve peacekeeping, prevent atrocities, and combat violent extremism and terrorism;
(6) affirms the enduring partnership of the people and Government of the United States with the African people, including the youth, and urges African leaders to invest in this generation of young people, as well as the next generation;
(7) encourages leaders in Africa to make efforts toward strengthening good governance, the rule of law, and democracy, including reaffirming constitutional human rights, and ensuring that civil society organizations are able to function freely in their countries;
(8) supports ongoing efforts to protect and promote women and children, including through investments in education and maternal, newborn, and child health;
(9) reaffirms the strong United States investment in health in Africa, and anticipates leaders in Africa making greater and sustained investments in healthcare;
(10) encourages ongoing efforts in preventing wildlife trafficking and supports further investments, including training and equipping enforcement teams in Africa;
(11) urges African heads of state to take concrete steps to implement reforms that will further economic growth, good governance, democracy, peace, security, rule of law, and development;
(12) expresses support for the U.S.-Africa Leaders Summit from August 4 through August 6, 2014.

SENATE RESOLUTION 523—EXPRESSING THE SENSE OF THE SENATE ON THE STRONGER ROLE AND ENSURING PEACE AND SECURITY IN THE UNITED STATES-INDIA STRATEGIC PARTNERSHIP AND THE CONTINUED DEEPENING OF BILATERAL TIES WITH INDIA

Mr. WARNER (for himself, Mr. CORNYN, Mr. KAIN, and Mr. RISCH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. Res. 523

Whereas the United States-India relationship is built on mutual respect for common values, including democracy, the rule of law, a market economy, and ethnic and religious diversity, and bolstered by strong people-to-people ties, including a 3,000,000 strong Indian American diaspora; and

Whereas the Senate places tremendous value on the relationship with India, and the bipartisan Senate India Caucus comprises 40 Senators and is the largest bilateral caucus in the Senate;

Whereas the United States and India have a unique opportunity, in the early days of
the new administration in India, to refresh the United States-India relationship and work cooperatively to make progress that will benefit both of our countries in a broad range of areas, including education, skills development, infrastructure, and energy;

Whereas a strong economic partnership between India and the United States requires a mutual respect for innovation;

Whereas an investment environment that fosters continued research and development and the bilateral relationship between the United States and India has resulted in almost $100,000,000,000 in trade of goods and services in 2013;

Whereas the United States-India relationship is vital to promoting stability, democracy, and economic prosperity in the 21st century;

Whereas defense and security ties have led to nearly $10,000,000,000 in defense trade, and the United States-India Defense Trade and Technology Initiative has facilitated greater cooperation on joint development of defense platforms;

Whereas counterterrorism cooperation is a growing and important aspect of the partnership and threats faced by both countries, including from groups such as al Qaeda and Lashkar-e-Taiba;

Whereas the United States values India’s role as a provider in the Indian Ocean Region and promoter of regional stability and maritime security in the Asian Pacific region;

Whereas India is a close partner of the United States in Afghanistan, has committed over $2,000,000,000 in development assistance, and shares the United States’ goal of a stable, democratic, and prosperous Afghanistan; Now, therefore, be it

Resolved, It is the sense of the Senate that—

(1) Prime Minister Narendra Modi should be able to address the United States Congress at the earliest opportunity;

(2) The United States Government should develop a clear strategic plan for its relationship with India and hold a robust strategic dialogue in New Delhi that lays out clear objectives and deliverables to set a positive trajectory for the relationship and moves from dialogue to action to build a path forward for more ambitious cooperation;

(3) The United States nominate and confirm an Ambassador to India as soon as possible;

(4) The United States and India should continue to expand economic engagement, including finalizing a bilateral investment treaty and revising the Trade Policy Forum; the United States Government should continue to develop a clear strategic plan for its relationship with India and hold a robust strategic dialogue in New Delhi that lays out clear objectives and deliverables to set a positive trajectory for the relationship and moves from dialogue to action to build a path forward for more ambitious cooperation;

(5) The United States Government should urge the Government of India to continue with its economic liberalization reforms, including the closing of the doors to Indian markets to foreign direct investment and taking steps to enhance protections for intellectual property, and consider discussions with other Asia-Pacific Economic Cooperation (APEC) nations about Indian membership in APEC;

(6) The United States and India should expand energy cooperation, by India fully implementing the 2008 civil nuclear pact, and the United States pursuing increased export of liquefied natural gas to India;

(7) The United States and India should continue to deepen defense and security cooperation, to include expanded joint exercises and training, sales and co-production, holding a “2+2” meeting of senior defense and officials, and reestablishing the Defense Policy Group; and

(8) The United States Government should urge the Government of India to modify its offsets policy to allow fast-track waiver of Indian priorities such as education, skills development, or manufacturing.

SENATE CONCURRENT RESOLUTION 41—DENOUNCING THE USE OF CIVILIANS AS HUMAN SHIELDS BY HAMAS AND OTHER TERRORIST ORGANIZATIONS IN VIOLATION OF INTERNATIONAL HUMANITARIAN LAW

Mr. CRUZ (for himself and Mrs. GILLIBRAND) submitted the following concurrent resolution; which was referred to the Senate Committee on Foreign Relations:

S. CON. RES. 41

Whereas the term “human shields” refers to the use of civilians, prisoners of war, or other noncombatants whose mere presence is designed to protect combatants and objects from attack;

Whereas the use of human shields violates international humanitarian law (also referred to as the Law of War or Law of Armed Conflict);

Whereas Additional Protocol I, Article 50(1) to the Geneva Convention defines “civilian” as, “[a]ny person who does not belong to one of the persons referred to in Article 4(A)(1), (2), (3), and (6) of the Third Convention and in Article 43 of this Protocol. In the case of doubt whether a person is a civilian that person shall be considered a civilian.”;

Whereas Additional Protocol I, Article 51(7) to the Geneva Convention states, “[T]he presence or movement of the civilian population or individual civilians shall not be used to render certain points or areas immune from military operations, in particular to shield military objectives from attacks or to shield, favour or impede military operations. The Parties to the conflict shall not direct the movement of the civilian population or individual civilians in order to attempt to shield military objectives from attacks or to shield military operations.”;

Whereas, since June 15, 2014, there have been over 2,000 rockets fired by Hamas and other terrorist organizations from Gaza into Israel;

Whereas Hamas uses civilian populations as human shields by placing its underground tunnel network and missile batteries in densely populated areas, including schools, hospitals, and mosques;

Whereas Israel drops leaflets, makes announcements, places phone calls and sends text messages to people in Gaza warning them in advance that an attack is imminent, and goes to extraordinary lengths to target only terrorist actors;

Whereas Hamas has urged the residents of Gaza to ignore the Israeli warnings and to remain in their houses and has encouraged Palestinians to gather on the roofs of their homes to act as human shields and;

Whereas Hamas, al Qaeda, Hezbollah, Al-Shabaab, Islamic State of Iraq and the Levant (ISIL), and other foreign terrorist organizations typically use innocent civilians as human shields: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) strongly condemns the brutal and illegal tactic by Hamas and other terrorist organizations of using innocent civilians as human shields;

(2) calls on the international community to recognize the grave breaches of international law committed by Hamas in using human shields;

(3) places responsibility for launching the rockets attacks on Israeli civilians on Hamas and other terrorist organizations, such as Islamic Jihad, in Gaza;

(4) supports the sovereign right of the Government of Israel to defend its territory and stop the rocket attacks on its citizens;

(5) expresses condolences to the families of the innocent victims on both sides of the conflict;

(6) supports Palestinian civilians who reject Hamas and all forms of terrorism, desiring to live in peace with their Israeli neighbors; and

(7) calls on Mahmoud Abbas to condemn the use of innocent civilians as human shields by Hamas and other terrorist organizations.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3626. Mr. BLUNT (for himself, Ms. AYOTTE, Mr. CHAMBLISS, Mr. COHRN, Mrs. FISCHER, Mr. GRASSLEY, Mr. HATCH, Mr. JOHANNES, Mr. JOHNSON OF WISCONSIN, Mr. KIRK, Mr. PORTMAN, Mr. PYOR, Mr. SCOTT, Mr. VITTER, and Mr. HELLLER) submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3627. Mr. BOOZMAN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3628. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3629. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3630. Mr. RUBIO, Mr. CRUZ, Mr. LEE, and Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3631. Mr. THUNE (for himself, Mr. MCCAIN, Mr. ROBERTS, Mr. RUHNO, Mr. CRUZ, Mr. LEE, Mr. FLAKE, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3632. Mr. THUNE (for himself, Mr. TOOMEY, Ms. AYOTTE, Mr. McCAIN, Mr. ROBERTS, Mr. RUHNO, Mr. CRUZ, Mr. LEE, Mr. FLAKE, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3633. Mr. THUNE (for himself, Mr. ROBERTS, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3634. Mr. TOOMEY (for himself, Mr. ROBERTS, Mr. RUHNO, Mr. CRUZ, Mr. LEE, Mr. FLAKE, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3635. Mr. THUNE (for himself, Mr. ROBERTS, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3636. Mr. THUNE (for himself, Mr. TOOMEY, Mr. ROBERTS, Mr. RUHNO, Mr. CRUZ, Mr. LEE, Mr. FLAKE, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3637. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3638. Mr. MORAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3639. Mr. MORAN (for himself, Mr. ROBERTS, Mr. INHOFE, Mr. CRUZ, and Mr. CORNYN)
submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3646. Mr. HATCH (for himself and Mr. JOHNSON of Nebraska) submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3647. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3648. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3649. Mr. HATCH (for himself, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. BURRE, Mr. COATS, Mr. COBURN, Ms. COLLINS, Mr. CORNYN, Mr. CRAPO, Mr. ENZI, Mr. ENZKE, Mr. GRASSLEY, Mr. ISAKSON, Mr. JOHANNES, Mr. LEE, Mr. MCCAIN, Mr. PORTMAN, Mr. ROBERTS, Mr. RUBIO, Mr. THUNE, Mr. TOOMEY, Mr. GRAHAM, and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3650. Mrs. FISCHER (for herself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3651. Mr. REID (for Mr. RUBIO) proposed an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3652. Mr. BLUNT (for himself, Ms. AYOTTE, Mr. CHAMBLISS, Mr. COBURN, Mrs. FISCHER, Mr. GRASSLEY, Mr. HATCH, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. KIRK, Mr. PORTMAN, Mr.  

TEXT OF AMENDMENTS

SA 3626. Mr. BLUNT (for himself, Ms. AYOTTE, Mr. CHAMBLISS, Mr. COBURN, Mrs. FISCHER, Mr. GRASSLEY, Mr. HATCH, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. KIRK, Mr. PORTMAN, Mr.  

July 24, 2014

CONGRESSIONAL RECORD — SENATE
PHYOR, Mr. SCOTT, Mr. VITTER, and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. EMPLOYEES WITH HEALTH COVERAGE UNDER TRICARE OR THE VETERANS ADMINISTRATION MAY BE EXEMPTED FROM EMPLOYER MANDATE UNDER PATIENT PROTECTION AND AFFORDABLE CARE ACT.

(a) In General.—Section 4808(c)(2) of the Internal Revenue Code is amended by adding at the end the following:

"(F) EXEMPTION FOR HEALTH COVERAGE UNDER TRICARE OR THE VETERANS ADMINISTRATION.—So long as purposes of determining whether an employer is an applicable large employer under this paragraph for any month, an employer may elect not to take into account for a month as an employee any individual who, for such month, has medical coverage under:

"(i) chapter 55 of title 10, United States Code, including coverage under the TRICARE program, or

"(ii) under a health care program under chapter 73 of title 5, United States Code, as determined by the Secretary of Veterans Affairs, in coordination with the Secretary of Health and Human Services and the Secretary of Defense.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to months beginning after December 31, 2013.

SA 3627. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, insert the following:

SEC. 4. ELIGIBILITY FOR CHILD TAX CREDIT.

(a) In General.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by striking "under this section to a taxpayer" and all that follows and inserting "under this section to any taxpayer unless—"

"(1) the taxpayer has the taxpayer's valid identification number (as defined in section 6404(h)(2)) on the return of tax for the taxable year, and

"(2) with respect to any qualifying child, the taxpayer includes the name and taxpayer identification number of such qualifying child on such return of tax."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 3628. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. EXTENSION OF INCENTIVES FOR BIODIESEL AND RENEWABLE DIESEL.

(a) Credits for Biodiesel and Renewable Diesel Used as Fuel.—Subsection (g) of section 40A of the Internal Revenue Code of 1986 is amended by striking "December 31, 2013" and inserting "December 31, 2015".

(b) Excise Tax Credits and Outlay Payments for Biodiesel and Renewable Diesel Fuel Mixtures.—

(1) Paragraph (6) of section 4292(b) is amended by striking "December 31, 2013" and inserting "December 31, 2015".

(2) Subparagraph (B) of section 6427(e)(6) is amended by striking "December 31, 2015" and inserting "December 31, 2016".

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to fuel sold or used after December 31, 2013.

(d) SPECIAL RULE FOR CERTAIN PERIODS DURING 2015.—Notwithstanding any other provision of law, in the case of any biodiesel mixture credit properly determined under section 6428(e) of the Internal Revenue Code of 1986 for periods after December 31, 2013, and before the date of the enactment of this Act, such credit shall be allowed, and any refund or payment attributable to such credit (including any payment under section 6427(e) of such Code) shall be made, only in such manner as the Secretary of the Treasury (or the Secretary's delegate) shall provide. Such Secretary shall issue guidance within 30 days after the date of the enactment of this Act providing for a one-time submission of claims covering periods described in the preceding sentence. Such guidance shall provide for a 180-day period for the submission of such claims (in such manner as prescribed by such Secretary) to begin not later than 30 days after such guidance is issued. Such claims shall be paid by such Secretary not later than 60 days after receipt. If such Secretary has not paid pursuant to a claim filed under this subsection within 60 days after the date of the filing of such claim, the claim shall be paid with interest from such date determined by using the overpayment rate and method under section 6212 of such Code.

SA 3629. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3. POINT OF ORDER AGAINST LEGISLATION THAT WOULD CREATE A TAX OR FEE ON CARBON EMISSIONS.

(a) Point of Order.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that includes a Federal tax or fee imposed on carbon emissions from any product or entity that is a direct or indirect source of the emissions.

(b) Waiver and Appeal.—

(1) WAIVER.—Subsection (a) may be waived by a majority of the Senate by a vote after two-thirds of those chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 3630. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3. FEDERALISM IN MEDICAL MARIJUANA.

(a) Definition of State.—In this section, the term "State" has the meaning given under section 102 of the Controlled Substances Act (21 U.S.C. 802).

(b) States Medical Marijuana Laws.—Notwithstanding section 706 of the Controlled Substances Act (21 U.S.C. 935) or any other provision of law (including regulations), a State may enact and implement a law that authorizes the use, distribution, possession, or cultivation of marijuana for medical use.

(c) Prohibition on Certain Prosecutions.—No prosecution may be commenced or maintained against any physician or patient for a violation of any Federal law (including regulations) that prohibits the conduct described in subsection (b) if the State (in which the violation occurred has in effect a law described in subsection (b) before, on, or after the date on which the violation occurred, including—

(1) Alabama;

(2) Alaska;

(3) Arizona;

(4) California;

(5) Colorado;

(6) Connecticut;

(7) Delaware;

(8) the District of Columbia;

(9) Florida;

(10) Hawaii;

(11) Illinois;

(12) Iowa;

(13) Kentucky;

(14) Maine;

(15) Maryland;

(16) Massachusetts;

(17) Michigan;

(18) Minnesota;

(19) Mississippi;

(20) Missouri;

(21) Montana;

(22) Nevada;

(23) New Hampshire;

(24) New Jersey;

(25) New Mexico;

(26) Oregon;

(27) Rhode Island;

(28) South Carolina;

(29) Tennessee;

(30) Utah;

(31) Vermont;

(32) Washington; and

(33) Wisconsin.

SA 3631. Mr. BARRASSO (for himself, Mr. Hatch) submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3. PROTECTING PATIENTS FROM HIGHER PREMIUMS.

Section 9010 of the Patient Protection and Affordable Care Act (Public Law 111–14, as amended by section 10905 of such Act, and section 105 of the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), is repealed.

SA 3632. Mr. THUNE (for himself, Mr. TOOMEY, Ms. AYOTTE, Mr. MCCAIN, Mr. ROBERTS, Mr. RUBIO, Mr. CRUZ, Mr. LEE, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3. PERMANENT MORATORIUM ON INTERNET ACCESS TAXES AND MULTIPLE AND DISCRIMINATORY TAXES ON ELECTRONIC COMMERCE.

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

(1) The Internet has continued to drive economic growth, productivity and innovation since the Internet Tax Freedom Act was first enacted in 1998.
(2) The Internet promotes a nationwide economic environment that facilitates innovation, promotes efficiency, and empowers people to broadly share their ideas.

(3) Under the National Broadband Plan, cost remains the biggest barrier to consumer broadband adoption. Keeping Internet access affordable promotes consumer choice and reduces lag between the digital gateway costs, education, healthcare, and entrepreneurial opportunities, regardless of race, income, or neighborhood.

(4) When business owners rely heavily on affordable Internet access, providing them with access to new markets, additional consumers, and an opportunity to compete in the global economy.

(5) Economists have recognized that excessive taxation of innovative communications technologies reduces economic welfare more than taxes on other sectors of the economy.

(6) The provision of affordable access to the Internet is fundamental to the American economy and access to it must be protected from excessive and punitive excise taxes at the State and local level.

(7) As a massive global network that spans political boundaries, the Internet is inherently difficult to regulate and foreign commerce within the jurisdiction of the United States Congress under articles I, section 8, clause 3 of the Constitution of the United States.

(b) In General.—Section 1101(a) of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking "during the period beginning November 1, 2004, and ending November 1, 2014.".

(c) Effective Date.—The amendment made by this section shall take effect and be enforced on or after such date as the Secretary of the Treasury may prescribe.

SEC. 2664. Termination.

(a) Computation of Tax.—Subsection (a) of section 2502 of the Internal Revenue Code of 1986 is amended to read as follows:

"(1) IN GENERAL.—The tax imposed by section 2501 for each calendar year shall be an amount equal to the excess of—

(A) a tentative tax, computed under paragraph (2), on the aggregate sum of the taxable gifts for such calendar year and for each of the preceding calendar periods, over—

(B) a tentative tax, computed under paragraph (2), on the aggregate sum of the taxable gifts for each of the preceding calendar periods.

(2) RATE SCHEDULE.—

"If the amount with respect to which the tentative tax to be computed is—

Not over $10,000 ................... 18% of such amount.
Over $10,000 but not over $20,000 ................... 20% of the excess over $10,000.
Over $20,000 but not over $40,000 ................... 22% of the excess over $20,000.
Over $40,000 but not over $60,000 ................... 24% of the excess over $40,000.
Over $60,000 but not over $100,000 ................... 26% of the excess over $60,000.
Over $100,000 but not over $150,000 ................... 28% of the excess over $100,000.
Over $150,000 but not over $250,000 ................... 30% of the excess over $150,000.
Over $250,000 but not over $500,000 ................... 35% of the excess over $250,000.
Over $500,000 ................... 18% of such amount, plus 35% of the excess over $500,000.

The tentative tax is:

(b) Treatment of Certain Transfers in Trust.—Section 2511 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

"(c) Treatment of Certain Transfers in Trust.—Notwithstanding any other provision of this section and except as provided in regulations, a transfer in trust shall be treated as a taxable gift under section 2503, unless the trust is treated as wholly owned by the donor or the donor’s spouse under subpart E of part I of subchapter J of chapter 1.

(c) Effective Date.—The amendments made by this section shall apply to gifts made on or after the date of the enactment of this Act.

(b) Effective Date.—The amendments made by this section shall apply to gifts made on or after the date of the enactment of this Act.

(c) Conforming Amendments.—

(1) The table of sections for subchapter C of chapter 11 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

"Sec. 2210. Termination.

(2) The table of sections for subchapter G of chapter 13 of such Code is amended by adding at the end the following new item:

"Sec. 2664. Termination.

(d) Effective Date.—The amendments made by this section are amended by striking the last sentence.

(e) Effective Date.—The amendments made by this section shall apply to gifts made on or after the date of the enactment of this Act.

(f) Transition Rule.—

(1) In General.—For purposes of applying sections 101(d), 2502, and 2505 of the Internal Revenue Code of 1986, the calendar year in which this Act is enacted shall be treated as 2 separate calendar years one of which ends on the date before the date of the enactment of this Act and the other of which begins on such date of enactment.

(2) Application of Section 2505(b).—For purposes of applying section 2505(b) of the Internal Revenue Code of 1986, the calendar year in which this Act is enacted shall be treated as one preceding calendar period.

SEC. 2634. Mr. THUNE (for himself, Mr. ROBERTS, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2634. MODIFICATION OF GIFT TAX.

(a) Computation of Gift Tax.—Subsection (a) of section 2502 of the Internal Revenue Code of 1986 is amended to read as follows:

"(a) Computation of Tax.—

(1) In General.—The tax imposed by section 2501 for each calendar year shall be an amount equal to the excess of—

(A) a tentative tax, computed under paragraph (2), on the aggregate sum of the taxable gifts for such calendar year and for each of the preceding calendar periods, over—

(B) a tentative tax, computed under paragraph (2), on the aggregate sum of the taxable gifts for each of the preceding calendar periods.

(2) RATE SCHEDULE.—

"If the amount with respect to which the tentative tax to be computed is—

Not over $10,000 ................... 18% of such amount.
Over $10,000 but not over $20,000 ................... 20% of the excess over $10,000.
Over $20,000 but not over $40,000 ................... 22% of the excess over $20,000.
Over $40,000 but not over $60,000 ................... 24% of the excess over $40,000.
Over $60,000 but not over $100,000 ................... 26% of the excess over $60,000.
Over $100,000 but not over $150,000 ................... 28% of the excess over $100,000.
Over $150,000 but not over $250,000 ................... 30% of the excess over $150,000.
Over $250,000 but not over $500,000 ................... 35% of the excess over $250,000.
Over $500,000 ................... 18% of such amount, plus 35% of the excess over $500,000.

The tentative tax is:

(b) Treatment of Certain Transfers in Stock of S Corporations Making Charitable Contributions of Property.—

(a) In General.—Section 1374(d) of the Internal Revenue Code of 1986 is amended by striking the last sentence.

(1) In General.—The term recognition period means the 5-year period beginning with the 1st day of the 1st taxable year for which the corporation was an S corporation.

(2) Application of this section to any amount includible in income by reason of distributions to shareholders pursuant to section 593(e), the preceding sentence shall be applied without regard to the phrase 5-year.

(b) Effective Date.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2013.

SEC. 2654. Mr. THUNE (for himself, Mr. ROBERTS, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2654. Credit against gift tax.

(a) Credit.—Subsection (a) of section 2503 of the Internal Revenue Code of 1986 is amended by striking the last sentence.

(b) Effective Date.—The amendments made by this section shall apply to gift tax years beginning after December 31, 2013.
an amendment intended to be proposed by
him to the bill S. 2569, to provide an
incentive for businesses to bring jobs
back to America; which was ordered to
lie on the table; as follows:
At the appropriate place, insert the fol-
lowing:

SEC. 3. RESEARCH CREDIT SIMPLIFIED AND
MADE PERMANENT.
(a) In General.—Subsection (a) of section 41
of the Internal Revenue Code of 1986 is amended to read as follows:

"(a) In General.—For purposes of section 38, the research credit determined under this section for the taxable year shall be an amount equal to—

"(1) 20 percent of so much of the qualified research expenses for the taxable year as exceeds—

"(A) 50 percent of the average qualified research expenses for the 3 taxable years preceding the taxable year for which the credit is being determined,

"(B) 20 percent of so much of the basic research payments for the taxable year as exceeds—

"(i) 50 percent of the average basic research payments, taken into account in determining the average qualified research expenses for the 3 taxable years preceding the taxable year for which the credit is being determined,

"(ii) the cost-of-living adjustment determined under section 1(c)(2)(A) for such calendar year, determined by substituting calendar year 2013 for calendar year 2012 in clause (i) thereof.

"(B) REPEAL OF TERMINATION.—Section 41 of such Code is amended by striking subsection (b).

(b) CONFORMING AMENDMENTS.—

(1) Subsection (c) of section 41 of such Code is amended to read as follows:

"(c) Determination of Average Research Expenditures.—

"(1) Special Rule in Case of Nonqualified Research Expenditures in Any of 3 Preceding Taxable Years.—In any case in which the taxpayer has no qualified research expenses in any one of the 3 taxable years preceding the taxable year for which the credit is being determined, the amount determined under subsection (a)(1) for such taxable year shall be equal to 10 percent of the qualified research expenses for the taxable year.

"(2) Consistent Treatment of Expenses.—

"(A) In General.—Notwithstanding whether the period for filing a claim for credit or refund has expired, there shall be taken into account in determining the average qualified research expenses, or average basic research payments, taken into account under subsection (a) for purposes of this section—

"(i) amounts paid in cash during such taxable year by a corporation to any qualified organization for basic research but only if—

"(I) such payment is pursuant to a written agreement between such corporation and such qualified organization,

"(II) such basic research is to be performed by such qualified organization,

"(III) a written agreement between such corporation and such qualified organization providing for the payment of such amounts was in effect any time during the taxable year beginning after 2002 and before 2014; and

"(B) by striking "irrevocable" in the heading thereof.

(d) AIR CONDITIONING AND HEATING UNITS.—

Paragraph (1) of section 179(d) of such Code is amended by striking "and shall not include air conditioning or heating units" and inserting in its place the following:

"(e) QUALIFIED REAL PROPERTY.—Subsection (f) of section 179 of such Code is amended—

"(1) by striking paragraph (3) and inserting in its place the following:

"(2) by redesigning paragraphs (4) and (5) as paragraphs (3) and (4), respectively, and

"(C) in paragraph (4) as so redesignated, by striking subparagraph (A) and redesignating paragraphs (B) and (D) as subparagraphs (B) and (C), respectively.

"(3) Section 41(f)(5) of such Code is amended to read as follows:

"(A)(i) by striking "and the gross receipts in" in subparagraph (A)(i) and all that follows through "determined under clause (iii)".

"(ii) by striking clause (iii) of subparagraph (A) and redesignating clauses (iv), (v), and (vi), thereof, as clauses (iii), (iv), and (v), respectively,

"(B) by redesigning paragraphs (6) and (7) as paragraphs (3) and (4), respectively,

"(C) in paragraph (4) as so redesignated, by redesigning subparagraphs (A)(ii)(I) and (B)(ii)(II) and inserting "(A)(iii)(II)" in subparagraph (B)(ii)(II),

"(D) by striking "(A)(iv)" in subparagraph (B)(ii)(III),

"(E) by striking subparagraph (C),

"(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SA 3637. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 4. CANCELLATION CEILINGS FOR STEWARDSHIP END RESULT AGREEMENTS AND CONTRACTS.

Section 604(d) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(d)) is amended—

(1) by redesigning paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively, and

(2) by inserting after paragraph (4) the following:

"(5) CANCELLATION CEILINGS.—

"(A) In General.—The Chief and the Director shall, in consultation with the appropriate representatives of the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representa-
tives, establish an annual ceiling on the amount of funds that may be obligated for an agreement or contract under subsection (b) in stages that are economically or programmatically viable.

"(B) Notice.—

"(i) Submittion to Congress.—Not later than 30 days before entering into a multiyear agreement or contract under subsection (b) that includes a cancellation ceiling in excess of $25,000,000, but does not include proposed funding for the costs of cancelling the agreement or contract up to the cancellation ceiling established in the agreement or contract, the Chief and the Director shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representa-
tives a written notice that includes—

"(I) the cancellation ceiling amounts proposed for each program year in the agreement or contract; and

"(ii) the reasons for the cancellation ceiling amounts proposed for each program year in the agreement or contract; and
"(III) a financial risk assessment of not including budgeting for the costs of agreement or contract cancellation.

(ii) TRANSMITTED TO OMB.—At least 14 days before which the Chief and Director enter into an agreement or contract under subsection (b), the Chief and Director shall transmit to the Director of the Office of Management and Budget a copy of the written notice submitted under clause (i)."

SA 3638. Mr. MORAN (for himself and Mr. Brown) submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table.

At the end of the bill, add the following:

SEC. 4. EXCEPTION TO ANNUAL WRITTEN PRIVACY NOTICE REQUIREMENT UNDER THE GRAMM-LEACH-BILLEY ACT.

Section 503 of the Gramm-Leach-Bliley Act (15 U.S.C. 6803) is amended by adding at the end the following:

"(f) EXCEPTION TO ANNUAL WRITTEN NOTICE REQUIREMENT.—A financial institution that—

(1) provides nonpublic personal information in accordance with the provisions of subsection (b)(2) or (e) of section 502 or regulations prescribed under section 504(b); and

(2) has its policies and practices with respect to disclosing nonpublic personal information from the policies and practices that were disclosed in the most recent disclosure sent to consumers in accordance with this section; and

(3) otherwise provides customers access to such most recent disclosure in electronic or other form permitted by regulations prescribed under section 504,

shall not be required to provide an annual written disclosure under this section, until such time as the financial institution fails to comply with paragraph (1), (2), or (3)."

SA 3639. Mr. MORAN (for himself, Mr. ROBERTS, Mr. INHOFE, Mr. CRUZ, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 4. PROHIBITION ON LAND MANAGEMENT MODIFICATIONS RELATING TO LESSER PRAIRIE CHICKEN.

Notwithstanding any other provision of law (including regulations), the Secretary of Agriculture and the Secretary of the Interior shall not implement or limit any modification to a public or private land-related policy or subsurface mineral right-related policy or practice that is in effect on the date of enactment of this Act relating to the listing of the Lesser Prairie Chicken as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SA 3640. Mrs. SHAHEEN (for herself, Mrs. BOXER, Mrs. MURRAY, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 36C. ENHANCEMENT OF THE DEPENDENT CARE TAX CREDIT.—

(a) INCREASE IN DEPENDENT CARE TAX CREDIT.—

(1) INCREASE IN INCOME ELIGIBLE FOR FULL CREDIT.—Paragraph (2) of section 21(a) of the Internal Revenue Code of 1986 is amended to read as follows:

“(f) APPLICABLE PERCENTAGE DEFINED.—For purposes of paragraph (1), the term ‘applicable percentage’ means—

(2) APPLICABLE PERCENTAGE DEFINED.—For purposes of paragraph (1), the term ‘applicable percentage’ means 20 percent reduced by 1 percentage point for each $5,000 (or fraction thereof) by which the taxpayer’s adjusted gross income for the taxable year exceeds $200,000.”

(2) INCREASE IN DOLLAR LIMIT ON AMOUNT CREDITABLE.—Section 21(c) of the Internal Revenue Code of 1986 is amended by inserting the following new subsection:

“(A) by redesignating subsection (f) as subsection (g), and

(B) by inserting after subsection (g) the following new subsection:

“(f) INCREASE IN DOLLAR LIMIT ON AMOUNT CREDITABLE.—

(1) IN GENERAL.—In the case of any taxable year in which the taxpayer’s adjusted gross income for the taxable year exceeds $200,000, the amount in subsection (a)(2) and each of the dollar amounts in subsection (c) shall each be increased by an amount equal to—

(2) for purposes of the dollar amounts in subsection (c), the nearest multiple of $100, and

(3) INFLATION-ADJUSTMENT.—Section 21 of the Internal Revenue Code of 1986 is amended—

(A) by redesignating subsection (f) as subsection (g), and

(B) by inserting after subsection (g) the following new subsection:

“(f) INFLATION-ADJUSTMENT.—

(1) IN GENERAL.—In the case of any taxable year in which the taxpayer’s adjusted gross income for the taxable year exceeds $200,000, the amount in subsection (a)(2) and each of the dollar amounts in subsection (c) shall each be increased by an amount equal to—

(A) the term ‘eligible participating State’ means a participating State that has certified to the Secretary that the State has expended, transferred, or obligated not less than 80 percent of the second 1/5 of the 2010 allocation transferred to the State under subsection (c)(1)(A)(iii); and

(B) the term ‘unused funds’ means—

(1) allocations made available to the Secretary under clause (i)(II) or (ii)(I)(II) of paragraph (2)(B); and

(2) allocations made available to the Secretary under paragraph (4)(B)(ii)."

SEC. 36D. ALLOCATION.—Of the amount made available under paragraph (6)(D), the Secretary shall allocate a total of $500,000,000 among eligible participating States in the same ratio as funds were allocated under the 2010 allocation under subsection (b)(1) among participating States.

(2) APPLICATION.—An eligible participating State desiring to receive funds allocated under this section may file an application—

(i) not later than the later of—

(A) June 30, 2015; or

(ii) the date that is 6 months after the date of enactment of the Small Business Access to Capital Act of 2014; and

(2)(C) AVAILABILITY OF ALLOCATED AMOUNT.—Notwithstanding subsection (c)(1), after an eligible participating State approved by the Secretary to receive an allocation under this paragraph has certified to the Secretary that the eligible participating State has expended, transferred, or obligated not less than 80 percent of the last 1/5 of the 2010 allocation to the eligible participating State, the Secretary shall transfer to the eligible participating State the unused portion of the eligible participating State under this paragraph.
"(D) USE OF TRANSFERRED FUNDS.—An eligible participating State may use funds transferred under this paragraph for any purpose authorized under subparagraph (A) or (B) of the Capital Act of 2014.''

"(E) TERMINATION OF AVAILABILITY OF AMOUNTS.—

"(1) IN GENERAL.—If an eligible participating State certifies to the Secretary that the State has expended, transferred, or obligated not less than 80 percent of the last ½ of the 2010 allocation as of the date that is 5 years after the date on which the Secretary approves the eligible participating State to receive an allocation under this paragraph, any amounts allocated to the eligible participating State under this paragraph shall be available until the end of the 8-year period beginning on the date of enactment of the Small Business Access to Capital Act of 2014.''

"(2) HOLIDAY PERIOD.—For purposes of this subsection, the term 'holiday period' means the period of 4 consecutive calendar quarters beginning with the first day of the first calendar quarter beginning after the date of the enactment of the Small Business Access to Capital Act of 2014.''

"(3) ELIGIBLE VETERAN.—For purposes of this subsection—

"(A) IN GENERAL.—The term 'eligible veteran' means a veteran who—

"(iv) serves in the armed forces full time for a period of 1 year or more.
(a) An assessment of current sources of energy in States with energy-remote military installations and potential future sources that are technologically feasible, cost-effective, and market-driven.

(b) A comprehensive implementation strategy to include required investment for feasible energy efficiency options determined to be the most beneficial and cost-effective, and the strategy must be prepared in consultation with the Department of Defense priorities.

(c) An explanation on how military services and other Federal partners and entities can leverage lessons learned on potential energy efficiency solutions.

(d) A financial analysis of State and local partnerships or agreements that could achieve efficiency and cost savings, and any legislative authorities required to carry out such partnerships or agreements.

(e) An explanation of State and local partnership opportunities that could achieve efficiency and cost savings, and any legislative authorities required to carry out such partnerships or agreements.

(f) An utilization of other efforts.

(g) Coordination with work opportunity credit.

(h) Denial of credit for veterans subject to 50 percent payroll tax holiday.

(i) Effective date.

(j) Cancellation of deduction.

(k) Explaining the deduction.

(l) Effective date.

(m) Administration.

(n) Definitions.

(o) Regulatory provisions.

(p) Effective date.

(q) Cross-references.

(r) Transitory provisions.

(s) Application.

(t) Cross-references.

(u) Application.

(v) Definitions.

(w) Effective date.

(x) Cross-references.

(y) Application.

(z) Cross-references.

(A) In general.

(B) In general.

(C) In general.

(D) In general.

(E) In general.

(F) In general.

(G) In general.

(H) In general.

(I) In general.

(J) In general.

(K) In general.

(L) In general.

(M) In general.

(N) In general.

(O) In general.

(P) In general.

(Q) In general.

(R) In general.

(S) In general.

(T) In general.

(U) In general.

(V) In general.

(W) In general.

(X) In general.

(Y) In general.

(Z) In general.
SA 3646. Mr. ISAAKSON submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. __ AMENDMENT TO THE NATIONAL LABOR RELATIONS ACT.

Section 9(b) of the National Labor Relations Act (29 U.S.C. 159(b)) is amended by striking the first sentence and inserting the following: "In each case, prior to an election, the Board shall determine, in order to ensure to employees the fullest freedom in exercising the rights guaranteed by this Act, the unit appropriate for the purposes of collective bargaining. Unless otherwise stated in this Act, excluding acute health care facilities, the unit appropriate for purposes of collective bargaining shall consist of employees that share a sufficient community of interest. In determining whether employees share a sufficient community of interest, the Board shall consider (1) similarity of wages and working conditions; similarity of skills and training; (3) centrality of management and common supervision; (4) extent of interchange and frequency of contact between employees; (5) integration of the work flow and the interrelationship of the production process; (6) the consistency of the unit with the employer's organizational structure; (7) similarity of job functions and work; and (8) the bargaining history in the particular unit and the industry. To avoid the proliferation or fragmentation of bargaining units, employees shall not be excluded from the unit unless the interests of the group sought are sufficiently distinct from those of other employees to warrant the establishment of a separate unit. Whether additional employees should be included in a proposed unit shall be based on whether such additional employees and proposed units members share a sufficient community of interest, with the exception of proposed accretions to an existing unit, in which the inclusion of additional employees shall be based on whether such additional employees and existing unit members share an overall interest. Any additional employees having no community of interest and the additional employees have little or no separate identity.".

SA 3647. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___ EQUAL ACCESS TO DECLARATORY JUDGMENTS FOR ORGANIZATIONS WITHIN THE EXEMPT STATUS.

(a) In General.—Subparagraph (A) of section 7528(a)(1) of the Internal Revenue Code of 1986 is amended by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by inserting after paragraph (1) the following new paragraph:

(2) REQUIREMENT OF NOTICE.—(A) IN GENERAL.—Not later than 300 days after the date an organization described in paragraph (1) fails to file the annual return or notice referred to in paragraph (1) for 2 consecutive years, the Secretary shall notify the organization—

(i) that the Internal Revenue Service has no record of such a return or notice from such organization for 2 consecutive years; and

(ii) about the penalty that will occur under this subsection if the organization fails to file such return or notice by the date of the next filing deadline.

The notification under the preceding sentence shall include information about how to comply with the filing requirements under subsection (a)(1) and (i).''.

(b) RESTATEMENT WITHOUT APPLICATION.—Paragraph (3) of section 6033(b) of such Code, as redesignated under subsection (a), is amended—

(i) by striking "Any organization" and inserting the following:

(A) IN GENERAL.—Except as provided in subparagraph (B), no organization', and

(ii) by adding at the end the following new subparagraph:

(B) RETROACTIVE RESTATEMENT WITHOUT APPLICATION.—(Paragraph (3) of section 6033(b) of such Code, as redesignated under subsection (a)), is amended—

(i) by striking "Any organization" and inserting the following:

(A) IN GENERAL.—Except as provided in subparagraph (B), any organization', and

(ii) by adding at the end the following new subparagraph:

(B) RETROACTIVE RESTATEMENT WITHOUT APPLICATION OF ACTUAL NOTICE NOT PROVIDED.—If an organization described in paragraph (1)—

(i) demonstrates to the satisfaction of the Secretary that the organization did not receive the notice required under paragraph (2), and

(ii) files an annual return or notice referenced in paragraph (1) for the current year, then the Secretary may reinstate the organization's exempt status effective from the date of the revocation under paragraph (1) without the notice required by subparagraph (A) or (B).''.

SEC. __ SENSE OF THE SENATE REGARDING COMPREHENSIVE TAX REFORM.

It is the sense of the Senate that Congress should enact comprehensive pro-growth tax reform that lowers corporate and individual tax rates and modernizes the international tax system of the United States in order to promote American jobs and competitiveness and help families be more financially secure.

SA 3650. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___ SOUND REGULATION ACT.

(a) Short Title.—This section may be cited as the "Sound Regulation Act of 2014".

(b) Findings.—Congress finds the following:

(1) Growing Federal regulation that is highly prescriptive in nature burdens and impairs the international competitiveness of industry in the United States.

(2) Prescriptive regulation takes away flexibility, is adversarial in nature, leads to unintended consequences, which, if it proliferates, slow economic growth and job creation.

(3) Despite evidence of increasing regulatory costs, Federal agencies hold fast to the presumption that their rules are in the public interest.

(4) Some statutes prohibit agencies from considering costs and benefits in rulemaking, although no statutes prohibit agencies from analyzing the costs and benefits of rules for informative purposes.

(5) Cost-benefit analysis is not institutionalized for independent regulatory agencies.

(B) Executive agencies perform cost-benefit analysis pursuant to Executive order and under the purview of the Office of Information and Regulatory Affairs (commonly referred to as "OIRA"), which takes direction from the President.

(C) Peer review is not required for cost-benefit analysis by independent regulatory agencies or executive agencies.

(6) There are no—

(A) statutory standards for cost-benefit analysis in Federal rulemaking; or

(B) consistent, material consequences when rules are based on faulty or inadequate analysis.

(7) Agencies—

(A) conduct their own regulatory impact analysis—

(i) largely by methods of their own choosing; and

(ii) only on a small fraction of the rules they issue; and

(B) use regulatory cost-benefit analysis mainly in support of favored, preconceived rules rather than as a decision tool.

(8) Common deficiencies in the regulatory analysis used by agencies include—

(A) lack of a coherent theory by which to—

(i) define a problem; (ii) determine why the problem occurs; and (iii) guide the agency to the most efficient response;

(B) lack of objective evidence that an actionable problem actually exists, what its dimensions are, and how they differ from acceptable norms;

(C) lack of comprehensive analysis to—

(i) determine whether a market malfunc tion exists; and

(ii) orient rulemaking to the causes, not the symptoms, of the market malfunction;

(D) failure to set clear and realistic objectives whose benefits justify the cost of achieving the objectives; (E) objectives that—

(i) are disconnected from costs; and

(ii) may be expansive and vague so that any regulation can be made to appear beneficial;

(F) agencies increasingly claiming—

(i) incidental benefits (also known as "co benefits") that are not in furtherance of the stated objective; and

(ii) even private, as opposed to public, benefits for rules;
(G) failure to—
(i) develop regulatory options in light of market analysis; and
(ii) rank regulatory options by how efficiently they will improve the market process;
(H) inconsistent assumptions and methodologies across agencies;
(I) fail to build baselines for gauging regulatory effects;
(J) the omission of important impacts, such as the impact on employment and on the international competitiveness of United States firms;
(K) failure to reevaluate regulations after implementation; and
(L) laws protecting the cumulative costs of regulation by the various Federal, State, local, and tribal agencies.

(9)(A) Despite continually changing market conditions, agencies do not—
(i) regularly review their existing regulations and regulatory regimes; or
(ii) review the division of functions—
(1) among different Federal agencies; or
(2) among Federal, State, local, and tribal agencies.

(B) Regulations lose their purpose, yet linger and accumulate, imposing unnecessary costs and slowing economic growth to the detriment of—
(i) material living standards; and
(ii) to some extent, the very social conditions that are the objects of regulation.

(10)(A) Agencies typically do not—
(i) proactively conduct regulatory cost studies; and
(ii) report to Congress on unnecessary costs that are not under the control of the agencies because of the way laws are written.

(B) Agency recommendations on how to improve the efficiency of regulation by modifying an existing statute could be helpful to Congress.

(c) UNIFORM USE OF COST-BENEFIT ANALYSIS—Section 553 of title 5, United States Code, is amended by adding at the end the following:

“(1) Before an agency publishes or otherwise provides notice of a notice of proposed rulemaking under this section, the agency shall—
(i) establish and maintain a specific cost-benefit analysis methodology appropriate to the functions and responsibilities of the agency; and
(ii) establish an appropriate period for review of new rules to assess the cost effectiveness of such new rules in achieving the objective that the new rule was intended to address, as identified under paragraph (1)(B)(i).

(2) The methodology established by an agency under clause (1) shall—
(i) include the standardized parameters, assumptions, and methodologies for agency assessments of risk under paragraph (1)(C)(iii); and
(ii) comply, to the maximum extent practicable, with the methodologies and assumptions issued by the Administrator for the Office of Information and Regulatory Affairs;

(3) The agency shall—
(i) provide an analysis of how the ranking of the options and the threshold determination would change if key assumptions are changed;
(ii) ensure that the methodology established pursuant to paragraph (2)(A) shall—
(iii) include, at a minimum—
(I) an analysis of its proposed rule, the agency considers taking and refrain from actions whose incremental benefits do not exceed its incremental costs; and
(II) any other goals or requirements relevant to regulating matters within the jurisdiction of the agency and why these should override cost savings; and
(iii) include an analysis of how the ranking of the options and the threshold determination would change if key assumptions are changed;
(iv) establish and maintain a specific cost-benefit analysis methodology appropriate to the functions and responsibilities of the agency; and
(v) include an analysis of how the ranking of the options and the threshold determination would change if key assumptions are changed.

(B) Before the agency increases the extent or stringency of existing Federal regulation would not address the problem better and
(v) the particular authority under which the agency may take action.

(B) After the agency increases the extent or stringency of existing Federal regulation would not address the problem better and
(v) the particular authority under which the agency may take action.

(3) The agency shall—
(i) establish and maintain a specific cost-benefit analysis methodology appropriate to the functions and responsibilities of the agency; and
(ii) include an analysis of how the ranking of the options and the threshold determination would change if key assumptions are changed.

(E) The agency shall—
(i) establish a process for conducting cost-benefit analysis and
(ii) include an analysis of how the ranking of the options and the threshold determination would change if key assumptions are changed.

(F) The agency shall—
(i) publish for public comment all analyses, documentation, and data under subparagraphs (A) through (D) for a public comment period of not less than 30 days (subject to applicable limitations under law, including timeframes for trade secrets, and intellectual property); and
(ii) correct deficiencies or omissions that the agency becomes aware of before choosing a rule to propose.
“(C) Any person may petition an agency to amend an existing rule made prior to the establishment of methodology under this paragraph, and, if the agency denies such a petition, that denial shall be subject to review under chapter 7 of this title.

“(3) If an agency makes a determination under paragraph (2) that the monetized cost of a rule exceeds the applicable monetary limit under clause (iv) of such paragraph for any 12-month period—

“(A) the head of the agency shall—

“(i) first issue an advanced notice of proposed rulemaking;

“(ii) provide notice to the appropriate Congress committees and

“(iii) keep the committees described in clause (ii) informed of the status of the rulemaking;

“(B) the agency shall—

“(i) notify—

“(I) the Administrator of the Small Business Administration (referred to in this paragraph as the ‘Administrator’);

“(II) the Director of the Office of Management and Budget (referred to in this paragraph as the ‘Director’); and

“(III) affected parties; and

“(C) not later than 15 days after the date of receipt of the information described in subparagraph (B)(ii), the Director, in consultation with the Administrator, shall—

“(i) identify the representatives of affected parties, not less than 25 percent of which shall, when possible, represent small businesses and

“(ii) provide each person described in clause (i) with information on—

“(I) the proposed rule on affected parties; and

“(II) the type of affected parties that might be affected;

“(D) the agency shall convene a review panel that consists wholly of—

“(i) full-time Federal officers, employees, and contractors in the agency; and

“(ii) the Director;

“(iii) the Secretary, Administrator; and

“(iv) the representatives of affected parties identified under subparagraph (C)(i);

“(E) the agency shall—

“(i) conduct a detailed analysis of the costs and benefits of the regulatory option that the agency is advancing; and

“(ii) in conducting the detailed analysis under subparagraph (D) consider the cumulative and interactive costs of regulatory requirements of Federal, State, local, tribal, and, where applicable, international regulations;

“(III) identify the key uncertainties and assumptions that drive the results of the analysis; and

“(IV) provide an analysis of how the ranking of the regulatory options changes if the key assumptions identified under subclause (II) are changed;

“(F) the review panel convened under subparagraph (D) shall review—

“(i) all agency material prepared in connection with this subsection, including any draft notice of proposed rulemaking;

“(ii) the advice and recommendations of each representative of an affected party identified under subparagraph (C)(i); and

“(iii) the findings of the review panel as to issues related to the provisions of this subsection; and

“(ii) the report under clause (i) shall be made public as part of the rulemaking record;

“(H) if appropriate, the agency shall modify the proposed rule or the cost-benefit analysis under subparagraph (E) based on the report under subparagraph (G);

“(I) subject to applicable limitations under law, including laws protecting privacy, trade secrets, and intellectual property, the agency shall—

“(i) publish for comment all analyses, documentation, and data under this subsection for a public comment period of not less than 30 days; and

“(ii) correct deficiencies or omissions that the agency becomes aware of before adopting a proposed rule; and

“(J) the agency shall ensure that affected parties, including State, local, or tribal governments, and other stakeholders, may participate in the rulemaking, by means such as—

“(i) the publication of advanced and general notices of proposed rulemaking in publications likely to be obtained by affected parties;

“(ii) the direct notification of interested affected parties;

“(iii) the conduct of open conferences or public hearings, including soliciting and receiving comments over computer networks; and

“(iv) reducing the cost or complexity of procedural rules to ease participation in the rulemaking.

“(4) Every 4 years, each agency shall—

“(A) conduct a review of all rules of the agency that are in effect; and

“(B) determine based on objective data whether the rules are—

“(i) working as intended;

“(ii) furthering their objectives;

“(iii) imposing unanticipated costs; or

“(iv) generating a net benefit or not;

“(C) amend the rules if appropriate; and

“(D) report to Congress the findings of the review conducted under this paragraph.

“(5) Notwithstanding any other provision of law, including any provision of law that explicitly prohibits the use of cost-benefit analysis in rulemaking, an agency shall conduct cost-benefit and report to Congress the findings with specific recommendations for how to lower regulatory costs by amending the statutes prohibiting the use thereof.

“(6) For purposes of this subsection—

“(A) the term ‘regulatory options’ means any action an agency may take to address an objective identified under paragraph (1)(B)(i), including the option not to act;

“(B) the term ‘private incentives’—

“(i) means financial gains or losses that motivate actions by private individuals and businesses; and

“(ii) does not include any law or regulation that prescribes private actions or outcomes; and

“(C) the term ‘incidental benefit’ means a claimed benefit outside the specific regulatory objective or objectives that a rule is intended to address, as identified under paragraph (1)(B)(i);

“(7) All determinations made under this subsection shall be subject to review under chapter 7.

“(d) CONGRESSIONAL REVIEW.—Section 804(2) of the United States Code, is amended by adding at the end the following:

“(C) The Comptroller General shall—

“(i) examine the cost-benefit analysis for compliance with the requirements under section 553(f); and

“(ii) report to Congress the results of the examination under subclause (I)."

“SA 3651. Mr. KIRK (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:

“SEC. 4. NATIONAL MANUFACTURING COMPETITIVENESS STRATEGIC PLAN.

“Section 102 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6222) is amended—

“(1) in subsection (b), by striking paragraph (7) and inserting the following:

“(7) develop and update a national manufacturing competitiveness strategic plan in accordance with subsection (c);”;

“(2) by striking subsection (c) and inserting the following:

“(c) NATIONAL MANUFACTURING COMPETITIVENESS STRATEGIC PLAN.

“(1) IN GENERAL.—Not later than 1 year after the date of the enactment of the Bring Jobs Home Act, the President shall submit to Congress a strategic plan that—

“(A) is developed and updated as required under paragraph (b), in coordination with the National Economic Council, a strategic plan to improve Government coordination and provide long-term guidance for programs and activities in support of United States manufacturing competitiveness, including advanced manufacturing research and development;

“(B) support the development of a skilled manufacturing workforce;

“(C) enable innovation and investment in domestic manufacturing; and

“(D) support national security.

“(2) CONTENTS.—Such strategic plan shall—

“(A) specify and prioritize near-term and long-term objectives to meet the goals of the plan, including research and development objectives, the anticipates the timelines for achieving the objectives, and the metrics for use in assessing progress toward the objectives;

“(B) describe the progress made in achieving the objectives from prior strategic plans, including a discussion of why specific objectives were not met;

“(C) specify the role, including the programs and activities, of each relevant Federal agency in meeting the objectives of the strategic plan;

“(D) describe how the Federal agencies and federally funded research and development centers supporting advanced manufacturing research and development will foster the integration of research and development results into new manufacturing technologies and United States based manufacturing of new
products and processes for the benefit of society to ensure national, energy, and economic security;

"(E) describe how such Federal agencies and centers will assist small- and medium-sized manufacturers in developing and implementing new products and processes;

(G) preliminary analysis and include a discussion of the analysis conducted under paragraph (6); and

"(H) solicit public input (which may be accomplished through the establishment of an advisory panel under paragraph (7)), including the views of a wide range of stakeholders, and consider relevant recommendations of Federal advisory committees.

"(6) PRELIMINARY ANALYSIS.--

"(A) IN GENERAL.--As part of developing such strategic plan, the Committee, in collaboration with Federal departments and agencies whose missions contribute to or are affected by manufacturing, shall conduct an analysis of factors that impact the competitiveness and growth of the United States manufacturing sector, including:

(i) research, development, innovation, transfer of technologies to the marketplace, and reindustrialization activities in the United States;

(ii) the adequacy of the industrial base for maintaining national security;

(iii) the state and capabilities of the domestic manufacturing workforce;

(iv) export opportunities and domestic trade enforcement policies;

(v) financing, investment, and taxation policies and practices;

(vi) the state of emerging technologies and markets; and

(vii) exports and policies related to manufacturing promotion undertaken by competing nations.

"(B) RELIANCE ON EXISTING INFORMATION.--

To the extent practicable, in completing the analysis under subparagraph (A), the Committee shall use existing information and the results of previous studies and reports.

"(7) STRATEGIC PLAN.--

"(A) ESTABLISHMENT.--The chairperson of the Committee may appoint an advisory panel of private sector and nonprofit leaders to, on a prospective and, recommend to assist in the development of the strategic plan under this subsection.

"(B) MEMBERSHIP.--The panel shall have no more than 15 members, and shall include representatives of manufacturing businesses, labor representatives of the manufacturing workforce, academia, and groups representing affected interests affected by manufacturing activities.

"(C) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.--The Federal Advisory Committee Act (5 U.S.C. App.), other than section 14 of such Act, shall apply to the Advisory Panel.

"(8) UPDATES.--Not later than May 1, 2013, and every four years thereafter, the President shall submit to Congress, and publish on an Internet website that is accessible to the public, an update of the strategic plan developed under this subsection applying to that fiscal year.

SA 3652. Mr. KIRK (for himself, Ms. AYOTTE, Mr. CORNYN, Mr. ISAKSON, Mr. ROBERTS, Mr. HELLEr, Mr. HOEVEN, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 4. CERTIFICATION REQUIRED FOR EXERCISE OF CERTAIN WAIVERs OF PROVISIONS WITH RESPECT TO IRAN.

(a) IN GENERAL.—On and after the date of the enactment of this Act, the President may not exercise a waiver specified in subsection (b) in connection with the extension of the terms of the Plan of Action beyond July 20, 2014, unless the President certifies to Congress before the waiver takes effect and every 60 days thereafter that any funds made available to the Government of Iran as a result of such waiver will not facilitate the ability of that Government—

(1) to provide support—

(A) any individual or entity designated for the imposition of sanctions under section 219A of the Immigration and Nationality Act (8 U.S.C. 1188a) before July 22, 2014; or

(B) any organization designated by the Secretary of State as a foreign terrorist organization under section 219A of the Immigration and Nationality Act (8 U.S.C. 1188a) before July 22, 2014; or

(C) any other terrorist organization, including Hamas, Hezbollah, Palestinian Islamic Jihad, and the regime of Bashar Al-Assad in Syria;

(2) to advance the efforts of Iran or any other country to develop nuclear weapons or ballistic missiles overtly or covertly;

(3) to commit any violation of the human rights of the people of Iran.

(b) WAIVERS SPECIFIED.—A waiver specified in this subsection is any of the following:

(1) A waiver provided for under section 4(c) or 9(c) of the Iran Sanctions Act of 1996 (Public Law 104–114; 110 U.S. 1701 note) to the imposition of sanctions under section 5(a)(7) of that Act.

(2) A waiver provided for under paragraph (5) of section 1105 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)) to the imposition of sanctions under paragraph (1) of that section.

(3) A waiver provided for under subsection (e) of section 392 of the Iran Threat Reduction and Syria人权 Rights Act of 2012 (22 U.S.C. 8742) to the identification of foreign persons under subsection (e) of that section.

(4) A waiver provided for under subsection (1) of section 1244 of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803) to the implementation of sanctions under subsection (c) of that section.

(5) A waiver provided for under subsection (i) of section 801 of the Counter-terrorist Fairness Act of 2013 (22 U.S.C. 8772) to the implementation of sanctions under section 801 of that Act.

(6) A waiver provided for under subsection (i) of section 801 of the Counter-terrorist Fairness Act of 2013 (22 U.S.C. 8772) to the implementation of sanctions under section 801 of that Act.

(c) JOINT PLAN OF ACTION DEFINED.—In this section, the term “Joint Plan of Action” means the Joint Plan of Action, signed at Geneva November 24, 2013, by Iran and by France, Germany, the Russian Federation, the People’s Republic of China, the United Kingdom, and the United States.

SA 3653. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. PUBLIC ACCESS TO PUBLIC LAND GUARANTEE.

(a) FINDINGS.—Congress finds that—

(1) public land in the United States is managed and administered for the use and enjoyment of present and future generations; and

(2) the National Park System (including National Parks, National Monuments, and National Recreation Areas) is managed for the benefit and inspiration of all the people of the United States;

(3) the National Wildlife Refuge System is administered for the benefit of present and future generations of people in the United States, with priority consideration for commercial and non-commercial uses of the National Wildlife Refuge System; and

(4) the National Forest System is dedicated to the long-term benefit of present and future generations; and

(5) the reopening and temporary operation and management of Federal Park System, the National Wildlife Refuge System, and the National Forest System
SA 3658. Mr. SANDERS (for himself, Mr. LEAHY, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end of the hour, the following:

TITLE II—UNITED STATES EMPLOYEE OWNERSHIP BANK

SEC. 201. SHORT TITLE.

This title may be cited as the "United States Employee Ownership Bank Act".

SEC. 202. FINDINGS.

Congress finds that—

(1) between January 2000 and June 2014, the manufacturing sector lost 5,162,000 jobs; as of June 2014, only 12,121,000 workers in the United States were employed in the manufacturing sector, lower than June 1941;

(2) as of June 2014, only 12,121,000 workers in the United States were employed in the manufacturing sector, lower than June 1941;

(3) at the end of 2013, the United States had a trade deficit of $347,846,000,000, including a record-breaking $318,417,200,000 trade deficit with China;

(4) preserving and increasing decent paying jobs must be a top priority of Congress;

(5) providing loan guarantees, direct loans, and technical assistance to employees to buy their own companies will preserve and increase employment in the United States; and

(6) the time has come to establish the United States Employee Ownership Bank to manufacture and expand in the United States through Employee Stock Ownership Plans and worker-owned cooperatives.

SEC. 203. DEFINITIONS.

In this title—

(1) the term "Bank" means the United States Employee Ownership Bank, established under section 204;

(2) the term "eligible worker-owned Cooperative" has the same meaning as in section 1042(c)(2) of the Internal Revenue Code of 1986;

(3) the term "employee stock ownership plan" has the same meaning as in section 4975(e)(7) of the Internal Revenue Code of 1986; and

(4) the term "Secretary" means the Secretary of the Treasury.

SEC. 204. ESTABLISHMENT OF UNITED STATES EMPLOYEE OWNERSHIP BANK WITHIN THE DEPARTMENT OF THE TREASURY.

(a) ESTABLISHMENT OF BANK.—Before the end of the 90-day period beginning on the date of enactment of this title, the Secretary shall establish the United States Employee Ownership Bank, to foster increased employee ownership of United States companies and greater employee participation in company decision-making throughout the United States.

(b) ORGANIZATION OF THE BANK.—The Secretary shall appoint a Director to serve as the head of the Bank, who shall serve at the pleasure of the Bank.

(c) DUTIES OF BANK.—The Bank is authorized to provide loans, on a direct or guaranteed basis, which may be subordinate to the interests of all other creditors—

(1) to purchase a company through an employee stock ownership plan or an eligible worker-owned cooperative, which shall be at least 51 percent employee owned and which will become at least 51 percent employee owned as a result of financial assistance from the Bank;

(2) to allow a company that is less than 51 percent employee owned to become at least 51 percent employee owned;
(3) to allow a company that is already at least 51 percent employee owned to increase the level of employee ownership at the company; and

(4) substantially allow a company that is already at least 51 percent employee owned to expand operations and increase or preserve employment;

(c) PRECONDITIONS.—Before the Bank makes any subordinated loan or guarantees a loan under subsection (b)(1), a business plan shall be submitted to the bank that—

(1) shows that—

(A) not less than 51 percent of all interests in the company is or will be owned or controlled by an employee stock ownership plan or eligible worker-owned cooperative;

(B) the board of directors of the company is or will be elected by shareholders on a one share to one vote basis or by members of the eligible worker-owned cooperative on a one member to one vote basis, except that shares held by the employee stock ownership plan will be voted according to section 409(e) of the Internal Revenue Code of 1986, with participating providing voting instructions to the trustee of the employee stock ownership plan in accordance with the terms of the employee stock ownership plan and the requirements of that section 409(e); and

(C) all employees will receive basic information and progress and have the opportunity to participate in day-to-day operations; and

(2) includes a feasibility study from an objective third party, with a positive determination that the employee stock ownership plan or eligible worker-owned cooperative will generate enough of a margin to pay back any loan or guarantee that was made possible through the Bank;

(d) TERMS AND CONDITIONS FOR LOANS AND GUARANTEES.—Notwithstanding any other provision of law, a loan that is provided or guaranteed under this section shall—

(1) bear interest at an annual rate, as determined by the Secretary—

(A) in the case of a direct loan under this title, sufficient to cover the cost of borrowing to the Department of the Treasury for obligations of comparable maturity; or

(B) in the case of a loan guaranteed under this section, in an amount that is equal to the current applicable market rate for a loan of comparable maturity; and

(2) have a term not to exceed 12 years.

SEC. 205. EMPLOYEE RIGHT OF FIRST REFUSAL BEFORE PLANT OR FACILITY CLOSING.

Section 3 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102) is amended—

(1) in the section heading, by adding at the end the following: “; EMPLOYEE STOCK OWNERSHIP PLANS OR ELIGIBLE WORKER-OWNED COOPERATIVES—”;

(2) by adding at the end the following:

“(1) GENERAL RULE.—If an employer orders a plant or facility closing in connection with the termination of its operations at such plant or facility, the employer shall offer its employees an opportunity to purchase such plant or facility through an employee stock ownership plan (as that term is defined in section 4956(e)(7) of the Internal Revenue Code of 1986) or an eligible worker-owned cooperative (as that term is defined in section 4942(c)(2) of the Internal Revenue Code of 1986) within 12 months after such plant or facility is or will be owned. The value of the company which is to be the subject of such plan or cooperative shall be the fair market value of the plant or facility, as determined by an appraisal by an independent third party jointly selected by the employer and the employees. The cost of the appraisal shall be shared equally between the employer and the employees."

“(2) EXEMPTIONS.—(Paragraph (1) shall not apply—

(A) if an employer orders a plant closing, but will retain the assets of such plant to continue or begin a business within the United States; or

(B) if an employer orders a plant closing and such employer intends to continue the business conducted at such plant at another plant within the United States."

SEC. 206. REFORMING COMPETITIVENESS AND SOUNDNESS AND PREVENTING COMPETITION WITH COMMERCIAL INSTITUTIONS.

Before the end of the 90-day period beginning on the date of enactment of this title, the Secretary of the Treasury shall prescribe such regulations as are necessary to implement this title and the amendments made by this title, including—

(1) regulations to ensure the safety and soundness of the Bank; and

(2) regulations to ensure that the Bank will not compete with commercial financial institutions;

SEC. 207. COMMUNITY REINVESTMENT CREDIT.

Section 804 of the Community Reinvestment Act of 1977 (12 U.S.C. 2903) is amended by adding at the end the following:

“(e) EMPLOYEE STOCK OWNERSHIP PLANS AND ELIGIBLE WORKER-OWNED COOPERATIVES.—In assessing and taking into account, under subsection (a), the record of a financial institution, the appropriate Federal financial supervisory agency may consider as a factor capital investments, technical assistance, financial advice, grants, and other ventures undertaken by the institution to support or enable employees to establish employee stock ownership plans or eligible worker-owned cooperatives (as those terms are defined in sections 4956(e)(7) and 1042(c)(2) of the Internal Revenue Code of 1986, respectively), that are at least 51 percent employee-owned plans or cooperatives.”;

SEC. 208. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary to carry out this title, $500,000,000 for fiscal year 2015, and such sums as may be necessary for each fiscal year thereafter.

SA 3659. Mr. SANDERS (for himself and Mr. BENCICH) submitted an amendment intended to be proposed to amendment SA 3608 submitted by Mr. PAUL, and intended to be proposed to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

On page 4 of the amendment, after line 9, insert the following:

SEC. ENDING CONFLICTS OF INTERESTS.

(a) FINDINGS.—Congress finds the following:

(1) In October 2011, the Government Accountability Office found that—

(A) allowing members of the banking industry to both elect and serve on the boards of directors of Federal reserve banks poses reputational risks to the Federal Reserve System;

(B) 18 former and current members of the boards of directors of Federal reserve banks were affiliated with banks and companies that received bailout loans from the Federal Reserve System during the financial crisis;

(2) many of the members of the boards of directors of Federal reserve banks own stock or work directly for banks that are supervised and regulated by the Federal Reserve System; and

(3) these boards of directors do not fully manage the operations of the Federal reserve banks, including salary and personnel decisions; and

(b) REPORT TO CONGRESS.—The Comptroller General of the United States shall report annually to Congress beginning 1 year after the date of enactment of this Act to make sure that the provisions of this section are followed.

SA 3660. Mr. SANDERS (for himself, Mr. LEAHY, and Mr. BROWN) submitted an amendment intended to be proposed to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:
SEC. 9. WORKER OWNERSHIP, READINESS, AND KNOWLEDGE.

(a) Short Title.—This section may be cited as the "Employee Ownership, Readiness, and Knowledge Act" or the "WORK Act".

(b) Definitions.—In this section:

(1) EXISTING PROGRAM.—The term "existing program" means the program, designed to promote employee ownership and employee participation in business decisionmaking, that exists on the date the Secretary is carrying out a responsibility authorized by this section.

(2) INITIATIVE.—The term "Initiative" means the Employee Ownership and Participation Initiative established under subsection (c).

(3) NEW PROGRAM.—The term "new program" means a program, designed to promote employee ownership and employee participation in business decisionmaking, that does not exist on the date the Secretary is carrying out a responsibility authorized by this section.

(4) SECRETARY.—The term "Secretary" means the Secretary of Labor, acting through the Assistant Secretary for Employment and Training.

(5) STATE.—The term "State" means any of the 50 States within the United States of America.

(6) EMPLOYEE OWNERSHIP AND PARTICIPATION INITIATIVE.—

(A) ESTABLISHMENT.—The Secretary of Labor shall establish within the Employment and Training Administration of the Department of Labor an Employee Ownership and Participation Initiative to promote employee ownership and employee participation in business decisionmaking.

(B) FUNCTIONS.—In carrying out the Initiative, the Secretary shall—

(i) provide preliminary technical assistance to employee groups, managers, and retiring owners exploring the possibility of employee ownership;

(ii) provide for courses on employee participation and monitoring professionals qualified to conduct such studies; and

(iii) provide a data bank to help employees find legal, financial, and technical advice in connection with business ownership;

(C) IN THE CASE OF ACTIVITIES UNDER PARAGRAPH (B)—

(i) provide for the performance of preliminary feasibility assessments;

(ii) assist in the funding of objective third-party feasibility studies and preliminary business valuations, and in selecting investment systems described in section 8(a)

(iii) prepare and distribute materials concerning employee ownership and participation, and business ownership succession planning;

(iv) encourage cooperation in the organization of workshops and conferences; and

(v) facilitate the dissemination of information to the programs, by acting as a clearinghouse on techniques employed by new programs and existing programs within the States, and disseminating information relating to those techniques to the programs.

(D) IN THE CASE OF ACTIVITIES UNDER PARAGRAPH (C)—

(i) provide for courses on employee participation; and

(ii) provide for the development and fostering of networks of employee-owned companies to spread the use of successful participation techniques; and

(E) For fiscal year 2019, $439,200.

(6) PROGRAM DETAILS.—The Secretary may include, in the program established under paragraph (5), the following:

(A) in the case of activities under paragraph (2)(A)—

(i) courses on employee ownership, including techniques employed by new programs and existing programs with respect to methods of employee participation in open-book management, work teams, committees, and other approaches for seeking greater employee input; and

(ii) training activities for employees and employers as provided in subsection (d)(2)(C).

(B) training activities for employees and employers as provided in subsection (d)(2)(C).

(C) technical assistance as provided in subsection (d)(2)(C).

(D) activities facilitating cooperation among employee-owned businesses.

(E) training as provided in subsection (d)(2)(D) for new programs provided by participants in existing programs dedicated to the objectives of this section, except that, for each fiscal year, the amount of the grants made for such training shall not exceed 10 percent of the total amount of the grants made under this section.

(7) ANNUAL REPORT.—For each year, each grantee shall submit to the Secretary a report describing how grant funds allocated pursuant to this subsection were expended during the 36-month period following the date of enactment of this Act, the Secretary may make grants for use in connection with new programs and existing programs within a State for any of the following activities:

(A) Education and outreach as provided in subsection (d)(2)(A).

(B) Technical assistance as provided in subsection (d)(2)(B).

(C) Training activities for employees and employers as provided in subsection (d)(2)(C).

(D) Activities facilitating cooperation among employee-owned businesses.

(E) Training as provided in subsection (d)(2)(D) for new programs provided by participants in existing programs dedicated to the objectives of this section, except that, for each fiscal year, the amount of the grants made for such training shall not exceed 10 percent of the total amount of the grants made under this section.

(2) AMOUNTS AND CONDITIONS.—The Secretary shall determine the amount and any conditions for a grant made under this subsection. The amount of a grant shall be subject to paragraph (6), and shall reflect the capacity of the applicant for the grant.

(3) APPLICATIONS.—Each entity desiring a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(4) STATE APPLICATIONS.—Each State may sponsor an application under paragraph (3) on behalf of any local entity consisting of a unit of State or local government, State-supported institution of higher education, or nonprofit organization, meeting the requirements of this section.

(5) APPLICATIONS BY ENTITIES.—

(A) ENTITY APPLICATIONS.—If a State fails to support or establish a program pursuant to this section during any fiscal year, the Secretary shall, in the subsequent fiscal years, allow local entities described in paragraph (4) from that State to make applications for grants under paragraph (3) on their own initiative.

(B) APPLICATION SCREENING.—Any State failing to support or establish a program pursuant to this section during any fiscal year may submit an application under paragraph (3) in the subsequent fiscal years but may not screen applications by local entities described in paragraph (4) before submitting the applications to the Secretary.

(6) LIMITATIONS.—A recipient of a grant made under this subsection shall not receive, during a fiscal year, in the aggregate, more than the following amounts:

(A) For fiscal year 2015, $300,000.

(B) For fiscal year 2016, $330,000.

(C) For fiscal year 2017, $360,000.

(D) For fiscal year 2018, $390,000.

(E) For fiscal year 2019, $430,000.

(7) ANNUAL REPORT.—For each year, each recipient of a grant under this subsection shall submit to the Secretary a report describing how grant funds allocated pursuant to this subsection were expended during the 12-month period preceding the date of the submission of the report.

(8) EVALUATIONS.—The Secretary is authorized to reserve not more than 10 percent of the funds appropriated for a fiscal year to the secretaries of the States or to the heads of the agencies conducting evaluations of the grant programs identified in subsection (e) and to provide related technical assistance.

(9) REPORTING.—Not later than the expiration of the 36-month period following the date of enactment of this Act, the Secretary...
shall prepare and submit to Congress a report—
(1) on progress related to employee ownership and participation in businesses in the United States;
(2) containing an analysis of critical costs and benefits of activities carried out under this section.

(b) AUTHORIZATIONS OF APPROPRIATIONS.—
(1) IN GENERAL.—There are authorized to be appropriated for the purpose of making grants pursuant to subsection (e) the following:

(A) For fiscal year 2015, $3,850,000.
(B) For fiscal year 2016, $6,050,000.
(C) For fiscal year 2017, $8,800,000.
(D) For fiscal year 2018, $11,550,000.
(E) For fiscal year 2019, $14,850,000.

(2) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated for the purpose of funding the administrative expenses related to the Initiative, for each of fiscal years 2015 through 2019, an amount not in excess of—

(A) $350,000; or
(B) 5.0 percent of the maximum amount available under paragraph (1) for that fiscal year.

SA 3661. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 381, between lines 9 and 10, insert the following:

PART III—AMENDMENTS RELATED TO THE UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT

SEC. 1078A. PRE-ELECTION REPORTING REQUIREMENT ON TRANSMISSION OF ABSENTEE BALLOTS.

(a) In General.—Subsection (c) of section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1(c)) is amended by striking “Not later than 90 days” and inserting the following:

“(1) PRE-ELECTION REPORT ON ABSENTEE BALLOTS TRANSMITTED.—

“(A) IN GENERAL.—Not later than 47 days before an election for Federal office held in a State, the chief State election official of such State shall submit a report containing the information in subparagraph (B) to the Attorney General and the Presidential designee, and make that report publicly available that same day.

(B) INFORMATION REPORTED.—The report under subparagraph (A) shall consist of the following:

(i) The total number of absentee ballots validated or overseas absentee ballots requested by absent uniformed services voter or overseas voter whose requests were received by the 47th day before the election.

(ii) The total number of ballots transmitted to such voters by the 46th day before the election by each unit of local government within the State that will administer the election.

(iii) If the chief State election official has incomplete information on any items required to be included in the report, the chief State election official shall make all reasonable efforts to expeditiously supplement the report with complete information.

(iv) FORMAT.—The report under subparagraph (A) shall be in a format prescribed by the chief State election officials of each State.

(2) POST-ELECTION REPORT ON NUMBER OF ABSENTEE BALLOTS TRANSMITTED AND RECEIVED.—Not later than 90 days after the election.

(b) CONFORMING AMENDMENT.—The heading for subsection (c) of section 102 of such Act (42 U.S.C. 1973ff–1(c)) is amended by striking “REPORT ON NUMBER OF ABSENTEE BALLOTS TRANSMITTED AND RECEIVED” and inserting “REPORTS ON ABSENTEE BALLOTS”.

SEC. 1078B. TRANSMISSION REQUIREMENTS; REPEAL OF WAIVER PROVISION.

(a) In General.—Paragraph (8) of section 102(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1(a)) is amended to read as follows:

“(8) transmit a validly requested absentee ballot to an absent uniformed services voter or overseas voter by the date and in the manner determined under subsection (g),

(b) BALLOT TRANSMISSION REQUIREMENTS AND REPEAL OF WAIVER PROVISION.—Subsection (g) of section 102 of such Act (42 U.S.C. 1973ff–1(g)) is amended to read as follows:

“(g) BALLOT TRANSMISSION REQUIREMENTS.—

“(1) IN GENERAL.—For purposes of subsection (a)(8), in the case in which a valid request for an absentee ballot is received at least 47 days but not less than 30 days before an election for Federal office, the following rules shall apply:

(i) TRANSMISSION DEADLINE.—The State shall transmit the absentee ballot not later than 46 days before the election.

(ii) SPECIAL RULES IN CASE OF FAILURE TO TRANSMIT ON TIME.—

(1) IN GENERAL.—If the State fails to transmit the absentee ballot by the 46th day before the election as required by subparagraph (a), it shall notify the Attorney General as required by subparagraph (a), the State shall transmit such ballot by express delivery.

(iii) EXTENDED FAILURE.—If the State fails to transmit the absentee ballot by the 46th day before the election, in addition to transmitting the ballot as provided in clause (i), the State shall—

(1) in the case of absentee ballots requested by absent uniformed services voters with respect to regularly scheduled general elections, notify such voters of the procedures established under section 101A for the collection and delivery of marked absentee ballots; and

(2) in any other case, provide for the return of such ballot by express delivery.

(iii) COST OF EXPRESS DELIVERY.—In any case in which express delivery is required under this subparagraph, the cost of such express delivery—

(I) shall not be paid by the voter, and

(II) may be required by the State to be paid by a local jurisdiction if the State determines that such costs shall be paid by such local jurisdiction.

(4) EXCEPTION.—Clause (ii) shall not apply when an absent uniformed services voter or overseas voter indicates the preference to return the late sent absentee ballot by electronic transmission to a State that permits return of an absentee ballot by electronic transmission.

(c) Provision of Additional Time.—If the Attorney General is notified under paragraph (1) that an absentee ballot will be received by the 46th day before the election, the Attorney General shall notify the State to extend the date for transmittal of the absentee ballot.

(d) Enforcement.—A State’s compliance with this subparagraph does not bar the Attorney General from seeking additional remedies necessary to fully resolve or prevent future, or systematic violations of this provision.

(2) SPECIAL PROCEDURE IN EVENT OF DISASTER.—If a disaster (hurricane, tornado, storm, volcanic eruption, landslide, fire, flood, or explosion), or an act of terrorism prevents the State from transmitting any absentee ballot by the 46th day before the election as required by subparagraph (a), it shall notify the Attorney General as soon as practicable and take all actions necessary, including seeking judicial relief, to ensure that affected absent uniformed services voters and overseas voters are provided a reasonable opportunity to receive and return their absentee ballots in time to be counted.

(2) REQUESTS RECEIVED AFTER 4TH DAY BEFORE ELECTION.—For purposes of subsection (a)(8), in the case in which a request for an absentee ballot is received after the 4th day before the election but not later than 3 business days after such request is received, .

SEC. 1078C. TECHNICAL CLARIFICATIONS TO CONFORM TO 2009 MOVE ACT AMENDMENTS TO THE FEDERAL WRITE-IN ABSENTEE BALLOT ACT.

(a) In General.—Section 102(a)(3) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1(a)(3)) is amended by striking “general, special, primary, and run-off elections” and inserting “general, special, primary, and run-off elections”.

(b) CONFORMING AMENDMENT.—Section 103 of such Act (42 U.S.C. 1973gg–3) is amended—

(1) in subsection (b)(2)(B), by striking “general”, and

(2) in the heading thereof, by striking “general”.

SEC. 1078D. TREATMENT OF POST CARD REGISTRATION REQUESTS.

Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1) is amended by adding at the end the following new subsection:

“(4) TREATMENT OF POST CARD REGISTRATIONS.—A State shall not remove any voter who has registered to vote using the official post card form (prescribed under section 101) except in accordance with subsections (A), (B), and (C) of section 8(a)(3) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6(a)).”.

SEC. 1078E. TREATMENT OF BALLOT REQUESTS.

(a) APPLICATION OF PROHIBITION OF REFUSAL OF APPLICATIONS ON GROUNDS OF EARLY SUBMISSION TO OVERSEAS VOTERS.—Section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–3) is amended—

(1) by inserting “or overseas voter” after “submitted by an absent uniformed services voter”;

(2) by striking “members of the uniformed services” and inserting “uniformed services voters or overseas voters”;

(b) USE OF SINGLE APPLICATION FOR SUBSEQUENT ELECTIONS.—

(1) IN GENERAL.—Section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–3) is amended—

(A) by striking “A State” and inserting the following:

“(A) a State that permits return of an absentee ballot by electronic transmission.

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

(b) APPLICATION TREATED AS VALID FOR SUBSEQUENT ELECTIONS.—

(1) IN GENERAL.—If a State accepts and processes a request for an absentee ballot by
an absent uniformed services voter or overseas voter and the voter requests that the application be considered an application for an absentee ballot for each subsequent election held in that State through the next regularly scheduled general election for Federal office (including any runoff elections which may occur as a result of the outcome of such general election), the State shall provide an absentee ballot to the voter for each such subsequent election.

(2) EXCEPTIONS.—Paragraph (1) shall not apply with respect to either of the following:

(A) VOTERS CHANGING REGISTRATION.—A voter removed from the list of official eligible voters in accordance with subparagraph (A), (B), or (C) of section 8(a)(3) of the National Voter Registration Act of 1993 (42 U.S.C. 1973g–6a1).

(B) UNDELIVERABLE BALLOTS.—A voter whose ballot is returned by mail to the State or local election officials as undeliverable or, in the case of a ballot delivered electronically, if the email sent to the voter was undeliverable or rejected due to an invalid email address.

(2) CONFORMING AMENDMENT.—The heading of section 104A of such Act is amended by striking “PROHIBITION OF REFUSAL OF APPLICATIONS ON GROUNDS OF EARLY SUBMISSION” and inserting “TREATMENT OF BALLOT REQUESTS”.

(3) REVISION TO POSTCARD FORM.—

(a) IN GENERAL.—The Presidential designee shall ensure that the official postcard form prescribed under section 101(b)(1)(A) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973f–4a) enables a voter to use the form to:

(i) request an absentee ballot for each election for Federal office held in a State during the period described in paragraph (1).

(ii) provide the Presidential designee with a description of the outcome of such general election; or

(B) PRESIDENTIAL DESIGNEE.—For purposes of this paragraph, the term “Presidential designee” means the individual designated under section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973f–4a).

SEC. 1078F. APPLICABILITY TO COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

Paraphrases (6) and (8) of section 107 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973f–6) are each amended by striking “and American Samoa” and inserting “and the Commonwealth of the Northern Mariana Islands”.

SEC. 1078G. BIENNIAL REPORT ON THE EFFECTIVENESS OF THE FEDERAL VOTING ASSISTANCE PROGRAM.—

(a) In General.—Section 106A(b) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973f–4a) is amended—

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

(A) by striking “March 31” of each year and inserting “June 30 of each calendar year”;

(B) by striking “the following information” and inserting “the following information with respect to the Federal elections held during the 2 preceding calendar years”;

(2) in paragraph (1), by striking “separate assessment and statistical analysis” and inserting “separate assessment and statistical analysis”; and

(3) in paragraph (2)–

(A) by striking “section 1566a” in the matter preceding subparagraph (A) and inserting “sections 1566a and 1566b”;

(b) by striking “such section” each place it appears in subparagraphs (A) and (B) and inserting “such sections”; and

(C) by adding at the end the following new subparagraph:

“(C) The number of completed official postcard forms prescribed under section 101(b)(2) that were completed by absent uniformed services members and accepted and transmitted.”

(b) COMPTROLLER GENERAL REVIEWS.—

(1) IN GENERAL.—The Comptroller General shall conduct a review of any reports submitted by the Presidential designee under subsection (b) with respect to elections occurring in calendar years 2014 through 2020.

(2) MATTERS REVIEWED.—A review conducted under paragraph (1) shall assess—

(A) the methodology used by the Presidential designee to prepare the report and to develop the data presented in the report, including the approach for designing, implementing, and analyzing the results of any surveys;

(B) the effectiveness of any voting assistance covered in the report provided under subsection (b) and provided by the Presidential designee to absent overseas uniformed services veterans and overseas voters who are not nonuniformed services voters, including an assessment of—

(i) any steps taken toward improving the implementation of such voting assistance; and

(ii) the extent of collaboration between the Presidential designee and the States in providing such voting assistance; and

(C) any other information the Comptroller General considers relevant to the review.

(c) CONFORMING AMENDMENTS.—

(1) Section 101(b) of such Act (42 U.S.C. 1973f–4a) is amended—

(A) by striking paragraph (6); and

(B) by striking paragraphs (7) through (11) as paragraphs (6) through (10), respectively.

(2) Section 102(a) of such Act (42 U.S.C. 1973f–1a) is amended—

(A) in paragraph (5), by striking “101(b)(7)” and inserting “101(b)(6)”;

(B) in paragraph (11), by striking “101(b)(11)” and inserting “101(b)(10)”;

(3) Section 105A(b) of such Act (42 U.S.C. 1973f–4a) is amended—

(A) by striking “ANNUAL REPORT” in the subsection heading and inserting “BIENNIAL REPORT”; and

(B) by striking “the case of” in paragraph (3) and all that follows through “A description” and inserting “A description”;

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to reports required to be issued after the date of the enactment of this Act.

SEC. 1078H. EFFECTIVE DATE.

Except as provided in section 1078G(d), the amendments made by this title shall take effect on January 1, 2015.

SA 3662. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 4. REGULATORY ACCOUNTABILITY.

(a) Short Title.—This section may be cited as the “Regulatory Accountability Act of 2014”.

(b) DEFINITIONS.—Section 551 of title 5, United States Code, is amended—

(1) in paragraph (13), by striking “and” at the end;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(15) ‘guidance’ means an agency statement of general applicability that is not intended to have the force and effect of law but that sets forth a policy on a statutory, regulatory, or technical issue or an interpretation of a statutory or regulatory issue;”

“(16) ‘high-impact rule’ means any rule that the Administrator of the Office of Information and Regulatory Affairs determines is likely to impose a cost on the economy in any 1 year of $100,000,000 or more, adjusted annually for inflation;”

“major rule” means any rule that the Administrator of the Office of Information and Regulatory Affairs determines is likely to impose a cost on the economy in any 1 year of $100,000,000 or more, adjusted annually for inflation;”

“(17) a major increase in costs or prices for consumers, individual industries, Federal, State, local, or tribal government agencies, or geographic regions; or

“(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets;”

“(18) ‘major guidance’ means guidance that the Administrator of the Office of Information and Regulatory Affairs finds is likely to lead to—

“(A) a cost on the economy in any 1 year of $100,000,000 or more, adjusted annually for inflation;”

“(B) a major increase in costs or prices for consumers, individual industries, Federal, State, local or tribal government agencies, or geographic regions; or

“(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; and

“(19) ‘Office of Information and Regulatory Affairs’ means the office established under section 3503 of title 44 and any successor to that office.”;

(c) RULEMAKING.—Section 553 of title 5, United States Code, is amended—

(1) in subsection (a), by striking “(a) this section applies” and inserting “(a) APPLICABILITY.—This section applies”; and

(2) in subsections (b) through (e) and inserting the following:

“(b) RULEMAKING CONSIDERATIONS.—In a rulemaking, an agency shall consider, in addition to other applicable considerations, the following:

“(1) the legal authority under which a rule may be proposed, including whether rule-making is required by statute or is within the discretion of the agency.

“(2) The nature and significance of the problem the agency intends to address with a rule.

“(3) Whether existing Federal laws or rules have created or contributed to the problem
the agency may address with a rule and, if so, whether those Federal laws or rules could be amended or rescinded to address the problem in whole or in part.

(4) In determining the number of alternatives for a new rule, including any substantial alternatives or other responses identified by interested persons.

(5) For a major rule or high-impact rule, the potential costs and benefits associated with potential alternative rules and other responses considered under paragraph (4), including an analysis of—

(A) the nature and degree of risks addressed by the rule and the countervailing risks that might be posed by agency action;

(B) whether indirect, and cumulative costs and benefits; and

(C) estimated impacts on jobs, competitiveness, and productivity.

(6) INITIATION OF RULEMAKING.—

(1) NOTICE FOR MAJOR AND HIGH-IMPACT RULES.—When an agency determines to initiate a rulemaking that may result in a major rule or high-impact rule, the agency shall—

(A) establish an electronic docket for that rulemaking, which may have a physical counterpart; and

(B) publish a notice of initiation of rulemaking in the Federal Register, which shall—

(i) briefly describe the subject, the problem to be solved, and the objectives of the rule;

(ii) reference the legal authority under which the rule would be proposed;

(iii) invite interested persons to propose alternatives for accomplishing the objectives of the agency in the most effective manner and within the lowest cost; and

(iv) indicate how interested persons may submit written material for the docket.

(2) ACCESSIBILITY.—All information provided under paragraph (1) shall be promptly placed in the docket and made accessible to the public.

(3) NOTICE OF PROPOSED RULEMAKING.—

(1) IN GENERAL.—If an agency determines that the objectives of the agency require the agency to issue a rule, the agency shall notify the Administrator of the Office of Information and Regulatory Affairs and publish a notice of proposed rulemaking in the Federal Register, which shall include—

(A) a statement of the time, place, and nature of any public rulemaking proceedings;

(B) reference to the legal authority under which the rule is proposed;

(C) a description of the proposed rule;

(D) a summary of information known to the agency concerning the considerations specified in subsection (b); and

(E) for any major rule or high-impact rule—

(i) a reasoned preliminary determination that the benefits of the proposed rule justify the costs of the proposed rule; and

(ii) a discussion of—

(I) the costs and benefits of alternatives considered by the agency under subsection (b), as determined by the agency at its discretion or provided under subsection (c) by a proponent of an alternative;

(II) whether those alternatives meet relevant statutory objectives; and

(III) the reasons why the agency did not propose any of those alternatives.

(2) ACCESSIBILITY.—Not later than the date of publication of the notice of proposed rulemaking by an agency under paragraph (1), all data, studies, models, and other information considered by the agency, and actions taken to obtain information, in connection with the determination of the agency to propose the rule, shall be placed in the docket for the proposed rule and made accessible to the public.

(3) PUBLIC COMMENT.—

(A) After publishing a notice of proposed rulemaking, the agency shall provide interested persons an opportunity to participate in the rulemaking through the submission of written material, data, views, or arguments with or without opportunity for oral presentation, except that—

(i) if a public hearing is convened under subsection (e), reasonable opportunity for oral presentation shall be provided at the public hearing under the requirements of subsection (e); and

(ii) when, other than under subsection (e), a rule is required or at the discretion of the agency to be made on the record after opportunity for an agency hearing, sections 556 and 557 shall apply, and the petition procedures of subsection (e) shall not apply.

(B) The agency shall provide not less than 60 days, or 90 days in the case of a proposed major rule or proposed high-impact rule, for interested persons to submit written material, data, views, or arguments.

(4) EXPIRATION OF NOTICE.—

(A) Except as provided in subparagraph (B), a notice of proposed rulemaking shall, 2 years after the date on which the notice is published in the Federal Register, be considered as expired and may not be used to satisfy the requirement of subsection (d).

(B) An agency may, at the sole discretion of the agency, extend the expiration of a notice of proposed rulemaking under subparagraph (A) for 1-year period by publishing a supplemental notice in the Federal Register explaining why the agency requires additional time to complete the rulemaking.

(5) JUDICIAL REVIEW.—

(A) Failure to petition for a hearing under this subsection on the grounds that in the case of multiple interested parties with the same or similar interests, the agency may deny the petition if the agency reasonably determines that a hearing would not advance the consideration of the proposed rule by the agency or would, in light of the need for agency action, unreasonably delay completion of the rulemaking.

(B) The agency may deny the petition if the agency reasonably determines that a hearing would not advance the consideration of the proposed rule by the agency or would, in light of the need for agency action, unreasonably delay completion of the rulemaking.

(C) The transcript of testimony and exhibits, together with all papers and requests filed in the hearing, shall constitute the exclusive record for decision of the factual issues addressed in a hearing held under this subsection.

(6) PUBLIC HEARING FOR HIGH-IMPACT RULES.—

(1) PETITION FOR PUBLIC HEARING.—

(A) Before the close of the comment period for a proposed high-impact rule, an interested person may petition the agency to hold a public hearing in accordance with this subsection.

(B) Not later than 30 days after receipt of a petition made pursuant to clause (i), the agency shall grant the petition if the petition shows that—

(i) the proposed rule is based on conclusions with respect to one or more specific scientific, technical, economic or other complex factual issues that are genuinely disputed, and

(ii) the resolution of those disputed factual issues would likely have an effect on the costs and benefits of the proposed rule.

(C) Notwithstanding any petition under this subsection in whole or in part, it shall include in the rulemaking record an explanation for the denial sufficient for judicial review, including—

(i) findings by the agency that there is no genuine dispute as to the factual issues raised by the petition; or

(ii) a reasoned determination by the agency that the factual issues raised by the petition, even if subject to genuine dispute, will not have an effect on the costs and benefits of the proposed rule.

(2) NOTICE OF HEARING.—Not later than 45 days before any hearing held under this subsection, the agency shall publish in the Federal Register a notice specifying the proposed rule to be considered at the hearing and the factual issues to be considered at the hearing.

(3) HEARING PROCEDURE.—

(A) A hearing held under this subsection shall be limited to the specific factual issues raised in the petition or petitions granted under subsection (B), and any other factual issues the resolution of which the agency, in its discretion, determines will advance its consideration of the proposed rule.

(B)(1) Except as otherwise provided by statute, the proponent of the rule has the burden of proof in a hearing held under this subsection. Any documentary or oral evidence may be received, but the agency as a matter of policy shall provide for the exclusion of immaterial or unduly repetitious evidence.

(2) To govern hearings held under this subsection, each agency shall adopt rules the hearing.

(I) the appointment of an agency official or administrative law judge to preside at the hearing.

(II) the presentation by interested parties of relevant documentary or oral evidence, unless the evidence is immaterial or unduly repetitious.

(III) a reasonable and adequate opportunity for cross-examination by interested parties concerning genuinely disputed factual issues raised by the petition, provided that in the case of multiple interested parties with the same or similar interests, the agency may require the use of common counsel, where the common counsel adequately represent the interests that will be significantly affected by the proposed rule.

(IV) the provision of fees and costs under the circumstances described in section 6(c)(4) of the Toxic Substances Control Act (15 U.S.C. 2609(c)(4)).

(C) The transcript of testimony and exhibits, together with all papers and requests filed in the hearing, shall constitute the exclusive record for decision of the factual issues addressed in a hearing held under this subsection.

(7) PETITION FOR PUBLIC HEARING FOR MAJOR RULES.—In the case of any major rule, any interested person may petition for a hearing under this subsection on the grounds and within the time limitation set forth in paragraph (1). The agency may deny the petition if the agency reasonably determines that a hearing would not advance the consideration of the proposed rule by the agency or would, in light of the need for agency action, unreasonably delay completion of the rulemaking.

The petition and the decision of the agency with respect to the petition shall be included in the rulemaking record.

(8) JUDICIAL REVIEW.—

(A) Failure to petition for a hearing for a major rule or high-impact rule, the agency shall adopt a rule that is more costly than the least costly alternative, provided that the agency reasonably determines that a hearing would not advance the consideration of the proposed rule by the agency or would, in light of the need for agency action, unreasonably delay completion of the rulemaking.

(B) The agency may adopt a rule that is more costly than the least costly alternative, provided that the agency reasonably determines that a hearing would not advance the consideration of the proposed rule by the agency or would, in light of the need for agency action, unreasonably delay completion of the rulemaking.

(C) The transcript of testimony and exhibits, together with all papers and requests filed in the hearing, shall constitute the exclusive record for decision of the factual issues addressed in a hearing held under this subsection.

(9) COST OF MAJOR OR HIGH-IMPACT RULE.—

(A) Except as provided in subparagraph (B), in a rulemaking for a major rule or high-impact rule, the agency shall consider the costs of the rule as a factor in determining whether the rule is justified.

(B) An agency may, at the sole discretion of the agency, extend the expiration of a notice of proposed rulemaking under subparagraph (A) for 1-year period by publishing a supplemental notice in the Federal Register explaining why the agency requires additional time to complete the rulemaking.

(10) COSTS OF MAJOR OR HIGH-IMPACT RULE.—

(A) Except as provided in subparagraph (B), in a rulemaking for a major rule or high-impact rule, the agency shall consider the costs of the rule as a factor in determining whether the rule is justified.

(B) An agency may, at the sole discretion of the agency, extend the expiration of a notice of proposed rulemaking under subparagraph (A) for 1-year period by publishing a supplemental notice in the Federal Register explaining why the agency requires additional time to complete the rulemaking.
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“(A) a concise, general statement of the basis and purpose of the rule;”
“(B) a reasoned determination by the agency regarding the considerations specified in subsection (a)(2);”
“(C) in a rulemaking for a major rule or high-impact rule, a reasoned determination by the agency that the benefits of the rule advance statutory objectives and justify the costs of the rule;”
“(D) in a rulemaking for a major rule or high-impact rule, a reasoned determination by the agency that the rule should be amended or rescinded if its effective date further delayed.

“(i) no alternative considered would achieve the relevant statutory objectives at a lower cost; and
“(ii) the adoption by the agency of a more costly rule complies with paragraph (2)(B); and
“(B) a response to each significant issue raised in the comments on the proposed rule.

“(3) INFORMATION QUALITY.—If an agency rulemaking rests upon scientific, technical, or economic information, the agency shall adopt a rule only on the basis of the best available scientific, technical, or economic information.

“(4) ACCESSIBILITY.—Not later than the date of publication of the rule, all data, studies, models, and other information considered by the agency, and actions by the agency to comply with subsection (c), shall be placed in the docket for the rule and made accessible to the public.

“(5) RULES ADOPTED AT THE END OF A PRESIDENTIAL ADMINISTRATION.—

“(A) During the 60-day period beginning on a transition inauguration day (as defined in section 3348a), with respect to any final rule that has been placed on file for public inspection by the Office of the Federal Register as of the date of the inauguration, but which had not yet become effective by the date of the inauguration, the agency issuing the rule may, by order, delay the effective date of the rule for not more than 90 days for the purpose of obtaining public comment on whether the rule should be amended or rescinded or its effective date further delayed.

“(B) If an agency delays the effective date of a rule under paragraph (A), the agency shall give the public not less than 30 days to submit comments.

“(g) APPLICABILITY OF THIS SECTION.—

“(1) IN GENERAL.—Except as otherwise provided in this section, the procedures set forth in this section shall be used to render final determinations under subsection (f) before the issuance of an interim rule is unnecessary, such subsections and requirements under subsection (f) shall apply, and the agency may issue a final rule.

“(B) If an agency for good cause finds, and incorporates the finding and a brief statement of reasons for the finding in the rule issued, that compliance with subsection (c), (d), (e), (f), or (g) would produce costs that are unjustified by the benefits of the rule issued, the agency shall—

“(1) issue guidelines to ensure that rulemaking in accordance with subsections (c) through (f) and (g) is unnecessary; and
“(2) confer with the Administrator of the Office of Information and Regulatory Affairs (in this paragraph referred to as the ‘Administrator’), the appropriate committee, and the Federal Register committee before issuing any final rule under this section.

“(3) CONSISTENCY IN RULEMAKING.—

“(A) To promote consistency in Federal rulemaking, the Administrator shall—

“(1) issue guidelines to ensure that rulemaking conducted in whole or in part under procedures specified in provisions of law other than those under this subchapter conforms to such law and is carried out in this section to the fullest extent allowed by law; and
“(2) issue guidelines for the conduct of hearings under subsection (e), which shall provide a reasonable opportunity for cross-examination.

“(B) Each agency shall adopt regulations for the conduct of hearings consistent with the guidelines issued under this paragraph.

“(2) If an agency for good cause finds, and incorporates the finding and a brief statement of reasons for the finding in the rule, that compliance with subsections (c) through (f) would produce costs that are unjustified by the benefits of the rule issued, the agency shall—

“(A) issue guidelines to ensure that rulemaking in accordance with subsections (c) through (f) is unnecessary; and
“(B) confer with the Administrator of the Office of Information and Regulatory Affairs (in this paragraph referred to as the ‘Administrator’), the appropriate committee, and the Federal Register committee before issuing any final rule under this section.

“(3) as otherwise provided by an agency for the adoption of an interim rule by the agency.

“(4) ACCESSIBILITY.—Not later than the date of publication of the rule, all data, studies, models, and other information considered by the agency, and actions by the agency to comply with subparagraphs (C) and (D) of section 551(17) shall not be subject to judicial review.

“(5) STATEMENT OF POLICY.—Agency guidance, unless otherwise interpreted, shall be reviewable only under subsection (a)(2)(D).

“(a) AGENCY INTERPRETATION OF RULES.—The weight that a court shall give an interpretation of an agency’s own rule shall depend on the thoroughness evident in its consideration, the validity of its reasoning, and its consistency with earlier and later pronouncements.

“(b) JUDICIAL REVIEW.—The determination of whether a rule is a major rule within the meaning of subparagraphs (B) and (C) of section 551(17) shall not be subject to judicial review.

“(c) STATEMENT OF POLICY.—Agency guidance, unless otherwise interpreted, shall be reviewable only under subsection (a)(2)(D).

“(d) AGENCY INTERPRETATION OF RULES.—The weight that a court shall give an interpretation of an agency’s own rule shall depend on the thoroughness evident in its consideration, the validity of its reasoning, and its consistency with earlier and later pronouncements.

“(e) AGENCY GUIDANCE; PROCEDURES TO ISSUE MAJOR GUIDANCE; PRESIDENTIAL AUTHORITY TO ISSUE GUIDELINES FOR ISSUANCE OF GUIDANCE.—Section 533 of title 5, United States Code, as amended by this Act, is amended by adding at the end the following:

“(f) ISSUES MAJOR GUIDANCE; AUTHORITY TO ISSUE GUIDELINES FOR ISSUANCE OF GUIDANCE.—

“(1) AGENCY GUIDANCE shall—

“(A) not be used by an agency to foreclose consideration of issues as to which the document expresses a conclusion;
“(B) state that it is not legally binding; and
“(C) at the time it is issued or upon request, be made available by the issuing agency for public inspection and comment.

“(2) After issuing any major guidance, an agency shall—

“(A) make and document a reasoned determination that—

“(i) such guidance is understandable and complies with relevant statutory objectives and regulatory provisions; and
“(ii) identifies the costs and benefits, including all costs to be considered during a rulemaking under subsection (b), of requiring conduct conforming to such guidance and assures that such benefits justify such costs; and
“(B) confer with the Administrator of the Office of Information and Regulatory Affairs on the issuance of the major guidance to assure that the guidance is reasonable, understandable, consistent with relevant statutory and regulatory provisions and requirements or practices of other agencies, does not produce costs that are not unjustified by the benefits of the major guidance, and is otherwise appropriate.

“(g) AGENCY GUIDANCE; PROCEDURES TO ISSUE MAJOR GUIDANCE; AUTHORITY TO ISSUE GUIDELINES FOR ISSUANCE OF GUIDANCE.—

“(1) Agency guidance shall—

“(A) not be used by an agency to foreclose consideration of issues as to which the document expresses a conclusion;
“(B) state that it is not legally binding; and

“(C) at the time it is issued or upon request, be made available by the issuing agency for public inspection and comment.

“(2) After issuing any major guidance, an agency shall—

“(A) make and document a reasoned determination that—

“(i) such guidance is understandable and complies with relevant statutory objectives and regulatory provisions; and
“(ii) identifies the costs and benefits, including all costs to be considered during a rulemaking under subsection (b), of requiring conduct conforming to such guidance and assures that such benefits justify such costs; and
“(B) confer with the Administrator of the Office of Information and Regulatory Affairs on the issuance of the major guidance to assure that the guidance is reasonable, understandable, consistent with relevant statutory and regulatory provisions and requirements or practices of other agencies, does not produce costs that are not unjustified by the benefits of the major guidance, and is otherwise appropriate.

“(h) AGENCY GUIDANCE; PROCEDURES TO ISSUE MAJOR GUIDANCE; AUTHORITY TO ISSUE GUIDELINES FOR ISSUANCE OF GUIDANCE.—
of, other regulations of the agency and those of other Federal agencies, and to draft its guidance documents to be simple and easy to understand, with the goal of minimizing the potential for uncertainty and litigation arising from the uncertainty.’.’

(f) **ADDED DEFINITION.**—Section 701(b) of title 5, United States Code, is amended—

(1) in paragraph (1)(H), by striking ‘‘at the end;’’

(2) in paragraph (2), by striking the period at the end and inserting ‘‘; and’’; and

(3) by adding at the end the following:

‘‘(3) ‘substantial evidence’ means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion in light of the record considered as a whole, taking into account whatever in the record fairly detracts from the weight of the evidence relied upon by the agency to support its decision.’.’

(g) **EFFECTIVE DATE.**—The amendments made by this section to sections 551, 556, 701(b) of title 5, United States Code, shall not apply to any rulemakings pending or completed on the date of enactment of this Act.

SA 3663. Mr. PORTMAN (for himself and Mrs. McCASKILL) submitted an amendment intended to be proposed by him to Title 25, chapter 256, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:

**SECTION 4. FEDERAL PERMITTING IMPROVEMENT.**

(a) **SHORT TITLE.—**This section may be cited as the ‘‘Federal Permitting Improvement Act of 2013’’.

(b) **DEFINITIONS.—**In this section:

(1) **AGENCY.**—The term ‘‘agency’’ has the meaning given the term in section 551 of title 5, United States Code.

(2) **AGENCY CPO.**—The term ‘‘agency CPO’’ means the chief permitting officer of an agency designated by the head of the agency under subsection (b)(1).

(3) **AUTHORIZATION.—**The term ‘‘authorization’’ means—

(A) any license, permit, approval, or other administrative action required or authorized to be issued by an agency with respect to the siting, construction, reconstruction, or commencement of operations of a covered project under Federal law, whether administered by a Federal or State agency; or

(B) any determination or finding required to be issued by an agency—

(i) as a precondition to an authorization described under paragraph (A); or

(ii) before an applicant may take a particular action with respect to the siting, construction, reconstruction, or commencement of operations of a covered project under Federal law, whether administered by a Federal or State agency.

(4) **COUNCIL.**—The term ‘‘Council’’ means the Federal Infrastructure Permitting Improvement Council established by subsection (c)(1).

(5) **COVERED PROJECT.**—

(A) **IN GENERAL.**—The term ‘‘covered project’’ means any construction activity in the United States that requires authorization or review by a Federal agency or authorized to be issued by an agency with respect to the siting, construction, reconstruction, or commencement of operations of a covered project under Federal law, whether administered by a Federal or State agency.

(B) **EXCLUSION.—**The term ‘‘covered project’’ does not include any project subject to section 101(b)(4) of title 23, United States Code.

(6) **DATABASE.**—The term ‘‘Database’’ means the Permitting Dashboard required by subsection (e)(2).

(7) **ENVIRONMENTAL ASSESSMENT.**—The term ‘‘environmental assessment’’ means a concise public document for which a Federal agency is responsible that serves—

(A) to briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact; and

(B) to facilitate preparation of an environmental impact statement if an environmental impact statement is necessary.

(8) **ENVIRONMENTAL DOCUMENT.**—The term ‘‘environmental document’’ means an environmental assessment or environmental impact statement.

(9) **ENVIRONMENTAL IMPACT STATEMENT.**—The term ‘‘environmental impact statement’’ means the detailed statement of significant environmental impacts required to be prepared under NEPA.

(10) **ENVIRONMENTAL REVIEW.**—The term ‘‘environmental review’’ means the agency procedures for preparing an environmental impact statement, environmental assessment, categorical exclusion, or other document required under NEPA.

(11) **FEDERAL CPO.**—The term ‘‘Federal CPO’’ means the Federal Chief Permitting Officer appointed by the President under subsection (c)(2)(A).

(12) **INVENTORY.**—The term ‘‘inventory’’ means the inventory of covered projects established by the Federal CPO under subsection (c)(3)(A).

(13) **LEAD AGENCY.**—The term ‘‘lead agency’’ means the agency with principal responsibility for review and authorization of a covered project, as determined under subsection (c)(3)(A).

(14) **NEPA.**—The term ‘‘NEPA’’ means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(15) **PARTICIPATING AGENCY.**—The term ‘‘participating agency’’ means any agency participating in reviews and authorizations for a particular covered project in accordance with subsection (e).

(16) **PROJECT SPONSOR.**—The term ‘‘project sponsor’’ means the entity, including any public or private entity, that seeks approval for a project.

(c) **FEDERAL PERMITTING IMPROVEMENT COUNCIL.**

(1) **ESTABLISHMENT.**—There is established the Federal Permitting Improvement Council.

(2) **COMPOSITION.**—

(A) **CHAIR.**—The President shall appoint an officer of the Office of Management and Budget to serve as Chair of the Federal Permitting Improvement Council.

(B) **SECRETARY.**—The Secretary shall also be a member of the Council.

(C) **PARTICIPATING AGENCIES.**—In addition to the members listed in subparagraphs (A) and (B), the Secretary, in consultation with the members of the Council shall—

(i) designate an agency lead for each category of covered projects described in clause (ii); and

(ii) publish on an Internet website the designations and categories in an easily accessible format.

(d) **PERFORMANCE SCHEDULES.**—

(1) **IN GENERAL.**—The Federal CPO, in consultation with the Council, shall develop and notify agencies of performance schedules including intermediate and final deadlines, for reviews and authorizations for each category of covered projects described in clause (i)(II).

(2) **EXCEPTIONS.**—The performance schedules shall reflect the most efficient applicable processes.

(e) **LIMIT.**—The final deadline for completion of any review or authorization contained in the performance schedules shall not be later than 180 days after the date on which the completed application or request is received.

(f) **REVIEW AND REVISION.**—Not later than 2 years after the date on which the performance schedules are established under this clause, and not less frequently than once every 2 years thereafter, the Federal CPO, in consultation with the Council, shall review and revise the performance schedules.

(g) **GUIDANCE.**—The Federal CPO may issue standards, bulletins, guidelines, and other similar directives as necessary to carry out its duties under this section and to facilitate the adoption by agencies of the best practices and recommendations of the Council described in subparagraph (B).

(h) **RECOMMENDATIONS.**—The Council shall make recommendations to the Federal CPO with...
proposed project meets the definition of a

proposed project; and

clause (i) shall include—

(i) early stakeholder engagement, including

fully considering and, as appropriate, incor-

porated public comments on any proposed covered

project;

(ii) ensuring timeliness of permitting and review
decisions;

(iii) coordination between Federal and non-Federal
governmental entities;

(iv) public transparency;

(V) reduction of information collection re-

quirements and other administrative bur-

dens on agencies, project sponsors, and other in-

volved parties.

(VII) evaluating lead agencies and partici-
pating agencies under this section; and

(VII) other aspects of infrastructure per-

mitting processes described in subsection (f).

(2) PERMITTING DASHBOARD.—

(a) REQUIREMENT TO MAINTAIN.—

(i) In coordination with the Federal CPO, in co-

ordination with the Administrator of Gen-

eral Services, shall maintain an online data-

base to be known as the "Permitting Dash-

board" (the "Dashboard") to enter and authoni-

zations for any covered project in the

inventory.

(ii) SPECIFIC AND SEARCHABLE ENTRY.—The

Dashboard shall include a specific and

searchable entry for each project.

(b) ADDITIONS.—Not later than 7 days after

the date on which the Federal CPO receives

a notice under paragraph (1)(A), the Federal

CPO shall create a specific entry on the Dashboard for the project, unless the Federal

CPO or lead agency determines that the project is not a covered project.

(C) SUBMISSIONS BY AGENCIES.—The lead

agency and each participating agency shall

submit to the Federal CPO for posting on the

Dashboard for each covered project—

(i) any application and any supporting doc-

ument submitted by a project sponsor for

any required Federal review or authorization

for the project;

(ii) not later than 2 business days after the
date on which any agency action or decision

on the proposed project meets the definition of a

covered project described in subsection (b).

(D) POSTINGS BY THE FEDERAL CPO.—

The Federal CPO shall post on the Dashboard

an entry for each covered project that includes

(i) the information submitted under sub-

paragrapJ §(t)(i) for review;

(ii) a permitting timetable approved by the

Federal CPO under paragraph (3)(B)(iii);

(iii) the status of any litigation to which the

project is related;

(iv) the status of any review or authorization

project is made, a description, including sig-

ificant supporting documents, of the agency

action or decision; and

(iii) the status of any litigation to which the

agency is a party that is directly related to

the project, including, if practicable, any

judicial document made available on an elec-

tronic docket maintained by a Federal,

State, or local court.

(E) CHANGES.—The permit-

ting oversight and manage-

ment process described in

subparagraph (B) shall be des-

ignated as a participating agency

for a cov-

ered project, unless the agency informs the lead agency in writing before the deadline described in subparagraph (B)(ii) that the agency—

(i) has no jurisdiction or authority with re-

spect to the proposed project;

(ii) claims no interest to exercise authority related to, or submit comments on, the pro-

posed project;

(ii) effect of designation—The designa-

tion described in subparagraph (C) shall not

give the participating agency jurisdiction

over the proposed project.

(E) CHANGE OF LEAD AGENCY.—

(i) IN GENERAL.—To the maximum extent

practicable under applicable Federal law, the lead agency shall coordinate the Federal re-

view or authorization process under this paragraph with any State, local, or tribal agency responsible for conducting any sepa-

rate review or authorization of the covered

project.

(ii) RESOLUTION OF DISPUTE.—Any dispute

over designation of a lead agency for a par-

specialty project shall be resolved by the Federal CPO.

(3) COORDINATION AND TIMETABLES.—

(A) REQUIREMENT TO MAINTAIN.—

(i) In coordination with the Federal CPO, in co-

ordination with the Administrator of Gen-

eral Services, shall maintain an online data-

base to be known as the "Permitting Dash-

board" (the "Dashboard") to enter and authoni-

zations for any covered project in the

inventory.

(ii) SPECIFIC AND SEARCHABLE ENTRY.—The

Dashboard shall include a specific and

searchable entry for each project.

(b) ADDITIONS.—Not later than 7 days after

the date on which the Federal CPO receives

a notice under paragraph (1)(A), the Federal

CPO shall create a specific entry on the Dashboard for the project, unless the Federal

CPO or lead agency determines that the project is not a covered project.

(C) SUBMISSIONS BY AGENCIES.—The lead

agency and each participating agency shall

submit to the Federal CPO for posting on the

Dashboard for each covered project—

(i) any application and any supporting doc-

ument submitted by a project sponsor for

any required Federal review or authorization

for the project;

(ii) not later than 2 business days after the
date on which any agency action or decision

on the proposed project meets the definition of a

covered project described in subsection (b).

(D) POSTINGS BY THE FEDERAL CPO.—

The Federal CPO shall post on the Dashboard

an entry for each covered project that includes

(i) the information submitted under sub-

paragrapJ §(t)(i) for review;

(ii) a permitting timetable approved by the

Federal CPO under paragraph (3)(B)(iii);

(iii) the status of any litigation to which the

project is related;

(iv) the status of any review or authorization

project is made, a description, including sig-

ificant supporting documents, of the agency

action or decision; and

(iii) the status of any litigation to which the

agency is a party that is directly related to

the project, including, if practicable, any

judicial document made available on an elec-

tronic docket maintained by a Federal,

State, or local court.

(E) CHANGES.—The permit-

ting oversight and manage-

ment process described in

subparagraph (B) shall be des-

ignated as a participating agency

for a cov-

ered project, unless the agency informs the lead agency in writing before the deadline described in subparagraph (B)(ii) that the agency—

(i) has no jurisdiction or authority with re-

spect to the proposed project;

(ii) claims no interest to exercise authority related to, or submit comments on, the pro-

posed project;

(ii) effect of designation—The designa-

tion described in subparagraph (C) shall not

give the participating agency jurisdiction

over the proposed project.

(E) CHANGE OF LEAD AGENCY.—

(i) IN GENERAL.—To the maximum extent

practicable under applicable Federal law, the lead agency shall coordinate the Federal re-

view or authorization process under this paragraph with any State, local, or tribal agency responsible for conducting any sepa-

rate review or authorization of the covered

project.

(ii) RESOLUTION OF DISPUTE.—Any dispute

over designation of a lead agency for a par-

specialty project shall be resolved by the Federal CPO.
(I) IN GENERAL.—Any coordination plan between the lead agency and any State, local, or tribal agency to, shall, to the maximum extent practicable, be included in a memorandum of understanding described in subsection (B).

(II) SUBMISSION TO FEDERAL CPO.—A lead agency shall submit to the Federal CPO each memorandum of understanding described in subsection (I).

(III) POST TO DASHBOARD.—The Federal CPO shall post to the Dashboard each memorandum of understanding submitted under subsection (B).

(4) EARLY CONSULTATION.—The lead agency shall provide an expeditious process for project sponsors to confer with each participating agency. A lead agency shall have each participating agency determine and communicate to the project sponsor, not later than 60 days after the date on which the project sponsor submits a request, information concerning—

(A) the likelihood of approval for a potentially covered project; and

(B) key issues of concern to each participating agency and to the public.

(5) COOPERATING AGENCY.—

(A) IN GENERAL.—A lead agency may designate any agency as a cooperating agency in accordance with part 1501 of title 40, Code of Federal Regulations (or successor regulations).

(B) EFFECT OF DESIGNATION.—The designation described in subparagraph (A) shall not affect any designation under paragraphs (A) and (B) of section 3007(b) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

(C) LIMITATION ON DESIGNATION.—Any agency not designated as a participating agency under paragraph (A) shall not be designated as a cooperating agency under subparagraph (A).

(e) INTERSTATE COMPACTS.—The consent of Congress is given for 3 or more contiguous States to enter into an interstate compact establishing regional infrastructure development agencies to facilitate authorization and review of covered projects, under State law or in the exercise of delegated permitting authority described under subsection (g), that will advance infrastructure development, production, and generation within the States that are parties to the compact.

(G) ACCELERATED ENVIRONMENTAL REVIEW PROCESSES.—

(1) CONCURRENT REVIEWS.—Each agency shall—

(A) carry out the obligations of the agency under other applicable law concurrently, and in conjunction with other reviews being conducted by other participating agencies, including environmental reviews required under NEPA, unless doing so would impair the ability of the agency to carry out statutory obligations; and

(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

(2) ADOPTION AND USE OF DOCUMENTS.—

(A) STATE ENVIRONMENTAL DOCUMENTS; SUPPLEMENTAL DOCUMENTS.—

(1) USE OF EXISTING DOCUMENTS.—On the request of a project sponsor, a lead agency shall consider and, as appropriate, adopt or incorporate, a document that has been prepared for a project under State laws and procedures as the environmental impact statement or environmental assessment for the project if the State laws and procedures under which the document was prepared provide, as determined by the lead agency in consultation with the Council on Environmental Quality, that the document contains information and opportunities for public participation that are substantially equivalent to NEPA.

(ii) NEPA OBLIGATIONS.—An environmental document adopted under clause (i) may serve as, or supplement, an environmental impact statement or environmental assessment required to be prepared by a lead agency under NEPA.

(iii) SUPPLEMENTAL DOCUMENT.—In the case of an environmental document described in subsection (a)(1) of section 3007(b) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332), if the lead agency determines that—

(I) a significant change has been made to the project that is relevant for purposes of NEPA; or

(II) there have been significant changes in circumstances or availability of information relevant to the environmental review for the project;

the lead agency shall prepare and publish a supplemental document if the lead agency determines that—

(A) the project is prepared for a project requiring the preparation of an environmental impact statement, the lead agency shall provide an opportunity for the project sponsor to, and each participating agency shall work cooperatively in accordance with this subsection to identify and resolve issues that could delay or prevent an agency from granting a permit or other approval needed for the project, or could result in denial of any approval required for the project under applicable laws.

(B) LEAD AGENCY RESPONSIBILITIES.—

(i) IN GENERAL.—The lead agency shall, make information available to each participating agency as early as practicable in the environmental review process compared to the environmental, historic, and socioeconomic resources located within the project area and the general locations of the alternatives under consideration.

(ii) SOURCES OF INFORMATION.—The information described in clause (i) may be based on existing data sources, including geographic information systems mapping.

(C) PARTICIPATING AGENCY RESPONSIBILITIES.—Based on information received from the lead agency under subparagraph (B), each participating agency shall identify, as early as practicable, information that could substantially delay or prevent an agency from granting a permit or other approval needed for the project, regarding any potential environmental, historic, or socioeconomic impacts of the project.

(i) the lead agency, the project sponsor, and each participating agency agree to a different deadline; or

(ii) the lead agency modifies the deadline for good cause.

(D) PREFERRED ALTERNATIVE.—At the discretion of the lead agency, the preferred alternative after being identified may be developed to a higher level of detail than other alternatives for purposes of NEPA, unless doing so would impair the ability of the agency to carry out statutory obligations.

(i) the lead agency from making an impartial decision as to whether to accept another alternative that is being considered in the environmental review; and

(ii) the public from commenting on the preferred alternative.

(4) ENVIRONMENTAL REVIEW COMMENTS.—

(A) COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT OR ENVIRONMENTAL IMPACT REVIEW.—Comments by an agency or the public on a draft environmental impact statement, the lead agency shall establish a comment period of not more than 60 days after the date on which the public comment is received and requires that the comment period shall, unless a shorter time is specified in the Federal law under which judicial review is allowed; and

(1) a significant change has been made to the project that is relevant for purposes of NEPA; or

(B) OTHER COMMENTS.—For other comment periods for agency or public comments on draft environmental impact statements, the lead agency shall establish a comment period for good cause.

(B) ISSUE IDENTIFICATION AND RESOLUTION.—The lead agency and each participating agency shall, after identifying and resolving issues that could delay or prevent an agency from granting a permit or other approval needed for the project, or could result in denial of any approval required for the project under applicable laws.

(C) PARTICIPATING AGENCY RESPONSIBILITIES.—Based on information received from the lead agency under subparagraph (B), each participating agency shall identify, as early as practicable, any issues of concern, including any issues that could substantially delay or prevent an agency from granting a permit or other approval needed for the project, regarding any potential environmental, historic, or socioeconomic impacts of the project.

(E) CATEGORIES OF PROJECTS.—The authorities granted under this subsection may be exercised for a telecommunications project or a category of projects.

(G) DELEGATED STATE PERMITTING PROGRAMS.—If a Federal statute permits a State to be delegated or otherwise authorized by a Federal agency to administer a permit program in lieu of the Federal agency, each member of the Council shall—

(1) on publication of the Council’s best practices under subsection (B), initiate a process, with public participation, to determine whether and the extent to which any of the best practices are applicable to permitting under the statute; and

(2) not later than 2 years after the date of enactment of this Act, make recommendations to the Governor for State modifications to the permit program to reflect the best practices described in subsection (c)(3)(B)(ii), as appropriate.

(H) LITIGATION, JUDICIAL REVIEW, AND SAVINGS PROVISION.—

(1) LIMITATIONS ON CLAIMS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of any authorization issued by a Federal agency for a covered project shall be barred unless—

(i) the action is filed not later than 60 days after the date on which a notice is published in the Federal Register that the authorization is final pursuant to the law under which the application is made, unless a shorter time is specified in the Federal law under which judicial review is allowed; and

(ii) in the case of an action pertaining to an environmental review conducted under NEPA—

(iii) the deadline is extended by the lead agency for good cause.

(B) OTHER COMMENTS.—For all other comment periods for agency or public comments on environmental impact statements, the lead agency shall establish a comment period for good cause.

(C) COMMENT PERIODS.—The lead agency shall, within 30 days after the date on which the public comment is received, require that the comment period shall; and

(D) RESPONSES TO COMMENTS.—The lead agency shall—
(I) the action is filed by a party that submitted a comment during the environmental review on the issue on which the party seeks judicial review; and

(ii) the comment was sufficiently detailed to put the lead agency on notice of the issue on which the party seeks judicial review.

(B) NEW INFORMATION.—If, in the opinion of the head of a lead agency or participating agency, the comment is based on new information that was not considered in the NEPA process, the agency may request further information in writing before deciding whether to prepare an EIS or IS.

(ii) SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENTS.—If a new FEIS or EIS is required, the preparation of the supplemental environmental impact statement shall be completed in accordance with section 1102 (4) of NEPA.

(5) COMPLIANCE REPORT.—At the end of each year, the principal trade negotiating objectives for the fiscal year shall be published in the Federal Register.

(6) AMENDMENTS.—Nothing in this subchapter supersedes, amends, or modifies NEPA or any other Federal environmental statute.

(7) LIMITATIONS.—Nothing in this subchapter supersedes, amends, or modifies NEPA or any other Federal environmental statute.

(b) PRINCIPAL TRADE NEGOTIATING OBJECTIVES.—

(1) TRADE IN GOODS.—The principal negotiating objectives of the United States with respect to trade in goods are—

(A) to expand competitive market opportunities for exports of goods from the United States and to ensure fairer and more open conditions of trade, including—

(i) to ensure fairer and more open conditions of trade, including—

(ii) to ensure fairer and more open conditions of trade, including—

(B) to obtain reciprocal tariff and nontariff barrier elimination agreements, including agreements that decrease market opportunities for United States exports or otherwise distort United States trade.

(2) TRADE IN SERVICES.—(A) The principal negotiating objective of the United States with respect to trade in services is to expand competitive market opportunities for United States services and to ensure fairer and more open conditions of trade, including—

(B) to obtain reciprocal tariff and nontariff barrier elimination agreements, including agreements that decrease market opportunities for United States exports or otherwise distort United States trade.

(3) TRADE IN AGRICULTURE.—The principal negotiating objective of the United States with respect to trade in agriculture is to obtain competitive opportunities for United States exports of agricultural commodities in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports in United States markets and to achieve fairer and more open conditions of trade in bulk, specialty crop, and value added commodities.

(A) to ensure fairer and more open conditions of trade, including—

(B) to ensure fairer and more open conditions of trade, including—

(4) SAVINGS CLAUSE.—Nothing in this section or any other applicable equitable factors, including the effects on public health, safety, and the environment, in any action seeking a temporary restraining order or preliminary injunction to compel the lead agency to comply with or enforce any statute; or

(B) to obtain the reduction or elimination of barriers and distortions that are directly related to trade and investment and that decrease market opportunities for United States exports or otherwise distort United States trade.

(5) LIMITATIONS.—Nothing in this subchapter supersedes, amends, or modifies NEPA or any other Federal environmental statute.

(6) LIMITATIONS.—Nothing in this subchapter supersedes, amends, or modifies NEPA or any other Federal environmental statute.

(7) LIMITATIONS.—Nothing in this subchapter supersedes, amends, or modifies NEPA or any other Federal environmental statute.

(8) LIMITATIONS.—Nothing in this subchapter supersedes, amends, or modifies NEPA or any other Federal environmental statute.

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(13) LIMITATIONS.—Nothing in this subchapter supersedes, amends, or modifies NEPA or any other Federal environmental statute.
market opportunities for United States exports—
(i) giving priority to those products that are subject to significantly higher tariffs or subsidies, or other barriers to major producing countries;
(ii) providing reasonable adjustment periods for United States imports sensitive products, in consultation with Congress on such products before initiating tariff reduction negotiations;
(iii) reducing tariffs to levels that are the same or lower than those in the United States;
(iv) reducing or eliminating subsidies that decrease market opportunities for United States exports or unfairly distort agriculture markets to the detriment of the United States;
(v) allowing the preservation of programs that support family farms and rural communities but do not distort trade;
(vi) developing disciplines for domestic support programs, so that production that is in excess of domestic food security needs is sold at world prices;
(vii) eliminating government policies that create price depressing surpluses;
(viii) eliminating state trading enterprises whenever feasible; and
(ix) developing, strengthening, and clarifying rules to eliminate practices that unfairly distort market opportunities or distort agricultural markets to the detriment of the United States, and ensuring that such rules are subject to efficient, timely, and effective dispute settlement, including—
(a) unfair or trade distorting activities of state trading enterprises and other administrative measures with emphasis on requiring price transparency in the operation of state trading enterprises and such other mechanisms in order to ensure competitiveness, price discrimination, and price under-cutting;
(b) unjustified trade restrictions or commercial requirements, such as labeling, that affect new technologies, including biotechnology;
(c) unjustified sanitary or phytosanitary restrictions, including restrictions not based on scientific methods in contravention of obligations in the Uruguay Round Agreement or bilateral or regional trade agreements;
(d) other unjustified technical barriers to trade; and
(e) restrictive rules in the administration of tariff rate quotas;
(f) development practices that adversely affect trade in perishable or cyclical products, while improving import relief mechanisms to recognize the unique characteristics of perishable and cyclical agriculture;
(g) ensuring that import relief mechanisms for perishable and cyclical agriculture are as accessible and timely to growers in the United States as those mechanisms that are used by other countries;
(h) taking into account whether a party to the negotiations has failed to adhere to the provisions of already existing trade agreements with the United States or has circumvented obligations under those agreements;
(i) taking into account whether a product is subject to market distortions by reason of a failure of a major producing country to adhere to the provisions of already existing trade agreements with the United States or by the circumvention by that country of its obligations under those agreements;
(j) otherwise ensuring that countries that acceded to the World Trade Organization have made meaningful market liberalization commitments in agriculture;
(k) ensuring the fullest measure of transparency in the dispute settlement mechanism, to the extent consistent with the need to protect information that is classified or based on confidential information;
(l) ensuring that all requests for dispute settlement are promptly made public;
(m) ensuring that—
(i) all proceedings, submissions, findings, and decisions are promptly made public; and
(ii) all hearings are open to the public; and
(n) developing, strengthening, and clarifying rules to eliminate practices that adversely affect trade agreements;
(o) taking into account the impact that agreements covering agriculture to which the United States is a party have on the United States agricultural industry;
(P) maintaining food assistance programs, market development programs, and export credit programs;
(Q) seeking to secure the broader market access objectives of seasonal or perishable agricultural products in investigations relating to dumping and safeguards and in any other relevant area;
(R) seeking to develop an international consensus on the treatment of seasonal or perishable agricultural products, through multilateral, plurilateral, and bilateral negotiations, recognizing the effect that simultaneous sets of negotiations may have on United States import sensitive commodities (including those subject to tariff rate quotas);
(S) seeking to develop an international consensus on the treatment of seasonal or perishable agricultural products in investigations relating to dumping and safeguards and in any other relevant area;
(T) ensuring transparency in the administration of tariff rate quotas through multilateral, plurilateral, and bilateral negotiations; and
(U) eliminating and preventing the undermining of market access for United States products through improper use of a country’s system for protecting or recognizing geographical indications, including failing to ensure transparency and procedural fairness and protecting generic terms.
(4) FOREIGN INVESTMENT.—Recognizing that United States law on the whole provides a high level of protection for investment, consistent with or greater than the level required by international law, the principal negotiating objectives of the United States are to reduce or eliminate artificial or trade distorting barriers to foreign investment, while ensuring that foreign investors in the United States are not accorded greater substantive rights with respect to investment protections than United States investors in the United States, and to secure for investors important rights comparable to those that would be available under United States legal principles and practice—
(A) reducing or eliminating exceptions to the principle of national treatment; 
(B) freeing the transfer of funds relating to investment;
(C) reducing or eliminating performance requirements, forced technology transfers, and other unreasonable barriers to the establishment and operation of investment;
(D) seeking to establish standards for expropriation and compensation for expropriation, consistent with United States legal principles and practice;
(E) seeking to establish standards for fair and equitable treatment consistent with United States legal principles and practice, including in the telecommunications sector; 
(F) providing meaningful procedures for resolving investment disputes;
(G) seeking to improve mechanisms used to resolve disputes between an investor and a government through—
(i) mechanisms to eliminate frivolous claims and to deter the filing of frivolous claims;
(ii) procedures to ensure the efficient selection of arbitrators and the expeditious disposition of claims;
(iii) procedures to enhance opportunities for public input into the formulation of government positions; and
(iv) providing for an appellate body or similar supervisory arrangement that has the power to require governments to comply with the interpretations of investment provisions in trade agreements and
(H) ensuring that the provisions of any trade agreement governing intellectual property rights that entered into by the United States reflect a standard of protection similar to that found in United States law; 
(I) providing strong protection for new and emerging technologies and new methods of transmitting and distributing products embodying intellectual property, including in a manner that facilitates legitimate digital trade;
(J) ensuring that standards of protection and enforcement keep pace with technological developments, and in particular ensuring that rightholders have the legal and technological means to control the use of their works through the Internet and other electronic communications so as to prevent the unauthorized use of their works;
(K) providing strong enforcement of intellectual property rights, including through agreements with civil, administrative, and criminal enforcement mechanisms; and
(L) preventing or eliminating discrimination with respect to matters affecting the availability, acquisition, scope, maintenance, use, and enforcement of intellectual property rights; 
(M) ensuring that standards of protection and enforcement keep pace with technological developments, and in particular ensuring that rightholders have the legal and technological means to control the use of their works through the Internet and other electronic communications so as to prevent the unauthorized use of their works; 
(N) ensuring that standards of protection and enforcement keep pace with technological developments, and in particular ensuring that rightholders have the legal and technological means to control the use of their works through the Internet and other electronic communications so as to prevent the unauthorized use of their works; 
(O) to secure fair, equitable, and nondiscriminatory market access opportunities for United States persons that rely upon intellectual property protection; and
(P) to respect the Declaration on the Establishment of International Intellectual Property Rights, including the TRIPS Agreement, the Agreement of the World Trade Organization and bilateral and regional trade agreements apply to digital trade and services, as well as cross-border data flows, are—
(i) all proceedings, submissions, findings, and decisions are promptly made public; and
(ii) all hearings are open to the public; and
(iii) otherwise ensuring that countries that acceded to the World Trade Organization have made meaningful market liberalization commitments in agriculture;
(iv) providing for public input into the formulation of government positions; and
(v) ensuring that the provisions of any trade agreement governing intellectual property rights that entered into by the United States reflect a standard of protection similar to that found in United States law; 
(vi) providing strong protection for new and emerging technologies and new methods of transmitting and distributing products embodying intellectual property, including in a manner that facilitates legitimate digital trade; 
(vii) ensuring that standards of protection and enforcement keep pace with technological developments, and in particular ensuring that rightholders have the legal and technological means to control the use of their works through the Internet and other electronic communications so as to prevent the unauthorized use of their works; 
(viii) ensuring that standards of protection and enforcement keep pace with technological developments, and in particular ensuring that rightholders have the legal and technological means to control the use of their works through the Internet and other electronic communications so as to prevent the unauthorized use of their works; 
(ix) ensuring that standards of protection and enforcement keep pace with technological developments, and in particular ensuring that rightholders have the legal and technological means to control the use of their works through the Internet and other electronic communications so as to prevent the unauthorized use of their works; 
(x) ensuring that standards of protection and enforcement keep pace with technological developments, and in particular ensuring that rightholders have the legal and technological means to control the use of their works through the Internet and other electronic communications so as to prevent the unauthorized use of their works; 
(xi) providing strong enforcement of intellectual property rights, including through agreements with civil, administrative, and criminal enforcement mechanisms; and
(xii) preventing or eliminating discrimination with respect to matters affecting the availability, acquisition, scope, maintenance, use, and enforcement of intellectual property rights;
The principal negotiating objectives of the United States regarding government procurement and other regulatory regimes are to achieve increased transparency and opportunity for the participation of affected parties in the development of regulations; to ensure that proposed regulations are based on sound economic analysis, risk assessment, or other objective evidence; to establish consultative mechanisms and seek other commitments, as appropriate, to improve regulatory practices and promote increased regulatory coherence, including through—

(i) transparency in developing guidelines, rules, regulations, and laws for government procurement and other regulatory regimes;
(ii) the elimination of redundancies in testing and certification;
(iii) early consultations on significant regulations;
(iv) the use of impact assessments;
(v) the periodic review of existing regulatory measures; and
(vi) the application of good regulatory practices.

To seek greater openness, transparency, and convergence of standards-development processes, and enhance cooperation on standards issues, the United States is to—

(A) to enhance regulatory capacity by WTO members in the application of international and interoperable standards, as appropriate;
(B) to promote regulatory compatibility through harmonization, equivalence, or mutual recognition of different regulations and standards, and encourage the use of international and interoperable standards, as appropriate;
(C) to ensure that foreign governments—

(i) demonstrate that the collection of undisclosed proprietary information is limited to that necessary to satisfy a legitimate and justifiable regulatory interest; and
(ii) protect such information against disclosure, except in exceptional circumstances to protect the public, or where such information is already effectively protected against unfair competition.

(B) STATE-OWNED AND STATE-CONTROLLED ENTERPRISES.—The principal negotiating objective of the United States regarding government procurement and other practices to reduce market access for United States goods, services, and investment is to eliminate and prevent measures that—

(A) eliminate or prevent trade distortions and unfair competition favoring state-owned and state-controlled enterprises to the extent of their engagement in commercial activity, and
(B) ensure that such engagement is based solely on commercial considerations, in particular through disciplines that eliminate or prevent market-creating and market-distorting subsidies and that promote transparency.

(9) LOCALIZATION BARRIERS TO TRADE.—The principal negotiating objectives of the United States with respect to localization barriers is to eliminate and prevent measures that require United States producers and service providers to use, to install, to procure, to rent, or to have access to facilities, intellectual property, or other assets within a country as a market access or investment condition, including indigenous innovation measures.

(10) LABOR AND THE ENVIRONMENT.—The principal negotiating objectives of the United States with respect to labor and the environment are—

(A) to achieve that a party to a trade agreement with the United States—

(i) adopts and maintains measures implementing internationally recognized core labor standards (as defined in section 211(17)), and its obligations under multilateral environmental agreements (as defined in section 211(6)),
(ii) does not waive or otherwise derogate from, or offer to waive or otherwise derogate from—

(I) its statutes or regulations implementing internationally recognized core labor standards (as defined in section 211(17)), in a manner affecting trade or investment between the United States and that party, where the waiver or derogation would be inconsistent with one or more such standards, or
(ii) its environmental laws in a manner that weakens or reduces the protections afforded in those laws and in a manner affecting trade or investment between the United States and that party, where the waiver or derogation would be inconsistent with one or more such standards, or

(B) to encourage greater cooperation between the United States and that party after entry into force of a trade agreement between the United States and that party, including through the use of international and plurilateral standards, as appropriate.

(12) WTO AND MULTILATERAL TRADE AGREEMENTS.—The principal negotiating objectives of the United States regarding the Uruguay Round Agreements, and other multilateral and plurilateral trade agreements are—

(A) to achieve full implementation and extend the coverage of the World Trade Organization agreements and other international organizations to—

(i) ensure that such engagement is based solely on commercial considerations, in particular through disciplines that eliminate or prevent market-creating and market-distorting subsidies and that promote transparency.

(B) to ensure that such engagement is based solely on commercial considerations, in particular through disciplines that eliminate or prevent market-creating and market-distorting subsidies and that promote transparency.

(C) to strengthen the capacity of United States trading partners to promote respect for core labor standards (as defined in section 211(17));

(D) to strengthen the capacity of United States trading partners to promote respect for core labor standards (as defined in section 211(17));

(E) to reduce or eliminate government practices or policies that unduly threaten sustainable development;

(F) to seek market access, through the elimination of tariffs and nontariff barriers, for United States environmental technologies, goods, and services;

(G) to ensure that labor, environmental, health, or safety policies and practices of the United States do not arbitrarily or unjustifiably discriminate against United States exports or serve as disguised barriers to trade;

(H) to ensure that labor, environmental, health, or safety policies and practices of the United States do not arbitrarily or unjustifiably discriminate against United States exports or serve as disguised barriers to trade;

(I) to ensure that a trade agreement is not construed to empower a party’s authorities to undertake labor or environmental law enforcement activities in the territory of the United States.

(11) CURRENCY.—The principal negotiating objective of the United States with respect to monetary cooperation is to achieve that a trade agreement with the United States avoid manipulating exchange rates in order to prevent effective balance of payments adjustment by offering substantial competitive advantage over other parties to the agreement, such as through cooperative mechanisms, enforceable rules, reporting, monitoring, transparency, or other means, as appropriate.

(12) WTO AND MULTILATERAL TRADE AGREEMENTS.—The principal negotiating objectives of the United States regarding the Uruguay Round Agreements, and other multilateral and plurilateral trade agreements are—

(A) to achieve full implementation and extend the coverage of the World Trade Organization agreements and other international organizations to—

(i) ensure that such engagement is based solely on commercial considerations, in particular through disciplines that eliminate or prevent market-creating and market-distorting subsidies and that promote transparency.

(B) to ensure that such engagement is based solely on commercial considerations, in particular through disciplines that eliminate or prevent market-creating and market-distorting subsidies and that promote transparency.

(C) to strengthen the capacity of United States trading partners to promote respect for core labor standards (as defined in section 211(17));

(D) to strengthen the capacity of United States trading partners to promote respect for core labor standards (as defined in section 211(17));

(E) to reduce or eliminate government practices or policies that unduly threaten sustainable development;

(F) to seek market access, through the elimination of tariffs and nontariff barriers, for United States environmental technologies, goods, and services;

(G) to ensure that labor, environmental, health, or safety policies and practices of the United States do not arbitrarily or unjustifiably discriminate against United States exports or serve as disguised barriers to trade;

(H) to ensure that labor, environmental, health, or safety policies and practices of the United States do not arbitrarily or unjustifiably discriminate against United States exports or serve as disguised barriers to trade;

(I) to ensure that a trade agreement is not construed to empower a party’s authorities to undertake labor or environmental law enforcement activities in the territory of the United States.

(11) CURRENCY.—The principal negotiating objective of the United States with respect to monetary cooperation is to achieve that a trade agreement with the United States avoid manipulating exchange rates in order to prevent effective balance of payments adjustment by offering substantial competitive advantage over other parties to the agreement, such as through cooperative mechanisms, enforceable rules, reporting, monitoring, transparency, or other means, as appropriate.
(13) TRADE INSTITUTION TRANSPARENCY.—The principal negotiating objectives of the United States with respect to transparency is to obtain wider and broader application of the principles of transparency in the World Trade Organization, entities established under bilateral and regional trade agreements, and other international trade fora through seeking—

(A) timely public access to information regarding trade issues and the activities of such institutions;

(B) openness by ensuring public access to appropriate meetings, proceedings, and submissions, with regard to trade and investment agreements; and

(C) public access to all notifications and supporting documentation submitted by WTO members.

(14) ANTI-CORRUPTION.—The principal negotiating objectives of the United States with respect to the use of money or other things of value to influence acts, decisions, or omissions of foreign governments or officials or to secure any improper advantage in a manner affecting trade are—

(A) to obtain high standards and effective domestic enforcement mechanisms applicable to persons from all countries participating in the applicable trade agreement that prohibit such attempts to influence acts, decisions, or omissions of foreign governments;

(B) to ensure that such standards level the playing field for United States persons in international investment; and

(C) to seek commitments to work jointly to encourage and support anti-corruption and anti-bribery initiatives in international trade fora, including through the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of the Organization for Economic Cooperation and Development, done at Paris December 17, 1997 (commonly known as the “OECD Anti-Bribery Convention”).

(15) DISPUTE SETTLEMENT AND ENFORCEMENT.—The principal negotiating objectives of the United States with respect to dispute settlement and enforcement of trade agreements are—

(A) to seek provisions in trade agreements providing for resolution of disputes between governments under those trade agreements in an effective, timely, transparent, equitable, and reasoned manner, requiring determinations based on facts and the principles of natural justice, with the goal of increasing compliance with the agreements;

(B) to seek to strengthen the capacity of the Trade Policy Review Mechanism of the World Trade Organization to review compliance with commitments;

(C) to seek adherence by panels convened under the Dispute Settlement Understanding and by the Appellate Body to—

(i) the mandate of those panels and the Appellate Body to apply the WTO Agreement as written, without adding to or diminishing rights and obligations under the Agreement; and

(ii) the standard of review applicable under the Uruguay Round Agreement involved in the dispute, including greater deference, where appropriate, to the fact finding and technical expertise of national investigating authorities;

(D) to seek provisions encouraging the early identification and settlement of disputes through consultation;

(E) to seek provisions to encourage the provision of technical assistance if a party to a dispute under the agreement does not come into compliance with its obligations under the agreement;

(F) to seek to impose a penalty upon a party to a dispute under the agreement that—

(i) encourages compliance with the obligations of the agreement;

(ii) is appropriate to the parties, nature, subject matter, and scope of the violation; and

(iii) has the aim of not adversely affecting parties or interests not party to the dispute while maintaining the effectiveness of the enforcement mechanisms;

(G) to seek provisions that treat United States principal negotiating objectives equally with respect to—

(i) the ability to resort to dispute settlement under the applicable agreement;

(ii) the availability of equivalent dispute settlement procedures; and

(iii) the availability of equivalent remedies.

(16) TRADE REMEDY LAWS.—The principal negotiating objectives of the United States with respect to trade remedy laws are—

(A) to preserve the ability of the United States to enforce rigorously its trade laws, including the antidumping, countervailing duty, and safeguard laws, and avoid agreements that lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies, or that lessen the effectiveness of domestic and international safeguards, in order to ensure that United States workers, agricultural producers, and firms can compete fairly on a non-preterit basis and enjoy the benefits of reciprocal trade concessions; and

(B) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelize, and market access barriers.

(17) BORDER TAXES.—The principal negotiating objective of the United States regarding border taxes is to obtain the benefits of the rules of the World Trade Organization with respect to the treatment of border adjustments for internal taxes to redress the discrimination arising generally on account of direct taxes for revenue rather than indirect taxes.

(18) TEXTILE NEGOTIATIONS.—The principal negotiating objectives of the United States with respect to trade in textiles and apparel articles are to obtain competitive opportunities for United States exports of textiles and apparel articles substantially equivalent to the competitive opportunities afforded foreign exports in United States markets and to find more open conditions of trade in textiles and apparel.

(c) CAPACITY BUILDING AND OTHER PRIORITIES.—In order to address and maintain United States competitiveness in the global economy, the President shall—

(1) direct the heads of relevant Federal agencies—

(A) to work to strengthen the capacity of United States trading partners to carry out obligations under trade agreements by consulting with any country seeking a trade agreement with the United States concerning laws relating to customs and trade facilitation, sanitary and phytosanitary measures, technical barriers to trade, intellectual property rights, labor, and the environment; and

(B) to provide technical assistance to that country if needed;

(2) seek to establish consultative mechanisms among parties to trade agreements to strengthen the capacity of United States trading partners to develop and implement standards for the protection of the environment, human health based on sound science; and

(3) promote consideration of multilateral environmental agreements and consult with other parties to trade agreements concerning the consistency of any such agreement that includes trade measures with existing environmental exceptions under Article XX of GATT 1994.

SEC. 203. TRADE AGREEMENTS AUTHORITY.

(a) AGREEMENTS REGARDING TARIFF BARRIERS AND TRADE.

(1) IN GENERAL.—Whenever the President determines that one or more existing duties or other import restrictions of any foreign country or the United States are unduly burdensome and restrictive trade practice of the United States and that the purposes, policies, priorities, and objectives of this title will be promoted thereby, the President—

(A) may enter into trade agreements with foreign countries before—

(i) July 1, 1988; or

(ii) July 1, 2001, if trade authorities procedures are extended under subsection (c); and

(B) may, subject to paragraphs (2) and (3), proclaim—

(i) such modification or continuity of any existing duty;

(ii) such continuity of existing duty free or excise treatment, or—

(iii) such additional duties, as the President determines to be required or appropriate to carry out any such trade agreement.

Substantial modifications to, or substantial additional provisions of, a trade agreement entered into after July 1, 2018, or July 1, 2021, if trade authorities procedures are extended under subsection (c), shall not be eligible for approval under this title.

(2) NOTIFICATION.—The President shall notify Congress of the President’s intention to enter into an agreement under this subsection.

(3) LIMITATIONS.—No proclamation may be made under paragraph (1) that—

(A) reduces any rate of duty (other than a rate of duty that does not exceed 5 percent ad valorem on the date of the enactment of this Act) to a rate of duty which is less than 50 percent of the rate of such duty that applies on such date of enactment;

(B) reduces the rate of duty below that applicable under the Uruguay Round Agreements or a successor agreement, on any import sensitive agricultural product; or

(C) increases any rate of duty above the rate that is applied on the date of the enactment of this Act.

(4) AGGREGATE REDUCTION; EXEMPTION FROM STAGING.

(1) AGGREGATE REDUCTION.—Except as provided in subparagraph (B), the aggregate reduction in the rate of duty in any article which is in effect on any day pursuant to a trade agreement entered into under paragraph (1) shall not exceed the aggregate reduction which would have been in effect on such day if—

(i) a reduction of 3 percent ad valorem or a reduction of 1⁄10 of the total reduction, whichever is greater, had taken effect on the effective date of the first reduction proclamation under paragraph (1) to carry out such agreement with respect to such article; and

(ii) a reduction equal to the amount applicable under paragraph (1) shall not exceed the aggregate reduction which would have been in effect on such day if—

(A) a reduction of 3 percent ad valorem or a reduction of 1⁄10 of the total reduction, whichever is greater, had taken effect on the effective date of the first reduction proclamation under paragraph (1) to carry out such agreement with respect to such article; and

(B) the President determines that the identity of articles that may be exempted under Article XX of GATT 1994.

(2) EXEMPTION FROM STAGING.—No staging shall be required under subsection (A) with respect to a duty reduction that is proclaimed under paragraph (1) for an article of a kind that is not produced in the United States. The United States International Trade Commission shall advise the President of the identity of articles that may be exempted from staging under this subparagraph.
President may round an annual reduction by an amount equal to the lesser of—
(A) the difference between the reduction without regard to this paragraph and the next lower whole number; or
(B) 1/2 of 1 percent ad valorem.

(6) OTHER LIMITATIONS.—A rate of duty reduction that may not be proclaimed by reason of an objection to an extension or a reduction in whole of any step rate re-
duction of any duty set forth in Schedule XX, as defined in section 2(5) of that Act (19 U.S.C. 3501(5)), if the United States agrees to such modification or staged rate re-
duction is included within an implementing bill provided for under section 206 and that bill is enacted into law.

(7) OTHER TARIFF MODIFICATIONS.—Notwith-
standing paragraphs (1)(B), (3)(A), (3)(C), and (4) thereof, if the United States has made a decla-
tion and layer requirements of section 115 of the Uruguay Round Agreements Act (19 U.S.C. 3312), the President may proclaim the modification or staged rate re-
duction of any duty set forth in Schedule XX, as defined in section 2(5) of that Act (19 U.S.C. 3501(5)), if the United States agrees to such modification or staged rate reduction.

(b) AGREEMENTS REGARDING TARIFF AND NON-TARIFF BARRIERS.—
(1) IN GENERAL.—(A) Whenever the Presi-
dent determines that—
(i) 1 or more existing duties or any other import restriction of any foreign country or the United States or any other barrier to, or other distortion of, international trade un-
duly burdens or restricts the foreign trade of the United States, adversely affects the United States economy, or
(ii) the imposition of any such barrier or distortion is likely to result in such a bur-
den, restriction, or effect, and that the purposes, policies, priorities, and objectives of this title will be promoted thereby, the President may enter into a trade agreement described in subparagraph (B) of this section and enter into a trade agreement with foreign countries for—
(i) the reduction or elimination of a duty, restriction, barrier, or other distortion described in subparagraph (A); or
(ii) the prohibition of, or limitation on the imposition of, such barrier or other distor-
tion.

(C) The President may enter into a trade agreement described in this subparagraph (A) with for-
eign countries for—
(i) 1 or more existing duties or any other import restric-
tion of any foreign country or the United States or any other barrier to, or other distortion of, international trade un-
duly burdens or restricts the foreign trade of the United States, adversely affects the United States economy, or
(ii) the imposition of any such barrier or distortion is likely to result in such a bur-
den, restriction, or effect, and that the purposes, policies, priorities, and objectives of this title will be promoted thereby, the President may enter into a trade agreement described in subparagraph (B) of this period described in subparagraph (C).

(B) The President may enter into a trade agreement described in this subparagraph (A) with foreign countries for—
(i) the reduction or elimination of a duty, restriction, barrier, or other distortion described in subparagraph (A); or
(ii) the prohibition of, or limitation on the imposition of, such barrier or other distor-
tion.

(C) The President may enter into a trade agreement under this paragraph before—
(i) July 1, 2018; or
(ii) July 1, 2021, if trade authorities procedures are extended under this subsec-
tion (c).

Substantially modifications to, or substantial additional provisions of, a trade agreement entered into after January 1, 2021, if trade authorities procedures are extended under subsection (c), shall not be eligible for approval under this title.

(2) CONDITIONS.—A trade agreement may be entered into under this subsection only if such agreement makes progress in meeting the applicable objectives described in sub-
sections (a) and (b) of section 202 and the President satisfies the conditions set forth in sections 204 and 205.

(3) BILLS QUALIFYING FOR TRADE AUTHORITY-
ITIES PROMULGATION.—The provisions of sec-
tion 151 of the Trade Act of 1974 (in this title referred to as “trade authorities pro-
duces”) apply to a bill of either House of Congress or a joint resolution disapproving the provisions in subparagraph (B) to the same extent as such section 151 applies to implementing

United States of all trade agreements imple-
mented within the date of the enactment of this Act and the date on which the President decides to seek an extension requested under paragraph (2).

(4) STATUS OF REPORTS.—The reports sub-
mitted to Congress under paragraphs (2) and (3), or any portion of such reports, may be considered by the extent the President deter-
mes appropriate.

(5) EXTENSION DISAPPROVAL RESOLUTIONS.—
(A) For purposes of paragraph (1), the term “extension disapproval resolution” means a resolution of either House of Congress, the sole matter after the resolving clause of which is as follows: “That the dis-
approved, the request for extension for the extension, under section 203(c)(1)(B)(i) of the Bipartisan Congressional Trade Priorities Act of 2014, of the trade authorities pro-
cedures under that Act to any implementing bill submitted with respect to any trade agreement entered into under section 203(b) of that Act after June 30, 2018,”.

(B) Extension disapproval resolutions—
(i) may be introduced in either House of Congress, by any member or any committee; and
(ii) shall be referred, in the House of Repre-
sentatives, to the Committee on Ways and Means and, in addition, to the Committee on Rules.

(C) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2155) relating to the floor consider-
ation of certain resolutions by the House and Senate) apply to extension disapproval res-
olutions.

(D) It is not in order for—
(i) the House of Representatives to con-
sider any extension disapproval resolution not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules;

(ii) the Senate to consider any extension disapproval resolution not reported by the Committee on Finance;

(iii) either House of Congress to consider an extension disapproval resolution after June 30, 2018.

(6) CONCLUSION OF NEGOTIATION.—In or-
order to contribute to the future economic expansion of the United States, the President shall commence negotiations covering tariff and nontariff barriers affecting an industry, product, or sector, and expand existing sectoral agreements to coun-
tries that are not parties to those agree-
ments, in cases where the President deter-
mes that such negotiations are feasible and timely and would benefit the United States. Such sectors include agriculture, commercial services, intellectual property rights, industrial and capital goods, govern-
ment procurement, information technology products, environmental technology and services, medical equipment and services, civil aircraft, and infrastructure products. In so doing, the President shall take into ac-
count all of the principal negotiating object-
ives set forth in section 202(b).

SEC. 204. CONGRESSIONAL OVERRIDING, CON-
SULTATIONS, AND ACCESS TO IN-
FORMATION.

(a) CONSULTATIONS WITH MEMBERS OF CON-
GRESS.—
(1) CONSIDERATION DURING NEGOTIATIONS.—In the course of negotiations conducted under this title, the United States Trade Representative shall—
(A) meet upon request with any Member of Congress regarding negotiating objectives, the status of negotiations in progress, and the provisions of any Chapter of the Trade Act of the United States or the administration of those laws that may be recommended to Congress
to carry out any trade agreement or any requirement of, amendment to, or recommendation under, that agreement;

(b) upon request of any Member of Congress, a summarization of the report and any documents relating to the negotiations, including classified materials;

(c) consult closely and on a timely basis with, and keep fully apprised of the negotiations, the Committee on Agriculture of the Senate and the Committee on Finance of the Senate;

(d) consult closely and on a timely basis with, and keep fully apprised of the negotiations, the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations under subsection (c) and all committees of the House of Representatives and the Senate with jurisdiction over laws that could be affected by a trade agreement resulting from the negotiations; and

(E) with regard to any negotiations and agreement relating to agricultural trade, also consult closely and on a timely basis (including immediately before initiating an agreement with, and keep fully apprised of the negotiations, the Committee on Agriculture of the House of Representatives and the Committee on Finance of the House of Representatives).

(2) CONSULTATIONS PRIOR TO ENTRY INTO FORCE.—Prior to exchanging notes providing for the conclusion of a trade agreement, the United States Trade Representative shall consult closely and on a timely basis with Members of Congress and committees as specified in paragraph (1), and keep them fully apprised of the measures a trading partner has taken to comply with those provisions of the agreement that are to take effect on the date that the agreement enters into force.

(3) ENHANCED COORDINATION WITH CONGRESS.

(A) WRITTEN GUIDELINES.—The United States Trade Representative, in consultation with the chairman and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—

(i) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines on enhanced coordination with Congress, including coordination with designated congressional advisers under subsection (b), regarding negotiations conducted under this title; and

(ii) may make such revisions to the guidelines as may be necessary from time to time.

(B) CONTENT OF GUIDELINES.—The guidelines developed under subparagraph (A) shall enhance coordination with Congress through procedures to ensure—

(i) timely briefings upon request of any Member of Congress regarding negotiating objectives, the status of negotiations in progress conducted under this title, and the nature of any changes in the laws of the United States administration of those laws that may be recommended to Congress to carry out any trade agreement or any requirement of, amendment to, or recommendation under, that agreement; and

(ii) the sharing of detailed and timely information to Members of Congress regarding those negotiations and pertinent documents related to the negotiations (including classified information), and to committee staff with proper security clearances as would be appropriate in the light of the responsibilities of Members of Congress under the trade agreements programs affected by those negotiations.

(C) DISSEMINATION.—The United States Trade Representative shall disseminate the guidelines developed under subparagraph (A) to all Federal agencies that could have jurisdiction over laws affected by trade negotiations.

(b) DESIGNATED CONGRESSIONAL ADVISERS.

(1) DESIGNATION.—

(A) HOUSE OF REPRESENTATIVES.—In each Congress, any Member of the House of Representatives may be designated as a congressional adviser on trade policy and negotiations by the Speaker of the House of Representatives, after consulting with the chair and ranking member of the Committee on Ways and Means and the chair and ranking member of the committee from which the Member will be selected.

(B) SENATE.—In each Congress, any Member of the Senate may be designated as a congressional adviser on trade policy and negotiations by the President pro tempore of the Senate, after consultation with the chair and ranking member of the Committee on Finance and the chair and ranking member of the committee from which the Member will be selected.

(2) CONSULTATIONS WITH DESIGNATED CONGRESSIONAL ADVISERS.—In the course of negotiations conducted under this title, the United States Trade Representative shall consult closely and on a timely basis (including immediately before initiating an agreement with, and keep fully apprised of the negotiations, the congressional advisers for trade policy and negotiations designated under paragraph (1).

(3) ACCORDANCE WITH AGREEMENTS.—Each Member of Congress designated as a congressional adviser under paragraph (1) shall be accredited by the United States Trade Representative on behalf of the President as an official adviser to the United States delegations to international conferences, meetings, and negotiating sessions relating to trade agreements.

(C) CONGRESSIONAL ADVISORY GROUPS ON NEGOTIATIONS.—

(1) IN GENERAL.—By not later than 60 days after the commencement of any negotiations under this title, and not later than 30 days after the convening of each Congress, the chairman of the Committee on Ways and Means of the House of Representatives and the House Advisory Group on Negotiations shall consult with the Senate Advisory Group on Negotiations with regard to any negotiations and pertinent documents relating to the negotiations, including classified materials.

(ii) The chairman and ranking member, or their designees, of the committees of the Senate (not more than 2 of whom are members of the same political party).

(ii) The chairman and ranking member, or their designees, of the committees of the Senate that would have, under the Rules of the Senate, jurisdiction over provisions of law affected by a trade agreement negotiation conducted at any time during that Congress and to which this title would apply.

(2) MEMBERS AND FUNCTIONS.—

(A) MEMBERS.—The House Advisory Group on Negotiations shall be comprised of the following Members of the House of Representatives:

(i) The chairman and ranking member of the Committee on Ways and Means, and 3 additional members of such Committee (not more than 2 of whom are members of the same political party).

(ii) The chairman and ranking member, or their designees, of committees of the House that would have, under the Rules of the House of Representatives, jurisdiction over provisions of law affected by a trade agreement negotiation conducted at any time during that Congress and to which this title would apply.

(B) MEMBERSHIP OF THE SENATE ADVISORY GROUP ON NEGOTIATIONS.—In each Congress, the Senate Advisory Group on Negotiations shall be comprised of the following Members of the Senate:

(i) The chairman and ranking member of the Committee on Finance of the Senate, and 3 additional members of such Committee (not more than 2 of whom are members of the same political party).

(ii) The chairman and ranking member, or their designees, of the committees of the Senate that would have, under the Rules of the Senate, jurisdiction over provisions of law affected by a trade agreement negotiation conducted at any time during that Congress and to which this title would apply.

(iii) The chairman and ranking member, or their designees, of committees of the Senate that would have, under the Rules of the Senate, jurisdiction over provisions of law affected by a trade agreement negotiation conducted at any time during that Congress and to which this title would apply.

(iv) The chairman and ranking member, or their designees, of committees of the Senate that would have, under the Rules of the Senate, jurisdiction over provisions of law affected by a trade agreement negotiation conducted at any time during that Congress and to which this title would apply.

(v) The timeframe for submitting the report required under section 252(d)(3).
(4) REQUEST FOR MEETING.—Upon the request of a majority of either of the congressional advisory groups, the President shall meet with that congressional advisory group before initiating negotiations with respect to a trade agreement, or at any other time concerning the negotiations.

(d) CONSULTATIONS WITH THE PUBLIC.:—

(1) PUBLIC NOTICE.—The United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee on Ways and Means and the House of Representatives and the Committee on Finance of the Senate, respectively—

(A) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines on public access to information regarding negotiations conducted under this title; and

(B) may make such revisions to the guidelines as may be necessary from time to time.

(2) PURPOSES.—The guidelines developed under paragraph (1) shall—

(A) facilitate transparency; (B) encourage public participation; and (C) promote collaboration in the negotiation process.

(b) THE GUIDELINES—The guidelines developed under paragraph (1) shall include procedures that—

(A) provide for rapid disclosure of information so that the public can readily find and use; and

(B) provide frequent opportunities for public input through Federal Register requests for comment and other means.

(4) DISSEMINATION.—The United States Trade Representative shall disseminate the guidelines developed under paragraph (1) to all Federal agencies that could have jurisdiction over laws affected by trade negotiations.

(e) CONSULTATIONS WITH ADVISORY COMMITTEES.—

(1) GUIDELINES FOR ENGAGEMENT WITH ADVISORY COMMITTEES.—The United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—

(A) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines on enhanced coordination with advisory committees established pursuant to sections 302 and 304 of the Trade Act of 1974 (19 U.S.C. 2315f) regarding negotiations conducted under this title; and

(B) may make such revisions to the guidelines as may be necessary from time to time.

(2) CONTENT.—The guidelines developed under paragraph (1) shall enhance coordination with advisory committees described in that paragraph through procedures to ensure—

(A) timely briefings of advisory committee members and regular opportunities for advisory committee input throughout the negotiation process on matters relevant to the sectors or functional areas represented by those committees; and

(B) the sharing of detailed and timely information with each member of an advisory committee regarding negotiations and pertinent documents related to the negotiation (including classified information) on matters relevant to the sectors or functional areas the member represents, and with a designee with proper security clearances of each such member's advisee, respectively.

(3) DISSEMINATION.—The United States Trade Representative shall disseminate the guidelines developed under paragraph (1) to all Federal agencies that could have jurisdiction over laws affected by trade negotiations.

SEC. 205. NOTICE, CONSULTATIONS, AND REPORTS.

(a) NOTICE, CONSULTATIONS, AND REPORTS BEFORE NEGOTIATIONS.

(1) NOTICE.—The President, with respect to any agreement that is subject to the provisions of section 203(b), shall—

(A) provide, not later than 90 calendar days before initiating negotiations with a country, written notice to Congress of the President's intention to enter into the negotiations with that country and further notice 120 days after the date on which the President intends to initiate those negotiations, the specific United States objectives for the negotiations with that country, and whether the President intends to seek an agreement, or changes to an existing agreement; (B) before and after submission of the notice, consult regarding the negotiations with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, such other committees of the House and Senate as the President deems appropriate, and the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations convened under section 202(c); and (C) upon the request of a majority of the members of either of the House Advisory Group on Negotiations or the Senate Advisory Group on Negotiations convened under section 202(c), meet with the requesting congressional advisory group before initiating the negotiations or at any other time concerning the negotiations.

(2) SPECIAL RULE FOR NOTICE AND CONSULTATION ON DOHA-RELATED AGREEMENTS.—In the case of any agreement negotiated under this Act by the United States and one or more WTO members relating to a matter described in the Ministerial Declaration of the World Trade Organization adopted at Doha November 14, 2001—

(A) the President shall provide the written notice described in subparagraph (A) of paragraph (1) to Congress at least 90 calendar days before initiating negotiations for the agreement and comply with subparagraphs (B) and (C) of that paragraph with respect to the agreement; and

(B) if another WTO member seeks to join the negotiations after notice is provided under subparagraph (A), the President determines that the WTO member is willing and able to meet the standard of the agreement and the participation of the WTO member furthers the objectives of the United States for the agreement, the President shall—

(i) provide advance written notice to Congress of the proposed negotiations with respect to whether the United States intends to support the entry of the WTO member into the negotiations; and

(ii) consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, the Committee on Agriculture, Nutrition, and Forestry of the Senate, the House Select Committee on Agriculture, and the Committee on Agriculture, Nutrition, and Forestry of the House of Representatives, the Speaker of the House of Representatives, and the minority leader of the Senate and the House of Representatives, and, in the case of any plurilateral agreement between two or more WTO members, the appropriate members of the House of Representatives and the Senate, concerning the negotiations.

(3) NEGOTIATIONS REGARDING AGRICULTURE.

(A) ASSESSMENT AND CONSULTATIONS FOLLOWING ASSESSMENT.—Before initiating or continuing negotiations the subject matter of which is directly related to the subject matter under clause (i)(I), the President shall—

(i) assess whether United States tariffs on agricultural products that were bound under the Uruguay Round Agreement on Agriculture or other programs, policies, or practices that distort world trade in such products and the impact of such programs, policies, and practices on United States producers of the products;

(ii) request that the International Trade Commission prepare an assessment of the probable economic effects of any such tariff reduction on the United States industry producing the product concerned; and

(iii) request that the International Trade Commission determine—

(a) whether the countries participating in the negotiations maintain export subsidies or other programs, policies, or practices that distort world trade in such products and the impact of such programs, policies, and practices on United States producers of the products;

(b) the impact of such tariff reductions based on the conclusions reached in the assessment, whether it is appropriate for the United States to seek tariff liberalization in the negotiations and the reasons for seeking such tariff liberalization.

(B) REQUEST FOR MEETING.—(I) the United States Trade Representative identifies any additional agricultural product described in clause (i)(I) for tariff reduction which was not the subject of a notification under clause (i)(IV), or

(II) any additional agricultural product described in clause (i)(I) that is the subject of a request for tariff reductions by a party to the negotiations, the Trade Representative shall, as soon as practicable, notify the committees referred to in subparagraph (A) of section 205 and the reasons for seeking such tariff reductions.

(C) REQUEST FOR MEETING.—Before initiating or continuing negotiations concerning agricultural trade with any country, the President shall consult with the Committee on Agriculture, Nutrition, and Forestry of the Senate concerning—

(1) whether any additional agricultural products subject to tariff rate quotas on the date of enactment of this Act, and agricultural products subject to tariff reductions by the United States as a result of the Uruguay Round Agreements, for which the rate of duty was reduced on January 1, 1995, to a rate which was not less than 97.5 percent of the rate of duty that applied to such article on December 31, 1994;

(II) the United States Trade Representative with respect to imports of sensitive agricultural products; and

(III) the United States Trade Representative with respect to imports of non-sensitive agricultural products.

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Ways and Means and the Committee on Natural Resources of the House of Representatives, and the Committee on Finance and the Committee on Commerce, Science, and Transportation of the Senate, and shall keep the Committees apprised of the negotiations on an ongoing and timely basis.

(5) Negotiations regarding textiles.—Before the conclusion of any negotiation involving subject matters which would be affected by the textile and apparel products with any country, the President shall (A) enter into negotiations with the subject matter of which is directly related to textiles and apparel products with any country, the President shall (A) enter into any trade agreements that would be bound under the Uruguay Round Agreements are lower than the tariffs bound by that country and with domestic producers or with opportunity to address any such disparity; and (B) consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate concerning the results of the assessment, whether it is appropriate for the United States to agree to further tariff reductions based on the conclusions reached in the assessment, and how all applicable negotiating objectives will be met.

(6) Adherence to existing international trade agreements.—In determining whether to enter into negotiations with a particular country, the President shall take into account the extent to which that country has implemented, or has accelerated the implementation of, its international trade and investment commitments to the United States, including pursuant to the WTO Agreement.

(7) Consultation with Congress before entry into agreement.—(A) the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate; (B) each other committee of the House and the Senate, and each joint committee of Congress, which has jurisdiction over legislation involving subject matters which would be affected by the trade agreement; and (C) the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations under section 202(b)(3). (2) SCOPE.—The consultation described in paragraph (1) shall include consultation with respect to— (A) the nature of the agreement; (B) how and to what extent the agreement will achieve the applicable purposes, policies, priorities, and objectives of this title; and (C) the implementation of the agreement under section 206, including the general effect of the agreement on existing laws.

(3) Report regarding United States trade remedy laws.—(A) Changes in certain trade laws.—The President, not less than 180 calendar days before the President enters into a trade agreement under section 202(b), shall report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate—(I) the range of proposals advanced in the negotiations with respect to that agreement, that may be in the final agreement, and that could require amendments to title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) or to chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.); and (II) any negotiating proposals related to the objectives described in section 202(b)(16).

(B) Resolutions.—(i) At any time after the transmission of the report under subparagraph (A), is introduced, and with respect to that report in either House of Congress, the procedures set forth in clauses (iii) through (vii) shall apply to that resolution if—(I) no other resolution with respect to that report has previously been reported in that House. The President shall transmit to Congress on Ways and Means or the Committee on Finance, as the case may be, pursuant to those procedures; and (II) the President shall introduce a resolution disapproval resolution under section 206(b) introduced with respect to the agreement entered into pursuant to the negotiations to which the report under subparagraph (A) previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be. (ii) For purposes of this subparagraph, the term “resolution” means only a resolution of either House of Congress, the matter after the resolving clause of which is as follows: “That the finds that the proposed changes to United States trade remedy laws contained in the report of the President transmitted to Congress on under section 206(b)(3) of the Bipartisan Congressional Trade Priorities Act of 2014 with respect to the negotiating objectives described in section 202(b)(16) of that Act.”, with the first blank space being filled with the name of the resolving House, the second blank space being filled with the appropriate date of the report, and the third blank space being filled with the name of the country or countries involved.

(iii) Resolutions in the House of Representatives—(I) may be introduced by any Member of the House; (II) shall be referred to the Committee on Ways and Means and, in addition, to the Committee on Rules; and (III) may not be amended by either Committee. (iv) Resolutions in the Senate—(I) may be introduced by any Member of the Senate; (II) shall be referred to the Committee on Finance; and (III) may not be amended.

(v) It is not in order for the House of Representatives to consider any resolution that is not reported by the Committee on Ways and Means and the Committee on Rules. In addition, by the Committee on Rules. (vi) It is not in order for the Senate to consider any resolution that is not reported by the Committee on Finance. (vii) The provisions of subsections (d) and (e) of section 132 of the Trade Act of 1974 (19 U.S.C. 2219) (relating to floor consideration of certain resolutions in the House and Senate) shall apply to resolutions.

(4) ADVISORY COMMITTEE REPORTS.—The report required by paragraph (1) shall include information on the content and operation of consultative mechanisms established pursuant to section 204(c)(3)(B) to the Committee on Ways and Means and the Committee on Finance of the Senate at the time the President submits to Congress a copy of the final text of an agreement pursuant to section 206(a)(1)(C).

(5) ENVIRONMENTAL REVIEWS AND REPORTS.—The President shall—(A) conduct environmental reviews of future trade and investment agreements, consistent with Executive Order 13141 (64 Fed. Reg. 63169), dated November 16, 1999, and its relevant guidelines; and (B) submit a report on those reviews and on the content and operation of consultative mechanisms established pursuant to section 204(c)(3)(B).

(6) REPORTS SUBMITTED TO COMMITTEES WITH AGREEMENT.—(A) Environmental reviews and reports.—The President shall—(i) conduct environmental reviews of future trade and investment agreements, consistent with Executive Order 13141 (64 Fed. Reg. 63169), dated November 16, 1999, and its relevant guidelines; and (ii) submit a report on such reviews to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate at the time the President submits to Congress a copy of the final text of an agreement pursuant to section 206(a)(1)(C).

(B) Implementation and enforcement plans.—The President shall—(i) prepare and submit an assessment of the agreement under section 203(b), the applicability of section 204(c)(3)(B) to the agreement; (ii) provide the International Trade Commission (referred to in this subsection as the “Commission”) with the details of the agreement as it exists at the time the President notifies Congress under section 203(a)(2) or 206(a)(1)(A) of the intention of the President to enter into the agreement.

(c) International Trade Commission Assessment.—(1) Submission of information to Commission.—The President, not later than 90 calendar days before the day on which the President enters into a trade agreement under section 202(a)(2) or 206(a)(1)(A) of the Bipartisan Congressional Trade Priorities Act of 2014, shall submit to the President a meaningful labor rights report of the President is negotiating; and (A) a description of any provisions that would require changes to the labor laws and labor practices of the United States; (B) a description of any provisions that would significantly affect United States consumers.

(d) Reports submitted to committees with agreement.—(1) Environmental reviews and reports.—The President shall—(A) conduct environmental reviews of future trade and investment agreements, consistent with Executive Order 13141 (64 Fed. Reg. 63169), dated November 16, 1999, and its relevant guidelines; and (B) submit a report on such reviews to the Committee on Ways and Means and the Committee on Finance of the Senate at the time the President submits to Congress a copy of the final text of an agreement pursuant to section 206(a)(1)(C).

(2) Implementation and enforcement plans.—The President shall—(i) prepare and submit an assessment of the agreement under section 203(b), the applicability of section 204(c)(3)(B) to the agreement; (ii) provide the International Trade Commission (referred to in this subsection as the “Commission”) with the details of the agreement as it exists at the time the President notifies Congress under section 203(a)(2) or 206(a)(1)(A) of the intention of the President to enter into the agreement.

(e) Implementation and enforcement plans.—The President shall—(1) in general.—At the time the President submits to Congress a copy of the final text...
of an agreement pursuant to section 206(a)(1)(C), the President shall also submit to Congress a plan for implementing and enforcing the agreement.

(2) IMPLEMENTATION AND ENFORCEMENT PLAN.—Not later than one year after the imposition of a penalty or remedy by the United States permitted by a trade agreement to which the United States is a party under section 206(b), the President shall submit to Congress a plan for implementing and enforcing actions taken pursuant to a United States trade agreement, as well as any public reports submitted by Federal agencies on enforcement matters relating to a trade agreement.

(g) ADDITIONAL COORDINATION WITH MEMBERS.—Any Member of the House of Representatives may submit to the Committee on Ways and Means of the House of Representatives and any Member of the Senate may submit to the Committee on Finance of the Senate a report on the effectiveness of the President's intention to enter into the agreement, and promptly thereafter publishes notice of such intention in the Federal Register.

(h) Within 60 days after entering into the agreement, the President submits to Congress a copy of the final legal text of the agreement, together with—

(i) a draft of an implementing bill described in section 206(b)(3);

(ii) a statement of any administrative action proposed to implement the trade agreement; and

(iii) the supporting information described in paragraph (f).

(i) The implementing bill is enacted into law; and

(k) The President, not later than 30 days before the imposition of a penalty or remedy by a trade agreement, if such application is consistent with the terms of the agreement, the implementing bill submitted with respect to that trade agreement apply only to the parties to the agreement.

(a) IN GENERAL.—An agreement entered into under section 206(b) shall enter into force with respect to the United States if (and only if)—

(A) the President, at least 90 calendar days before the day on which the President enters into force with respect to the United States if (and only if)—

(B) the implementing bill is enacted into law; and

(E) The President, not later than 30 days before the day on which the President enters into force with respect to a party, submits written notice to Congress that the President has determined that there is necessary to implement the agreement, and promptly thereafter publishes notice of such intention in the Federal Register.

(B) PROCEDURAL DISAPPROVAL RESOLUTION.—(1) For purposes of this subpart, the term "procedural disapproval resolution" means a resolution of either House of Congress that the President has failed to act or failed to notify or consult in accordance with the Bipartisan Congressional Trade Priorities Act of 2014 on negotiations with respect to which Congress has enacted an implementing bill under trade authorities procedures; and the sole matter after the resolving procedure is not subject to the obligations under the trade agreement, if such application is consistent with the terms of the agreement.

(2) SUPPORTING INFORMATION.—(A) IN GENERAL.—The supporting information required under paragraph (1)(C)(iii) consists of—

(aa) an explanation as to how the implementing bill and proposed administrative action will change or affect existing law; and

(bb) whether and how the agreement changes provisions of an agreement previously negotiated by the United States; and

(cc) how the agreement serves the interests of United States commerce; and

(dd) how the implementing bill meets the standards set forth in section 203(b)(5).
(II) guidelines under section 204 have not been developed or met with respect to the negotiations, agreement, or agreements;
(III) the President has not met with the House Advisory Group on Negotiations or the Senate Advisory Group on Negotiations pursuant to a request made under section 204(c)(4) with respect to the negotiations, agreement, or agreements; or
(IV) the agreement or agreements fail to make progress in achieving the purposes, policies, priorities, and objectives of this title.

(2) PROCEDURES FOR CONSIDERING RESOLUTIONS.—(A) Procedural disapproval resolutions

(i) in the House of Representatives—

(I) may be introduced by any Member of the House;

(ii) shall be referred to the Committee on Ways and Means and, in addition, to the Committee on Rules; and

(iii) may not be amended by either Committee;

(ii) in the Senate—

(I) may be introduced by any Member of the Senate;

(ii) shall be referred to the Committee on Finance; and

(iii) may not be amended.

(B) The provisions of subsections (d) and (e) of section 204(g) of the Trade Act of 1974 (19 U.S.C. 2192) relating to the floor consideration of certain resolutions in the House and Senate apply to a procedural disapproval resolution with respect to a trade agreement if no other procedural disapproval resolution with respect to that trade agreement has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, and if no resolution under paragraph (i) (II) of section 205(b)(3)(B) with respect to that trade agreement has been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, pursuant to the procedures set forth in clauses (iii) through (vii) of such section.

(C) It is not in order for the House of Representatives to consider any procedural disapproval resolution not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules.

(D) In order for the Senate to consider any procedural disapproval resolution not reported by the Committee on Finance.

(3) FOR FAILURE TO MEET OTHER REQUIREMENTS.—If, before December 15, the Secretary of Commerce, in consultation with the Secretary of State, the Secretary of the Treasury, the Attorney General, and the United States Trade Representative, shall transmit to Congress a report setting forth the strategy of the executive branch to address concerns of Congress regarding whether the settlement panels and the Appellate Body of the World Trade Organization have added to obligations, or diminished rights, of the United States, as described in sections 202(a)(8), 203(b), or 205, the United States Trade Representative has issued such report by the deadline specified in this paragraph.

(c) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—Subsection (b) of this section, section 203(c), and section 205(b)(3) are enacted by Congress—

(i) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such are deemed a part of the rules of each House, respectively, and applicable to all proceedings in each House, only to the extent that they are inconsistent with such other rules; and

(ii) with the full recognition of the constitutional right of either House to change the rules (so far as relating to the procedures of that House) at any time, in the same manner, and to the same extent as any other rule of that House.

SEC. 207. TREATMENT OF CERTAIN TRADE AGREEMENTS AND THE IMPORTANCE OF PRENEGOTIATION NOTIFICATIONS THAT NEGOTIATIONS HAVE ALREADY BEGUN.

(a) CERTAIN AGREEMENTS.—Notwithstanding the prenegotiation notification and consultations described in section 203(a), if an agreement to which section 203(b) applies—

(1) is entered into under the auspices of the World Trade Organization;

(2) is entered into with the Trans-Pacific Partnership countries with respect to which notifications have been made in a manner consistent with section 204(a)(1) as of the date of the enactment of this Act,

(3) is entered into with the European Union;

(4) is an agreement with respect to international trade in services entered into with WTO members with respect to which notifications have been made in a manner consistent with section 204(a)(2) as of the date of the enactment of this Act,

and results from negotiations that were commenced before the enactment of this Act, subsection (b) shall apply.

(b) TREATMENT OF AGREEMENTS.—In the case of any agreement to which subsection (a) applies—

(1) the applicability of the trade authorities procedures to implementing bills shall be determined without regard to the requirements of section 206(a) (relating only to notice prior to initiating negotiations), and any procedural disapproval resolution under section 206(b)(1)(B) shall not be in order on the basis of a failure or refusal to comply with the provisions of section 205(a); provided that

(2) the President as soon as feasible after the date of the enactment of this Act—

(I) notifies the Congress of the negotiations described in subsection (a), the specific United States objectives in the negotiations, and whether the President is seeking a new agreement or changes to an existing agreement; and

(II) by striking “not later than the date on which the President notifies the Congress—” and inserting “‘not later than the date on which the President notifies the Congress—’”.

(c) INFORMATION AND ADVICE FROM PRIVATE SECTORS.—Section 132 of the Trade Act of 1974 (19 U.S.C. 2151) is amended—

(1) in paragraph (1), by striking “section 203(a) or (b) of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 203(a)(1)(A) of the Bipartisan Trade Promotion Authority Act of 2014”;

(2) in paragraph (2), by striking “section 203(a)(1)(A) or (b) of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 203(a)(1)(A) of the Bipartisan Trade Promotion Authority Act of 2014”;

(3) in paragraph (3), by striking “section 203(b) of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 203(b) of the Bipartisan Trade Promotion Authority Act of 2014”;

(4) in paragraphs (4) and (5), by striking “section 203 of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 203 of the Bipartisan Trade Promotion Authority Act of 2014.”

(d) PUBLIC HEARINGS.—Section 133(a) of the Trade Act of 1974 (19 U.S.C. 2151(a)) is amended by striking “‘section 203 of the Bipartisan Trade Promotion Authority Act of 2002’” and inserting “‘section 203 of the Bipartisan Trade Promotion Authority Act of 2014’”.


(f) INFORMATION AND ADVICE FROM PRIVATE AND PUBLIC SECTORS.—Section 135 of the Trade Act of 1974 (19 U.S.C. 2155) is amended—

(1) in subsection (a)(1), by striking “section 203 of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 203 of the Bipartisan Trade Promotion Authority Act of 2014”;

(2) in subsection (b), by striking “section 203 of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 203 of the Bipartisan Trade Promotion Authority Act of 2014”;

(3) in subsection (c), by striking “‘section 203 of the Bipartisan Trade Promotion Authority Act of 2002’” and inserting “‘section 203 of the Bipartisan Trade Promotion Authority Act of 2014’”.

(g) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States Trade Representative should facilitate participation by small businesses in the trade negotiation process; and

(2) the functions of the Office of the United States Trade Representative relating to small businesses should continue to be reflected in the title of the Assistant United States Trade Representative assigned the responsibility for small businesses; and

(b) CONSIDERATION OF SMALL BUSINESS INTERESTS.—The Assistant United States Trade Representative for Small Business, Market Access, and Industrial Competitiveness shall be responsible for ensuring that the interests of small businesses are considered in all trade negotiations in accordance with the objective described in section 202(a)(8).
notifies Congress under section 206(a)(1)(A) of the Bipartisan Congressional Trade Priorities Act of 2014; and
(A) by inserting “pursuant to a trade agreement entered into” after “section 203 shall be treated”;
(B) in subsection (b)(1), in the matter preceding clause (i), by striking “section 2102(a)(1) of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 203 of the Bipartisan Congressional Trade Priorities Act of 2014”;
(1) any trade agreement entered into under section 203 shall be treated as an agreement entered into under section 101 or 102 of the Trade Act of 1974 (19 U.S.C. 2111 or 2112), as appropriate; and
(2) any proclamation or Executive order issued pursuant to a trade agreement entered into under section 203 shall be treated as a proclamation or Executive order issued pursuant to a trade agreement entered into under section 102 of the Trade Act of 1974 (19 U.S.C. 2112). SEC. 211. DEFINITIONS.
In this title:
(1) AGREEMENT ON AGRICULTURE.—The term “Agreement on Agriculture” means the agreement referred to in section 101(d)(2) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(2)).
(2) AGREEMENT ON SAUGUARD.—The term “Agreement on Safeguard” means the agreement referred to in section 101(d)(13) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(13)).
(3) AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES.—The term “Agreement on Subsidies and Countervailing Measures” means the agreement referred to in section 101(d)(12) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(12)).
(4) ANTIDUMPING AGREEMENT.—The term “Antidumping Agreement” means the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 referred to in section 101(d)(7) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(7)).
(5) APPELLATE BODY.—The term “Appellate Body” means the Appellate Body established under Article 17.1 of the Dispute Settlement Understanding.
(6) COMMON MULTILATERAL ENVIRONMENTAL AGREEMENT.—
(A) IN GENERAL.—The term “common multilateral environmental agreement” means any agreement specified in subparagraph (B) or included under subparagraph (C) to which both the United States and one or more other parties to the negotiations are full parties, including any current or future mutually agreed upon protocols, amendments, annexes, or adjustments to such an agreement.
(B) AGREEMENTS.—The agreements specified in this subparagraph are the following:
(ii) the Protocol on Substances that Deplete the Ozone Layer, done at Montreal September 16, 1987.
(iv) the Convention on Wetlands of International Importance Especially as Waterfowl Habitat, done at Ramsar February 2, 1971 (TIAS 11084).
(v) the Convention for the Conservation of Antarctic Marine Living Resources, done at Canberra May 20, 1980 (33 UST 3476).
(C) ADDITIONAL AGREEMENTS.—Both the United States and one or more other parties to the negotiations may include any other multilateral environmental or conservation agreement to which they are full parties as a common multilateral environmental agreement under this paragraph.
(7) CORE LABOR STANDARDS.—The term “core labor standards” means—
(A) freedom of association;
(B) the effective recognition of the right to collective bargaining;
(C) the elimination of all forms of forced or compulsory labor;
(D) the effective abolition of child labor and a prohibition on the worst forms of child labor; and
(E) the elimination of discrimination in respect of employment and occupation.
(8) DISPUTE SETTLEMENT UNDERSTANDING.—The term “Dispute Settlement Understanding” means the Understanding on Rules and Procedures Governing the Settlement of Disputes referred to in section 101(d)(16) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(16)).
(9) ENABLING CLAUSE.—The term “Enabling Clause” means the Decision on Differential and More Favourable Treatment, Reciprocity and Fuller Participation ofDeveloping Countries (L/4903), adopted November 28, 1979, under GATT 1947 (as defined in sections 101(d)(1) and 101(d)(2) of the Uruguay Round Agreements Act (19 U.S.C. 3511)).
(10) ENVIRONMENTAL LAWS.—The term “environmental laws”, with respect to the laws of the United States, means the environmental statutes and regulations enforceable by action of the Federal Government.
(11) GATT 1994.—The term “GATT 1994” has the meaning given that term in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501).
(12) GENERAL AGREEMENT ON TRADE IN SERVICES.—The term “General Agreement on Trade in Services” means the General Agreement on Trade in Services referred to in section 101(d)(14) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(14)).
(13) GOVERNMENT PROCUREMENT AGREEMENT.—The term “Government Procurement Agreement” means the Agreement on Government Procurement referred to in section 101(d)(17) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(17)).
(14) ILO.—The term “ILO” means the International Labor Organization.
(15) IMPORT SENSITIVE AGRICULTURAL PRODUCT.—The term “import sensitive agricultural product” means an agricultural product—
(A) with respect to which, as a result of the Uruguay Round Agreements the rate of duty was the subject of tariff reductions by the United States and, pursuant to such agreements, was reduced on January 1, 1995, to a rate that was not less than 9.5 percent of the rate of duty that applied to such article on December 31, 1994; or
(B) which was subject to a tariff rate quota on the date of the enactment of this Act.
(C) THE INFORMATION TECHNOLOGY AGREEMENT.—The term “Information Technology Agreement” means the Ministerial Declaration on Trade in Information Technology Product of the World Trade Organization, agreed to at Singapore December 13, 1996.
(17) INTERNATIONALLY RECOGNIZED CORE LABOR STANDARDS.—The term “internationally recognized core labor standards” means the core labor standards only as stated in the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up (1998).
(18) LABOR LAWS.—The term “labor laws” means the statutes and regulations, or provisions thereof, of a party to the negotiations that are directly related to core labor standards as well as other labor protections for children and minors and acceptable conditions of work respecting to minimum wages, hours of work, and occupational safety and health, and for the United States, includes Federal statutes and regulations administered by the Department of Labor, or conditions but does not include State or local labor laws.
(19) UNITED STATES PERSON.—The term “United States person” means—
(A) a United States citizen;
(B) a partnership, corporation, or other legal entity that is organized under the laws of the United States; and
(C) a partnership, corporation, or other legal entity that is organized under the laws of a State of which is controlled by entities described in subparagraph (B) or United States citizens, or both.
(20) URUGUAY ROUND AGREEMENTS.—The term “Uruguay Round Agreements” has the meaning given that term in section 2(7) of the Uruguay Round Agreements Act (19 U.S.C. 3501(7)).
(21) WORLD TRADE ORGANIZATION; WTO.—The terms “World Trade Organization” and “WTO” mean the organization established pursuant to the WTO Agreement.
(22) WTO AGREEMENT.—The term “WTO Agreement” means the Agreement Establishing the World Trade Organization entered into on April 15, 1994.
(23) WTO MEMBER.—The term “WTO member” has the meaning given that term in section 2(10) of the Uruguay Round Agreements Act (19 U.S.C. 3501(10)).

SA 3665. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for business that brings jobs back to America, which was ordered to lie on the table; as follows:

TITIE II—MISCELLANEOUS SEC. 201. COMMERCIAL DRIVERS LICENSE SKILLS TESTING REPORT.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study to determine whether—
(A) the Commercial Drivers License (referred to in this section as “CDL”) skills testing procedures used by each State; (B) whether using the procedures described in paragraph (2)(A) have reduced testing wait times, on average, compared to the procedures described in subparagraphs (B) or (C) of paragraph (2); and
(C) for each of the 3 CDL skills testing procedures described in paragraph (2)—
(i) the average time between a CDL applicant’s request for a CDL skills test and such test in States using such procedure;
(ii) the failure rate of CDL applicants in States using such procedure;
(iii) the average time between a CDL applicant’s request to retake a CDL skills test and such test; and
(iv) the economic impact of CDL skills testing delays.

(2) SKILLS TESTING PROCEDURES.—The procedures described in this paragraph are—
(A) the party testing, using nongovernmental contractors to proctor CDL skills tests on behalf of the State;
(B) modified third party testing, administered at State testing facilities, community colleges, or a limited number of third parties; and
(C) State testing, administering CDL skills tests only at State-owned facilities.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit a report to Congress that contains the results of the study conducted pursuant to subsection (a).

SEC. 202. WAIVER OF NONCONFLICTING REGULATIONS FOR INFRASTRUCTURE PROJECTS

(a) DEFINITIONS.—In this section:

(1) INFRASTRUCTURE PROJECT.—
(A) IN GENERAL.—The term “infrastructure project” means any physical systems project carried out in the United States, such as a project relating to transportation, communication, sewage, or water.
(B) HYDRAULIC FRACTURING.—The term “hydraulic fracturing” means the process of injecting water, chemicals, and sand into the ground under high pressure to fracture rock and release oil or natural gas. Hydraulic fracturing is a commercially viable practice that has been used in the United States for more than 60 years in more than 1,000,000 wells.
(C) STATE.—The term “State” means—
(i) a State; and
(ii) the District of Columbia.

(b) ACTION BY SECRETARY CONCERNED.—
(1) INFRASTRUCTURE PROJECT.—
(A) IN GENERAL.—The term “infrastructure project” includes a project for energy infrastructure.
(B) HYDRAULIC FRACTURING.—The term “hydraulic fracturing” means the process of injecting water, chemicals, and sand into the ground under high pressure to fracture rock and release oil or natural gas.

(2) NONCONFLICTING REGULATION.—The term “nonconflicting regulation” means a Federal regulation applicable to an infrastructure project, the waiver of which would not conflict with any provision of Federal or State law.

(3) STATE.—The term “State” means—

SEC. 203. STATE CONTROL OF ENERGY DEVELOPMENT AND PRODUCTION ON ALL AVAILABLE FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) AVAILABLE FEDERAL LAND.—The term “available Federal land” means any Federal land that, as of May 31, 2013—
(A) is located within the boundaries of a State;
(B) is not held by the United States in trust for the benefit of a federally recognized Indian tribe;
(C) is not a unit of the National Park System;
(D) is not a unit of the National Wildlife Refuge System;
(E) is not a Congressionally designated wilderness area.

(b) STATE PROGRAMS.—
(1) IN GENERAL.—A State—

(2) DEADLINE FOR WAIVER.—The Secretary shall waive any nonconflicting regulation applicable to an infrastructure project, the waiver of which would not conflict with any provision of Federal or State law, as determined by the Secretary concerned.

(c) LEASING, PERMITTING, AND REGULATORY PROGRAMS.—
(1) SATISFACTION OF FEDERAL REQUIREMENTS.—Each program developed under this subsection shall be considered to satisfy all applicable requirements of Federal law (including regulations), including—

(2) FEDERAL CERTIFICATION AND TRANSFER OF DEVELOPMENT RIGHTS.—Upon submission of a declaration by a State under subsection (b)(1)(A)—

(3) JUDICIAL REVIEW.—Activities carried out in accordance with this section shall not be subject to judicial review.

(e) ADMINISTRATIVE PROCEDURE ACT.—Activities carried out in accordance with this section shall not be subject to subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the “Administrative Procedure Act”).

SEC. 204. FRACTURING REGULATIONS ARE EFFECTIVE IN STATE HANDS.

(a) FRACTURING REGULATIONS ARE EFFECTIVE IN STATE HANDS.—(1) hydraulic fracturing is a commercially viable practice that has been used in the United States for more than 60 years in more than 1,000,000 wells;
(2) the Ground Water Protection Council, a national association of State water regulatory agencies that is charged with developing a national groundwater protection organization in the United States, released a report entitled “State Oil and Natural Gas Regulations Designed to Protect Water Resources” in May 2009 finding that the “current State regulation of oil and gas activities is environmentally proactive and preventive”;
(3) a 2009 report by the Ground Water Protection Council, entitled “Evaluation of Impacts to Underground Sources of Drinking Water by Hydraulic Fracturing of Coiled Methane Reservoirs”, found no evidence of drinking water wells contaminated by fracturing fluid from the fractured formation;
(4) a 2009 report by the Ground Water Protection Council, entitled “State Oil and Natural Gas Regulations Designed to Protect Water Resources”, found a lack of evidence that hydraulic fracturing conducted in both deep and shallow geological formations presents a risk of endangerment to ground water;
(5) a January 2009 resolution by the Interstate Oil and Gas Compact Commission states that states, who have comprehensive laws and regulations to ensure operations are safe and to protect drinking water, have found no verified cases of groundwater contamination associated with hydraulic fracturing; and
(6) on May 24, 2011, before the Oversight and Government Reform Committee of the House of Representatives, Lisa Jackson, the Administrator of the Environmental Protection Agency, testified that she was “not aware of any proven case where the fracturing process itself has affected water.”

(b) DEFINITION OF FEDERAL LAND.—In this section, the term “Federal land” means—

(1) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702));
(2) National Forest System land;
(3) land under the jurisdiction of the Bureau of Reclamation; and
(4) land under the jurisdiction of the Corps of Engineers.
(c) STATE AUTHORITY.—
(1) IN GENERAL.—A State shall have the sole authority to regulate or enforce any provision of paragraph (a) or a State shall, at its option, accept federal or state preemption of such a provision; provided that the Federal Government, through a State, may enter into a cooperative agreement with a State to enforce any provision of paragraph (a) or a State shall enter into a cooperative agreement with a State to enforce any provision of paragraph (a).

(2) FEDERAL LAND.—The treatment of a well bore or geothermal production activities on Federal land shall be subject to the law of the State in which the land is located.

SEC. 205. ALTERNATIVE FUEL VEHICLE DEVELOPMENT.

(a) ALTERNATIVE FUEL VEHICLES.—
(1) MAXIMUM FUEL ECONOMY INCREASE FOR ALTERNATIVE FUEL VEHICLES.—Section 32906(a) of title 49, United States Code, is amended by striking "(except an electric automobile)'' and inserting "(except an electric automobile or, beginning with model year 2016, an alternative fueled automobile that does not use a fuel described in subparagraph (A), (B), (C), or (D) of section 32901(a)(1))''.

(2) MINIMUM DRIVING RANGES FOR DUAL FUELED PASSENGER AUTOMOBILES.—Section 32906(b) of title 49, United States Code, is amended—
(A) in subparagraph (B), by inserting "except an electric automobile or, beginning with model year 2016, an alternative fueled automobile that does not use a fuel described in subparagraph (A), (B), (C), or (D) of subsection (a)(1) shall have a minimum driving range of 150 miles" after "at least 200 miles"; and
(B) in subparagraph (C), by adding at the end the following:"Beginning with model year 2016, if the Secretary prescribes a minimum driving range of 150 miles for alternative fueled automobiles that do not use a fuel described in subparagraph (A), (B), (C), or (D) of subsection (a)(1), the Administrator shall apply the utility factors set forth in the following:

(i) 1985
(ii) alternative fuel vehicles; and
(iii) new qualified plug-in electric drive motor vehicles (as defined in section 303(d)(1) of the Internal Revenue Code of 1986).";

(3) MANUFACTURING PROVISION FOR ALTERNATIVE FUEL VEHICLES.—Section 32906(d) of title 49, United States Code, is amended—
(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and
(B) by striking "For any model and inserting the following:

1. Model Years 1983 Through 2035.

(1) In paragraph (A), as redesignated by striking "atchet'': and inserting "2015'': and
(2) by adding at the end the following:

2. Model Years After 2015.—For any model of gaseous fuel dual fueled automobile manufactured by a manufacturer after model year 2015, the Administrator shall calculate fuel economy as a weighted harmonic average of the fuel economy on gaseous fuel as measured under subsection (c) and the fuel economy on gasoline or diesel fuel as measured under section 32904(c) of the Code of Federal Regulations.

3. Model Years After 2015.—Beginning with the model year 2017, the manufacturer may elect to utilize the utility factors set forth under subsection (e)(1) for the purposes of calculating fuel economy under paragraph (2).";

(4) ELECTRIC DUAL FUELED AUTOMOBILES.—Section 32905 of title 49, United States Code, is amended—
(A) by redesigning subsections (e) and (f) as subsections (f) and (g), respectively; and
(B) by inserting after subsection (d) the following:

(1) ELECTRIC DUAL FUELED AUTOMOBILES.

(1) IN GENERAL.—At the request of the manufacturer, the Administrator may measure the fuel economy for any model of dual fueled automobile manufactured after model year 2015 that operates on electricity and for the expressly designed purpose of initiating or propagating fractures in a target geologic formation in order to enhance production of oil, natural gas, or geothermal production activities on Federal land shall be subject to the law of the State in which the land is located.

(2) AGENCY AUTHORITY.—The Secretary of Energy, after consultation with the Administrator, shall apply the utility factors set forth in the following:

(a) IN GENERAL.—Each:
(1) by striking "(c)(1) No" and all that follows through "(d) Each" and inserting the following:
"

(1) The Final Supplemental Environmental Impact Statement issued by the Secretary of the Interior, after consultation with the Environmental Protection Agency and the Secretary of the Interior with the heads of other Federal agencies, including the Administrator of the Environmental Protection Agency, the Secretary of Health and Human Services, fails to publish in the Federal Register a report that models the impact of major Federal regulations on job creation across the whole economy of the United States.

(b) UPDATES.—
(1) IN GENERAL.—The Secretary of Labor, acting through the Bureau of Labor Statistics, shall update the report described in subsection (a) not less frequently than once every 30 days.

(2) TERMINATION.—The amendments made by this title shall terminate on the date that is 30 days after the date on which the most recent report described in paragraph (1) is required if the Secretary of the Interior, after consultation with the Bureau of Labor Statistics, in coordination with the heads of other Federal agencies, including the Administrator of the Environmental Protection Agency, the Secretary of Health and Human Services, fails to publish in the Federal Register a report that models the impact of major Federal regulations on job creation across the whole economy of the United States.

(b) ELECTRIC DUAL FUELED AUTOMOBILES.—Section 32905(f)(1) of the Internal Revenue Code of 1986 is amended by striking "(except an electric automobile)'' and inserting "(except an electric automobile or, beginning with model year 2016, an alternative fueled automobile that does not use a fuel described in subparagraph (A), (B), (C), or (D) of section 32901(a)(1))''.

(3) MANUFACTURING PROVISION FOR ALTERNATIVE FUEL VEHICLES.—Section 32905 of title 49, United States Code, is amended—
(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and
(B) by striking "For any model and inserting the following:


(1) In paragraph (A), as redesignated by striking "atchet'': and inserting "2015'': and
(2) by adding at the end the following:

2. Model Years After 2015.—For any model of gaseous fuel dual fueled automobile manufactured by a manufacturer after model year 2015, the Administrator shall calculate fuel economy as a weighted harmonic average of the fuel economy on gaseous fuel as measured under subsection (c) and the fuel economy on gasoline or diesel fuel as measured under section 32904(c) of the Code of Federal Regulations.

3. Model Years After 2015.—Beginning with the model year 2017, the manufacturer may elect to utilize the utility factors set forth under subsection (e)(1) for the purposes of calculating fuel economy under paragraph (2).";

(4) ELECTRIC DUAL FUELED AUTOMOBILES.—Section 32905 of title 49, United States Code, is amended—
(A) by redesigning subsections (e) and (f) as subsections (f) and (g), respectively; and
(B) by inserting after subsection (d) the following:

(1) ELECTRIC DUAL FUELED AUTOMOBILES.

(1) IN GENERAL.—At the request of the manufacturer, the Administrator may measure the fuel economy for any model of dual fueled automobile manufactured after model year 2015 that operates on electricity in addition to gasoline or diesel fuel, obtains its electricity from a source external to the vehicle, and meets the minimum driving range requirements established by the Secretary for dual fueled electric automobiles, by dividing 1.0 by the sum of—
(A) the percentage utilization of the model on gasoline or diesel fuel, as determined by a formula based on the model's alternative fuel range, divided by the fuel economy measured under section 32904(c); and

(B) the percentage utilization of the model on electricity, as determined by a formula based on the model's alternative fuel range, divided by the fuel economy measured under section 32904(a)(2).

(2) ALTERNATIVE UTILIZATION.—The Administrator may adapt the utility factor established under paragraph (1) for alternative fueled automobiles that do not use a fuel described in subparagraph (A), (B), (C), or (D) of section 32901(a)(1).

(3) ALTERNATIVE CALCULATION.—If the manufacturer does not request that the Administrator calculate the manufacturing incentive for its electric dual fueled automobiles in accordance with paragraph (1), the Administrator shall calculate such incentive for such automobiles manufactured by such manufacturer after model year 2015 in accordance with subsection (b).

(4) CONFIRMING AMENDMENT.—Section 32906(b) of title 49, United States Code, is amended by striking "section 32905(e)'' and inserting "section 32905(f)''.

(5) HIGH OCCUPANCY VEHICLE FACILITIES.—Section 168 of title 23, United States Code, is amended—
(A) by redesignating paragraph (1) as paragraph (2) and inserting the following:

(i) alternative fuel vehicles; and

(ii) new qualified plug-in electric drive motor vehicles (as defined in section 303(d)(1) of the Internal Revenue Code of 1986); and

(B) in paragraph (1), as redesignated, by striking "solely after" and inserting "before".

(6) STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary of Labor, acting through the Bureau of Labor Statistics, in coordination with the heads of other Federal agencies, including the Administrator of the Environmental Protection Agency, the Secretary of Health and Human Services, fails to publish in the Federal Register a report that models the impact of major Federal regulations on job creation across the whole economy of the United States.

SA 3666. Mr. HOEVEN (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SECTION 29. KEYSONE XL APPROVAL. (a) IN GENERAL.—TransCanada Keystone Pipeline, L.P. may construct, connect, operate, and maintain the pipeline and cross-border facilities described in the application filed on May 4, 2012, by TransCanada Corporation to the Department of State (including any subsequent revision to the pipeline route within the State of Nebraska required or authorized by the State of Nebraska).

(b) ENVIRONMENTAL IMPACT STATEMENT.—The Final Supplemental Environmental Impact Statement issued by the Secretary of State on November 19, 2014, regarding the pipeline referred to in subsection (a), and the environmental analysis, consultation, and review
said, or the Secretary of the Interior shall not issue or promulgate any guideline or regulation relating to oil and gas exploration and production on Federal, State, tribal, or fee land pursuant to this Act, the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), the Act entitled ‘An Act to regulate the leasing of certain Indian lands for mineral exploration and production purposes’ approved May 11, 1938 (commonly known as the ‘Indian Mineral Leasing Act of 1938’) (25 U.S.C. 396a et seq.), the Mineral Leasing Act (30 U.S.C. 181 et seq.), or any other law or Executive order, the head of a Federal department or agency shall seek comments from and consult with the head of each affected State, State agency, or Indian tribe at a location within the jurisdiction of the State or Indian tribe, as applicable.

(a) STATEMENT OF ENERGY AND ECONOMIC IMPACT.—Each Federal department or agency described in subsection (a) shall develop a Statement of Energy and Economic Impact, which shall consist of a detailed statement and analysis supported by credible objective evidence relating to—

(1) any adverse effects on energy supply, distribution, or use, including a shortfall in supply, price increases, and increased use of foreign supplies; and

(2) any impact on the domestic economy if the action is taken, including the loss of jobs and decrease of revenue to the general and educational funds of the State or affected Indian tribe.

(b) REGULATIONS.—

(1) IN GENERAL.—A Federal department or agency shall not impose any new or modified regulation unless the head of the applicable Federal department or agency determines—

(A) that the rule is necessary to prevent imminent substantial danger to the public health or the environment; and

(B) by clear and convincing evidence, that the State or Indian tribe does not have an existing reasonable alternative to the proposed regulation.

(2) DISCLOSURE.—Any Federal regulation promulgated on or after the date of enactment of this paragraph that requires disclosure of hydraulic fracturing chemicals shall refer to the database managed by the Ground Water Protection Council and the Interstate Oil and Gas Compact Commission (as in effect on the date of enactment of this Act).

(c) JUDICIAL REVIEW.—

(1) IN GENERAL.—With respect to any regulation described in this section, a State or Indian tribe adversely affected by an action carried out under the regulation shall be entitled to review by a United States district court located in the State or the District of Columbia of compliance by the applicable Federal department or agency with the requirements of this section.

(2) ACTION BY COURT.—

(A) IN GENERAL.—A district court providing review under this subsection may enjoin or mandate any action by a relevant Federal department or agency until the district court determines that the department or agency has complied with the requirements of this section.

(B) DAMAGES.—The court shall not order money damages.

(3) SCOPE AND STANDARD OF REVIEW.—In reviewing a regulation under this subsection—

(A) the court shall not consider any evidence outside the record that was before the agency; and

(B) the standard of review shall be de novo.

SA 3667. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

SEC. 203. REGULATIONS.

(a) COMMENTS RELATING TO OIL AND GAS EXPLORATION AND PRODUCTION.—Before
not been developed quickly enough, such as States with large quantities of Federal land and Indian land;
(3) permitting processes can hinder the development of natural gas infrastructure, such as pipeline lines and gathering lines on Federal land and Indian land; and
(4) additional authority for the Secretary of the Interior to approve natural gas pipeline and gathering lines on Federal land and Indian land would—
(A) assist in bringing gas to market that would otherwise be vented or flared; and
(B) significantly increase royalties collected by the Secretary of the Interior and disbursed to Federal, State, and tribal governments and individual Indians.
SEC. 103. AUTHORITY TO APPROVE NATURAL GAS PIPELINES.
Section 1 of the Act of February 15, 1901 (31 Stat. 790, chapter 372; 16 U.S.C. 79), is amended by inserting ‘‘, for natural gas pipelines’’ after ‘‘distribution of electrical power’’.
SEC. 104. CERTAIN NATURAL GAS GATHERING LINES LOCATED ON FEDERAL LAND AND INDIAN LAND.
(a) IN GENERAL.—Subtitle B of title III of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 594) is amended by adding at the end the following:
‘‘SEC. 319. CERTAIN NATURAL GAS GATHERING LINES LOCATED ON FEDERAL LAND AND INDIAN LAND.
‘‘(a) DEFINITIONS.—In this section:
‘‘(1) GAS GATHERING LINE AND ASSOCIATED FIELD COMPRESSION UNIT.—
‘‘(A) IN GENERAL.—The term ‘gas gathering line and associated field compression unit’ means—
‘‘(I) a pipeline that is installed to transport natural gas production associated with 1 or more wells drilled and completed to produce crude oil; and
‘‘(II) if necessary, a compressor to raise the pressure of that transported natural gas to higher pressures suitable to enable the gas to flow into pipelines and other facilities.
‘‘(B) EXCLUSIONS.—The term ‘gas gathering line and associated field compression unit’ does not include a pipeline or compression unit that is installed to transport natural gas from a processing plant to a common carrier pipeline or common carrier pipeline.
‘‘(2) FEDERAL LAND.—‘Federal land’ means—
‘‘(A) the progress made in expediting permitting processes can hinder the development of natural gas infrastructure, such as pipeline lines and gathering lines on Federal land and Indian land; and
‘‘(B) any proposed changes to Federal law (including regulations) relating to tribal consent for gas gathering lines and associated field compression units, not later than 60 days after the date on which the applicable agency head receives the request for issuance; and
‘‘(2) the construction of that LNG terminal location for the purposes of transporting natural gas associated with crude oil production on any land to a processing plant or a common carrier pipeline for delivery to markets.
‘‘(c) REPORT.—Not later than 180 days after the date of enactment of the North Atlantic Energy Security Act of 2014, the Secretary of Energy shall provide to each appropriate federal agencies, States, and Indian tribes, shall conduct a study to identify—
‘‘(1) any actions that may be taken, under Federal law (including regulations), to expedite permitting for gas gathering lines and associated field compression units that are located on Federal land or Indian land, for the purpose of transporting natural gas associated with crude oil production on any land to a processing plant or a common carrier pipeline for delivery to markets; and
‘‘(2) any proposed changes to Federal law (including regulations) to expedite permitting for gas gathering lines and associated field compression units that are located on Federal land or Indian land, for the purpose of transporting natural gas associated with crude oil production on any land to a processing plant or a common carrier pipeline for delivery to markets.
‘‘(d) STUDY.—Not later than 1 year after the date of enactment of the North Atlantic Energy Security Act of 2014, the Secretary of Energy shall provide to each appropriate federal agencies, States, and Indian tribes, shall conduct a study to identify—
‘‘(1) any actions that may be taken, under Federal law (including regulations), to expedite permitting for gas gathering lines and associated field compression units that are located on Federal land or Indian land, for the purpose of transporting natural gas associated with crude oil production on any land to a processing plant or a common carrier pipeline for delivery to markets.
‘‘(e) REPORT.—Not later than 180 days after the date of enactment of the North Atlantic Energy Security Act of 2014, the Secretary of Energy shall provide to each appropriate federal agencies, States, and Indian tribes, shall conduct a study to identify—
‘‘(1) any actions that may be taken, under Federal law (including regulations), to expedite permitting for gas gathering lines and associated field compression units that are located on Federal land or Indian land, for the purpose of transporting natural gas associated with crude oil production on any land to a processing plant or a common carrier pipeline for delivery to markets.
under subsection (a) for the exportation of natural gas.

“(A) to a foreign country—

“(i) to which the exportation of natural gas is prohibited by law; or

“(ii) described in subsection (c); or

“(B) if the Commission has made a contingent determination with respect to the application for the exportation of natural gas.”

SEC. 108. EXPEDITED APPROVAL OF EXPORT PERMITS.

REFORM AND PROCESS.—

paragraph (2) and inserting the following:

“(30 U.S.C. 226(p)) is amended by striking

lining Permitting of American Energy Act of

natural gas—

Title II—Onshore Oil and Gas Permit Streamlining

Subtitle A—Streamlining Permitting

SEC. 201. SHORT TITLE.

This subtitle may be cited as the "Streamlining Permitting of American Energy Act of 2014".

SEC. 202. PERMIT TO DRILL APPLICATION TIMELINE.

Section 17(p) of the Mineral Leasing Act (30 U.S.C. 185(p)) is amended by striking paragraph (2) and inserting the following:

“(2) APPLICATIONS FOR PERMITS TO DRILL REFORM AND PROCESS.—

“(9) DEFENSE.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a Federal Permit Streamlining Project in every Bureau of Land Management field office with responsibility for permitting energy projects on Federal land.

(c) MEMORANDUM OF UNDERSTANDING.—

“(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall enter into a memorandum of understanding with—

(A) the Secretary of Agriculture;

(B) the Administrator of the Environmental Protection Agency; and

(C) the Chief of Engineers.

(2) STATE PARTICIPATION.—The Secretary may request that the Governor of any State be responsible for all issues relating to the permit application for a project on Federal land, in accordance with the multiple use management plan, to ensure the effective approval and implementation of energy projects on Federal land.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(b) ESTABLISHMENT.—The Secretary shall establish a Federal Permit Streamlining Project in every Bureau of Land Management field office with responsibility for permitting energy projects on Federal land.

(g) SAVINGS PROVISION.—Nothing in this section affects—

(1) the operation of any Federal or State law; or

(2) any delegation of authority made by the head of a Federal agency whose employees are participating in the Project.

SEC. 204. ADMINISTRATION.


SEC. 205. JUDICIAL REVIEW.

(a) DEFINITIONS.—In this section:

(1) COVERED ENERGY PROJECT.—The term "covered energy project" means a covered civil action relating to the provision of permits for covered energy projects containing a claim under section 702 of title 5, United States Code, regarding agency action that is the subject of a covered civil action.

(2) COVERED ENERGY PROJECT.—The term "covered energy project" means the leasing of Federal land for the exploration, development, production, processing, or transmission of oil, natural gas, or any other source of energy, and any action carried out pursuant to that lease.

(B) EXCLUSION.—The term "covered energy project" does not include any disputes between the parties to a lease regarding the obligations under the lease, including regarding any alleged breach of the lease.

(c) TIMELY FILING.—To ensure timely redress by the courts, a covered civil action shall be filed not later than 90 days after the date of the final Federal agency action to which the covered civil action relates.

(d) EXPEDITION IN HEARING AND DETERMINATION OF ACTIONS.—The court shall endeavor to hear and determine any covered civil action as expeditiously as possible.
(e) STANDARD OF REVIEW.—In any judicial review of a covered civil action, administrative findings and conclusions relating to the challenged Federal action or decision shall be presumed correct, and the presumption may be rebutted only by the preponderance of the evidence contained in the administrative record.

(1) LIMITATION ON INJUNCTION AND PROSPECTIVE RELIEF.—

(1) IN GENERAL.—In a covered civil action, the court shall grant or approve any prospective relief unless the court finds that the relief is narrowly drawn, extends no further than necessary to correct that violation of a legal requirement, and is the least intrusive means necessary to correct that violation.

(2) DURATION OF PRELIMINARY INJUNCTIONS.—A court shall limit the duration of a preliminary injunction to halt a covered energy project to a period of not more than 60 days, unless the court finds clear reasons to extend the injunction.

(3) DURATION OF EXTENSION.—An extension under paragraph (2) shall—

(A) only be for a period of not more than 30 days; and

(B) require approval by the court to renew the injunction.

(g) LIMITATION ON ATTORNEYS’ FEES.—Sections 504 of title 5 and 2412 of title 28, United States Code (commonly known as the “Equal Access to Justice Act”) shall not apply to a covered civil action, nor shall any party in a covered civil action receive payment of fees, expenses, or other court costs.

(b) LEGAL STANDING.—A person filing an appeal with the Department of the Interior Board of Land Appeals shall meet the same standing requirements as a person before a United States district court.

Subtitle B—BLM Live Internet Auctions

SEC. 211. SHORT TITLE.

This subtitle may be cited as the “BLM Live Internet Auctions Act”.

SEC. 212. INTERNET-BASED ONSHORE OIL AND GAS LEASE SALES.

(a) AUTHORIZATION.—Section 17(b)(1) of the Mineral Leasing Act (30 U.S.C. 226(b)(1)) is amended—

(1) in subparagraph (A), in the third sentence, by inserting “,” except as provided in subparagraph (C)” after “by oral bidding”;

(2) by adding at the end the following: “(C) INTERNET-BASED BIDDING.—

(i) In general.—In order to diversify and expand the leasing program in the United States to ensure the best return to the Federal taxpayer, reduce fraud, and secure the leasing process, the Secretary may conduct onshore lease sales through Internet-based bidding methods.

(ii) Conclusion of sale.—Each individual Internet-based lease sale shall conclude not later than 7 days after the date of initiation of the sale.”;

(b) REPORT.—Not later than 90 days after the date of enactment of this Act, the President shall—

(1) prepare a report evaluating the results of the first 10 such lease sales, including—

(A) the number of bidders;

(B) the average amount of the bids;

(C) the highest amount of the bids; and

(D) the lowest amount of the bids;

(2) estimate the total cost or savings to the Interior resulting from the relief, as compared to sales conducted by oral bidding; and

(3) an evaluation of the demonstrated or expected effectiveness of different structures for lease sales, which may—

(A) provide an opportunity to better maximize bidder participation;

(B) ensure the highest return to the Federal taxpayers;

(C) minimize opportunities for fraud or collusion; and

(D) ensure the security and integrity of the leasing process.

SA 3669. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3. REGULATORY CERTAINTY.

Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended by adding at the end the following:

“(g) DEADLINE FOR CERTAIN APPLICATIONS FOR EXPORTATION OF NATURAL GAS.—

“(1) LNG TERMINALS.—(A) In general.—Subject to subparagraph (B), the Commission shall make a public interest determination and issue an order under subsection (a) for an application for the exportation of natural gas to a foreign country through a particular LNG terminal not later than 45 days after receipt of the application under subsection (e) for—

(i) the conversion of that LNG terminal into an LNG import or export facility; or

(ii) the construction of that LNG terminal.

(B) LIMITATION.—Subparagraph (A) shall only apply to applications for the exportation of natural gas to a foreign country under subsection (a) that have been pending for a period of not less than 180 calendar days.

“(2) APPLICATION.—This subsection shall not apply with respect to an application under subsection (a) for the exportation of natural gas—

(A) to a foreign country—

(i) to which the exportation of natural gas is otherwise prohibited by law; or

(ii) described in subsection (c); or

(B) if the Commission has made a contingent determination with respect to the application.

“(3) EFFECT.—Except as specifically provided in this subsection, nothing in this subsection affects the authority of the Commission to review, process, and make a determination with respect to an application for the exportation of natural gas.

“(h) JUDICIAL ACTION.—

“(1) IN GENERAL.—The United States Court of Appeals for the circuit in which an export facility will be located pursuant to an application described in subsection (a) shall have original and exclusive jurisdiction over any civil action for the review of—

(A) an order issued by the Secretary of Energy with respect to the application; or

(B) the failure of the Secretary to issue a decision on the application.

“(2) ORDER.—If the Court in a civil action described in paragraph (1) finds that the Secretary has failed to issue a decision on the application as required under subsection (a), the Court shall order the Secretary to issue the decision not later than 30 days after the date of the order of the Court.

“(3) EXPEDITED CONSIDERATION.—The Court shall—

(A) set any civil action brought under this subsection for expedited consideration; and

“(B) set the matter on the docket as soon as practicable after the filing date of the initial pleading.”.

SA 3670. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

DIVISION — DOMESTIC ENERGY AND JOBS

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the “Domestic Energy and Jobs Act”.

(b) TABLE OF CONTENTS.—The table of contents of this division is as follows:

Sec. 1. Short title; table of contents.
Sec. 101. Short title.
Sec. 102. Transportation Fuels Regulatory Committee.
Sec. 103. Analyses.
Sec. 104. Report on public comment.
Sec. 105. No final action on certain rules.
Sec. 106. Consideration of feasibility and cost of building or supplementing national ambient air quality standards for ozone.
Sec. 107. Fuel requirements waiver and study.

TITLE II — QUADRENNIAL STRATEGIC FEDERAL ONSHORE ENERGY PRODUCTION STRATEGY

Sec. 201. Short title.

TITLE III — ONSHORE OIL AND GAS LEASING CERTAINTY

Sec. 301. Short title.
Sec. 302. Minimum acreage requirement for onshore lease sales.
Sec. 303. Leasing certainty and consistency.
Sec. 304. Reduction of redundant policies.

TITLE IV — STREAMLINED ENERGY PERMITTING

Sec. 401. Short title.
Sec. 411. Permit to drill application timelines.
Sec. 412. Solar and wind right-of-way rental reform.

Subtitle B—Administrative Appeal Documentation Reform

Sec. 421. Administrative appeal documentation reform.

Subtitle C—Permit Streamlining

Sec. 431. Federal energy permit coordination.
Sec. 432. Administration of current law.

Subtitle D—Judicial Review

Sec. 441. Definitions.
Sec. 442. Exclusive venue for certain civil actions relating to covered energy projects.
Sec. 443. Timely filing.
Sec. 444. Expedition in hearing and determining the action.
Sec. 445. Standard of review.
Sec. 446. Limitation on injunction and prospective relief.
Sec. 447. Limitation on attorneys’ fees.
Sec. 448. Legal standing.

TITLE V — EXPEDITIOUS OIL AND GAS LEASING PROGRAM IN NATIONAL PE-TROLEUM RESERVE IN ALASKA

Sec. 501. Short title.
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Sec. 503. Competitive leasing of oil and gas.

Sec. 504. Planning and permitting pipeline and road construction.

Sec. 505. Departmental accountability for Departmental budgetary operations.

Sec. 506. Updated resource assessment.

Sec. 507. Colville River Delta designation.

TITLE VI—INTERNET-BASED ONSHORE OIL AND GAS LEASE SALES

Sec. 601. Short title.

Sec. 602. Internet-based onshore oil and gas lease sales.

TITLE VII—ADVANCING OFFSHORE WIND PRODUCTION

Sec. 701. Short title.

Sec. 702. Offshore meteorological site testing and monitoring projects.

TITLE VIII—CRITICAL MINERALS

Sec. 801. Definitions.

Sec. 802. Designations.

Sec. 803. Policy.

Sec. 804. Resource assessment.

Sec. 805. Permitting.

Sec. 806. Recycling and alternatives.

Sec. 807. Analysis and forecasting.

Sec. 808. Final rulemaking.

Sec. 809. International cooperation.

Sec. 810. Repeal, authorization, and offset.

TITLE IX—MISCELLANEOUS

Sec. 901. Limitation on transfer of functions under the Solid Minerals Leasing Program.

Sec. 902. Amount of distributed qualified Outer Continental Shelf revenue.

Sec. 903. Lease Sale 220 and other lease sales off the coast of Virginia.

Sec. 904. Limitation on authority to issue regulations modifying the stream zone buffer rule.

TITLE I—IMPACTS OF EPA RULES AND ACTIONS ON ENERGY PRICES

SEC. 101. SHORT TITLE

This title may be cited as the "Gasoline Regulations Act of 2013".

SEC. 102. TRANSPORTATION FUELS REGULATORY COMMITTEE

(a) Establishment.—The President shall establish a committee, to be known as the Transportation Fuels Regulatory Committee (referred to in this title as the "Committee"), to develop and report on the cumulative impacts of certain rules and actions of the Environmental Protection Agency on gasoline, diesel fuel, and natural gas prices, in accordance with sections 103 and 104.

(b) MEMBERS.—The Committee shall be composed of the following officials (or their designees):

(1) The Secretary of Energy, who shall serve as the Chair of the Committee.

(2) The Secretary of Transportation, acting through the Administrator of the National Highway Traffic Administration.

(3) The Secretary of Commerce, acting through the Chief Economist and the Under Secretary for International Trade.

(4) The Secretary of Labor, acting through the Commissioner of the Bureau of Labor Statistics.

(5) The Secretary of the Treasury, acting through the Deputy Assistant Secretary for Environment and Energy of the Department of the Treasury.

(6) The Secretary of Agriculture, acting through the Chief Economist.

(7) The Administrator of the Environmental Protection Agency.

(8) The Chairman of the United States International Trade Commission, acting through the Director of the Office of Economics.

(9) The Administrator of the Energy Information Administration.

(c) CONSULTATION BY CHAIR.—In carrying out the functions of the Chair of the Committee, the Chair shall consult with the other members of the Committee.

(d) CONSULTATION BY COMMITTEE.—In carrying out this title, the Committee shall consult with the National Energy Technology Laboratory.

(e) TERMINATION.—The Committee shall terminate on the date that is 60 days after the date of submission of the final report of the Committee pursuant to section 104(c).

SEC. 103. ANALYSES

(a) DEFINITIONS.—In this section:

(1) COVERED ACTION.—The term "covered action" means, to the extent that the action affects facilities involved in the production, transportation, or distribution of gasoline, diesel fuel, or natural gas, taken on or after January 1, 2009, by the Administrator of the Environmental Protection Agency, a State, a local government, or a permitting agency as a result of the application of part C of title I relating to prevention of significant deterioration of air quality, or title V (relating to permitting), of the Clean Air Act (42 U.S.C. 7461 et seq.), to an air pollutant that is identified as a greenhouse gas in the rule entitled "Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act" (74 Fed. Reg. 66496 (December 15, 2009)).

(2) COVERED RULE.—The term "covered rule" means any pre-existing rule (and includes any successor or substantially similar rules):

(A) "Control of Air Pollution From New Motor Vehicles: Tier 3 Motor Vehicle Emission and Fuel Standards", as described in the Unified Agenda of Federal Regulatory and Deregulatory Actions under Regulatory Identification Number 2060–AP96.

(B) "National Ambient Air Quality Standards for Ozone" (73 Fed. Reg. 16436 (March 27, 2008)).

(C) "Reconsideration of the 2008 Ozone Primary and Secondary National Ambient Air Quality Standards", as described in the Unified Agenda of Federal Regulatory and Deregulatory Actions under Regulatory Identification Number 2060–AP96.

(3) SENSITIVITY ANALYSIS.—In conducting analyses under this section, the Committee shall conduct sensitivity analyses for any rule or action described in subparagraph (A).

(D) METHODS.—In conducting analyses under this section, the Committee shall conduct analyses by—

(i) any resulting change in the national, State, or regional price of gasoline, diesel fuel, or natural gas; and

(ii) any other matters affecting the growth, stability, and sustainability of the oil and gas industries of the United States, particularly relative to that of other nations;

and

(4) AN ANALYSIS AND, IF FEASIBLE, AN ASSESSMENT OF—

(A) the cumulative impact of the covered rules and covered actions on—

(i) consumers;

(ii) small businesses;

(iii) regional economies;

(iv) State, local, and tribal governments;

(v) low-income communities;

(vi) public health, and

(vii) local and industry-specific labor markets; and

(B) any other matters affecting the growth, stability, and sustainability of the oil and gas industries of the United States, particularly relative to that of other nations.

(b) REPORTS; PUBLIC COMMENT.

(1) P RELIMINARY REPORT.—Not later than 90 days after the date of enactment of this Act, the Committee shall make public and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Environment and Public Works of the Senate a preliminary report containing the results of the analyses conducted under subsection (a).

(2) PUBLICATION PERIOD.—The Committee shall accept public comments regarding the preliminary report submitted under paragraph (1) for a period of 60 days after the date on which the preliminary report is submitted.

(3) F INAL REPORT.—Not later than 60 days after the expiration of the 60-day period described in subsection (b), the Committee shall submit to Congress a final report containing the analyses conducted under section 103, including—

(1) any revisions to the analyses made as a result of public comments; and

(2) a response to the public comments.

SEC. 104. REPORTS; PUBLIC COMMENT.

(a) PUBLICATION PERIOD.—The Committee shall make public and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Environment and Public Works of the Senate a preliminary report containing the results of the analyses conducted under subsection (a).

(b) PUBLIC COMMENT PERIOD.—The Committee shall accept public comments regarding the preliminary report submitted under paragraph (a) for a period of 60 days after the date on which the preliminary report is submitted.

(c) F INAL REPORT.—Not later than 60 days after the expiration of the 60-day period described in subsection (b), the Committee shall submit to Congress a final report containing the analyses conducted under section 103, including—

(1) any revisions to the analyses made as a result of public comments; and

(2) a response to the public comments.

SEC. 105. NO FINAL ACTION ON CERTAIN RULES.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency shall not finalize any of the following rules until a date (to be determined by the Administrator) that is at least 180 days after the date on which the Committee submits the final report under section 104(c):—

(1) Control of Air Pollution From New Motor Vehicles: Tier 3 Motor Vehicle Emission and Fuel Standards, as described in the Unified Agenda of Federal Regulatory and Deregulatory Actions under Regulatory Identification Number 2060–AQ86, and any successor or substantially similar rule.

(2) Any rule proposed after March 15, 2012, establishing or revising a standard of performance or emission standard under section 111 or 112 of the Clean Air Act (42 U.S.C. 7411, 7412) applicable to petroleum refineries.

(3) Any rule proposed after March 15, 2012, to implement section 215 of the Renewable Fuel Program under section 215 of the Clean Air Act (42 U.S.C. 7545(a)).

(4) Any rule proposed after March 15, 2012, revising or supplementing the national ambient air quality standards for ozone under section 110 of the Clean Air Act (42 U.S.C. 7409).

(b) SCOPE.—The Committee shall conduct analyses, for each of calendar years 2016 and 2020, of the prospective cumulative impact of all covered rules and covered actions.

(c) COVERED RULES.—The Committee shall include in each analysis conducted under this section—

(1) estimates of the cumulative impacts of the covered rules and covered actions relating to—

(A) any resulting change in the national, State, or regional price of gasoline, diesel fuel, or natural gas; and

(B) any other matters affecting the growth, stability, and sustainability of the oil and gas industries of the United States, and any loss of domestic refining capacity; and

(2) other cumulative costs and cumulative benefits, including evaluation through a general equilibrium model approach;

(3) a sensitivity analysis reflecting alternative assumptions with respect to the aggregate demand for gasoline, diesel fuel, or natural gas; and

(4) any other matters affecting the growth, stability, and sustainability of the oil and gas industries of the United States, particularly relative to that of other nations;
(a) WAIVER OF FUEL REQUIREMENTS.—Section 211(c)(4)(C) of the Clean Air Act (42 U.S.C. 7545(c)(4)(C)) is amended—

(1) in subsection (a)—

(A) by inserting “a problem with distribution or delivery equipment that is necessary for the transportation or delivery of fuel or fuel additives,” after “equivalent fuel”;

(B) in clause (iii)(II), by inserting before the semicolon at the end the following: “except that the Administrator may extend the effectiveness of a waiver for more than 20 days if the Administrator determines that the condition under clause (ii) supporting a waiver determination will exist for more than 20 days”;

(C) by redesignating subsection (c) as subsection (d); and

(D) by adding at the end the following:

“(vii) Presumptive Approval.—Notwithstanding any other provision of this subparagraph, if the Administrator does not approve or deny a request for a waiver under this subparagraph within 3 days after receipt of the request, the request shall be deemed to be approved as received by the Administrator and the applicable fuel standards shall be waived for the period of time requested.”.

(b) FUEL SYSTEM REQUIREMENTS HARMONIZATION.—Section 211(c)(4)(C) of the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 1083) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A), by inserting “biofuels,” after “oxygenated fuel,”; and

(B) in paragraph (2)(G), by striking “Tier II” and inserting “Tier III”;

(2) in subsection (b)(1), by striking “2009” and inserting “2014”.

TITLE II—QUADRENNIAL STRATEGIC FEDERAL ONSHORE ENERGY PRODUCTION STRATEGY

SEC. 201. SHORT TITLE. This title may be cited as the “Planning for American Energy Act of 2013”.

SEC. 202. ONSHORE DOMESTIC ENERGY PRODUCTION STRATEGY.

The Mineral Leasing Act is amended—

(1) by redesignating section 44 (30 U.S.C. 181 note) as section 45; and

(2) by inserting after section 43 (30 U.S.C. 229-3) the following:

“SEC. 44. QUADRENNIAL STRATEGIC FEDERAL ONSHORE ENERGY PRODUCTION PLAN.

“(a) DEFINITIONS.—In this section:

“(1) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior.

“(2) CRITICAL ENERGY MINERALS.—The term ‘strategic and critical energy minerals’ means—

“(A) minerals that are necessary for the energy infrastructure of the United States, including pipelines, refining capacity, electrical power generation and transmission, and renewable energy production; and

“(B) minerals that are necessary to support domestic manufacturing, including materials used in energy generation, production, and transmission.

“(3) STRATEGY.—The term ‘Strategy’ means the Quadrennial Federal Onshore Energy Production Strategy required under this section.

“(b) STRATEGY.—

“(1) IN GENERAL.—In developing a Strategy, the Secretary shall consult with the Administrator of the Energy Information Administration on

(A) the projected energy demands of the United States for the 30-year period beginning on the date of initiation of the Strategy; and

(B) how energy derived from Federal onshore land can place the United States on a trajectory to meet that demand during the 4-year period beginning on the date of initiation of the Strategy.

“(2) ENERGY SECURITY.—The Secretary shall consider how Federal land will contribute to ensuring national energy security, with a goal of increasing energy independence and production, during the 4-year period beginning on the date of initiation of the Strategy.

“(3) OBJECTIVES.—The Secretary shall establish a domestic strategic production objective for the development of energy resources from Federal onshore land that is based on commercial and scientific data relating to the expected increase in

(A) domestic production of oil and natural gas from the onshore mineral estate; with a focus on land held by the Bureau of Land Management and the Forest Service;

(B) domestic coal production from Federal land;

(C) domestic production of strategic and critical energy minerals from the Federal onshore mineral estate;

(D) megawatts for electricity production from each of wind, solar, biomass, hydropower, and geothermal energy produced on Federal land administered by the Bureau of Land Management and the Forest Service;

(E) unconventional energy production, such as oil shale;

(F) domestic production of oil, natural gas, coal, and other renewable energy sources on land held for the benefit of the Indian tribes under this subsection; and

(G) make recommendations to help meet the production goals of a Strategy; and

“(h) PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall complete a programmatic environmental impact statement for carrying out this section.

“(2) COMPLIANCE.—The programmatic environmental impact statement shall be considered sufficient to comply with all requirements under the National Environmental
Policy Act of 1969 (42 U.S.C. 4321 et seq.) for all necessary resource management and land use plans associated with the implementation of a Strategy.

"1) CONGRESSIONAL REVIEW.—

"(1) IN GENERAL.—Not later than 60 days before publishing a proposed Strategy under this section, the Secretary shall submit to Congress and the President the proposed Strategy, together with any comments received from States, federally recognized Indian tribes, and local governments.

"(2) RECOMMENDATIONS.—The submission shall indicate why any specific recommendation of a State, federally recognized Indian tribe, or local government was not accepted.

"(3) FIRST STRATEGY.—Not later than 18 months after the date of enactment of this subsection, the Secretary shall submit to Congress the first Strategy.

TITLE III—ONSHERE OIL AND GAS LEASING CERTAINTY

SEC. 301. SHORT TITLE.

This title may be cited as the "Providing Leasing Certainty for American Energy Act of 2013".

SEC. 302. MINIMUM ACREAGE REQUIREMENT FOR ON-SHORE OIL AND GAS LEASE SALES.

Section 17 of the Mineral Leasing Act (30 U.S.C. 226) is amended—

"(1) by striking "Sec. 17. (a) All lands" and inserting the following:

"SEC. 17. LEASE OF OIL AND GAS LAND.

"(a) AUTHORITY.—

"(1) IN GENERAL.—All land;

"(2) in subsection (a) (as amended by paragraph (1)), by adding at the end the following:

"(2) MINIMUM ACREAGE REQUIREMENT FOR ON-SHORE OIL AND GAS LEASE SALES.—

"(A) IN GENERAL.—In conducting lease sales under this section, each year, the Secretary shall offer for sale not less than 25 percent of the annual nominated acreage not previously made available for lease.

"(B) REVIEW.—The offering of acreage offered for sale under this paragraph shall not be subject to review.

"(C) CATEGORICAL EXCLUSIONS.—Acreage offered for lease under this paragraph shall be eligible for categorical exclusions under section 14(f) of the Federal Land Policy and Management Act of 2001 (42 U.S.C. 15942), except that extraordinary circumstances shall not be required for a categorical exclusion under this paragraph.

"(D) The Secretary, in carry out the subsection, the Secretary shall only consider leasing of Federal land that is available for leasing at the time the lease sale occurs.

SEC. 303. LEASING CERTAINTY AND CONSISTENCY.

Section 17(a) of the Mineral Leasing Act (30 U.S.C. 226(a)) (as amended by section 302) is amended by adding at the end the following:

"(3) LEASING CERTAINTY.—

"(A) IN GENERAL.—The Secretary shall not withdraw approval of any covered energy project involving a lease under this Act without finding a violation of the terms of the lease.

"(B) DELAY.—The Secretary shall not infringe on lease rights under leases issued under this Act by indefinitely delaying issuance of project approvals, drilling and seismic permits, and rights-of-way for activities under a lease.

"(C) AVAILABILITY OF NOMINATED AREAS.—

"(i) In general.—The Secretary shall make available nominated areas for lease under paragraph (2).

"(D) ISSUANCE OF LEASES.—Notwithstanding any other provision of law, the Secretary shall issue all leases sold under this Act not later than 60 days after the last payment is made.

"(E) CANCELLATION OR WITHDRAWAL OF LEASE PARCELS.—The Secretary shall not cancel or withdraw any lease parcel after a competitive lease sale has occurred and a winning bidder has submitted the last payment.

"(F) APPEALS.—

"(1) IN GENERAL.—The Secretary shall complete the review of any appeal of a sale lease under this Act not later than 60 days after the receipt of the appeal.

"(2) CONSTRUCTIVE APPROVAL.—If the review of an appeal is not conducted in accordance with clause (1), the appeal shall be considered approved.

"(G) ADDITIONAL STIPULATIONS.—The Secretary may not add any additional lease stipulation for a parcel after the parcel is sold unless the Secretary—

"(i) consults with the lessee and obtains the approval of the lessee; or

"(ii) determines that the stipulation is an emergency action that is necessary to conserve the resources of the United States.

"(4) LEASING CONSISTENCY.—A Federal land manager shall consult with applicable resource management plans and continue to actively lease in areas designated as open when resource management plans are being amended or reissued until a new record of decision is signed.''.

SEC. 304. REDUCTION OF REDUNDANT POLICIES.

Section 17 of the Mineral Leasing Act (30 U.S.C. 226) is amended—

"(a) by striking "Sec. 17(p) of the Mineral Leasing Act (30 U.S.C. 226(p)) is amended by striking subsection (ii) and inserting the following:

"SEC. 17. LEASE OF OIL AND GAS LAND.

"(p) LEASING OR PERMIT.—Notwithstanding any other provision of law, each fiscal year, the Secretary shall collect a single $6,500 permit processing fee for each application from each applicant at the time the final decision is made whether to issue a permit for this paragraph.

"i) RESUBMITTED APPLICATIONS.—The fee described in clause (i) shall not apply to any resubmitted application.

"ii) TREATMENT OF PERMIT PROCESSING FEE.—Subject to appropriation, of all fees collected under this paragraph, 50 percent shall be transferred to the field office where the fees are collected and used to process leases, permits, and appeals under this Act.

SEC. 411. PERMIT TO DRILL APPLICATION TIMELINE.

Section 17(p) of the Mineral Leasing Act (30 U.S.C. 226(p)) is amended by striking paragraph (2) and inserting the following:

"(2) APPLICATION FOR PERMITS TO DRILL REFORM AND PROCESS.—

"(A) IN GENERAL.—Subject to subparagraphs (B), (C), and (D) and notwithstanding any other provision of law, the Secretary shall—

"(i) be in the form of a letter from the Secretary giving written notice of the delay;

"(ii) include—

"(aa) the names and positions of the persons processing the application;

"(bb) the specific reasons for the delay; and

"(cc) a specific date on which a final decision on the application is expected.

"(C) NOTICE OF REASONS FOR DENIAL.—If the application is denied, the Secretary shall provide the applicant—

"(i) a written notice that provides—

"(ii) clear and comprehensive reasons why the application was not accepted; and

"(iii) an opportunity to remedy any deficiencies.

"(D) APPLICATION CONSIDERED APPROVED.—

"(i) If the Secretary has not made a decision on the application by the end of the 60-day pe-

"(ii) period beginning on the date the application for the permit is received by the Secretary, the application shall be considered approved unless applicable reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) are incomplete.

"(E) DENIAL OF PERMIT.—If the Secretary determines not t to issue a permit to drill under this paragraph, the Secretary shall—

"(i) provide to the applicant a description of the reasons for the denial of the permit;

"(ii) allow the applicant to resubmit an application for a permit to drill during the 10-day period beginning on the date the applicant receives the description of the denial from the Secretary;

"(iii) issue or deny any resubmitted application not later than 10 days after the date the application is submitted to the Secretary;

"(F) FEE.—

"(i) IN GENERAL.—Subject to clauses (ii) and (iii) and notwithstanding any other provision of law, the Secretary shall collect a single $6,500 permit processing fee for each application at the time the final decision is made whether to issue a permit for this paragraph.

"(ii) RESUBMITTED APPLICATIONS.—The fee described in clause (i) shall not apply to any resubmitted application.

"(iii) TREATMENT OF PERMIT PROCESSING FEE.—Subject to appropriation, of all fees collected under this paragraph, 50 percent shall be transferred to the field office where the fees are collected and used to process leases, permits, and appeals under this Act.

SEC. 412. SOLAR AND WIND RIGHT-OF-WAY RENTAL REFORM.

Notwithstanding any other provision of law, each fiscal year, of fees collected as annual wind energy and solar energy right-of-way authorizations fees required under section 504(g) of the Federal Land Policy and Management Act of 1976 (33 U.S.C. 176(f)), 50 percent shall be retained by the Secretary of the Interior to be used, subject to appropriation—

"(1) by the Bureau of Land Management to process permits, right-of-way applications, and other activities necessary for renewable development; and

"(2) at the option of the Secretary of the Interior, by the United States Fish and Wildlife Service or other Federal agencies involved in wind and solar permitting reviews to facilitate the processing of wind energy and solar energy permit applications on Bureau of Land Management land.

Subtitle B—Administrative Appeal Documentation Reform

SEC. 421. ADMINISTRATIVE APPEAL DOCUMENTATION REFORM.

Section 17(p) of the Mineral Leasing Act (30 U.S.C. 226(p)) is amended by adding at the end the following:

"(A) APPEAL FEE.—

"(i) IN GENERAL.—The Secretary shall collect a $5,000 documentation fee to accompany each appeal of an action on a lease, right-of-way, or application for a permit to drill.

"(B) TREATMENT OF FEES.—Subject to appropriation, of all fees collected under this paragraph, 50 percent shall remain in the field office where the fees are collected and used to process appeals.

Subtitle C—Permit Streamlining

SEC. 431. FEDERAL ENERGY PERMIT COORDINATION.

"(a) DEFINITIONS.—In this section:

"(1) ENERGY PROJECTS.—The term "energy projects" means oil, coal, natural gas, and renewable energy projects.

"(B) PROJECT.—The term "Project" means the Federal Permit Streamlining Project established under subsection (b).
SEC. 432. ADMINISTRATION OF CURRENT LAW.
Notwithstanding any other provision of law, the Secretary of the Interior shall not require a finding of extraordinary circumstances in administering section 300 of the Energy Policy Act of 2005 (42 U.S.C. 15942).

Subtitle D—Judicial Review

SEC. 441. DEFINITIONS.
In this Title—

(1) COVERED CIVIL ACTION.—The term "covered civil action" means any covered civil action as expeditiously as practicable.

(2) COVERED ENERGY PROJECT.—
(A) IN GENERAL.—The term "covered energy project" means the leasing of Federal land for the exploration, development, production, processing, or transmission of oil, natural gas, wind, or any other source of energy, and any action under any such lease.

SEC. 442. EXCLUSIVE VENUE FOR CERTAIN CIVIL ACTIONS RELATING TO COVERED ENERGY PROJECTS.
Venue for any covered civil action shall lie in the United States district court for the district in which the project or leases exist or are proposed.

SEC. 443. TIMELINE.
To ensure timely redress by the courts, a covered civil action shall be filed not later than 90 days after the date of the final Federal agency action to which the covered civil action relates.

SEC. 444. EXPEDITION IN HEARING AND DETERMINATION OF THE ACTION.
A court shall endeavor to hear and determine any covered civil action as expeditiously as practicable.

SEC. 445. STANDARD OF REVIEW.
In any judicial review of a covered civil action—

(1) administrative findings and conclusions relating to the challenged Federal action or decision shall be presumed to be correct; and

(2) the presumption may be rebutted only by the preponderance of the evidence contained in the administrative record.

SEC. 446. LIMITATION ON INJUNCTION AND PROVISIONAL RELIEF.
(a) IN GENERAL.—In a covered civil action, a court shall not grant or approve any prospective relief unless the court finds that the relief—

(1) is narrowly drawn;

(2) extends no further than necessary to correct the violation of a legal requirement; and

(3) is the least intrusive means necessary to correct the violation.

(b) PRELIMINARY INJUNCTIONS.—
(1) IN GENERAL.—A court shall limit the duration of a preliminary injunction to halt a covered energy project to not more than 60 days, unless the court finds clear reasons to extend the injunction.

(2) EXTENSIONS.—Extensions under paragraph (1) shall—
(A) only be in 30-day increments; and
(B) require action by the court to renew the injunction.

SEC. 447. LIMITATION ON ATTORNEYS' FEES.
(a) IN GENERAL.—Sections 504 of title 5 and 2412 of title 28, United States Code (commonly known as the "Equal Access to Justice Act"), shall not apply to a covered civil action.

(b) ATTORNEY'S FEES AND COURT COSTS.—A party in a covered civil action shall not receive payment from the Federal Government for attorney's fees, expenses, or other court costs.

SEC. 448. LEGAL STANDING.
A challenger filing an appeal with the Interior Board of Land Appeals shall meet the standing requirements as a challenger before a United States district court.

TITLE V—EXPEDITIOUS OIL AND GAS LEASING PROGRAM IN NATIONAL PETROLEUM RESERVE IN ALASKA

SEC. 501. SHORT TITLE.
This title may be cited as the "National Petroleum Reserve Alaska Access Act".

SEC. 502. SENSE OF CONGRESS REGARDING NA-
TIONAL PETROLEUM RESERVE IN ALASKA.
It is the sense of Congress that—

(1) the National Petroleum Reserve in the State of Alaska (referred to in this title as the "Reserve") remains explicitly designated, both in name and legal status, for purposes of providing oil and natural gas resources to the United States; and

(2) accordingly, the national policy is to actively advance oil and gas development within the Reserve by facilitating the expeditious exploration, production, and transmission of oil and natural gas from and through the Reserve.

SEC. 503. COMPETITIVE LEASING OF OIL AND GAS.
Section 107 of the Naval Petroleum Reserves Production Act of 1976 (42 U.S.C. 6506a) is amended by striking subsection (a) and inserting the following:

(a) COMPETITIVE LEASING.—

(1) IN GENERAL.—The Secretary shall conduct an expeditious program of competitive leasing of oil and gas in the Reserve in accordance with this Act.

(2) INCLUSIONS.—The program under this subsection shall include at least 1 lease sale annually in each area of the Reserve that is most likely to produce commercial quantities of oil and natural gas for each of calendar years 2013 through 2023.

SEC. 504. PLANNING AND PERMITTING PIPELINE AND ROAD CONSTRUCTION.
(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Transportation, in consultation with the Secretary of the Interior, in consultation with the Secretary of Agriculture; (b) the Administrator of the Environmental Protection Agency; and (c) the Secretary of the Army, acting through the Chief of Engineers.

(2) DUTIES.—Each employee assigned under subsection (a) shall—

(A) be responsible for all issues relating to the energy projects that arise under the authorities of the home office of the employee; and

(B) participate as part of the team of personnel working on proposed energy projects, planning and environmental analyses on Federal land.

(c) ADDITIONAL PERSONNEL.—
(1) IN GENERAL.—The Secretary shall assign to each Bureau of Land Management field office identified under subsection (b) any additional personnel that are necessary to ensure the effective approval and implementation of energy projects administered by the Bureau of Land Management field offices, including inspection and enforcement relating to energy development on Federal land, in accordance with the multiple-use requirements of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(2) TIMELINES.—The Secretary shall ensure that any Federal permitting agency shall issue permits in accordance with the following timelines:

(1) EXISTING LEASES.—Each permit for construction relating to the transportation of oil and natural gas produced under existing Federal oil and gas leases with respect to which the Secretary of the Interior has issued a permit to drill shall be approved by not later than 60 days after the date of enactment of this Act.

(2) REQUESTED PERMITS.—Each permit for construction for transportation of oil and natural gas produced under Federal oil and gas leases shall be approved by not later than 180 days after the date of submission to the Secretary of a request for a permit to drill.

(3) PLAN.—To ensure timely future development of the Reserve, not later than 270

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3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(b) ESTABLISHMENT.—The Secretary shall establish a Federal Permit Streamlining Project in each Bureau of Land Management field office with responsibility for issuing permits for energy projects on Federal land.

(c) MEMORANDUM OF UNDERSTANDING.—
(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall enter into a memorandum of understanding to carry out this section with—

(A) the Secretary of Agriculture; (B) the Administrator of the Environmental Protection Agency; and (C) the Secretary of the Army, acting through the Chief of Engineers.

(2) STATE PARTICIPATION.—The Secretary may request the Governor of any State with which the employee is assigned; (A) the consultations and the preparation of biological opinions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536); (B) require action by the court to renew any lease; and (C) participate as part of the team of personnel working on proposed energy projects, planning and environmental analyses on Federal land.

(e) ADDITIONAL PERSONNEL.—
(1) IN GENERAL.—The Secretary shall assign to each Bureau of Land Management field office identified under subsection (b) any additional personnel that are necessary to ensure the effective approval and implementation of energy projects administered by the Bureau of Land Management field offices, including inspection and enforcement relating to energy development on Federal land, in accordance with the multiple-use requirements of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1536);

(b) ATTORNEY'S FEES AND COURT COSTS.—A party in a covered civil action shall not receive payment from the Federal Government for attorney's fees, expenses, or other court costs.

SEC. 448. LEGAL STANDING.
A challenger filing an appeal with the Interior Board of Land Appeals shall meet the standing requirements as a challenger before a United States district court.

TITLE V—EXPEDITIOUS OIL AND GAS LEASING PROGRAM IN NATIONAL PETROLEUM RESERVE IN ALASKA

SEC. 501. SHORT TITLE.
This title may be cited as the “National Petroleum Reserve Alaska Access Act”.

SEC. 502. SENSE OF CONGRESS REGARDING NA-
TIONAL PETROLEUM RESERVE IN ALASKA.
It is the sense of Congress that—

(1) the National Petroleum Reserve in the State of Alaska (referred to in this title as the “Reserve”) remains explicitly designated, both in name and legal status, for purposes of providing oil and natural gas resources to the United States; and

(2) accordingly, the national policy is to actively advance oil and gas development within the Reserve by facilitating the expeditious exploration, production, and transmission of oil and natural gas from and through the Reserve.

SEC. 503. COMPETITIVE LEASING OF OIL AND GAS.
Section 107 of the Naval Petroleum Reserves Production Act of 1976 (42 U.S.C. 6506a) is amended by striking subsection (a) and inserting the following:

(a) COMPETITIVE LEASING.—

(1) IN GENERAL.—The Secretary shall conduct an expeditious program of competitive leasing of oil and gas in the Reserve in accordance with this Act.

(2) INCLUSIONS.—The program under this subsection shall include at least 1 lease sale annually in each area of the Reserve that is most likely to produce commercial quantities of oil and natural gas for each of calendar years 2013 through 2023.

SEC. 504. PLANNING AND PERMITTING PIPELINE AND ROAD CONSTRUCTION.
(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Interior, in consultation with the Secretary of Transportation, shall facilitate and ensure permits, in an environmentally responsible manner, for all surface development activities including for construction of pipelines and roads, necessary—

(1) to develop and bring into production any areas within the Reserve that are subject to oil and gas leases; and

(2) to transport oil and gas from and through the Reserve to existing transportation or processing infrastructure on the North Slope of Alaska.

(b) TIMELINES.—The Secretary shall ensure that any Federal permitting agency shall issue permits in accordance with the following timelines:

(1) EXISTING LEASES.—Each permit for construction relating to the transportation of oil and natural gas produced under existing Federal oil and gas leases with respect to which the Secretary of the Interior has issued a permit to drill shall be approved by not later than 60 days after the date of enactment of this Act.

(2) REQUESTED PERMITS.—Each permit for construction for transportation of oil and natural gas produced under Federal oil and gas leases shall be approved by not later than 180 days after the date of submission to the Secretary of a request for a permit to drill.

(3) PLAN.—To ensure timely future development of the Reserve, not later than 270
The designation by the Environmental Protection Agency of the Colville River Delta wetland as an area of national importance shall have no force or effect on this title or an amendment made by this title.

**TITLE VI—INTERNET-BASED ONSHORE OIL AND GAS LEASE SALES**

**SEC. 601. SHORT TITLE.** This title may be cited as the "BLM Live Internet-Based Leasing Amendment Act of 2013.

**SEC. 602. INTERNET-BASED ONSHORE OIL AND GAS LEASE SALES.**

(a) AUTHORIZATION.—Section 17(b)(1) of the Mineral Leasing Act (30 U.S.C. 226(b)(1)) is amended—

(i) in subparagraph (A), in the third sentence, by striking "Lease sales" and inserting “Except as provided in subparagraph (C), lease sales"; and

(ii) by adding at the end the following:

"(C) in order to diversify and expand the United States onshore leasing program to ensure the best return to Federal taxpayers, to reduce fraud, and to secure the leasing process, the Secretary may conduct onshore lease sales through Internet-based bidding methods, each of which shall be completed by not later than 7 days after the date of initiation of the sale.

(b) REPORT.—Not later than 90 days after the tenth Internet-based lease sale conducted pursuant to subparagraph (C) of section 17(b)(1) of the Mineral Leasing Act (30 U.S.C. 226(b)(1)) (as added by subsection (a)), the Secretary of the Interior shall conduct, and submit with the budget for fiscal year 2015, a report describing the results of an analysis of the first 10 such lease sales, including—

1. estimates of increases or decreases in the lease sales, as compared to sales conducted by oral bidding, in—

   (A) the number of bidders;

   (B) the average amount of the bids; and

   (C) the highest amount of the bids; and

2. an estimate on the total cost or savings to the Department of the Interior as a result of the sales, as compared to sales conducted by oral bidding; and

3. an evaluation of the demonstrated or expected effectiveness of different structures for lease sales, which may—

   (A) provide an opportunity to better maximize bidder participation;

   (B) ensure the highest return to Federal taxpayers;

   (C) minimize opportunities for fraud or collusion; and

   (D) ensure the security and integrity of the leasing process.

**TITLE VII—ADVANCING OFFSHORE WIND PRODUCTION**

**SEC. 701. SHORT TITLE.** This title may be cited as the "Advancing Offshore Wind Production Act.

**SEC. 702. OFFSHORE METEOROLOGICAL SITE TESTING AND MONITORING PROJECTS.**

(a) DEFINITION OF OFFSHORE METEOROLOGICAL SITE TESTING AND MONITORING PROJECT.—In this section, the term "offshore meteorological site testing and monitoring project" means a project carried out on or in the waters of the outer Continental Shelf (as defined in section 3 of the Outer Continental Shelf Lands Act (34 U.S.C. 1331)) and administered by the Department of the Interior to test or monitor weather (including energy provided by weather, such as wind, tidal, current, and solar energy) using towers, buoys, or other temporary ocean infrastructure, that—

1. cause—

   (A) less than 1 acre of surface or seabed disruption at the location of each meteorological tower or other device; and

   (B) not more than 5 acres of surface or seabed disruption within the proposed area affected by the project (including hazards to navigation);

2. is commissioned not more than 5 years after the date of commencement of the project, including—

   (A) removal of towers, buoys, or other temporary ocean infrastructure from the project site; and

   (B) restoration of the project site to approximately the original condition of the site; and

3. provides meteorological information obtained by the project to the Secretary of the Interior.

(b) OFFSHORE METEOROLOGICAL PROJECT PERMITTING.—

(i) IN GENERAL.—The Secretary of the Interior shall require, by regulation, that any applicant seeking to conduct an offshore meteorological site testing and monitoring project shall obtain a permit and right-of-way for the project in accordance with this subsection.

(ii) PERMIT AND RIGHT-OF-WAY TIMELINE AND CONDITIONS.—

(A) DEADLINE FOR APPROVAL.—The Secretary shall decide whether to issue a permit and right-of-way for an offshore meteorological site testing and monitoring project by not later than 90 days after the date of receipt of a relevant application.

(B) PUBLIC COMMENT AND CONSULTATION.—During the 30-day period referred to in subparagraph (A) with respect to an application for a permit and right-of-way, under this subsection, the Secretary shall—

1. provide an opportunity for submission of comments regarding the application by the public;

2. consult with the Secretary of Defense, the Commandant of the Coast Guard, and the heads of other Federal, State, and local agencies that would be affected by the issuance of the permit and right-of-way.

(C) DENIAL OF PERMIT; OPPORTUNITY TO REMEDY DEFICIENCIES.—If an application is denied under this subsection, the Secretary shall provide to the applicant—

1. a list of clear and comprehensive reasons why the application was denied; and

2. detailed information concerning any deficiencies in the application; and

3. an opportunity to remedy those deficiencies.

(D) NEPA EXCLUSION.—Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not apply with respect to an offshore meteorological site testing and monitoring project.

(e) PROTECTION OF INFORMATION.—Any information provided to the Secretary of the Interior under subsection (a)(3) shall be treated by the Secretary as proprietary information and—

1. protected against disclosure.

**TITLE VIII—CRITICAL MINERALS**

**SEC. 801. DEFINITIONS.** In this title:

1. APPLICABLE COMMITTEES.—The term "applicable committees" means—

   (A) the Committee on Energy and Natural Resources of the Senate;

   (B) the Committee on Natural Resources of the House of Representatives; and

   (C) the Committee on Science, Space, and Technology of the House of Representatives.

2. CLEAN ENERGY TECHNOLOGY.—The term "clean energy technology" means a technology related to the production, use, transmission, storage, control, or conservation of energy that—

   (A) reduces the need for additional energy supplies by using existing energy supplies with greater efficiency or by transmitting, storing, or converting energy with greater effectiveness in or through the infrastructure of the United States;
(B) diversifies the sources of energy supply of the United States to strengthen energy security and to increase supplies with a favorable balance of environmental effects if the entire energy system is considered; or
(C) contributes to a stabilization of atmospheric greenhouse gas concentrations through reduction, avoidance, or sequestration of energy-related greenhouse gas emissions.

(3) CRITICAL MINERAL.—
(A) IN GENERAL.—The term "critical mineral" means a mineral designated as a critical mineral pursuant to section 802.
(B) EXCLUSIONS.—The term "critical mineral" does not include coal, oil, natural gas, or any fossil fuel.

(4) CRITICAL MINERAL MANUFACTURING.—The term "critical mineral manufacturing" means—
(A) the production, processing, refining, alloying, separation, concentration, magnetic sintering, melting, or beneficiation of critical minerals within the United States;
(B) the fabrication, assembly, or production, within the United States, of clean energy technologies (including technologies related to wind, solar, and geothermal energy, efficient transportation, electrical grid infrastructure, and superconducting materials), permanent magnet motors, batteries, and other energy storage devices), military equipment, and consumer electronics, or components necessary for applications; or
(C) any other value-added, manufacturing-related use of critical minerals undertaken within the United States.

(5) INDIAN TRIBE.—The term "Indian tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Educational Assistance Act (25 U.S.C. 450c).

(6) MILITARY EQUIPMENT.—The term "military equipment" means equipment used directly by the Armed Forces to carry out military operations.

(7) RARE EARTH ELEMENT.—
(A) IN GENERAL.—The term "rare earth element" means the chemical elements in the periodic table from lanthanum (atomic number 57) up to and including lutetium (atomic number 71).
(B) INCLUSIONS.—The term "rare earth element" includes the similar chemical elements yttrium (atomic number 39) and scandium (atomic number 21).

(8) SECRETARY.—The term "Secretary" means the Secretary of the Interior—
(A) acting through the Director of the United States Geological Survey; and
(B) in consultation with (as appropriate)—
(i) the Energy Secretary,
(ii) the Secretary of Defense,
(iii) the Secretary of Commerce,
(iv) the Secretary of State,
(v) the Secretary of Agriculture,
(vi) the United States Trade Representative; and
(vii) the heads of other applicable Federal agencies.

(9) STATE.—The term "State" means—
(A) a State;
(B) the Commonwealth of Puerto Rico; and
(C) any other territory or possession of the United States.

(10) VALUE-ADDED.—The term "value-added" refers, with respect to an activity, an activity that changes the form, fit, or function of a product, service, raw material, or physical good so that the resultant market price is greater than the cost of making the changes.

(11) WORKING GROUP.—The term "Working Group" means the Critical Minerals Working Group established under section 808(a).

SEC. 802. DESIGNATIONS.

(a) DRAFT METHODOLOGY.—Not later than 30 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register for public comment a draft methodology for determining which minerals qualify as critical minerals based on an assessment of the importance of supply in determining the security of supply and price volatility.

(b) DRAFT METHODOLOGY.—The draft methodology for determining which minerals qualify as critical minerals must include the following:

(1) subject to potential supply restrictions (including restrictions associated with foreign political risk, abrupt demand growth, military competition, and protectionist behaviors); and
(2) important in use (including clean energy technology, defense, agriculture, and health care-related applications).

(c) FINAL METHODOLOGY.—After reviewing public comments on the draft methodology under subsection (a) and updating the draft methodology as appropriate, the Secretary shall enter into an arrangement with the National Academy of Sciences and the National Academy of Engineering to obtain, not later than 120 days after the date of enactment of this Act—
(1) a review of the methodology; and
(2) recommendations for improving the methodology.

(d) FINAL METHODOLOGY.—After reviewing the recommendations under subsection (c), not later than 180 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register a description of the new methodology for determining which minerals qualify as critical minerals.

(e) DESIGNATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register a list of minerals designated as critical, pursuant to the final methodology under subsection (d), for purposes of carrying out this title.

(f) SUBSEQUENT REVIEW.—The methodology and designations developed under subsection (c) and (d) shall be updated at least every 5 years, or in more regular intervals if considered appropriate by the Secretary.

(g) NOTICE.—On finalization of the methodology under subsection (d), the list under subsection (e) or any update to the list under subsection (f), the Secretary shall submit to the applicable committees written notice of the action.

SEC. 803. POLICY.

(a) POLICY.—It is the policy of the United States to promote an adequate, reliable, domestic, and stable supply of critical minerals, produced in an environmentally responsible manner, to sustain the economic security, and the manufacturing, industrial, energy, technological, and competitive statures of the United States, in- cluding probability estimates of tonnage and grade, using all available public and private information and datasets, in- cluding exploration histories;

(b) TECHNICAL ASSISTANCE.—At the request of the Governor of a State or an Indian tribe, the Secretary may make grants to State governments and Indian tribes conducting critical mineral resource assessments on non-Federal land.

SEC. 804. RESOURCE ASSESSMENT.

(a) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, in consultation with applicable State (including geological surveys), local, academic, industry, and other entities, the Secretary shall complete a comprehensive national assessment of each critical mineral that identifies and quantifies known critical mineral resources, using all available public and private information and datasets, including exploration histories;

(b) RECOMMENDATIONS.—The Secretary shall provide a quantitative and qualitative assessment of undiscovered critical mineral resources throughout the United States, including probability estimates of tonnage and grade, using all available public and private information and datasets, including exploration histories;

(c) EXPLORATION PROGRAMS.—In consultation with applicable States, the Secretary may make grants to State governments and Indian tribes conducting critical mineral resource assessments on non-Federal land.

SEC. 805. COSTS.

(a) IN GENERAL.—Subject to potential supply restrictions and at the request of a State or Indian tribe, the Secretary shall carry out a cost assessment of critical mineral resources on State or tribal land, as applicable.
(e) Report.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the applicable committees a report describing the results of the assessment conducted under this section.

(f) Prioritization.—

(1) In General.—The Secretary may sequence the completion of resource assessments for each critical material, the Secretary shall submit a report under subsection (e) on an iterative basis over the 4-year period beginning on the date of enactment of this Act.

(2) Comparison.—The Working Group shall be composed of the following:

(A) The Secretary of the Interior (or a designee), who shall serve as chair of the Working Group.

(B) A Presidential designee from the Executive Office of the President, who shall serve as vice-chair of the Working Group.

(C) The Secretary of Energy (or a designee).

(D) The Secretary of Agriculture (or a designee).

(E) The Secretary of Defense (or a designee).

(F) The Secretary of Commerce (or a designee).

(G) The Secretary of State (or a designee).

(H) The United States Trade Representative (or a designee).

(I) The Administrator of the Environmental Protection Agency (or a designee).

(J) The Chief of Engineers of the Corps of Engineers (or a designee).

(b) Consultation.—The Working Group shall consult with private sector, academic, and other applicable stakeholders with experience related to—

(1) critical minerals exploration;

(2) critical minerals permitting;

(3) critical minerals production; and

(4) critical minerals manufacturing.

(c) Duties.—The Working Group shall—

(1) within 1 year after the date of enactment of this Act, the Working Group shall submit to the applicable committees a report that assesses the performance of Federal agencies in—

(1) complying with chapter 6 of title 5, United States Code (commonly known as the “Regulatory Flexibility Act”), in promulgating regulations applicable to the critical minerals industry; and

(2) performing an analysis of regulations applicable to the critical minerals industry that may be outdated, inefficient, duplicative, or excessively burdensome.

(2) In General.—Nothing in this section affects any judicial review of an agency action under any other provision of law.

(d) Construction.—This section—

(A) is intended to improve the internal management of the Federal Government; and

(B) does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States (including an agency, instrumentality, officer, or employee) or any other person.

(a) Establishment.—The Secretary of Energy shall conduct a program of research and development, on a periodic basis (beginning in 2023), to develop, test, and demonstrate processes and systems to efficiently and cost-effectively recover, recycle, and reuse critical minerals from scrap, spent components, byproducts; and

(b) Cooperation.—In carrying out the program, the Secretary of Energy shall cooperate with—

(1) Federal agencies and National Laboratories;

(2) critical mineral processors;

(3) critical mineral manufacturers;

(4) trade associations;

(5) academic institutions;

(6) small businesses; and

(7) other relevant entities or individuals.

(c) Activities.—Under the program, the Secretary of Energy shall carry out activities that include the identification and development of—

(1) advanced critical mineral production or processing technologies that decrease the environmental impact, and costs of production, of such activities;

(2) techniques and practices that minimize or lead to more efficient use of critical minerals;

(3) techniques and practices that facilitate the recycling of critical minerals, including options for improving the rates of collection of post-consumer products containing critical minerals;

(4) commercial markets, advanced storage methods, energy applications, and other beneficial uses of critical minerals processing byproducts; and

(5) alternative minerals, metals, and materials, particularly those available in abundant supply in the United States and not subject to potential supply restrictions, that lessen the need for critical minerals.

(d) Report.—Not later than 4 years after the date of enactment of this Act and every 5 years thereafter, the Secretary shall submit to the applicable committees a report summarizing the activities, findings, and progress of the program.

SEC. 807. ANALYSIS AND FORECASTING.

(a) Capabilities.—In order to evaluate existing critical mineral policies and inform future actions that may be taken to avoid supply shortages, mitigate price volatility, and prepare for demand growth and other market shifts, the Secretary, in consultation with appropriate academic institutions, the Energy Information Administration, and others in order to maximize the application of existing
competencies related to developing and maintaining computer-models and similar analytical tools, shall conduct and publish the results of an annual report that includes—

(1) as part of the annually published Mineral Commodity Summaries from the United States Geological Survey, a comprehensive review of critical mineral production, consumption, and recycling patterns, including—

(A) the quantity of each critical mineral domestically produced during the preceding year;

(B) the quantity of each critical mineral domestically consumed during the preceding year;

(C) market price data for each critical mineral;

(D) an assessment of—

(i) critical mineral requirements to meet the national security, energy, economic, industrial, technological, and other needs of the United States during the preceding year;

(ii) the reliability of the United States on foreign sources to meet those needs during the preceding year; and

(iii) the implications of any supply shortages, restrictions, or disruptions during the preceding year;

(E) the quantity of each critical mineral domestically recycled during the preceding year;

(F) the market penetration during the preceding year of alternatives to each critical mineral;

(G) a discussion of applicable international trends associated with the discovery, production, consumption, use, costs of production, prices, and recycling of each critical mineral as well as the development of alternatives to critical minerals; and

(H) each other analyses, and evaluations as the Secretary finds necessary to achieve the purposes of this section; and

(2) a comprehensive forecast, entitled the ‘Annual Critical Minerals Outlook’, of projected critical mineral production, consumption, and recycling patterns, including—

(A) the quantity of each critical mineral projected to be domestically produced over the subsequent 1-year, 5-year, and 10-year periods;

(B) the quantity of each critical mineral projected to be domestically consumed over the subsequent 1-year, 5-year, and 10-year periods;

(C) market price projections for each critical mineral, to the maximum extent practicable and based on the best available information;

(D) an assessment of—

(i) critical mineral requirements to meet projected national security, energy, economic, industrial, technological, and other needs of the United States;

(ii) the projected reliance of the United States on foreign sources to meet those needs; and

(iii) the projected implications of potential supply shortages, restrictions, or disruptions;

(E) the quantity of each critical mineral projected to be domestically recycled over the subsequent 1-year, 5-year, and 10-year periods;

(F) the market penetration of alternatives to each critical mineral projected to take place over the subsequent 1-year, 5-year, and 10-year periods;

(G) a discussion of reasonably foreseeable international factors that may impact the discovery, production, consumption, use, costs of production, prices, and recycling of each critical mineral as well as the development of alternatives to critical minerals; and

(H) such other projections relating to each critical mineral as the Secretary determines to be necessary to achieve the purposes of this section.

(b) PROPRIETARY INFORMATION.—In preparing a report described in subsection (a), the Secretary shall ensure that—

(1) no person uses the information and data collected for the report for a purpose other than the development of or reporting of aggregate data and information that does not disclose the identity of the person who supplied the information; and

(2) no person discloses any information or data collected for the report unless the information or data has been transformed into a statistical or aggregate form that does not disclose the identity of the person who supplied particular information; and

(3) procedures are established to require the withholding of any information or data collected for the report if the Secretary determines that withholding is necessary to protect proprietary information, including any trade secrets or other confidential information.

SEC. 808. EDUCATION AND WORKFORCE.

(a) WORKFORCE ASSESSMENT.—Not later than 300 days after the date of enactment of this Act, the Secretary of Labor (in consultation with the Director of the National Science Foundation, and employers in the critical minerals sector) shall carry out an assessment of the domestic availability of technically trained personnel necessary for critical mineral assessment, production, manufacturing, recycling, analysis, forecasting, education, and research, including an analysis of—

(1) skills that are in the shortest supply as of the date of the assessment;

(2) skills that are projected to be in short supply in the future;

(3) the demographics of the critical minerals industry; and

(4) how the education and research, including an analysis of—

(i) trends associated with the discovery, production, consumption, use, costs of production, prices, and recycling of each critical mineral; and

(ii) the potential need for new training programs to have a measurable effect on the supply of trained workers in the critical minerals industry.

(b) CURREN T STUDY.—

(1) IN GENERAL.—The Secretary and the Secretary of Labor shall jointly enter into an arrangement with the National Academy of Sciences and the National Academy of Engineering under which the Academies shall coordinate with the National Science Foundation on conducting a study—

(A) to determine a primary program on critical minerals that will support the critical mineral supply chain and improve the ability of the United States to increase domestic, critical mineral exploration, development, and manufacturing;

(B) to address undergraduate and graduate education, especially to assist in the development of graduate level programs of research and instruction that lead to advanced degrees with an emphasis on the critical mineral supply chain or other positions that will increase domestic critical mineral research and development, and manufacturing;

(C) to develop guidelines for proposals from institutions of higher education with substantial capabilities in the required disciplines to improve the critical mineral supply chain and advance the capacity of the United States to increase domestic, critical mineral exploration, development, and manufacturing; and

(D) to outline criteria for evaluating performance and recommending the amount of funding that will be necessary to establish and carry out the grant program described in subsection (c).

(2) NOT LESS THAN 2 YEARS AFTER THE DATE OF ENACTMENT OF THIS ACT, THE SECRETARY SHALL SUBMIT TO CONGRESS A DESCRIPTION OF THE RESULTS OF THE STUDY REQUIRED UNDER PARAGRAPH (1).

(c) GRANT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary and the National Science Foundation shall jointly conduct a competitive peer review program in which institutions of higher education and not-for profit organizations may apply for and receive 4-year grants for—

(A) startup costs for newly designated faculty positions in integrated critical mineral education, research, innovation, training, and workforce development programs consistent with subsection (b);

(B) internships, scholarships, and fellowships for students enrolled in critical mineral programs; and

(C) equipment necessary for integrated critical mineral education, innovation, training, and workforce development programs.

(2) RENEWAL.—A grant under this subsection shall be renewable for up to 2 additional 3-year terms only upon performance criteria outlined under subsection (b)(1)(D).

SEC. 809. INTERNATIONAL COOPERATION.

(a) ESTABLISHMENT.—The Secretary of State and the Secretary of Commerce shall carry out an interagency program to promote international cooperation on critical mineral supply chain issues with allies of the United States.

(b) ACTIVITIES.—Under the program, the Secretary of State may work with allies of the United States—

(1) to increase the global, responsible production of critical minerals, if a determination is made by the Secretary of State that there is no viable production capacity for the critical minerals within the United States;

(2) to improve the efficiency and environmental performance of extraction techniques;

(3) to increase the recycling of, and deployment of alternatives to, critical minerals;

(4) to assist in the development and transfer of critical mineral extraction, processing, manufacturing technologies that would have a beneficial impact on world commodity markets and the environment;

(5) to strengthen and maintain intellectual property protections; and

(6) to facilitate the collection of information necessary for analyses and forecasts conducted pursuant to section 807.

(c) AUTHORIZATION, AND OFFSET.

(a) REPEAL.—


(2) CONFORMING AMENDMENT.—Section 3(d) of the National Superconductivity and Competitiveness Act of 1988 (15 U.S.C. 5202(d)) is amended in the first sentence by striking ‘‘the National Critical Materials Council as specified in the National Critical Materials Act of 1984’’ and inserting ‘‘the National Critical Materials Council as specified in section 807 of the National Critical Materials Act of 1984’’.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this title and the amendments made by this title $30,000,000.

(c) AUTHORIZATION OFFSET.—Section 207(c) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17022(c)) is amended by inserting before the period the following: ‘‘, except that the amount authorized to be appropriated to carry out this section
not appropriated as of the date of enactment of the Domestic Energy and Jobs Act shall be reduced by $30,000,000.

TITLE IX—MISCELLANEOUS

SEC. 901. LIMITATION ON TRANSFER OF FUNCTIONS UNDER THE SOLID MINERALS LEASING PROGRAM.

The Secretary of the Interior may not transfer, under section 2055 of the Solid Minerals Leasing Amendments Act of 1984 (30 U.S.C. 1337 et seq.) or section 2056 of the Outer Continental Shelf Lands Act (43 U.S.C. 1341 et seq.), any exploration, development, or production on the outer Continental Shelf under section 12(d) of the Outer Continental Shelf Lands Act (43 U.S.C. 1341(d)).

SEC. 902. AMOUNT OF DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES.

Section 105(f)(1) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–342) is amended by striking “2005” and inserting “2025, and shall not exceed $750,000,000 for each of fiscal years 2026 through 2055”.

SEC. 903. LEASE SALE 220 AND OTHER LEASE SALES OFF THE COAST OF VIRGINIA.

(a) INCLUSION IN LEASING PROGRAMS.—The Secretary of the Interior shall—

(1) as soon as practicable after, but not later than 10 days after, the date of enactment of this Act, revise the proposed outer Continental Shelf oil and gas leasing program for the 2012–2017 period to include in the program Lease Sale 220 off the coast of Virginia;

(2) include the outer Continental Shelf off the coast of Virginia in the leasing program for each 5-year period after the 2012–2017 period.

(b) CONDUCT OF LEASE SALE.—As soon as practicable, but not later than 1 year, after the date of enactment of this Act, the Secretary of the Interior shall carry out under section 6 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) Lease Sale 220.

(c) BALANCING MILITARY AND ENERGY PROTECTION GOALS.—

(1) JOINT GOALS.—In recognition that the outer Continental Shelf oil and gas leasing program and the domestic energy resources produced thereon are integral to national security, the Secretary of the Interior and the Secretary of Defense shall work jointly in implementing this section—

(A) to preserve the ability of the Armed Forces to maintain an optimum state of readiness through their continued use of energy resources of the outer Continental Shelf, and

(B) to allow effective exploration, development, and production of the oil, gas, and renewable energy resources of the United States.

(2) PROHIBITION ON CONFLICTS WITH MILITARY OPERATIONS.—No person may engage in any exploration, development, or production of oil or gas on the outer Continental Shelf that would conflict with any military operation, as determined in accordance with—

(A) the agreement entitled “Memorandum of Agreement between the Department of Defense and the Department of the Interior on Mutual Concerns on the Outer Continental Shelf” signed on July 20, 1983, before the date of issuance of the lease under which the exploration, development, or production is conducted.

(B) any revision to, or replacement of, the agreement described in subparagraph (A) that is agreed to by the Secretary of Defense and the Secretary of the Interior after July 20, 1983, and

(C) the Mineral Leasing Act (43 U.S.C. 181 et seq.).

(D) the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.).

(2) any function relating to management of military readiness through their continued use of energy resources of the outer Continental Shelf; and

(3) any action performed under the mining law administration program of the Bureau of Land Management.

SEC. 904. LIMITATION ON AUTHORITY TO ISSUE REGULATIONS MODIFYING THE STREAM ZONE BUFFER RULE.

The Secretary of the Interior may not, before December 31, 2013, issue a regulation modifying the final rule entitled “Excess Spill, Coal Mine Waste, and Buffers for Pe- remial and Intermittent Streams” (73 Fed. Reg. 75814 (December 12, 2008)).

SA 3671. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . SHIFT IN THE COLLECTION OF THE PAYMENT FOR THE TRANSITIONAL REINSURANCE PROGRAM.

(a) IN GENERAL.—Section 1341(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 18061(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) by inserting “beginning on January 1, 2018,” after “required to make payments”;

and

(ii) by striking “any plan year beginning in the 3-year period” and all that follows through and inserting “payments made under subparagraph (C) (as specified in paragraph (3));”

(B) in subparagraph (B), by striking “and uses” and all that follows through the period and inserting “; and”

and

(C) by adding at the end the following:

“(C) the applicable reinsurance entity makes payments to health insurance issuers that are high risk individuals in the individual market (excluding grandfathered health plans) for any plan year beginning in the 3-year period beginning January 1, 2014, and in an aggregate amount of up to the total of the contributions amounts described in paragraph (3)(B)(vi) subject to paragraph (4);”;

(B) in subparagraph (B), by striking “under the contribution” in subparagraph (A) and inserting “that the contribution”;

and

(D) in the flush matter at the end, by striking “(v) in clause (iv), as so redesignated, by inserting “amount provided under paragraph (5)”.

(b) MEDICAL LOSS RATIO.—The Secretary of Health and Human Services shall promulgate regulations or guidance to ensure that the contribution amounts set forth in paragraph (3)(B)(v) to decrease the amount of reinsurance payments made under clause (iv), are based on the plan years beginning in 2014, and that 90% of the aggregate contributions are to be made in the 2015 calendar year and for reinsurance collections for calendar year 2015.
STAR labels and operating the America Star Program, the Secretary shall consult with the Federal Trade Commission to ensure consistency with the requirements enforced by the Commission with respect to representations of the extent to which products are manufactured in the United States.

(2) SENSE OF CONGRESS ON CONSULTATION WITH FEDERAL TRADE COMMISSION.—It is the sense of Congress that, in establishing America Star labels and operating the America Star Program, the Secretary should consult with the Federal Trade Commission.

(b) ESTABLISHMENT OF LABELS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall, by rule—

(A) design America Star labels that are consistent with public perceptions of the meaning of descriptions of the extent to which products are manufactured in the United States; and

(B) specify the standards that a product shall meet in order to bear a particular America Star label.

(c) CERTIFICATION OF PRODUCTS.—

(1) APPLICATION PROCEDURES.—A manufacturer that wishes to have a product certified as meeting the standards of America Star label may apply to the Secretary for certification in accordance with such procedures as the Secretary shall establish by rule.

(2) ACTION BY SECRETARY.—Not later than such time after receiving an application for certification under paragraph (1) that the Secretary determines reasonable by rule, the Secretary shall—

(A) determine whether the product described in the application meets the standards of America Star label; (B) if the product meets such standards, certify the product; and (C) notify the manufacturer of the determination and whether the product has been certified.

(d) MONITORING: WITHDRAWAL OF CERTIFICATION.—

(1) MONITORING.—The Secretary shall conduct such monitoring and compliance review as the Secretary considers necessary—

(A) to detect violations of subsection (f); and

(B) to ensure that products certified as meeting the standards of America Star labels continue to meet such standards.

(2) WITHDRAWAL OF CERTIFICATION.—

(A) ON INITIATIVE OF SECRETARY.—If the Secretary determines that a product certified as meeting the standards of America Star label no longer meets such standards, the Secretary shall—

(i) notify the manufacturer of the determination and any corrective action that would enable the product to meet such standards; and

(ii) if the manufacturer does not take such action within such time after receiving notification under clause (i) as the Secretary determines reasonable by rule, the Secretary shall withdraw the certification of the product and notify the manufacturer of the withdrawal.

(B) AT REQUEST OF MANUFACTURER.—At the request of a manufacturer of a product the Secretary shall withdraw the certification of the product and notify the manufacturer of the withdrawal.

(c) REQUIRED CONSULTATION WITH FEDERAL TRADE COMMISSION.—In establishing America Star labels and operating the America Star Program, the Secretary shall consult with the Federal Trade Commission to ensure consistency with the requirements enforced by the Commission with respect to representations of the extent to which products are manufactured in the United States.

(2) SENSE OF CONGRESS ON CONSULTATION WITH FEDERAL TRADE COMMISSION.—It is the sense of Congress that, in establishing America Star labels and operating the America Star Program, the Secretary should consult with the Federal Trade Commission.

(b) PROHIBITED CONDUCT.—Unless a certification by the Secretary that a product meets the standards of an America Star label is in effect, a person may not—

(1) place such label on such product;

(2) use such label in any marketing materials for such product; or

(3) in any other way represent that such product meets, or is certified as meeting, the standards of such label.

(g) ENFORCEMENT.—

(1) CIVIL PENALTY.—Any person who knowingly violates subsection (f) shall be subject to a civil penalty of not more than $10,000.

(2) INELIGIBILITY.—

(A) IN GENERAL.—Except as provided in subparagraph (C), if the Secretary determines that a manufacturer—

(i) has placed such label on such product; or

(ii) if the product meets such standards, the Secretary shall withdraw the certification or allow the certification to continue in effect, as the Secretary determines reasonable by rule, the Secretary shall—

(A) design America Star labels that are consistent with public perceptions of the meaning of descriptions of the extent to which products are manufactured in the United States; and

(B) specify the standards that a product shall meet in order to bear a particular America Star label.

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(B) AT REQUEST OF MANUFACTURER.—At the request of a manufacturer of a product the Secretary shall withdraw the certification of the product and notify the manufacturer of the withdrawal.

(c) REQUIRED CONSULTATION WITH FEDERAL TRADE COMMISSION.—In establishing America Star labels and operating the America Star Program, the Secretary shall consult with the Federal Trade Commission to ensure consistency with the requirements enforced by the Commission with respect to representations of the extent to which products are manufactured in the United States.

(2) SENSE OF CONGRESS ON CONSULTATION WITH FEDERAL TRADE COMMISSION.—It is the sense of Congress that, in establishing America Star labels and operating the America Star Program, the Secretary should consult with the Federal Trade Commission.

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(B) specify the standards that a product shall meet in order to bear a particular America Star label.

(c) CERTIFICATION OF PRODUCTS.—

(1) APPLICATION PROCEDURES.—A manufacturer that wishes to have a product certified as meeting the standards of America Star label may apply to the Secretary for certification in accordance with such procedures as the Secretary shall establish by rule.

(2) ACTION BY SECRETARY.—Not later than such time after receiving an application for certification under paragraph (1) that the Secretary determines reasonable by rule, the Secretary shall—

(A) determine whether the product described in the application meets the standards of America Star label;

(B) if the product meets such standards, certify the product; and (C) notify the manufacturer of the determination and whether the product has been certified.

(d) MONITORING: WITHDRAWAL OF CERTIFICATION.—

(1) MONITORING.—The Secretary shall conduct such monitoring and compliance review as the Secretary considers necessary—

(A) to detect violations of subsection (f); and

(B) to ensure that products certified as meeting the standards of America Star labels continue to meet such standards.

(2) WITHDRAWAL OF CERTIFICATION.—

(A) ON INITIATIVE OF SECRETARY.—If the Secretary determines that a product certified as meeting the standards of America Star label no longer meets such standards, the Secretary shall—

(i) notify the manufacturer of the determination and any corrective action that would enable the product to meet such standards; and

(ii) if the manufacturer does not take such action within such time after receiving notification under clause (i) as the Secretary determines reasonable by rule, the Secretary shall withdraw the certification of the product and notify the manufacturer of the withdrawal.

(B) AT REQUEST OF MANUFACTURER.—At the request of a manufacturer of a product the Secretary shall withdraw the certification of the product and notify the manufacturer of the withdrawal.

(c) REQUIRED CONSULTATION WITH FEDERAL TRADE COMMISSION.—In establishing America Star labels and operating the America Star Program, the Secretary shall consult with the Federal Trade Commission to ensure consistency with the requirements enforced by the Commission with respect to representations of the extent to which products are manufactured in the United States.

(2) SENSE OF CONGRESS ON CONSULTATION WITH FEDERAL TRADE COMMISSION.—It is the sense of Congress that, in establishing America Star labels and operating the America Star Program, the Secretary should consult with the Federal Trade Commission.
SA 3674. Mr. WARNER (for himself and Mr. PETERS) submitted an amendment to the INBOUND INVESTMENT PROGRAM TO RECRUIT JOBS TO THE UNITED STATES, prohibiting the program from being used to assist eligible entities in locating facilities in rural or distressed areas, unless the program's design is easily understood and widely accessible.

(1) IN GENERAL.—Upon the enactment of this Act, the Secretary of Commerce shall establish a program to award grants to States that are recruiting high-value jobs. Grants awarded under this section may be used to issue forgivable loans to eligible entities that are deciding whether to locate eligible facilities in the United States to assist such entities in locating such facilities in rural or distressed areas.

(f) CREDENTIALING.—(1) IN GENERAL.—The Secretary shall establish a process for pre-clearing applications from States. The Secretary shall notify all States of this grant opportunity once the program is operational. The program and the State application process must be online and must be in a format that is easily understood and widely accessible.

(g) RECOGNITION.—The Secretary shall notify all States of the grants available under the program and the process for applying for such grants.

(h) ONLINE SUBMISSION OF APPLICATIONS.—The Secretary shall establish a mechanism for the electronic submission of applications under subparagraph (A). Such mechanism shall utilize an Internet website and all information submitted in a format that is easily understood and widely accessible.

(i) CONFIDENTIALITY.—The Secretary shall not make public any information submitted by a State to the Secretary under this paragraph regarding the efforts of such State to assist an eligible entity in locating an eligible facility in such State without the express consent of the State.

(j) SELECTION.—The Secretary shall award grants under the program on a competitive basis to States that—

(A) The Secretary determines are most likely to succeed with a grant under the program in assisting such eligible entity in locating an eligible facility in a rural or distressed area;

(B) If successful in assisting such an entity as described in subparagraph (A)—

(i) create the greatest number of high-value jobs in rural or distressed areas;

(ii) have committed significant resources, to the extent of their ability as determined by the Secretary, to assisting eligible entities in locating eligible facilities in a rural or distressed area;

(iii) have committed significant resources, to the extent of their ability as determined by the Secretary, to assisting eligible entities in locating eligible facilities in a rural or distressed area;

(iv) have committed significant resources, to the extent of their ability as determined by the Secretary, to assisting eligible entities in locating eligible facilities in a rural or distressed area;

(v) have committed significant resources, to the extent of their ability as determined by the Secretary, to assisting eligible entities in locating eligible facilities in a rural or distressed area;

(vi) have committed significant resources, to the extent of their ability as determined by the Secretary, to assisting eligible entities in locating eligible facilities in a rural or distressed area;

(vii) have committed significant resources, to the extent of their ability as determined by the Secretary, to assisting eligible entities in locating eligible facilities in a rural or distressed area;

(viii) have committed significant resources, to the extent of their ability as determined by the Secretary, to assisting eligible entities in locating eligible facilities in a rural or distressed area;

(ix) have committed significant resources, to the extent of their ability as determined by the Secretary, to assisting eligible entities in locating eligible facilities in a rural or distressed area;

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(xi) have committed significant resources, to the extent of their ability as determined by the Secretary, to assisting eligible entities in locating eligible facilities in a rural or distressed area;

(xii) have committed significant resources, to the extent of their ability as determined by the Secretary, to assisting eligible entities in locating eligible facilities in a rural or distressed area;

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(xviii) have committed significant resources, to the extent of their ability as determined by the Secretary, to assisting eligible entities in locating eligible facilities in a rural or distressed area;

(xix) have committed significant resources, to the extent of their ability as determined by the Secretary, to assisting eligible entities in locating eligible facilities in a rural or distressed area;

(xx) have committed significant resources, to the extent of their ability as determined by the Secretary, to assisting eligible entities in locating eligible facilities in a rural or distressed area;

(2) AMOUNT.—The amount of a loan or loan guarantee provided under this paragraph shall be equal to not more than $5,000 per full-time equivalent employee to be employed at such facility.

(3) REPAYMENT.—Repayment of a loan issued by a State to an eligible entity under the program shall be repaid in accordance with such schedule as the Secretary shall establish in accordance with such rules as the Secretary shall prescribe for purposes of the program. Such rules shall provide for the following:

(A) Forgive of any portion of the loan, the amount of such forgiveness depending on the following:

(i) The performance of the borrower or applicant of the loan or loan guarantee issued to an eligible entity; and

(ii) The number or quality of the jobs at the facility located under the program.

(B) Repayment of principal or interest, if any, at the end of the loan.

(4) ASSESSMENT AND RECOMMENDATIONS.—The Secretary may submit to Congress recommendations for such legislative action as the Secretary considers appropriate to improve the program, including with respect to any findings of the Secretary derived by comparing the program established under subsection (b) with the programs and policies of governments of foreign countries used to recruit high-value jobs.

SA 3675. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as amended. At the end of the bill, add the following:

TITe II—WATER SUPPLY PERMITTING COORDINATION

SEC. 201. SHORT TITLE.

"This title may be cited as the "Water Supply Permitting Coordination Act.""

SEC. 202. DEFINITIONS.

In this title:

(1) BUREAU.—The term "Bureau" means the Bureau of Reclamation under this program, the Secretary shall make available to such State the amount of such grant not later than 30 days after the date on which the Secretary awarded the grant. The total amount of grants awarded under this program may not exceed $100,000,000.

(2) LOANS AND GUARANTEES FROM STATES TO CORPORATIONS.—(1) IN GENERAL.—Amounts received by a State under the program may be used to provide assistance to an eligible entity to locate an eligible facility in a rural or distressed area of the State.

(b) LOANS AND GUARANTEES.—(1) IN GENERAL.—A State receiving a grant under the program may provide assistance under paragraph (1) in the form of:

(A) a single loan to a single eligible entity as described in paragraph (1) to cover the costs incurred by the eligible entity in locating the eligible facility as described in such paragraph; or

(B) a single loan guarantee to a financial institution making a single loan to a single eligible entity as described in paragraph (1) to cover the costs incurred by the eligible entity in locating the eligible facility as described in such paragraph.

(2) TERMS AND CONDITIONS.—Each loan or loan guarantee provided under paragraph (2) shall have a term of 5 years and shall bear interest at rates equal to the Federal long-term interest rate established under section 111(c) of the Internal Revenue Code of 1986.

(3) AMOUNT.—The amount of a loan or loan guarantee issued to an eligible entity under the program for the location of an eligible facility shall be an amount equal to not more than $5,000 per full-time equivalent employee to be employed at such facility.

(4) REPAYMENT.—Repayment of a loan issued by a State to an eligible entity under the program shall be repaid in accordance with such schedule as the State shall establish in accordance with such rules as the Secretary shall prescribe for purposes of the program. Such rules shall provide for the following:

(A) Forgive of any portion of the loan, the amount of such forgiveness depending on the following:

(i) The performance of the borrower or applicant of the loan or loan guarantee issued to an eligible entity; and

(ii) The number or quality of the jobs at the facility located under the program.

(B) Repayment of principal or interest, if any, at the end of the loan.

(4) ASSESSMENT AND RECOMMENDATIONS.—The Secretary may submit to Congress recommendations for such legislative action as the Secretary considers appropriate to improve the program, including with respect to any findings of the Secretary derived by comparing the program established under subsection (b) with the programs and policies of governments of foreign countries used to recruit high-value jobs.
with jurisdiction over a review, analysis, opinion, statement, permit, license, or other approval or decision required for a qualifying project under applicable Federal laws and regulations, or a State agency subject to section 203(c).

(3) QUALIFYING PROJECTS.—The term "qualifying projects" means the Secretary of the Interior, with respect to a project applicant, and to the public.

(a) A DHERENCE TO BUREAU SCHEDULE.—In general, the Secretary shall ensure that the use of the funds accepted under subsection (a) will not impact impartial decisionmaking with respect to permits, either substantively or procedurally.

(b) EFFECT ON PERMITTING.—In carrying out this section, the Secretary shall ensure that the evaluation of permits carried out using funds accepted under this section shall—

(1) be reviewed by the Regional Director of the Bureau of Reclamation, or the Regional Director's designee, of the region in which the qualifying project or activity is located; and

(2) use the same procedures for decisions that would otherwise be required for the evaluation of permits for similar projects or activities not carried out using funds authorized under this section.

(c) IMPARTIAL DECISIONMAKING.—In carrying out this section, the Secretary and the cooperating agencies receiving funds under this section for qualifying projects shall ensure that the use of funds accepted under this section for such projects shall not—

(1) impact impartial decisionmaking with respect to the issuance of permits, either substantively or procedurally; or

(2) diminish, modify, or otherwise affect the statutory or regulatory authorities of such agencies.

(d) P UBLIC AVAILABILITY.—The Secretary shall ensure that all final permit decisions shall be used to carry out a review of the evaluation of permits required under subsection (b)(2)(A).

(e) LIMITATION ON USE OF FUNDS.—None of the funds accepted under this section shall be used to carry out a review of the evaluation of permits required under subsection (b)(2)(A).

(f) PUBLIC AVAILABILITY.—The Secretary shall ensure that all final permit decisions carried out using funds authorized under this section are made available to the public, including on the Internet.

Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 206. FUNDING TO PROCESS PERMITS.

(a) IN GENERAL.—The Secretary, after public notice in accordance with the Administrative Procedures Act (5 U.S.C. 553), may use funds provided under this section to fund the evaluation of a permit of that entity related to a qualifying project or activity for a public purpose under the jurisdiction of the Department of the Interior.

(b) EFFECT ON PERMITTING.—In carrying out this section, the Secretary shall ensure that the evaluation of permits carried out using funds accepted under this section shall—

(A) be reviewed by the Regional Director of the Bureau of Reclamation, or the Regional Director's designee, of the region in which the qualifying project or activity is located; and

(B) use the same procedures for decisions that would otherwise be required for the evaluation of permits for similar projects or activities not carried out using funds authorized under this section.

SEC. 205. COOPERATING AGENCY RESPONSIBILITIES.

(a) ADHERENCE TO BUREAU SCHEDULE.—Upon notification of an application for a qualifying project, all cooperating agencies shall submit to the Bureau a timeframe under which the cooperating agency reasonably considers it will be able to complete its approval responsibilities. The Bureau shall use the timeframe submitted under this subsection to establish the project schedule under section 204, and the cooperating agencies shall submit all relevant project data to the Bureau in a generally accessible electronic format subject to the project schedule set forth by the Bureau.

SEC. 204. BUREAU RESPONSIBILITIES.

(a) A DHERENCE TO BUREAU SCHEDULE.—In general, the Secretary shall ensure that the use of the funds accepted under subsection (a) will not impact impartial decisionmaking with respect to permits, either substantively or procedurally.

(b) EFFECT ON PERMITTING.—In carrying out this section, the Secretary shall ensure that the evaluation of permits carried out using funds accepted under this section shall—

(A) be reviewed by the Regional Director of the Bureau of Reclamation, or the Regional Director's designee, of the region in which the qualifying project or activity is located; and

(B) use the same procedures for decisions that would otherwise be required for the evaluation of permits for similar projects or activities not carried out using funds authorized under this section.

(c) IMPARTIAL DECISIONMAKING.—In carrying out this section, the Secretary and the cooperating agencies receiving funds under this section for qualifying projects shall ensure that the use of funds accepted under this section for such projects shall not—

(A) impact impartial decisionmaking with respect to the issuance of permits, either substantively or procedurally; or

(B) diminish, modify, or otherwise affect the statutory or regulatory authorities of such agencies.

(d) P UBLIC AVAILABILITY.—The Secretary shall ensure that all final permit decisions carried out using funds authorized under this section are made available to the public, including on the Internet.

Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 206. FUNDING TO PROCESS PERMITS.

(a) IN GENERAL.—The Secretary, after public notice in accordance with the Administrative Procedures Act (5 U.S.C. 553), may use funds provided under this section to fund the evaluation of a permit of that entity related to a qualifying project or activity for a public purpose under the jurisdiction of the Department of the Interior.

(b) EFFECT ON PERMITTING.—In carrying out this section, the Secretary shall ensure that the evaluation of permits carried out using funds accepted under this section shall—

(A) be reviewed by the Regional Director of the Bureau of Reclamation, or the Regional Director's designee, of the region in which the qualifying project or activity is located; and

(B) use the same procedures for decisions that would otherwise be required for the evaluation of permits for similar projects or activities not carried out using funds authorized under this section.

(c) IMPARTIAL DECISIONMAKING.—In carrying out this section, the Secretary and the cooperating agencies receiving funds under this section for qualifying projects shall ensure that the use of funds accepted under this section for such projects shall not—

(A) impact impartial decisionmaking with respect to the issuance of permits, either substantively or procedurally; or

(B) diminish, modify, or otherwise affect the statutory or regulatory authorities of such agencies.

(d) P UBLIC AVAILABILITY.—The Secretary shall ensure that all final permit decisions carried out using funds authorized under this section are made available to the public, including on the Internet.
S4962
CONGRESSIONAL RECORD — SENATE
July 24, 2014

(1) FINDINGS.—Congress finds that—

(A) on June 25, 2013, President Obama issued a Presidential memorandum directing the Administrator of the Environmental Protection Agency to issue regulations relating to power sector carbon pollution standards for existing coal fired power plants;

(B) the issuance of that memorandum circumvents the will of the people of the United States;

(C) any action to control emissions of greenhouse gases from existing coal fired power plants by the United States by mandating a national energy tax would devastate major sectors of the economy, cost thousands of jobs, and increase energy costs for low-income, minority, and small businesses, and seniors on fixed income;

(D) joblessness increases the likelihood of hospital visits, illnesses, and premature deaths.

(E) according to testimony on June 15, 2011, before the Committee on Environment and Public Works of the Senate by Dr. Harvey Bremer of Johns Hopkins University, “The unemployment rate is well established as a risk factor for elevated illness and mortality rates in epidemiological studies performed in the 1980s. In addition, influences on mental disorder, suicide and alcohol abuse and alcoholism, unemployment is also an important risk factor in cardiovascular disease and overall decreases in life expectancy.”;

(F) according to the National Center for Health Statistics, “children in poor families were four times as likely to be in fair or poor health as children that were not poor”; and

(G) any major decision that would cost the economy of the United States millions of dollars leading to serious negative health effects for the people of the United States should be debated and explicitly authorized by Congress, and not approved by a Presidential memorandum or regulations;

(H) any policy adopted by Congress should make United States energy as clean as practicable, as quickly as practicable, without increasing the cost of energy for struggling families, seniors, low-income households, and small businesses.

(2) PURPOSE.—The purposes of this section are—

(A) to ensure that—

(i) a national energy tax is not imposed on the electricity sector of the United States; and

(ii) struggling families, seniors, low-income households, and small businesses do not experience skyrocketing electricity bills and job losses;

(B) to protect the people of the United States, particularly families, seniors, and children, from the serious negative health effects of joblessness;

(C) to allow sufficient time for Congress to develop and authorize an appropriate mechanism to address the energy needs of the United States and the potential challenges posed by severe weather; and

(D) to restore the legislative process and congressional authority over the energy policy of the United States;

(b) SECURITIES EXCHANGE ACT AMENDMENT.—Section 15(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78p-10(e)), as added by section 746(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended by adding at the end the following new paragraph:

"(4) APPLICABILITY WITH RESPECT TO COUNTERPARTIES.—The requirements of paragraphs (2)(A)(i) and (2)(B)(ii) shall not apply to a counterparty that satisfies the criteria in section 3C(g)(4)".

SEC. 202. IMPLEMENTATION.

The amendments made by this title to the Commodity Exchange Act shall be implemented—

(1) without regard to—

(A) chapter 35 of title 44, United States Code; and

(B) the notice and comment provisions of section 533 of title 5, United States Code;

(2) through the promulgation of an interim final rule, pursuant to which public comment will be sought before a final rule is issued; and

(3) such that paragraph (1) shall apply solely to changes to rules and regulations, or proposed rules and regulations, that are limited to and directly a consequence of such amendments.

SEC. 203. BUSINESS ACCESS TO INSURED DEPOSITS.

(a) NO LIMITATIONS ON ACCESS TO OVER-THE-COUNTER DRUGS WITHOUT PRESCRIPTION.

(1) FINDINGS.—Congress finds that—

(A) the provisions of section 3C(g)(4) of the Commodity Exchange Act (7 U.S.C. 6s(e)(4)), as added by section 731 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (33 U.S.C. 1251 et seq.), shall be amended by adding the following:

"(4) A PPLICABILITY WITH RESPECT TO COUNTERPARTIES.—The requirements of paragraphs (2)(A)(i) and (2)(B)(ii) shall not apply to a counterparty that satisfies the criteria in section 3C(g)(4)";

(b) The notice and comment provisions of section 533 of title 5, United States Code; and

(c) the notice and comment provisions of section 533 of title 5, United States Code; and

(d) the notice and comment provisions of section 533 of title 5, United States Code.

SEC. 204. BUSINESS ACCESS TO INSURED DEPOSITS.

(a) NO LIMITATIONS ON ACCESS TO OVER-THE-COUNTER DRUGS WITHOUT PRESCRIPTION.

(1) FINDINGS.—Congress finds that—

(A) the provisions of section 3C(g)(4) of the Commodity Exchange Act (7 U.S.C. 6s(e)(4)), as added by section 731 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (33 U.S.C. 1251 et seq.), shall be amended by adding the following:

"(4) A PPLICABILITY WITH RESPECT TO COUNTERPARTIES.—The requirements of paragraphs (2)(A)(i) and (2)(B)(ii) shall not apply to a counterparty that satisfies the criteria in section 3C(g)(4)";

(b) The notice and comment provisions of section 533 of title 5, United States Code; and

(c) the notice and comment provisions of section 533 of title 5, United States Code; and

(d) the notice and comment provisions of section 533 of title 5, United States Code.

SEC. 205. BUSINESS ACCESS TO INSURED DEPOSITS.

(a) NO LIMITATIONS ON ACCESS TO OVER-THE-COUNTER DRUGS WITHOUT PRESCRIPTION.

(1) FINDINGS.—Congress finds that—

(A) the provisions of section 3C(g)(4) of the Commodity Exchange Act (7 U.S.C. 6s(e)(4)), as added by section 731 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (33 U.S.C. 1251 et seq.), shall be amended by adding the following:

"(4) A PPLICABILITY WITH RESPECT TO COUNTERPARTIES.—The requirements of paragraphs (2)(A)(i) and (2)(B)(ii) shall not apply to a counterparty that satisfies the criteria in section 3C(g)(4)";

(b) The notice and comment provisions of section 533 of title 5, United States Code; and

(c) the notice and comment provisions of section 533 of title 5, United States Code; and

(d) the notice and comment provisions of section 533 of title 5, United States Code.

SEC. 206. BUSINESS ACCESS TO INSURED DEPOSITS.

(a) NO LIMITATIONS ON ACCESS TO OVER-THE-COUNTER DRUGS WITHOUT PRESCRIPTION.

(1) FINDINGS.—Congress finds that—

(A) the provisions of section 3C(g)(4) of the Commodity Exchange Act (7 U.S.C. 6s(e)(4)), as added by section 731 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (33 U.S.C. 1251 et seq.), shall be amended by adding the following:

"(4) A PPLICABILITY WITH RESPECT TO COUNTERPARTIES.—The requirements of paragraphs (2)(A)(i) and (2)(B)(ii) shall not apply to a counterparty that satisfies the criteria in section 3C(g)(4)";

(b) The notice and comment provisions of section 533 of title 5, United States Code; and

(c) the notice and comment provisions of section 533 of title 5, United States Code; and

(d) the notice and comment provisions of section 533 of title 5, United States Code.
SEC. 51. BUSINESS ACCESS TO INSURED DEPOSITORY INSTITUTIONS.

(a) IN GENERAL.—The Federal banking agencies may not prohibit or otherwise restrict or discourage an insured depository institution from providing any product or service to an entity that demonstrates to the insured depository institution that such entity—

(1) is licensed and authorized to offer such product or service;

(2) is registered as a money transmitting business under section 5330 of title 31, United States Code, or regulations promulgated under such section; or

(3) has a reasoned legal opinion that demonstrates the legality of the entity’s business under applicable law.

(b) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

(1) require an insured depository institution—

(A) to provide any product or service to any particular entity;

(B) to regularly review the status of any license of an entity; or

(C) to determine the validity or veracity of any reasoned legal opinion obtained under subsection (a); or

(2) imply or require that an insured depository institution may only provide products or services to customers in the relevant jurisdiction of the business’s provision of products or services to customers in the relevant jurisdictions under applicable Federal and State law, tribal ordinances, tribal resolutions, and tribal-State compacts; and

(3) does not include a written legal opinion that recites the facts of a particular business and states a conclusion.

SEC. 204. AMENDMENTS TO THE FINANCIAL INSTITUTIONS REFORM, RECOVERY, AND ENFORCEMENT ACT OF 1989.

Section 951 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833a) is amended—

(1) in subsection (a), by inserting ‘‘and where such violation or conspiracy to violate is in connection with a violation or conspiracy to violate a section described under paragraph (1) after ‘financial institution’; and

(2) in subsection (c)—

(A) in the header, by striking ‘‘SUBPOENAS’’ and inserting ‘‘INVESTIGATIONS’’; and

(B) in paragraph (1), by amending subparagraph (C) to read as follows—

(C) request a court order from a court of competent jurisdiction to summon witnesses and to require the production of any books, papers, correspondence, memoranda, or other records which the Attorney General deems relevant to the inquiry, and which shall be issued only if the Attorney General offers specific and articulable facts showing that there are reasonable grounds to believe that the information or testimony sought is relevant and material to an ongoing civil proceeding under this section;

(B) by amending paragraph (2) to read as follows—

(2) ANNUAL REPORT TO CONGRESS ON FINANCIAL CHRONIC OVERTAX.—The Attorney General shall submit a report before January 31 of each year, beginning the first January following the date of enactment of the End Operation Choke Point Act of 2014, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, which shall include a detailed description of—

(A) the number of court orders sought by the Attorney General and the number of orders issued;

(B) the recipient of the court orders;

(C) the number of documents requested and received;

(D) the number of witnesses requested to testify and the number who actually testified; and

(E) whether a civil enforcement action was filed and the result of any such enforcement action, including settlements that led to the dismissal of charges.

(c) LIMITATION ON RULEMAKING.—The Board may not issue any guidance under subsection (a). Any rule implementing subsection (a) shall be promulgated in accordance with section 553 of title 5, United States Code.

(d) REASONED LEGAL OPINION DEFINED.—For purposes of this section, the term ‘‘reasoned legal opinion’’—

(1) means a written legal opinion by a State-licensed attorney that addresses the facts of a particular business and the legality of the business’s provision of products or services to customers in the relevant jurisdictions under applicable Federal and State law, tribal ordinances, tribal resolutions, and tribal-State compacts; and

(2) does not include a written legal opinion that recites the facts of a particular business and states a conclusion.

SEC. 205. REQUIREING COOPERATION TO DETECT AND PREVENT CIVIL ENFORCEMENT OF FINANCIAL CRIMES.

Subsection (a) of section 314 of the USA PATRIOT Act (31 U.S.C. 531 note) is amended—

(1) in paragraph (1), by inserting ‘‘the commission of financial fraud,’’ after ‘‘terrorist acts’’;

(b) in paragraph (2)—

(A) in subparagraph (B), by striking ‘‘; and’’ and inserting a semicolon;

(B) in subparagraph (C), by striking the period at the end and inserting ‘‘; and’’;

(C) by adding at the end the following new subparagraph—

(D) means of facilitating the identification of accounts and transactions involving persons engaged in committing financial fraud, subject to the limitations described in paragraph (5); and

(3) in paragraph (5), by striking ‘‘shall not be used’’ and all that follows through the period at the end and inserting the following:

‘‘(E) whether a civil enforcement action was filed and the result of any such enforcement action, including settlements that led to the dismissal of charges.’’.

Section 951 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833a) is amended—

(1) in subsection (a), by inserting ‘‘and where such violation or conspiracy to violate is in connection with a violation or conspiracy to violate a section described under paragraph (1) after ‘financial institution’; and

(2) in subsection (c)—

(A) in the header, by striking ‘‘SUBPOENAS’’ and inserting ‘‘INVESTIGATIONS’’; and

(B) in paragraph (1), by amending subparagraph (C) to read as follows—

(C) request a court order from a court of competent jurisdiction to summon witnesses and to require the production of any books, papers, correspondence, memoranda, or other records which the Attorney General deems relevant to the inquiry, and which shall be issued only if the Attorney General offers specific and articulable facts showing that there are reasonable grounds to believe that the information or testimony sought is relevant and material to an ongoing civil proceeding under this section;

(B) by amending paragraph (2) to read as follows—

(2) ANNUAL REPORT TO CONGRESS ON FINANCIAL CHRONIC OVERTAX.—The Attorney General shall submit a report before January 31 of each year, beginning the first January following the date of enactment of the End Operation Choke Point Act of 2014, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, which shall include a detailed description of—

(A) the number of court orders sought by the Attorney General and the number of orders issued;

(B) the recipient of the court orders;

(C) the number of documents requested and received;

(D) the number of witnesses requested to testify and the number who actually testified; and

(E) whether a civil enforcement action was filed and the result of any such enforcement action, including settlements that led to the dismissal of charges.

(c) LIMITATION ON RULEMAKING.—The Board may not issue any guidance under subsection (a). Any rule implementing subsection (a) shall be promulgated in accordance with section 553 of title 5, United States Code.

(d) REASONED LEGAL OPINION DEFINED.—For purposes of this section, the term ‘‘reasoned legal opinion’’—

(1) means a written legal opinion by a State-licensed attorney that addresses the facts of a particular business and the legality of the business’s provision of products or services to customers in the relevant jurisdictions under applicable Federal and State law, tribal ordinances, tribal resolutions, and tribal-State compacts; and

(2) does not include a written legal opinion that recites the facts of a particular business and states a conclusion.

SEC. 206. LIABILITY FOR DISCLOSURES IN REPORTING SUSPICIOUS TRANSACTIONS.

Section 310 of title 31, United States Code, is amended—

(1) in subsection (c)(2)(C)—

(A) in clause (v), by striking ‘‘; and’’ and inserting a semicolon;

(B) in clause (vii), by striking the period at the end and inserting ‘‘; and’’; and

(C) by adding at the end the following new paragraph:

(8) for appropriate metrics to monitor, track, assess, and report on access to information maintained in the data maintenance system maintained by FinCEN for—

(A) identifying, tracking, and measuring how such information is used and the law enforcement results obtained as a consequence of that use; and

(B) assuring accountability by law enforcement agencies for the utility, security, and privacy of such information while reducing unnecessary regulatory burdens.’’.

SA 3682. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 317. TRUTH IN REGULATING ACT.

(a) SHORT TITLE.—This section may be cited as the ‘‘Truth in Regulating Act of 2014’’.

(b) PURPOSES.—The purposes of this section are to—
(1) increase the transparency of important regulatory decisions; 
(2) promote effective congressional oversight to ensure that agency rules fulfill statutory requirements in an efficient, effective, and fair manner; and 
(3) increase the accountability of Congress and the agencies to the people they serve. 

(c) DEFINITIONS.—In this section— 
(1) the terms ‘agency’, ‘rule’, and ‘rule making’ have the meanings given those terms under section 551 of title 5, United States Code; 
(2) the term ‘economically significant rule’ means any proposed or final rule, including an interim or direct final rule, that may— 
(A) have an annual effect on the economy of $100,000,000 or more; or 
(B) adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; 
(3) the term ‘independent evaluation’ means a substantive evaluation of the data, methodology, and assumptions used by an agency in developing an economically significant rule, including— 
(A) an explanation of how any strengths or weaknesses in those data, methodology, and assumptions support or detract from conclusions reached by the agency; and 
(B) the implications, if any, of the strengths or weaknesses described in subparagraph (A) for the rule making; and 
(4) the term ‘incentives for businesses to bring jobs back to America’ means the program for reviewing and reporting on economically significant rules established under subsection (d). 

(d) PILOT PROGRAM FOR REPORT ON RULES.— 
(1) IN GENERAL.— (A) REQUEST FOR REVIEW.—When an agency issues an economically significant rule, the chair or ranking member of a committee of jurisdiction of either House of Congress may request that the Comptroller General of the United States review the rule. 
(B) REPORT.—Subject to subparagraph (D), not later than 180 days after the Comptroller General receives a request under subparagraph (A), the Comptroller General shall submit to each committee of jurisdiction in each House of Congress a report that includes an independent evaluation of the economically significant rule. 

(2) INDEPENDENT EVALUATION.—The independent evaluation of an economically significant rule under subparagraph (B) shall include, with respect to the agency that published the rule— 
(I) an evaluation of the analysis by the agency of the potential benefits of the rule, including— 
(a) any beneficial effects that cannot be quantified in monetary terms; and 
(b) the identification of the persons or entities likely to receive the benefits described in clause (I); 
(II) a coverage of the analysis by the agency of the potential costs of the rule, including— 
(a) any adverse effects that cannot be quantified in monetary terms; and 
(b) the identification of the persons or entities likely to bear the costs described in clause (I); 
(III) an evaluation of— 
(a) the analysis by the agency of alternative approaches set forth in the notice of proposed rulemaking and in the rulemaking record; and 
(b) any regulatory impact analysis, federalism assessment, or other analysis or assessment prepared by the agency or required for the economically significant rule; and 
(IV) a summary of— 
(a) the results of the evaluation of the Comptroller General in carrying out this section. 

(3) PROCEDURES FOR PRIORITIES OF REVIEW.—Subject to section 301 of title 5, United States Code, the Comptroller General shall develop procedures for determining the priority and number of requests for review under subparagraph (A) for which the Comptroller General submits a report under subparagraph (B). 

(4) AUTHORITY OF COMPTROLLER GENERAL.— (A) COOPERATION BY AGENCIES.—Each agency shall provide with the Comptroller General in carrying out this section. 

(B) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to expand or limit the authority of the Government Accountability Office. 

(c) DEFINITIONS.—In this section— 
(1) the terms ‘agency’, ‘rule’, and ‘rule making’ have the meanings given those terms under section 551 of title 5, United States Code; 
(2) the term ‘major rule’ means a rule that— 
(I) has an annual effect on the economy of more than $5,200,000; and 
(II) adversely affects, or has the potential to adversely affect, in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; 
(3) the term ‘independent evaluation’ means a substantive evaluation of the data, methodology, and assumptions used by an agency in making a major rule, including— 
(I) the results of the evaluation of the Comptroller General in carrying out this section; 

(II) the implications of the results described in clause (I); 

(III) the procedures for priorities of review under section (b); and 

(4) the term ‘Statement of Economic Analysis’ means a report to Congress under section 620 of title 5, United States Code; 

(b) REQUIREMENT.—In conducting each study required under subsection (b), the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report, which shall include— 
(1) the findings of the study; and 
(2) for each study completed after the first study, the increase in the total cost of Federal regulations to small businesses above the total cost included in the report for the preceding year. 

(d) EFFECTIVE DATE; DURATION OF PILOT PROGRAM; REPORT.— 
(1) EFFECTIVE DATE.—This section shall take effect on the 34th day of the first fiscal year beginning after the date of enactment of this Act. 

(2) DURATION OF PILOT PROGRAM.— 
(A) IN GENERAL.—The program provided in subparagraph (B), the pilot program shall be in effect for the 3-year period beginning on the effective date of this section. 

(B) FAILURE TO APPROPRIATE FUNDS.—If a specific annual appropriation of not less than $5,200,000 is not made to carry out this section for a fiscal year, the pilot program shall not be in effect during that fiscal year. 

(C) REPORT.—Not later than the last day of the period described in paragraph (2)(A), the Comptroller General shall submit to Congress a report that— 
(I) reviews the effectiveness of the pilot program; and 

(II) recommends whether or not Congress should permanently authorize the pilot program. 

(e) FUNDING.—The Administrator shall carry out this section using unobligated funds otherwise made available to the Administrator. 

(f) EFFECTIVE DATE; DURATION OF PILOT PROGRAM; REPORT.— 
(1) EFFECTIVE DATE.—This section shall take effect on the 34th day of the first fiscal year beginning after the date of enactment of this Act. 

(2) DURATION OF PILOT PROGRAM.— 
(A) IN GENERAL.—The program provided in subparagraph (B), the pilot program shall be in effect for the 3-year period beginning on the effective date of this section. 

(B) FAILURE TO APPROPRIATE FUNDS.—If a specific annual appropriation of not less than $5,200,000 is not made to carry out this section $5,200,000 for each of the 3 fiscal years during the period described in subsection (f). 

(C) REPORT.—Not later than the last day of the period described in paragraph (2)(A), the Comptroller General shall submit to Congress a report that— 
(I) reviews the effectiveness of the pilot program; and 

(II) recommends whether or not Congress should permanently authorize the pilot program. 

SA 3683. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America, which was ordered to lie on the table; as follows: 

At the end, add the following: 

SEC. 4. SMALL BUSINESS ADMINISTRATION STUDY ON THE COST OF FEDERAL REGULATIONS. 

(a) DEFINITION.—In this section— 
(1) the terms ‘Administration’ and ‘Administrator’ mean the Small Business Administration and the Administrator thereof; 
(2) the term ‘major rule’ has the meaning given that term under section 804 of title 5, United States Code; and 

(b) STUDY.—Not later than 1 year after the date of enactment of this Act, and every year thereafter, the Administrator shall conduct a study on the total cost, including job losses, of Federal regulations to small business concerns. 

(c) REQUIREMENT.—In conducting each study required under subsection (b), the Administrator shall use the best available estimates of the costs and the benefits, including estimates produced in accordance with Executive Order 12866 (5 U.S.C. 601 note; relating to regulatory planning and review), disaggregated by each agency issuing a major rule, 

(1) for each major rule promulgated during the year covered by the study that resulted in a net cost to small business concerns; and 

(2) the cumulative costs of such major rules. 

(d) REPORT.—Not later than 90 days after completing a study required under subsection (b), the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report, which shall include— 
(1) the findings of the study; and 

(2) for each study completed after the first study, the increase in the total cost of Federal regulations to small business concerns above the total cost included in the report for the preceding year.
SEC. 4. PERMANENT DOUBLING OF DEDUCTIONS FOR START-UP EXPENSES, ORGANIZATIONAL EXPENSES, AND SYNDICATION FEES.

(a) Start-Up Expenses.—

(1) In general.—Clause (ii) of section 199(b)(1)(A) of the Internal Revenue Code of 1986 is amended—

(A) by striking "$5,000" and inserting "$10,000", and

(B) by striking "$50,000" and inserting "$500,000".

(2) Conforming Amendment.—Subsection (b) of section 185 of the Internal Revenue Code of 1986 is amended by striking paragraph (3).

(b) Organizational Expenses.—Subparagraph (A) of section 195 of the Internal Revenue Code of 1986 is amended—

(1) by striking "$5,000" and inserting "$10,000", and

(2) by striking "$50,000" and inserting "$500,000".

(c) Organization and Syndication Fees.—Clause (ii) of section 709(b)(1)(A) of the Internal Revenue Code of 1986 is amended—

(1) by striking "$5,000" and inserting "$10,000", and

(2) by striking "$50,000" and inserting "$500,000".

(d) Effective Date.—The amendments made by this section shall apply to amounts paid or incurred in taxable years ending on or after the date of the enactment of this Act.

SEC. 5. CLARIFICATION OF CASH ACCOUNTING RULES FOR SMALL BUSINESS.

(a) Cash Accounting Permitted.—

(1) In General.—Section 446 of the Internal Revenue Code of 1986 (relating to general rules for methods of accounting) is amended—

(A) by striking "January 1, 2014" in subsection (b)(3), and

(B) by striking "January 1, 2015" in subsection (c).

(2) Change in Method of Accounting.—In the case of any taxpayer changing the tax-year method of accounting for any taxable year ending on or after December 31, 2013, such amount shall be treated as a material or supply which is not incident to the trade or business of such taxpayer.

(b) Qualified Taxpayer.—For purposes of this subsection, the term "qualified taxpayer" means—

(1) any eligible taxpayer (as defined in section 446(g)(2)), and

(2) any taxpayer described in section 446(h)(3),

(2) Increased Eligibility for Simplified Dollar-Value LIFO Method.—Section 472(f)(4) is amended by striking "January 1, 2014" and inserting "January 1, 2015".

(c) Effective Date and Special Rules.—

(1) In General.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

(2) Change in Use of Inventories.—In the case of any taxpayer changing the taxpayer's method of accounting for any taxable year under the amendments made by this section—

(A) such change shall be treated as initiated by the taxpayer;

(B) such change shall be treated as made with the consent of the Secretary of the Treasury; and

(C) the net amount of the adjustments required to be taken into account by the taxpayer under section 481 of the Internal Revenue Code of 1986 shall be taken into account over a period (not greater than 4 taxable years) beginning with the taxable year beginning in which the taxable year begins.

SEC. 6. PERMANENT EXTENSION OF EXPENSING LIMITATION.

(a) Dollar Limitation.—Section 179(b)(1) of the Internal Revenue Code of 1986 is amended by striking "$250,000" and all that follows and inserting "shall not exceed $500,000.";

(b) Carryback in Limitation.—Section 179(b)(2) of such Code is amended by striking "exceed $500,000." and all that follows and inserting "exceeds $500,000.";

(c) Inflation Adjustment.—Subsection (b) of section 179 of such Code is amended by adding at the end the following new paragraph:

"(1) Inflation adjustment.—In the case of any taxable year beginning in a calendar year after 2014, the $250,000 in paragraph (1) and the $800,000 amount in paragraph (2) shall each be increased by an amount equal to—

"(i) such dollar amount, multiplied by—

"(II) the dollar amount contained in subsection (b)(3) and paragraph (1) of this subsection shall be increased by an amount equal to—

"(A) such dollar amount, multiplied by—

"(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof.

"(ii) PHASEOUT AMOUNT.—If the amount in paragraph (2) shall be rounded to the nearest multiple of $1,000,

"(B) Rounding.—

"(i) DOLLAR LIMITATION.—If the amount in paragraph (1) as increased under subparagraph (A) is not a multiple of $1,000, such amount shall be rounded to the nearest multiple of $1,000.

"(ii) PHASEOUT AMOUNT.—If the amount in paragraph (2) as increased under subparagraph (A) is not a multiple of $1,000, such amount shall be rounded to the nearest multiple of $10,000.

(d) Computer Software.—Section 179(d)(1)(A)(ii) of such Code is amended by striking "and before 2014".

(e) Election.—Section 179(c)(2) of such Code is amended by striking "and before 2014".

(f) Special Rules for Treatment of Qualified Real Property.—

(1) In general.—Section 179(d)(1)(A) of such Code is amended by striking "beginning in 2010, 2011, 2012, or 2013" and inserting "beginning after 2013".

(g) Effective Date.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 7. EXTENSION OF BONUS DEPRECIATION.

(a) In General.—Section 168(k) of the Internal Revenue Code of 1986 is amended—

(1) by striking "January 1, 2015", and inserting "January 1, 2016";

(2) by striking "January 1, 2014", and inserting "January 1, 2015";

(3) by striking "January 1, 2015", and inserting "January 1, 2016";

(4) by striking "January 1, 2014", and inserting "January 1, 2015";

(5) by striking "January 1, 2014", and inserting "January 1, 2015";

(6) by striking "January 1, 2014", and inserting "January 1, 2015";

(b) Special Rule for Federal Long-Term Contracts.—Clause (ii) of section 460(c)(6)(B) of the Internal Revenue Code of 1986 is amended by striking "January 1, 2014" and inserting "January 1, 2015".

(c) Conforming Amendments.—

(1) The heading for subsection (k) of section 168 of the Internal Revenue Code of 1986 is amended by striking "December 31, 2013", and inserting "December 31, 2014".

(2) The heading for clause (ii) of section 168(k)(2)(B) of such Code is amended by striking "PRE-JANUARY 1, 2014", and inserting "PRE-JANUARY 1, 2015".

(3) Subparagraph (D) of section 168(k)(4) is amended by striking "Jan 1, 2014", and inserting "Jan 1, 2015".

(4) Subparagraph (A)(iv) of section 168(k)(4) is amended by striking "and before 2014", and inserting "and before 2015".

(5) Subparagraph (C) of section 168(k)(2) of such Code is amended by striking "January 1, 2014", and inserting "January 1, 2015".

(6) Subparagraph (B) of such Code is amended by striking "January 1, 2014", and inserting "January 1, 2015".
(7) Subparagraph (b) of section 1400N(d)(3) of such Code is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(a) In General.—Clauses (iv), (v), and (ix) of section 3(2) of the Internal Revenue Code of 1986 are each amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(b) Effective Date.—The amendments made by this section shall apply to contributions made in taxable years beginning after December 31, 2013.

SEC. 3. MODIFICATION OF ERISA RULES RELATING TO MULTIPLE EMPLOYER DEFINED CONTRIBUTION PLANS.

(a) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Labor shall promulgate final regulations under which a plan described in section 413(c) of the Internal Revenue Code of 1986 is treated as satisfying the qualification requirements of section 414(o) of such Code despite the violation of such requirements with respect to one or more participating employers. Such rules may provide that any portion of an employer’s contribution attributable to such participating employers be spun off to plans maintained by such employers.

(b) SECURE DEFERRAL ARRANGEMENTS.—(A) In general.—A secure deferral arrangement shall be treated as meeting the requirements of subparagraphs (C), (D), and (E) of section 401(k)(14) during the first 5 years such employee is covered by such arrangement if such arrangement satisfies the requirements of clause (v) of section 401(k)(14) and if and only if the employer makes contributions under such arrangement which means any cash or deferred arrangement which meets the requirements of subparagraphs (C), (D), and (E) of paragraph (13) of such section except as modified by this paragraph.

(C) QUALIFIED PERCENTAGE.—For purposes of paragraph (13)(C)(i)(I), the percentage determined under the arrangement if such percentage is determined under the arrangement if such percentage is applied uniformly and is—

(i) at least 6 percent, but not greater than 10 percent, during the period ending on the last day of the first plan year which begins after the date on which the first elective contribution described in paragraph (13)(C)(i) is made with respect to such employee.

(ii) at least 8 percent during the first plan year following the plan year described in clause (i).

(iii) at least 10 percent during any subsequent plan year.

(b) MATCHING CONTRIBUTIONS.—(1) In general.—For purposes of this paragraph, the term ‘secure deferral arrangement’ means any cash or deferred arrangement which meets the requirements of subparagraphs (C), (D), and (E) of paragraph (13) of such section, except as modified by this paragraph.

(2) LIMITATION WITH RESPECT TO YEARS FOLLOWING THE PLAN YEAR DETERMINED UNDER PARAGRAPH (13)(A).—Credit shall be determined for any taxable year in which the amount of contributions made under the plan described in section 401(k) during the taxable year on behalf of any employee who is not a highly compensated employee exceeds 2 percent of the compensation of such employee for the taxable year.

(c) Definitions.—(1) In General.—Any term used in this section which is also used in section 401(k) shall have the same meaning as when used in such section.

(2) 'Highly compensated employee' means, in lieu of the meaning given such section which is also used in section 401(k), an employee who is highly compensated for any taxable year during which such employee is a highly compensated employee.

(3) 'Creditable contributions' means contributions made on behalf of an employee who is not a highly compensated employee.
of funding required by paragraph (1), except that such project may include office space or other accommodations for members of the United States Marine Corps.

SEC. 1817. IMMEDIATE THREAT MITIGATION.

(a) ALLOCATION OF AUTHORIZED APPROPRIATIONS.—In addition to any amounts otherwise made available for such purposes, the Secretary shall prioritize funding for—

(1) the construction of safeguards that provide immediate security benefits;

(2) the purchasing of additional security equipment, including additional defensive weaponry;

(3) the paying of expenses of additional security forces, with an emphasis on funding United States security forces where practical; and

(4) any other purposes necessary to mitigate immediate threats to United States personnel serving overseas.

(b) USE OF FUNDS FOR OTHER PURPOSES.—Notwithstanding the allocation requirement under subsection (a), funds subject to such requirement may be used for other authorized purposes of the Capital Security Cost Sharing Program if, not later than 15 days prior to use for such purposes, the Secretary provides to the appropriate congressional committees that—

(1) high threat, high risk facilities are being secured to the best of the United States Government’s ability; and

(2) the Secretary will make funds available from the Capital Security Cost Sharing Program or other sources to address any changed security threats or risks, or new or emergent security needs, including immediate threat mitigation.

SEC. 416. LANGUAGE REQUIREMENTS FOR DIPLOMATIC SECURITY PERSONNEL ASSIGNED TO HIGH THREAT, HIGH RISK POSTS.

(a) IN GENERAL.—Title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4861 et seq.) is amended by adding at the end the following:

"SEC. 1817. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this title, the term “appropriate congressional committees” means—

(1) the Committee on Appropriations of the Senate; and

(2) the Committee on Appropriations of the House of Representatives."
IMMEDIATE SECURITY TRAINING FOR HIGH
THREAT, HIGH RISK ENVIRONMENTS.—Not later
than one year after the date of the enactment of
this Act, the Secretary shall submit a report to the
appropriate congressional committees that includes—
(1) an explanation of the implementation of
paragraph (3) of section 136(c) of the
Foreign Relations Authorization Act, Fiscal
Years 1990 and 1991 (22 U.S.C. 4864(c)(3)) is
amended to read as follows:
"(2) any funds transferred under the au-
thority provided in paragraph (1) shall be
merged with funds in the heading to which
they are transferred and be available subject
to the same terms and conditions as the funds
with which merged.
"(3) Not later than 15 days before any transfer of funds under subsection (j), the Secretary shall notify the Committees on
Foreign Relations and Appropriations of the
Senate and the Committees on Foreign Af-
airs and Appropriations of the House of Rep-
resentatives.

SEC. 1821. LOCAL GUARD CONTRACTS ABROAD
UNDER DIPLOMATIC SECURITY PRO-
GRAMS.—
(a) IN GENERAL.—Section 136(c)(3) of the
Foreign Relations Authorization Act, Fiscal
Years 1990 and 1991 (22 U.S.C. 4864(c)(3)) is
amended to read as follows:
"(3) in evaluating proposals for such con-
tracts, award contracts to technically ac-
ceptable firms offering the lowest evaluated
price, except that—
"(A) the Secretary may award contracts on
the basis of best value (as determined by a
cost-technical tradeoff analysis); and
"(B) proposals received from United States
personnel serving on or in connection with a
threat, high risk posts, if’’.
SEC. 1822. DISCIPLINARY ACTION RESULTING
FROM UNSATISFACTORY LEADERSHIP
IN RELATION TO A SECURITY INCIDENT.—
Section 304(c) of the Diplomatic Security Act (22 U.S.C. 4834(c)) is amended—
(1) by redesigning paragraphs (1), (2), and
(3) as subsections (A), (B), and (C), re-
spectively, and moving such subparagraphs, as so redesignated, 2 ems to the right;
(2) by striking ‘‘RECOMMENDATIONS’’ and in-
serting in their stead—‘‘RECOMMENDATIONS.—
(1) In General.—Whenever; and’’;
(3) by inserting at the end the following:
"(2) CERTAIN SECURITY INCIDENTS.—Unsatis-
factory leadership by a senior official with
respect to a security incident involving loss
of life, serious injury, or significant destruc-
tion of property, or a serious breach of security,
even if such action is the subject of an Ac-
countability Review Board’s examination under
section 304(a) of the Diplomatic Security Act
(22 U.S.C. 4834(a)).

(b) ACCOUNTABILITY.—Section 304 of the
Diplomatic Security Act (22 U.S.C. 4834) is
amended—
(1) in subsection (c), by inserting ‘‘or has
engaged in misconduct or unsatisfactorily
performed the duties of employment of that
individual, and such misconduct or unsatis-
factory performance has significantly con-
tributed to the serious injury, loss of life, or
significant destruction of property, or the se-
rience breach of security, or the subject of the
Board’s examination as described in sub-
section (a),’’ after ‘‘breached the duty of that
individual’’;
(2) by redesigning subsection (d) as sub-
section (e); and
(3) by inserting after subsection (c) the fol-
lowing:
"(4) MANAGEMENT ACCOUNTABILITY.—If a
Board determines that an individual has en-
gaged in any conduct addressed in subsection
(c), the Board shall evaluate the level and ef-
ficacy of management and oversight
performed by the individual, and such
misconduct or unsatisfactory performance
is significant, it shall consider the Board’s
report and advise the Secretary of State on
whether the Secretary should terminate the
appointment of such individual.

SEC. 1823. MANAGEMENT AND STAFF ACCOUNT-
ABILITY.—
(a) AUTHORITY OF SECRETARY OF STATE.—
Nothing in this subtitle shall be construed to
prevent the Secretary from using all authorities
vested in the office of the Secretary to take personnel and other actions against any officer or employee of the
Department of State that the Secretary
 determines has breached the duty of that in-
dividual or has engaged in misconduct or un-
satisfactory performance nor shall compliance by the Secretary with the requirements of
this title be construed to prevent the Secretary
from using all authorities vested in the office of the Secretary to take personnel and other actions against any officer or employee of the
Department of State that the Secretary
determines has breached the duty of that in-
dividual or has engaged in misconduct or un-
satisfactory performance.

SEC. 1824. SECURITY ENHANCEMENTS FOR SOFT
TARGETS.
Section 29 of the State Department Basic
Authorities Act of 1956 (22 U.S.C. 2701) is
amended in the third sentence by inserting
‘‘physical security enhancements and’’ after
‘‘Such assistance may include’’.

SEC. 1825. REEMPLOYMENT OF ANNUITANTS.
Section 824(g) of the Foreign Service Act of
1980 (22 U.S.C. 4564(g)) is amended—
(1) in paragraph (1)(B), by striking ‘‘to fa-
cilitate the’’ and all that follows through
‘‘mater’’ and inserting ‘‘to facilitate the
assignment of persons to high threat, high
risk posts or to posts vacated by mem-
bers of the Service assigned to high threat,
high risk posts, ’’;
(2) by amending paragraph (2) to read as follows:
"(2) The Secretary shall submit to the
Committee on Foreign Relations of the
Senate and the Committee on Foreign Affairs of
the House of Representatives a report on the
incurred costs over the prior fiscal year of the
benefit of any compensatory or benefit pay-
ments to annuitants reemployed by the De-
partment pursuant to this section.;’’ and
(3) by adding after paragraph (3) the fol-
lowing:
"(4) In the event that an annuitant quali-
fied for compensation or payments pursuant
to this subsection subsequently transfers to a
position for which the annuitant would not
be eligible for, the Secretary may no longer
waive the application of this subsection
with respect to such annuitant.

SEC. 1826. SECURITY ENHANCEMENTS FOR SOFT
TARGETS.
Section 29 of the State Department Basic
Authorities Act of 1956 (22 U.S.C. 2701) is
amended in the third sentence by inserting
‘‘physical security enhancements and’’ after
‘‘Such assistance may include’’.

SEC. 1825. REEMPLOYMENT OF ANNUITANTS.
Section 824(g) of the Foreign Service Act of
1980 (22 U.S.C. 4564(g)) is amended—
(1) in paragraph (1)(B), by striking ‘‘to fa-
cilitate the’’ and all that follows through
‘‘mater’’ and inserting ‘‘to facilitate the
assignment of persons to high threat, high
risk posts or to posts vacated by mem-
bers of the Service assigned to high threat,
high risk posts, ’’;
(2) by amending paragraph (2) to read as follows:
"(2) The Secretary shall submit to the
Committee on Foreign Relations of the
Senate and the Committee on Foreign Affairs of
the House of Representatives a report on the
incurred costs over the prior fiscal year of the
benefit of any compensatory or benefit pay-
ments to annuitants reemployed by the De-
partment pursuant to this section.;’’ and
(3) by adding after paragraph (3) the fol-
lowing:
"(4) In the event that an annuitant quali-
fied for compensation or payments pursuant
to this subsection subsequently transfers to a
position for which the annuitant would not
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Section 29 of the State Department Basic
Authorities Act of 1956 (22 U.S.C. 2701) is
amended in the third sentence by inserting
‘‘physical security enhancements and’’ after
‘‘Such assistance may include’’.
PART III—EXPANSION OF THE MARINE CORPS SECURITY GUARD DETACHMENT PROGRAM

SEC. 1831. MARINE CORPS SECURITY GUARD PROGRAM

(a) IN GENERAL.—Pursuant to the responsibility of the Secretary of Defense for diplomatic security under section 103 of the Diplomatic Security Act (22 U.S.C. 4764), the Secretary shall, in cooperation with the Secretary of Defense, shall—

(1) develop and implement a plan to incorporate additional Marine Corps Security Guard personnel authorized under section 404 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 2841 note) in high risk missions, training, and other activities;
(2) conduct an annual review of the Marine Corps Security Guard Program, including—
(A) an evaluation of whether the size and composition of the Marine Corps Security Guard Program is adequate to meet global diplomatic security requirements;
(B) an assessment of whether Marine Corps security guards are appropriately deployed among facilities to respond to evolving security developments and potential threats to United States interests abroad; and
(C) an assessment of the mission objectives of the Marine Corps Security Guard Program and the procedural rules of engagement to protect diplomatic personnel under the Program.

(b) REPORTING REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary, in consultation with the Director of National Intelligence Threat Nations without a counterintelligence threat to United States diplomatic facilities in Priority 1 Counterintelligence Threats, shall—

(1) review the determinations of the Department of State with respect to high threat, high risk facilities, including the basis for making such determinations;
(2) review contingency planning for high threat, high risk facilities, including measures to respond to attacks on such facilities;
(3) review the risk mitigation measures in place at high threat, high risk facilities to determine whether the measures put in place sufficiently address the relevant risks;
(4) review early warning systems in place at high threat, high risk facilities and evaluate the measures being taken to prevent, detect, assess, and respond to threats to such facilities; and
(5) provide to the appropriate congressional committees an assessment of the department of State’s efforts to ensure the safety of United States personnel in the face of threats to such facilities, including recommendations for additional measures or changes to the list of such facilities, and a report regarding the reviews and evaluations undertaken pursuant to paragraphs (1) through (4) of this section.

SEC. 1837. DESIGNATION AND REPORTING FOR HIGH THREAT, HIGH RISK FACILITIES.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary, in consultation with the Director of National Intelligence, shall submit to the appropriate congressional committees an unclassified report on the implementation of the Accountability Review Board, report a thorough explanation as to why such a decision was made; and

(3) an enumeration and assessment of any significant challenges that have slowed or interfered with the Department of State’s implementation of the Accountability Review Board recommendations, including—
(A) a lack of resources made available to the Department of State;
(B) restrictions imposed by current laws that in the Secretary’s judgment should be amended;
(C) difficulties caused by a lack of coordination between the Department of State and other United States Government agencies.

(b) CONDUCT OF INSPECTION.—The Inspector General for the Department of State shall conduct an inspection to determine whether a dedicated support cell was established in the Department of State to ensure proper and timely resourcing of security, and

(c) DETERMINATION OF HIGH THREAT, HIGH RISK FACILITIES.—In determining what facilities constitute “high threat, high risk facilities” under this section, the Secretary shall take into account with respect to each facility whether there are—

(1) high to critical levels of political violence or terrorism;
(2) national or local governments with inadequate capacity or political will to provide appropriate protection;
and
(3) in locations where there is high to critical levels of political violence or terrorism or national or local governments lack capacity or political will to provide appropriate protection—
(A) mission physical security platforms that fall below the Department of State’s established standards; or
(B) personnel security platforms that are insufficient for the circumstances.

(c) DETERMINATION OF HIGH THREAT, HIGH RISK FACILITIES.—In determining what facilities constitute “high threat, high risk facilities” under this section, the Secretary shall—

(1) review the determinations of the Department of State with respect to high threat, high risk facilities, including the basis for making such determinations;
(2) review contingency planning for high threat, high risk facilities, including measures to respond to attacks on such facilities;
(3) review the risk mitigation measures in place at high threat, high risk facilities to determine whether the measures put in place sufficiently address the relevant risks;
(4) review early warning systems in place at high threat, high risk facilities and evaluate the measures being taken to prevent, detect, assess, and respond to threats to such facilities; and
(5) provide to the appropriate congressional committees an assessment of the Department of State’s efforts to ensure the safety of United States personnel in the face of threats to such facilities, including recommendations for additional measures or changes to the list of such facilities, and a report regarding the reviews and evaluations undertaken pursuant to paragraphs (1) through (4) of this section.

SEC. 1838. DESIGNATION AND REPORTING FOR HIGH-RISK COUNTERINTELLIGENCE THREAT POSTS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the appropriate officials in the intelligence community and the Secretary of Defense, shall submit to the appropriate congressional committees a report assessing the counterintelligence threat to United States diplomatic facilities in Priority 1 Counterintelligence Threats, including—

(1) an assessment of the use of locally employed staff and guard forces and a listing of diplomatic facilities in Priority 1 Counterintelligence Threats receiving no or insufficiently controlled access areas; and
(2) recommendations for mitigating any counterintelligence threats and for any needed changes to the security posture of such facilities, including an assessment of any recommended mitigation or upgrades so recommended.
an adverse incident as well as what new measures are necessary in order to prevent the recurrence of such incidents.

SEC. 1842. PROVISION OF COPIES OF ACCOUNTABILITY REVIEW BOARD REPORTS TO CONGRESS.
Not later than 2 days after an Accountability Review Board provides its report to the Secretary, the Committee on Foreign Relations of the Senate, and the appropriate congressional committees shall be notified and shall have access to the full report and shall have an opportunity to conduct any hearings or to receive any briefings relating to the report. The Secretary shall provide copies of the report promptly to the appropriate congressional committees, the Appropriations Committees of the Senate and the House of Representatives, and to the appropriate Senate and House Committees on Intelligence.

PART V—ACCOUNTABILITY REVIEW BOARDS

SEC. 1841. SENSE OF CONGRESS.
It is the sense of Congress that—

(1) the Accountability Review Board mechanism established in section 302 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4832) is an effective tool to collect information about and evaluate adverse incidents, risks, and existing security posture of United States personnel and facilities worldwide; and

(2) the Accountability Review Board should be provided the authority to assign the position of Assistant Secretary of State for High Threat, High Risk Posts in order to ensure that the high priority of providing recommendations to improve the security posture of United States personnel and facilities worldwide is sustained.

SEC. 1842. PROVISION OF COPIES OF ACCOUNTABILITY REVIEW BOARD REPORTS TO CONGRESS.
Not later than 2 days after an Accountability Review Board provides its report to the Secretary, the Committee on Foreign Relations of the Senate, and the appropriate congressional committees shall be notified and shall have access to the full report and shall have an opportunity to conduct any hearings or to receive any briefings relating to the report. The Secretary shall provide copies of the report promptly to the appropriate congressional committees, the Appropriations Committees of the Senate and the House of Representatives, and to the appropriate Senate and House Committees on Intelligence.

PART VI—OTHER MATTERS

SEC. 1854. INTEGRATED AIR AND MISSILE DEFENSE PROGRAMS.
(a) Transfer of Missiles. The Secretary of Defense is authorized to transfer to the President, for the President to transfer to the President of a foreign country upon such terms and conditions as the President determines, in each of the fiscal years 2015, 2016, and 2017, $1,500,000,000 for the integrated air and missile defense systems program.

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(138) UNITED STATES MILITARY PERSONNEL.
MUNITIONS LIST.—Section 38(f) of the Arms Export Control Act (22 U.S.C. 2778) is amended by adding at the end of the section the following:

"(D) Section 25 of this Act.

SEC. 1862. LICENSING OF CERTAIN COMMERCE-CONTROLLED ITEMS.

Section 38 of the Arms Export Control Act (22 U.S.C. 2778) is amended by adding at the end of the section the following:

"(b) LICENSING OF CERTAIN COMMERCE-CONTROLLED ITEMS.—

(1) In general.—A license or other approval from the Department of State granted in accordance with this section may also authorize the export of items subject to the Export Administration Regulations if such items are to be used in or with defense articles controlled on the United States Munitions List.

(2) OTHER REQUIREMENTS.—The following requirements shall apply with respect to a license or other approval to authorize the export of items subject to the Export Administration Regulations by striking paragraph (b) and inserting the following:

"(A) The issuance of such a license or approval from the Department of Commerce shall not be required for such items if such items are approved for export under Department of State license or other approval.

"(B) Such items subject to the Export Administration Regulations that are exported pursuant to a Department of State license or other approval would remain under the jurisdiction of the Department of Commerce with respect to any subsequent transactions.

"(C) The inclusion of the term ‘subject to the EAR’ or any similar term on a Department of State license or approval shall not affect the jurisdiction with respect to such items.

"(3) DEFINITION.—In this subsection, the term ‘Export Administration Regulations’ means—

"(A) the Export Administration Regulations as maintained and amended under the authority of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

"(B) any successor regulations.

SEC. 1863. AMENDMENTS RELATING TO REMOVAL OF MAJOR DEFENSE EQUIPMENT FROM UNITED STATES MUNITIONS LIST.

(a) REQUIREMENTS FOR REMOVAL OF MAJOR DEFENSE EQUIPMENT FROM UNITED STATES MUNITIONS LIST.—Section 38(f) of the Arms Export Control Act (22 U.S.C. 2778) is amended by adding at the end of the section the following:

"(5)(A) Except as provided in subparagraph (B), the President shall take such actions as may be necessary to require that, at the time of entry into force of any export of any major defense equipment listed on the 600 series of the Commerce Control List contained in Supplement No. 1 to part 774 of subpart 747 of title 15, Code of Federal Regulations, the major defense equipment will not subsequently modified so as to transform such major defense equipment into a defense article.

"(B) The President may authorize the transformation of any major defense equipment listed on the 600 series of the Commerce Control List contained in Supplement No. 1 to part 774 of subpart 747 of title 15, Code of Federal Regulations, the major defense equipment will not subsequently modified so as to transform such major defense equipment into a defense article if the President—

"(i) determines that such transformation is appropriate and in the national interests of the United States; and

"(ii) provides notice of such transformation to the chairman of the Committee on Foreign Affairs of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate consistent with the notification requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2778)."

(b) LICENSING OF CERTAIN COMMERCE-CONTROLLED ITEMS.—

"(f) In this paragraph, the term ‘defense article’ means an item designated by the President pursuant to subsection (a)(1).

"(g) NOTIFICATION REQUIREMENTS FOR MAJOR DEFENSE EQUIPMENT REMOVED FROM UNITED STATES MUNITIONS LIST.—Section 38(f) of the Arms Export Control Act (22 U.S.C. 2778) is amended by adding the following new subsection:

"(b) The President shall ensure that any major defense equipment that is listed on the 600 series of the Commerce Control List contained in Supplement No. 1 to part 774 of subpart 747 of title 15, Code of Federal Regulations, shall continue to be subject to the notification and reporting requirements of the following provisions of law:

"(A) Section 36(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321(j)).


"(C) Section 36(b), (c), and (d) of this Act.

"(D) Section 25 of this Act.

"(E) Section 36(b), (c), and (d) of this Act.


Section 502(b)(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(d)) is amended—

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

(2) by amending paragraph (2)(C) to read as follows:

"(C) Any license in effect with respect to the export to or for the armed forces, police, intelligence, or other internal security forces of a foreign country of—

"(i) defense articles or defense services under section 38 of the Armed Export Control Act (22 U.S.C. 2778); or

"(ii) items listed under the 600 series of the Commerce Control List contained in Supplement No. 1 to part 774 of subtitle B of title 15, Code of Federal Regulations;"


Section 40(f)(1), by striking ''International Relations'' and inserting ''International Security''; and''

SEC. 1866. TECHNICAL AMENDMENTS.

(a) IN GENERAL.—The Arms Export Control Act (22 U.S.C. 2778) is amended—

(1) in sections 3(a), 3(d)(1), 3(d)(3)(A), 3(e), 5(c), 6, 21(g), 36(a), 36(b)(1), 36(b)(5)(C), 36(c)(1), 36(f), 36(h)(1), 40(h)(1), 40(g)(2)(B), 101(b), and 102(a)(2), by striking ‘‘the Speaker of the House of Representatives and’’ each place it appears and inserting ‘‘the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and’’;

(2) in section 36(a), by inserting ‘‘the Speaker of the House of Representatives’’ each place it appears and inserting ‘‘the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and’’;

(3) in sections 25(e), 38(f)(2), 38(j)(3), and 38(j)(j)(4)(B), by striking ‘‘International Relations’’ and inserting ‘‘Foreign Affairs’’; and

(b) OTHER TECHNICAL AMENDMENTS.—

(1) ARMS EXPORT CONTROL ACT.—The Arms Export Control Act (22 U.S.C. 2751 et seq.), as amended by section (a), is amended—

(2) in subsection (b)(1), by redesignating the second subparagraph (B) (as added by section 725(b) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204; 101 Stat. 1441)) as subparagraph (C);

(3) in clause (x)(1)(A)—

(ii) by striking ‘‘and inserting ‘‘sections’’; and


(4) in subsection (j)(2), in the matter preceding subparagraph (A), by inserting ‘‘in’’ at the end of subsection (j)(2), and by striking in paragraphs (2)(B), (2)(C), and (2)(D) of section 21, in the matter preceding subparagraph (A), by striking ‘‘sec. 21(a),’’ and inserting ‘‘section 21(a),’’;

(5) in section 21(a), by striking ‘‘section 21(a),’’ and inserting ‘‘sections’’;

(6) in subsection (c)(1), by striking ‘‘the EAR’’ and inserting ‘‘credits’’; and

(7) in paragraph (4), by striking ‘‘credits)’’ and inserting ‘‘credits)’’.

SEC. 1871. APPLICATION OF CERTAIN PROVISIONS OF EXPORT ADMINISTRATION ACT OF 1979

SEC. 201. SHORT TITLE.

This title may be cited as the “Strong Families Act”:

"TITLES II—EMPLOYER CREDIT FOR PAID FAMILY AND MEDICAL LEAVE"
SEC. 292. EMPLOYER CREDIT FOR PAID FAMILY AND MEDICAL LEAVE.

(a) In General.—

(1) ALLOWANCE OF CREDIT.—Subpart D of part II of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

**SEC. 458. EMPLOYER CREDIT FOR PAID FAMILY AND MEDICAL LEAVE.**

‘‘(a) In General.—For purposes of paragraphs 1 and 2, the paid family and medical leave credit provided by the employer shall be equal to 25 percent of the amount of wages paid to qualifying employees during any taxable year which is paid for any period in which such employees are on family and medical leave.

‘‘(b) Fractional Period.—For purposes of paragraph (a), a fractional period shall be treated as a full period for purposes of this section.

(c) Limitation.—(1) THE ALLOWANCE OF CREDIT.—The credit allowed under subsection (a) with respect to any employee for any taxable year shall not exceed the lesser of—

‘‘(A) $1,000, or

‘‘(B) the product of the wages normally paid to such employee for each hour (or fraction thereof) of services performed for the employer and the number of hours (or fraction thereof) for which family and medical leave is taken.

For purposes of subparagraph (B), in the case of an employee who is not paid on an hourly basis, the wages of such employee shall be prorated to an hourly basis under regulations established by the Secretary, in consultation with the Secretary of Labor.

‘‘(2) Maximum Amount of Leave Subject to Credit.—The amount of family and medical leave that may be taken into account for purposes of determining any other credit allowed under section 38 of the Internal Revenue Code of 1986 in any taxable year shall not exceed 18 weeks.

‘‘(c) Eligible Employer.—For purposes of this section—

‘‘(1) In General.—The term ‘eligible employer’ means any employer who in a calendar year has paid family and medical leave credit determined under section 38(b) of the Internal Revenue Code of 1986.

‘‘(2) Special Rule for Certain Employers.—For purposes of this section, the term ‘special rule for certain employers’ has the meaning given such term by subsection (b) of section 3306 (determined without regard to any dollar limitation contained in such section).

‘‘(d) Election to Have Credit Not Apply.—

‘‘(1) In General.—A taxpayer may elect to have this section not apply for any taxable year.

‘‘(2) Other Rules.—Rules similar to the rules of paragraphs (2) and (3) of section 53(d) shall apply for purposes of this subsection.

(b) Credit Allowed Against AMT.—Subpart B of section 38(c) of the Internal Revenue Code of 1986 is amended by inserting ‘‘45S(a)’’ after ‘‘45S’’.

(c) Credit Allowed Against AMT.—Subpart B of section 38(c) of the Internal Revenue Code of 1986 is amended by inserting ‘‘45S(a)’’ after ‘‘45S’’.

(d) Conforming Amendments.—

(1) Denial of Double Benefit.—Section 280C(a) of the Internal Revenue Code of 1986 is amended by inserting ‘‘45S(a)’’ after ‘‘45S(a)’’.

(2) Election to Have Credit Not Apply.—Section 6501(m) of such Code is amended by inserting ‘‘45S(g)’’ after ‘‘45S(g)’’.

(3) Clerical Amendment.—The table of sections for subpart D of part IV of subchapter A of such Code is amended by adding at the end the following new item:

‘‘45S. Employer credit for family and medical leave.’’

(e) Effective Date.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 3690. Mr. REID (for Mr. RUBIO) proposed an amendment to the resolution S. Res. 402, recognizing the Khmer and Lao/Hmong Freedom Fighters of Cambodia and Laos for supporting and funding the United States Armed Forces during the conflict in Southeast Asia; as follows:

Strike the seventh and eighth clauses of the preamble and insert the following:

Whereas the Khmer National Armed Forces of Cambodia facilitated the evacuation of the United States Embassy in Phnom Penh on April 12, 1975, by continuing to fight Khmer Rouge forces as the forces advanced upon the capital;

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. LANDRIEU. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Tuesday, July 29, 2014, at 2:15 p.m., in room 366 of the Dirksen Senate Office Building.

The title of this hearing is “Breaking the Logjam at BLM: Examining Ways to More Efficiently Process Permits for Energy Production on Federal Lands.” The purpose of this hearing is to understand the obstacles in permitting more energy projects on Federal lands and to consider S. 279, the Public Land Renewable Energy Development Act of 2013, and S. 2440, the BLM Permit Processing Improvement Act of 2014, and related issues.

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, D.C. 20510–6150, or by e-mail to Kristen_Granier@energy.senate.gov.

For further information, please contact Jan Brunner at (202) 224–3907 or Kristen Granier at (202) 224–1219.

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 on Tuesday, July 30, 2014, at 10:15 a.m., in room SD–430 of the Dirksen Senate Office Building, to conduct a hearing entitled “Paid Family Leave: The Benefits for Businesses and Working Families.”

For further information regarding this meeting, please contact Ashley Eden of the committee staff on (202) 224–9243.
The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. 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 July 24, 2014, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 24, 2014, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Social Security: A Fresh Look at Workers’ Disability Insurance.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 24, 2014, at 10 a.m., to conduct a hearing entitled “Iraq at a Crossroads: Options for U.S. Policy.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID. 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 July 24, 2014, at 10 a.m. in room SD-430 of the Dirksen Senate Office Building to conduct a hearing entitled “The Role of States in Higher Education.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on July 24, 2014, at 10:30 a.m., to conduct a hearing entitled “The Path to Efficiency: Making FEMA More Effective for Streamlined Disaster Operations.”

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 462.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 462) recognizing the Khmer and Lao/Hmong Freedom Fighters of Cambodia and Laos for supporting and defending the United States Armed Forces during the conflict in Southeast Asia and for their continued support and defense of the United States.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment to the title.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the Rubio amendment to the preamble be agreed to, the preamble, as amended, be agreed to, the amendment to the title be agreed to, and the motions to reconsider be laid upon the table.

The resolution (S. Res. 462) was agreed to.

The amendment (No. 3690) was agreed to, as follows:

Strike the seventh and eight whereas clauses of the preamble and insert the following: Whereas the Khmer National Armed Forces of Cambodia facilitated the evacuation of the United States Embassy in Phnom Penh on April 12, 1975, by continuing to fight Khmer Rouge forces as the forces advanced upon the capital.

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

S. Res. 462

Whereas the Khmer and Lao/Hmong Freedom Fighters (also known as the “Khmer and Lao/Hmong veterans”) fought and died with the United States Armed Forces during the conflict in Southeast Asia;

Whereas the Khmer and Lao/Hmong Freedom Fighters rescued United States pilots shot down in enemy-controlled territory and returned the pilots to safety;

Whereas the Khmer and Lao/Hmong Freedom Fighters retrieved and prevented from falling into enemy hands the sensitive information, technology, and equipment;

Whereas the Khmer and Lao/Hmong Freedom Fighters captured and destroyed enemy supplies and prevented enemy forces from using the supplies to kill members of the United States Armed Forces;

Whereas the Khmer and Lao/Hmong Freedom Fighters gathered and provided to the United States Armed Forces intelligence about enemy troop positions, movement, and strength;

Whereas the Khmer and Lao/Hmong Freedom Fighters provided food, shelter, and support to the United States Armed Forces;

Whereas the Khmer National Armed Forces of Cambodia facilitated the evacuation of the United States Embassy in Phnom Penh on April 12, 1975, by continuing to fight Khmer Rouge forces as the forces advanced upon the capital;

Whereas veterans of the Khmer Mobile Guerrilla Forces, the Lao/Hmong Special Guerrilla Units, and the Khmer Republic Armed Forces defended human rights, freedom of speech, freedom of religion, and freedom of representation and association; and

Whereas the Khmer and Lao/Hmong Freedom Fighters have not yet received official recognition from the United States Government for their heroic efforts and support: Now, therefore, be it

Resolved, That the Senate affirms and recognizes the Khmer and Lao/Hmong Freedom Fighters and the people of Cambodia and Laos for their support and defense of the United States Armed Forces and freedom of democracy in Southeast Asia.

The amendment to the title was agreed to, as follows: Amend the title so as to read: “A resolution recognizing the Khmer and Lao/Hmong Freedom Fighters of Cambodia and Laos for supporting and defending the United States Armed Forces during the conflict in Southeast Asia.”

NATIONAL AIRBORNE DAY

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 519.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 519) designating August 16, 2014, as “National Airborne Day.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. 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. 519) was agreed to.
The preamble was agreed to.
(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

EXECUTIVE SESSION

Mr. REID. Madam President, I ask unanimous consent that the Senate resume executive session.
The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, JULY 28, 2014

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. Monday, July 28; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks the Senate proceed to executive session and resume the consideration of Calendar No. 929, with the time until 5:30 p.m. equally divided between the two leaders or their designees; that at 5:30 p.m. all postcloture time be deemed expired and the Senate proceed to vote on confirmation of the nomination, and immediately upon disposition of the Harris nomination, the Senate execute the previous order with respect to Calendar Nos. 915, 916, 913, and 744.
The PRESIDING OFFICER. Without objection, it is so ordered.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 24, 2014:

DEPARTMENT OF DEFENSE
LISA S. DISBROW, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE.

DEPARTMENT OF TRANSPORTATION
VICTOR M. MENDEZ, OF ARIZONA, TO BE DEPUTY SECRETARY OF TRANSPORTATION.
PETER M. ROGOFF, OF VIRGINIA, TO BE UNDER SECRETARY OF TRANSPORTATION FOR POLICY.

DEPARTMENT OF COMMERCE
BRUCE H. ANDREWS, OF NEW YORK, TO BE DEPUTY SECRETARY OF COMMERC.
COMMEMORATING THE 50TH ANNIVERSARY OF FREEDOM SUMMER

HON. JOHN A. BOEHNER OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Mr. BOEHNER. Mr. Speaker, I rise today to commemorate the 50th anniversary of Freedom Summer and the significant role of Western College for Women in Oxford, Ohio, now part of Miami University.

In the summer of 1964, college students, civil rights activists, and volunteers joined together to advance the civil rights of African-Americans in Mississippi. The initiative, called the Mississippi Summer Project, was a comprehensive approach to educate and register African-American voters. Hundreds of volunteers assembled in June 1964 at the Western College for Women in Oxford, Ohio for training, learning non-violent methods for dealing with potentially violent opposition.

The memory of Freedom Summer lives on in the account of three brave participants—Michael Schwerner, James Chaney, and Andrew Goodman—who lost their lives in the pursuit of civil rights. These young men departed Oxford, Ohio on June 20, 1964, to investigate a church fire in Mississippi and disappeared shortly thereafter. Burned remains of their car were found on June 23, 1964. The disappearance and deaths of Michael, James, and Andrew brought national attention to Freedom Summer and underscored the obstacles and danger that faced each participant.

I am proud of our community and its meaningful role in Freedom Summer. Throughout 2014, Miami University is hosting a series of activities and events entitled “Celebrating Freedom: Understanding the Past, Building the Future.” On October 12–14, 2014, activists and leaders will reunite and join current Miami University students for a national conference to explore the enduring importance of Freedom Summer.

As we commemorate the 50th anniversary of Freedom Summer, it is important to remember this period in our history as more than just a passage in time. Our nation also heralded the enactment of the Civil Rights Act of 1964 on July 2. The 50th anniversary of these historic events offers an opportunity for all Americans to reflect on the Civil Rights Movement and to build on the work of the heroic leaders who came before us.

I would have voted in favor of H.R. 4450, the Travel Promotion, Enhancement, and Modernization Act of 2014, because the legislation ensures our continued ability to promote the United States as an international travel destination.

I would have voted in favor of H.R. 4411, the Hezbollah International Financing Prevention Act of 2014, because it reinforces the United States’ position against terrorist organizations. Imposing these sanctions will deter financial institutions and other entities from facilitating financial transactions with Hezbollah.

I would have voted in favor of H.R. 1022, the Securing Energy Critical Elements and American Jobs Act of 2014, because I support permanently authorizing the Department of Energy’s Critical Minerals Institute so that the United States can ensure a reliable supply of elements required for a broad range of advanced technologies and better promote research and development in the public and private sectors.

I would have voted in favor of the Democratic Motion to Instruct Conferees on H.R. 3230, because I agree with the Senate’s broad-based approach to addressing issues in the Department of Veterans Affairs. At this crucial juncture, the Department requires both considerable oversight and support from Congress so that changes are put in place to ensure veterans are receiving the care they have earned and deserve.

CELEBRATING THE 100TH INTERNATIONAL CONVENTION OF ZETA BETA TAU FRATERNITY, AND HONORING THE 100TH ANNIVERSARY OF ITS ANTECEDENT GROUP PHI ALPHA FRATERNITY

HON. STEVE COHEN OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Mr. COHEN. Mr. Speaker, today I recognize Zeta Beta Tau Fraternity, my Brotherhood, and its antecedent group Phi Alpha Fraternity in honor of the 100th anniversary of the founding of Phi Alpha in celebration of the centennial International Convention of Zeta Beta Tau.

Phi Alpha Fraternity was founded at The George Washington University in Washington, D.C., on October 14, 1914, by David Davis, Edward Lewis, Hyman Shapiro, Reuben Schmidt and Maurice Herzmark, who saw the need for an idealistic brotherhood. The first pledge ceremony in February 1915 was followed by the establishment of a chapter house, one of the most luxurious establishments in the nation’s capital. At one time, Phi Alpha had chapters at nearly 30 universities, but as with many other fraternities, the Depression and World Wars took their toll. During the uncertain war years, many chapters became inactive when almost all the men in the chapters entered into military service.

In April 1959, Phi Alpha Fraternity merged with Phi Sigma Delta Fraternity, creating a combined fraternity with 47 active chapters. In 1969–70, Phi Sigma Delta merged into Zeta Beta Tau.

Zeta Beta Tau Fraternity has convened its International Convention 100 times since the first event was held in 1906 in New York City. The event presents the opportunity to share Fraternity in its truest sense with brothers from around the world. Washington, D.C., has hosted the International Convention four times, in 1937, 1957, 1974 and 2014.

Today, as a brother of Zeta Beta Tau Fraternity, I join International President Michael (Mike) D. Cimini, Kappa (Cornell University) ’92, and my entire Brotherhood in honoring the men of Phi Alpha Fraternity. We are honored to celebrate our Fraternity’s 100th Convention in the nation’s capital while honoring Phi Alpha and The George Washington University. I am proud to be a member of the distinguished Brotherhood of Zeta Beta Tau Fraternity, an organization of men who dedicate this day and every day to fostering leadership and service and devoting the tenets of our Creed—Intellectual Awareness, Social Responsibility, Integrity and Brotherly Love—in all brothers.

HONORING THE LIFE AND DEDICATED SERVICE OF SENIOR AIRMAN TIMOTHY J. WRIGHT OF PENSACOLA, FLORIDA

HON. JEFF MILLER OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Mr. MILLER of Florida. Mr. Speaker, it is with profound sadness and deep sympathy that I pay tribute to the life and dedicated service of Senior Airman Timothy J. “Tim” Wright, of Pensacola, Florida. Tim passed away on July 17, 2014 as a result of injuries sustained during a military readiness exercise at Pope Army Airfield, Fort Bragg, North Carolina.

Senior Airman Wright, who graduated from the Pensacola Christian Academy in 2003, joined the Air Force in 2009. As a medic, he was first stationed at Travis Air Force Base in Fairfield, California, where he was awarded two medals for Meritorious Service and Outstanding Achievement. He deployed twice to Afghanistan and earned the Air Force Achievement Medal for his service with the 651st Expeditionary Aeromedical Evacuation Squadron in Kandahar and the Air Force Achievement Medal for Outstanding Achievement for his service with the 455th Expeditionary Medical Operations Squadron at Bagram Airfield. During his deployments, he showed interest in becoming an aeromedical evacuation technician, and after successfully completing his training, Senior Airman Wright was transferred to Pope Airfield where he joined the 43rd Aeromedical Evacuation Squadron in May 2014.

Throughout his career, Senior Airman Wright displayed an unyielding commitment to...
### TRIBUTE TO COLONEL DAVID J. WILKIE

**IN THE HOUSE OF REPRESENTATIVES**
**Thursday, July 24, 2014**

Mr. BROUN of Georgia. Mr. Speaker, I rise today to pay tribute to Colonel David J. Wilkie, who is retiring after 30 years of Active Duty Service in the United States Army. The valuable leadership demonstrated in his role as Chief of the Neuroscience and Rehabilitation Center at Dwight David Eisenhower Army Medical Center (DDEAMC) is indispensable. His position there represents the culmination of a career that has been defined by a drive for excellence.

During his time at the United States Military Academy at West Point, COL Wilkie was a four year distinguished cadet, wearing a star on his collar indicating his rank in the top five percent of his class. In 1987, he was elected by his classmates to the position of Chairman of the Cadet Honor Committee and served on the Brigade Staff as a First Class Cadet. He graduated in 1988, receiving the Army Medical Department Award for the highest academically ranking cadet entering the AMEDD and the General McClellan award for the Chairman of the Cadet Honor Committee.

After graduation from West Point, COL Wilkie completed the AMEDD Officer Basic Course at Fort Sam Houston, Texas and earned a degree of Doctor of Medicine at the Uniformed Services University of the Health Sciences in Bethesda, Maryland. From there, he completed his internship and residency in Neurology at Madigan Army Medical Center. COL Wilkie has been Board Certified by the American Board of Psychiatry and Neurology since 1997, scoring in the top five percent nationally on his board Certification exam.

An expert in his field, COL Wilkie has served in leadership positions on staff at DDEAMC and Madigan Army Medical Center, on numerous prestigious boards and committees and important response teams. COL Wilkie led the development of the DDEAMC Traumatic Brain Injury (TBI) program, and the Level 1 TBI program at DDEAMC was the first program certified by the Office of the Surgeon General (OSG). COL Wilkie was also instrumental in developing the Integrated Pain Management Clinic at DDEAMC, again the first such program active in the Department of Defense.

Additionally, COL Wilkie served as Battalion Surgeon for 2-3 Infantry Battalion in Mosul, Iraq during Operation Iraqi Freedom in 2004. In 2013, he served as US FORCES–Afghanistan Neurology consultant at Bagram Airfield, Afghanistan during Operation Enduring Freedom. Mr. Speaker, it is a very special time that we honor and thank Ms. Webber for her public service and wish her a most enjoyable retirement.

### RECOGNIZING JAMES C. MCCLOSKEY

**IN THE HOUSE OF REPRESENTATIVES**
**Thursday, July 24, 2014**

Mr. HOLTON of New Jersey. Mr. Speaker, I rise today to recognize the career and accomplishments of James C. McCloskey who has served for the past 34 years as the Founder and Executive Director of Centurion Ministries of Princeton, New Jersey, and has been a tireless advocate for people wrongly convicted across our country.

A native of Philadelphia, Jim graduated from Bucknell University in 1964. After three years as a naval officer in Japan and Vietnam, Jim spent 13 years in business in Tokyo and Philadelphia. After his stint in the business world, Jim opted for a change and went to pursue a Masters in Divinity from Princeton Theological Seminary. During that time Jim served as a student chaplain at the Trenton State Prison where he met then inmate Jorge De Los Santos.

After listening to the convicted man’s claims of innocence Jim took it upon himself to review the case.

After reading the entire record of the case, he came to believe that Mr. De Los Santos was innocent. Jim then, using his own money, spent the next three years, including a year-long sabbatical from seminary, investigating Mr. De Los Santos’ case. After bringing forward the only witness against Mr. De Los Santos, Jim hired a young lawyer, Paul Casteliero, to have the case retried. In July 1983 Mr. De Los Santos was exonerated and freed and Centurion Ministries was launched.

Jim knew that this was his calling for the rest of his life.

Most of the early cases came from the stories that Mr. De Los Santos had told Jim regarding several other men Mr. De Los Santos believed were innocent. Upon reading their case files Jim came to believe them, too. Jim worked alone until 1987 when he obtained his fifth exoneration and the general public took notice of this remarkable work he was doing.

He founded Centurion Ministries in order to bring voice to those who have lost all appeals and thus all hope of having their wrongful convictions brought to light. Beginning with a staff of just himself, Centurion Ministries has grown and now has eight full time staff, five part time staff, and a group of 23 part time volunteers who dedicate their time to the cause of the wrongly convicted.

Centurion Ministries takes on the difficult cases. They do not shun cases that can turn on DNA evidence, but because there are other avenues for remedy a case cannot have DNA evidence. Centurion Ministries’ focus has been primarily on cases that require a field investigation and a very savvy lawyer. To date Centurion Ministries has overturned the wrongful convictions of several men including Mr. De Los Santos.

Mr. Speaker, on behalf of a grateful United States Congress, I am privileged to honor the life of Senior Airman Timothy J. Wright. My wife, Vicki, joins me in offering our most sincere condolences and prayers to his family and friends. May God continue to bless them and the brave men and women of our United States Armed Forces.

Ms. Weber is credited by her colleagues as being able to see both sides of an issue and then build consensus among those with differing opinions. Ms. Webber’s leadership in environmental management and water reuse is greatly appreciated and will certainly be missed. Mr. Speaker, it is a very special time that we honor and thank Ms. Webber for her public service and wish her a most enjoyable retirement.
Mr. VAN HOLLEN. Mr. Speaker, I rise today to honor the achievements of the Legal Services Corporation (LSC) on its 40th anniversary. Forty years ago, President Nixon signed into law the LSC Act, establishing the Legal Services Corporation as one of the major sources of funding for civil legal aid. In the time since, LSC has grown to be the single largest funder of civil legal aid for low-income Americans, including many military families and veterans.

Legal Services Corporation-funded legal aid programs continue to make a crucial difference to millions of Americans by assisting with the most basic civil legal needs, such as addressing matters involving safety, subsistence, and family stability. LSC funds 134 legal aid organizations that serve hundreds of thousands of low-income individuals, children, families, seniors, and veterans across America. These individuals range from women seeking protection from abuse, mothers trying to obtain child support, families facing unlawful evictions or foreclosures that could leave them homeless, veterans seeking benefits duly earned, and seniors defending against consumer scams, among other cases.

Legal Services Corporation-funded legal aid programs identify domestic violence as one of their top priorities. As chairman of the House Commerce-Justice-Science Appropriations Subcommittee from 2001–2006 and again since 2011, I have worked closely with the LSC leadership to support these programs and ensure that funding is spent efficiently and appropriately. I have also worked with my colleagues in Congress and LSC leadership to mitigate partisan issues that undermine support for this program. Through these efforts, we have been able to ensure that LSC funding is focused on supporting legitimate civil legal aid needs by those Americans who need it most.

Over the past several years, I have encouraged LSC to do more to engage law firms and bar associations to expand pro bono services in coordination with the corporation. In response, the LSC board created a Pro Bono Task Force in 2011 and produced a comprehensive report with innovative ideas to bolster national pro bono efforts. I want to credit LSC Board Chairman John Levi and LSC President Jim Sandman for their leadership on this project, which has the potential to further extend LSC’s support for low-income Americans.

Forty years after its creation, the LSC fills a critical gap by providing low-income Americans with legal assistance they wouldn’t otherwise have access to. I want to commend the Legal Services Corporation and the attorneys working in our communities for the work they do every day on behalf of Americans who need qualified counsel.
Our Unconscionable National Debt

Hon. Mike Coffman
Of Colorado
In the House of Representatives
Thursday, July 24, 2014

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 $17,610,253,000,219.65. We've added $6,983,375,951,306.57 to our debt in 5 years. This is over $6.9 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

Strongening the Transatlantic Alliance in the Face of Russian Aggression

Hon. Michael R. Turner
Of Ohio
In the House of Representatives
Thursday, July 24, 2014

Mr. TURNER. Mr. Speaker, ongoing events in Ukraine, especially the tragedy involving Malaysia Airlines Flight MH17, pose a significant security threat not only to Europe but also the world. Russia's military aggression, its tacit support of pro-Russian Ukrainian separatists, and its use of energy as a political weapon warrant a strong response. The United States and our European allies must take strong and definitive action to strengthen the transatlantic alliance, and stem Russian aggression and its efforts to destabilize the region.

The United States must stand with our European allies and re-emphasize its commitment to a strong security alliance. While I agree with the overall goal of President Obama's European Reassurance Initiative to increase U.S. rotational deployments, allied training, and signals intelligence, ultimately this proposal lacks a long-term strategic and commitment to our partnership with Europe. We can and must do more.

That is why I authored H.R. 4433, the Forgiving Peace through Strength in Ukraine and the Transatlantic Alliance Act, which calls for decisive action to remedy the current crisis in Ukraine and deter greater Russian aggression in Europe. Specifically, the measure would bolster U.S.-Ukraine security relations by seeking to provide technical assistance to the Ukrainian military and increase U.S. intelligence information sharing. H.R. 4433 would also authorize the Secretary of Defense to ensure the operational availability of the Aegis Ballistic Missile Defense system site in Poland and require the deployment of a short-range air and missile defense system to Poland. In addition, the bill would require the Secretary of Defense to stop plans for the relocation and consolidation of U.S. dual-capable aircraft based in Europe, conduct site studies for the construction of weapon storage and security systems and protective aircraft shelters in North Atlantic Treaty Organization (NATO) member countries, and coordinate with NATO countries to assess the possibility of altering the posture of forward deployed U.S. nuclear weapons. Several of the provisions of my legislation are included in the House-passed version of the Fiscal Year 2015 National Defense Authorization Act.

Strengthening the NATO alliance is also a critical component for pushing back against Russian aggression. The partnership links between the United States and Europe through NATO has been the bedrock of stability in the region. However, it is clear that Russia seeks to once again destabilize much of Eastern Europe and restore its control over territories lost following the collapse of the Soviet Union. We must provide相同 to our European allies that the United States remains firm in our commitment to security. We must also make a strong push for the further enlargement of NATO. Specifically, the United States should support the accession of Montenegro, put a full diplomatic press on the issue of resolving the conflict between Macedonia and Greece, seek resolution to the constitutional issues of Bosnia and Herzegovina, and encourage the membership prospects of Georgia through the Membership Action Plan process. In fact, I authored an amendment, which the House approved yesterday, to the House-passed Fiscal Year 2015 National Defense Authorization Act expressing strong support for the ongoing NATO enlargement initiatives.

Bolstering regional and global energy security is another key aspect of the transatlantic alliance. Russia has repeatedly used natural gas pricing to draw governments closer to its orbit and punish governments with higher prices. Previous disputes between Ukraine and Russia led to natural gas shutoffs in 2006 and 2009, negatively affecting downstream European countries. In April 2014, Russia's state-owned monopoly, Gazprom, increased the price of natural gas on Ukraine by 80 percent. And in early June 2014, Gazprom cut off natural gas supplies to Ukraine. The United States must continue to support efforts to help our European allies diversify their energy resources. In fact, multiple U.S. Administrations have previously supported initiatives to supply Europe with alternative and competitive energy resources, such as the Southern Gas Corridor which will bring natural gas from Azerbaijan to Europe. That is why I authored H. Res. 284, a bipartisan resolution which recognizes the importance of the Southern Gas Corridor to energy security and our strategic partnerships.

At the same time, energy diversification initiatives may offer opportunities to benefit the United States economically. For instance, U.S. companies are involved in the development of growing recent natural gas discoveries in the Eastern Mediterranean, which may help countries in the region to bolster political and economic ties and present another source of energy for Europe. And many of our European allies have expressed strong interest in purchasing U.S. natural gas to help diversify their resources and strengthen their independence. Increasing U.S. natural gas exports, along with development of other sources such as the Southern Gas Corridor and the Eastern Mediterranean, will help diversify world natural gas supplies and create a more competitive, transparent, and diversified global natural gas marketplace. This will help curb the ability of countries like Russia to use energy as a political weapon.

In fact, U.S. natural gas production has already influenced global markets. Natural gas previously destined for the United States, but no longer needed as a result of increased production, was diverted to other markets. This increased supply has made the global natural gas market more competitive and thus increased pressure on contracts indexed to the price of oil and allowing several European countries to successfully renegotiate their long-term contracts with Gazprom.

Lifting self-imposed restrictions on U.S. natural gas exports will emphasize to our allies that the United States is a strong energy security partner and send an immediate signal to markets that new supplies of natural gas will be available, helping to influence prices and new infrastructure construction decisions. And regardless of where U.S. natural gas is shipped, increasing supply in the global marketplace will help provide international consumers with greater choice and thus increased leverage to negotiate pricing contracts. In fact, Obama Administration officials, including the State Department’s energy envoy, Carlos Pascual, have made this very argument.

In addition, fostering a more diverse and competitive global natural gas market can complement U.S. and European sanctions on Russia. Oil and gas receipts constitute more than 50 percent of Russia’s federal revenues.

President Obama, in a March 2014 joint statement with European leaders, welcomed U.S. natural gas exports to help our European allies. While I am encouraged by the President’s statement, immediate action is needed to put force behind these words.

Over the past several years, I have worked to reduce self-imposed regulatory barriers to exporting U.S. natural gas. Specifically, in the 112th Congress I authored with then-Senator Richard Lugar (R-In), H.R. 6699, the LNG for NATO Act, which sought to expedite U.S. natural gas exports to NATO countries. In the 113th Congress, I authored with Senator John Barrasso (R-Wy), H.R. 580, the Expedited LNG for NATO Act, which sought to expedite U.S. natural gas exports to NATO countries. In the 113th Congress, I authored with Senator John Hoeven (R-Nd), H.R. 6699, the LNG for NATO Act, which sought to expedite U.S. natural gas exports to NATO countries. In the 113th Congress, I authored with Senator John Hoeven (R-Nd), H.R. 6699, the LNG for NATO Act, which sought to expedite U.S. natural gas exports to NATO countries. In the 113th Congress, I authored with Senator John Hoeven (R-Nd), H.R. 6699, the LNG for NATO Act, which sought to expedite U.S. natural gas exports to NATO countries. In the 113th Congress, I authored with Senator John Hoeven (R-Nd), H.R. 6699, the LNG for NATO Act, which sought to expedite U.S. natural gas exports to NATO countries.
HONORING FIRST LIEUTENANT WILLIAM D. BERNIER AND NINE OTHER BRAVE AMERICANS

HON. STEVE DAINE
OF MONTANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Mr. DAINES. Mr. Speaker, on April 10th, 1944, as many as 60 B–24 Liberators from the Fifth Air Force attacked enemy anti-aircraft targets and airfields on the northern coast of New Guinea.

One of those heavy bombers, known as “Hot Garter,” was hit by flak and went down with its crew of 12. On board was First Lieutenant William D. Bernier from Augusta, Montana.

The remains of nine of these brave Americans, including First Lieutenant Bernier, were determined to be “unrecoverable” but due to technological advances, his remains were recently identified and will soon be at rest in Montana.

It is the solemn duty of our nation to not leave any behind who have made the ultimate sacrifice. On behalf of the state of Montana, thank you to those who worked diligently to bring William home.

COMMENDING PRIME MINISTER NAJIB RAZAK OF MALAYSIA

HON. ENI F.H. FALEOMAVAEGA
OF AMERICAN SAMOA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to commend Prime Minister Najib Razak of Malaysia for his leadership in negotiating the release of the remains of the victims killed in the downing of flight MH17 in eastern Ukraine.

Prime Minister Najib held a series of secret talks with the separatists to broker an agreement for the return of the bodies and the promise of safe passage for recovery teams going to the crash site. He also secured the return of the black boxes of flight MH17 so that a full investigation can ensue.

Prime Minister Najib’s personal involvement in the negotiations sets the standard for diplomacy around the world. I commend Prime Minister Najib for not leaving negotiations to aides.

Some matters in life are sacred, and I am pleased that Prime Minister Najib recognized this situation as such. I thank him for setting aside politics for a higher purpose—to return the bodies of fathers, mothers, brothers, sisters, sons and daughters to the families who lost and loved them. I praise him for doing what others would not or could not.

My thoughts and prayers are with all those who have been affected by this tragedy. After a full and fair investigation, I am hopeful that those responsible will be held accountable.

HONORING RICH SALVESTRIN

HON. MIKE THOMPSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Rich Salvestrin, the recipient of the Napa County Farm Bureau's 2014 Agriculturist of the Year Award. Mr. Salvestrin has been, and continues to be, a tireless advocate and fierce supporter of agriculture in the Napa Valley. It is therefore appropriate that we recognize and thank Mr. Salvestrin today for his unwavering support and relentless efforts to preserve and promote agriculture in Napa County.

Mr. Salvestrin was born and grew up in St. Helena, California. His education in agriculture began at an early age. By the time he was ten, he was helping his father and grandfather prune vines on the family vineyard. Mr. Salvestrin went on to attend California State University, Fresno, where he received a Bachelor of Science in Viticulture. After completing his degree, Mr. Salvestrin returned to his family's vineyard, where he applied his education and experience to expand the family business from a grape growing operation to include winemaking.

Mr. Salvestrin has worked with the Napa County Farm Bureau for nearly three decades to advance agriculture in the Napa Valley. Soon after joining the Bureau in 1985, Rich joined the Bureau’s Young Farmer and Rancher Program, where he completed the Ag Leadership program in the early 1990s. Rich began serving on the Napa County Farm Bureau’s Board of Directors in 1994 and notably, he served as the president of the Napa County Farm Bureau from 1999–2001.

Rich has been a leader in protecting the Napa Valley’s farmland and watersheds. He was a crucial supporter of the Napa Green/ Fish Friendly Farming Program. He also serves as a board member on the Napa County Winegrape Pest & Disease Control District. And as a member of the Glassy Winged Sharpshooter Action Team, he helped to control an invasive species that threatened the region’s livelihood.

Mr. Speaker, Rich Salvestrin’s leadership in the wine industry and viticultural preservation is greatly appreciated by the entire Napa community and we wish him further success in an already distinguished career.

PERSONAL EXPLANATION

HON. JARED HUFFMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Mr. HUFFMAN. Mr. Speaker, on rollcall votes Nos. 439–441, I was unavoidably absent. Had I been present, I would have voted in the following manner:

On rollcall No. 439, had I been present, I would have voted “yea.”
On rollcall No. 440, had I been present, I would have voted “yea.”
On rollcall No. 441, had I been present, I would have voted “yea.”

HONORING RICH SALVESTRIN

HON. DEBBIE WASSERMAN SCHULTZ
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise to recognize Shirley Harold for her hard work and determination in the fight to keep young kids safe around water.

In March 2008, Ms. Harold experienced the pain no parent or grandparent should ever have to. Her 2-year-old grandson J'Mari drowned in a swimming pool.

Since then, her goal has been to educate her community on the importance of swimming lessons, CPR and layers of protection to prevent drowning.

In 2007, I ushered through Congress the Virginia Graeme Baker Pool and Spa Safety Act, the first federal pool and spa safety law on the books in our country. This law has a specific focus on public swimming pools, which is a key component in the fight against accidental drowning.

But we all know that many of these tragedies are occurring in residential swimming pools as well, which VGB does not cover.

Despite our best efforts to find common sense solutions to these preventable tragedies, we are collectively frustrated and disappointed that we haven’t been able to get a better handle on how to resolve what we believe is a preventable crisis.

We have already experienced 7 drowning deaths among children 0–4 years of age in Broward County this year. And that doesn’t include the near-drowning victims.

It pains me to say that Florida is leading the nation in drownings under age 14, with 32 deaths between January and May occurring statewide. At this time last year there were 14 deaths.

Since J’Mari’s death in 2008, Shirley has become a fierce advocate for pool safety. On Saturday, July 26, her foundation, J’Mari and Friends is holding a community forum. Parents and children will learn CPR and drowning prevention tips.

I commend Shirley’s commitment in her dedication to teaching young children to swim.

TRIBUTE TO MR. JAMES LEE MILLER, SR.

HON. DANNY K. DAVIS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Mr. DAVIS of Illinois. Mr. Speaker, on rollcall No. 439, had I been present, I would have voted “yea.”
to have our discussions in the lounge over a glass of water, or whatever else we might be drinking.

I have been told that one’s impact on the world is measured not only by what they bring but also by what they leave and Mr. James Miller has left a great impact and tremendous legacy. As a result, twelve children, ten of whom are his grandchildren, relatives, and friends. Prominent among them are the three preachers and leaders, Johnny Miller, Rev. Dr. Matthew Miller, Pastor Leon Miller and a great hands-on physician whose office I have used Dr. James Miller, Jr.

The Miller family is cherished in our community and this could not have happened without the life and the legacy of Mr. James Miller, Sr., born December 9, 1929.

40TH ANNIVERSARY OF THE LEGAL SERVICES CORPORATION

HON. TOM COLE
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 25, 2014

Mr. COLE. Mr. Speaker, Friday, July 25, marks the 40th anniversary of the Legal Services Corporation (LSC). In 1974, Congress passed bipartisan legislation, including that of President Nixon—established LSC to be a major source of funding for civil legal aid in this country. LSC is a private, nonprofit corporation funded by Congress, with the mission to ensure all people have access to justice under law. Now, all Americans by providing civil legal assistance to those who otherwise would be unable to afford it. LSC distributes nearly 94 percent of its annual Federal appropriations to 134 local legal aid programs, with nearly 800 offices serving every congressional district and U.S. territories.

LSC-funded legal aid programs make a crucial difference to millions of Americans by assisting with the most basic civil legal needs, such as addressing matters involving safety, subsistence, and family stability. These low-income Americans are often seeking protection from abuse, mothers trying to obtain child support, families facing unlawful evictions or foreclosures that could leave them homeless, veterans seeking benefits, seniors defending against consumer scams, and individuals who have lost their jobs and need help in applying for unemployment compensation and other benefits.

It is LSC-funded attorneys who help parents obtain and keep custody of their children, assist parents in enforcing child support payments, and help women who are victims of domestic violence. In fact, three out of four of legal aid clients are women, and legal aid programs identify domestic violence as one of their top priorities.

Given the vital role played by LSC-funded attorneys, we need to do better than turn over 50 percent of eligible clients who seek assistance because of lack of LSC program resources. With the growing number of Americans eligible for services and increased demand for legal services, the need for legal aid attorneys has never been greater. On this 40th anniversary, let us salute the Legal Services Corporation and LSC-funded attorneys for their work.

day that a legal aid attorney protects the safety, security and health of our most vulnerable citizens, they bring this nation closer to living up to its commitment to equal justice for all.

STRENGTHENING CHILD WELFARE RESPONSE TO TRAFFICKING ACT OF 2014

SPEECH OF
HON. MICHÈLE BACHMANN
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 23, 2014

Mrs. BACHMANN. Mr. Speaker, I rise today to offer my support for the Strengthening the Child Welfare Response to Trafficking Act. As a co-chair of the Foster Youth Caucus and a former foster parent, I am grateful for this legislation, as it recognizes a terrible and undeniable truth about our child welfare system.

Statistics show that foster children are highly vulnerable to being sexually trafficked. This bill will lay out needed provisions to identify and track victims within the already existing National Child Abuse and Neglect Data Systems and ensure that state is not only prepared to spot the signs of victimization, but also adequately help those who have been rescued.

This bill is an important step in coordinating state and federal efforts and resources, to give victims the necessary individualized care, and to stop this terrible assault on children.

CELEBRATING THE 40TH ANNIVERSARY OF THE LEGAL SERVICES CORPORATION

HON. JOSÉ E. SERRANO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Mr. SERRANO. Mr. Speaker, I would like to honor and congratulate the Legal Services Corporation (LSC) as they celebrate their 40th anniversary this Friday, July 25th. In 1974, Congress established LSC to better ensure equal access to justice under the law. LSC was created with bipartisan support, and the authorizing legislation was signed into law by President Nixon. The goal of the program from the outset has been to ensure access to civil legal assistance to those who are otherwise unable to afford it. LSC does this by distributing federal funding to local legal aid providers who in turn use the funding to address the needs of our constituents. Today, the LSC distributes funding to 134 local providers who have offices in every congressional district in our nation, as well as in the U.S. territories.

The programs make a vital difference in the lives of millions of ordinary Americans each year. Lawyers funded by LSC help families facing unlawful evictions, women seeking protection from abuse, veterans seeking benefits, seniors defending against consumer scams, and mothers seeking child support. In my home town of New York City, LSC funding also provided crucial assistance to low-income individuals who faced problems as a result of Superstorm Sandy and had nowhere else to turn.

For all the good work that LSC-funded programs do, there is still more to be done. LSC funded entities are forced to turn away 50 percent of eligible individuals seeking assistance. This gap, known as the justice gap, shows that we have come a long way, but we must do more to ensure there is adequate funding for LSC and the programs that they serve. As the Member of the Appropriations Committee, I will continue to fight to increase funding for this worthy program.

Mr. Speaker, justice should not be limited only to those who can afford it. Equal access to our justice system is at the essence of our democracy. Our court system should allow everyone who has a legitimate grievance to pursue justice with the best possible representation. For the past 40 years, LSC and all of its grantees have helped ensure that our nation lives up to these ideals. I hope my colleagues will join me in congratulating LSC for their good work over the past 40 years.

PREVENTING SEX TRAFFICKING AND STRENGTHENING FAMILIES ACT

SPEECH OF
HON. DANNY K. DAVIS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 23, 2014

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I strongly support H.R. 4980, the Preventing Sex Trafficking and Strengthening Families Act. This bill advances child welfare protections in many important ways. For over a decade, I have advocated via the Stronger Families Act or the Investing in Permanency for Youth in Foster Care Act that federal policy should incentivize permanency for all foster youth regardless of how they exit care—adoption, guardianship, or reunification. I am especially pleased that H.R. 4980 takes a tremendous step forward in recognizing guardianship as an important permanency option for foster children who cannot return home. For the first time, the bill provides incentives for states for placing foster children with legal guardians.

Guardianship and kinship caregiving are very significant for Chicago, for Illinois, and for the African American community. My Congressional District has the highest percentage of children living with grandparent caregivers in the nation, followed closely by two other Congressional Districts in Illinois. Nearly 400,000 children make up our nation’s foster care population, with more than one in four (approximately 28%) of these vulnerable children living with a grandparent or other relative. Research clearly shows that kinship foster care families are better, more stable placements that are more likely to keep children connected with their siblings and communities than non-relative placements.

Adoption is not a viable option for many children to exit foster care, with courts explicitly declining to accept many children. For over a decade, I have advocated via the Stronger Families Act. This bill advances child welfare protections in many important ways. For over a decade, I have advocated via the Stronger Families Act or the Investing in Permanency for Youth in Foster Care Act that federal policy should incentivize permanency for all foster youth regardless of how they exit care—adoption, guardianship, or reunification. I am especially pleased that H.R. 4980 takes a tremendous step forward in recognizing guardianship as an important permanency option for foster children who cannot return home. For the first time, the bill provides incentives for states for placing foster children with legal guardians.

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a study of the Illinois Subsidized Guardianship Demonstration Waiver showed that the offer of subsidized guardianship increased overall rates of family permanency by six percentage points over and above the level of performance in a randomly assigned control group that was limited to the option of adoption only. African American and Native American families tend to choose guardianship as a route to permanency rather than adoption because they do not see a need to legally sever the connection between parent and child. A grandmother raising a grandchild does not want to erase the legal connection of her child to her grandchild. Guardianship affords the same legal responsibility for a child as adoption only without legally severing the familial connection.

Thus, I applaud the bill for including an incentive for guardianship that is four-fifths the incentive for adoption as well as a guardianship incentive equal to that for that for adoption for older youth. Rewarding states for helping foster youth find permanent, loving homes via guardianship or adoption allows families to make a long-term permanency choice that best fits the particular needs and circumstances of their family, rather than incentivizing states to prioritize adoption alone.

To further support relative caregivers, I am very pleased to see the bill extending the Family Connection Grants for one year. These grants provide funding for intensive family finding, kinship navigator programs, family group decision-making meetings, and residential family treatment programs. These programs promote permanency for children in care. In addition to the positive outcomes for foster children in relative care, research shows that kinship care placements are cost effective. In Illinois, cost studies estimated an average of $4,778 in savings of IV-E administrative expenses over an 8 year period compared to a matched control group that did not have this option. Extrapolating to the 10,000 children in Illinois discharged to guardianship between 1997 and 2007, the projected savings was approximately $48 million for the state of Illinois.

Thus, Family Connection Grants improves the access of foster youth to safer, more stable family placements and reduce costs for state and federal governments.

Further, I am delighted that the bill includes comparable successor-guardian protections for children who exit to guardianship as those protections provided to youth who exit to adoption. Given that guardianship is an important permanency option for grandparent caregivers who are older and have health problems, the issue of continuity of care via successor guardianship is especially needed to protect this population. Currently law already includes this protection for adoptive parents; extending this protection to children in guardianship is a reasonable step to protect youth and keep them from re-entering the foster care system.

The bill implements many important changes to child welfare law, including: protecting children and youth at risk for sex trafficking; ensuring the foster youth have important documents when exiting care; empowering foster youth in the development of their own case plans; improving information in child welfare reports; modifying the calculation of permanency risk based on improvements in rate rather than number to better capture placement success; enhancing reporting requirements related to the use of state dollars; strengthening benefits and services; and increasing funding for the Chafee Independent Living program.

Given the dramatic improvements to child welfare policy made by this bill, I strongly urge my colleagues to support the passage of this bill.

40TH ANNIVERSARY OF THE INVASION OF CYPRUS

HON. STEVE STIVERS
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Mr. STIVERS. Mr. Speaker, I rise today to observe 40 years passing since the division of the island of Cyprus, and to again encourage a final agreement to bring peace and prosperity to all Cypriots.

Every year, many of my colleagues call for the peaceful reunification of Cyprus citing the 1974 military coup in Turkey; however, few note what precipitated that act.

Eleven years prior, in 1963, the Partnership Republic of Cyprus crumbled due to a Greek-backed coup and its ensuing violence. And, in 1974, Greek-backed military rules staged another coup in an effort to unify Cyprus and Greece, at the expense of the rights of Turkish Cypriots.

In addition to the 40th anniversary of Cyprus' division, I would like to note that this year also marks the 10th anniversary of the Annan Plan, where Turkish Cypriots showed their good faith to the international community and a desire to move forward to a bi-zonal, bi-communal federation by voting overwhelmingly for the plan. In the years of pessimism that has followed, Cypriots from both communities have maintained the hope that a comprehensive solution can be achieved. And, recent discussions between both parties has given the citizens—and me—renewed hope.

In this air of cautious optimism, I call upon both Cyprus and Greece to redouble their efforts to secure a final agreement. I also want to call on the Administration to do everything within its power to encourage and support this process. I urge my colleagues, who I know wish nothing but the best for the island's peoples, to focus on the need to resolve a problem that has gone on for far too long, for the benefit of all Cypriots.

CELEBRATING THE 40TH ANNIVERSARY OF THE LEGAL SERVICES CORPORATION

HON. MIKE QUIGLEY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Mr. QUIGLEY. Mr. Speaker, one of the founding principles of our republic is equal justice under the law. But the promise of justice for all is an empty one without access to legal assistance. I rise today to honor the Legal Services Corporation, which for 40 years has played a vital role in ensuring all Americans, regardless of income, have proper representation in court.

Studies consistently show that in contested matters in court involving fundamental issues like housing, education and family law, the outcome of the case often turns on whether one has legal representation. And with the growing number of Americans eligible for legal assistance, the need for the Legal Services Corporation has never been greater. That is why it is so important that Congress provides through the funding they have done the work done. Thank you to the Legal Services Corporation and LSC-funded attorneys for the vital work they do every day on behalf of Americans who need qualified counsel.

H.R. 3393 THE STUDENT AND FAMILY TAX SIMPLIFICATION ACT AND H.R. 4935 THE CHILD TAX CREDIT IMPROVEMENT ACT

HON. RUSH HOLT
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Mr. HOLT. Mr. Speaker, I rise today in opposition to H.R. 3393 the Student and Family Tax Simplification Act and H.R. 4935 the Child Tax Credit Improvement Act.

These bills that come before the House this week continue the weekly pattern of picking winners which make permanent. Instead of looking at all of the tax extenders comprehensively Republicans are again picking the extenders that many Members may find easy to support and making them permanent while failing to pay for them. I find it ironic that Representative CAMP has continued to bring permanent extenders to the floor, some of which he chose not to extend at all when he released his plan for comprehensive tax reform earlier this year.

H.R. 4935 expands the tax credit for families making as much as $160,000, families for which the tax credit is not essential. This legislation also changes the nature of the tax credit and will result in a family making as little as $14,500 to receive no tax credit, a credit that they desperately need. We should be expanding tax credits for low income families, not eliminating them.

H.R. 3393 seeks to lessen the burden on students and families seeking a higher education. While this is a noble goal, it does nothing to fix the underlying issue of paying for higher education, student loan debt. The class of 2012 graduated with an average of $29,400 in student loan debt; this legislation does nothing to address this. Instead of giving a tax break on tuition and other expenses we should reduce the need for student loans. We should double Pell Grant Funding. We should permanently extend and double Perkins funding. We should allow students to refinance and increase. We should extend the child tax credit.

This Congress cannot continue blindly to pass permanent tax breaks. I have seen first-hand what happens when we take that approach. We did that under President Bush and went from budget surpluses to budget deficits. Deficits that have pushed Congress to reduce investment in our country in recent years.

I look forward to Congress addressing the tax extenders that make permanent rather than by the end of the year in a serious way, not the way in which they have been brought before us thus far.

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I look forward to Congress addressing the tax extenders that make permanent rather than by the end of the year in a serious way, not the way in which they have been brought before us thus far.
Mr. GRAYSON. Mr. Speaker, I rise today in honor of Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month, to recognize Debbie Simmons. Ms. Simmons is a native Floridian, born and raised in Miami. In spite of rigid family and societal opposition, she dreamed of marrying and raising a family with her high school girlfriend.

Ms. Simmons moved to Orlando in 1978. Later that same year, Harvey Milk was assassinated, profoundly impacting her life and leading her to extensively educate herself about gay rights, the Stonewall riots and the 1979 and 1987 Marches on Washington. She later attended the 1993 and 2000 March on Washington.

In 1990, she bought her first home with her partner of two years and prepared mock legal and financial documents to mimic a real marriage. In 1991 she walked in the first gay pride parade in Orlando, which marked the beginning of her community activism.

In 1992, she co-founded the Metropolitan Business Association (MBA), Central Florida’s LGBT chamber of commerce. She served as the first vice president, and in a few months the board of directors appointed her president. She served in that role for 16 years. During her tenure, she organized six MBA Business Expos, the first of which was in 1994 with 89 vendors. She also produced and published yearly member business directories dubbed the MBA Buyer’s Guide.

Her organization also hosted numerous forums and town hall meetings for local political candidates. This political involvement resulted in a change to the City of Orlando’s anti-discrimination policy to include sexual orientation, providing protections for 3,200 city employees. The efforts also resulted in policy changes at the Orlando Police Department to end discrimination based on sexual orientation.

Ms. Simmons also co-founded the Orlando Anti-Discrimination Ordinance committee. In 2002, the committee succeeded in its effort when the City of Orlando amended its citywide anti-discrimination policy to include sexual orientation.

In addition, Ms. Simmons created MBA’s subsidiary organization, Come Out With Pride. She developed and produced the Central Florida LGBT History Project in 2005, to preserve and chronicle the local LGBT movement. She partnered with the Gay, Lesbian and Bisexual Student Union (GLBSU) at the University of Central Florida (UCF) to develop future community leaders, new businesses, and lifetime relationships through scholarships, mentoring, and internships. Ms. Simmons has also spearheaded numerous consortiums to build consensus for strength leadership, and enrich the community.

I am happy to honor Ms. Debbie Simmons, during LGBT Pride Month, for her leadership and commitment to the LGBT community in Central Florida.

40th Anniversary of the Invasion of Cyprus

HON. TIMOTHY H. BISHOP
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Mr. BISHOP of New York. Mr. Speaker, I rise today in order to urge the United States to advocate for a resolution to the ongoing conflict in Cyprus. July 20, 2014 marked the 40th anniversary of the division of Cyprus, and it is in the best interest of the United States to foster a state in which Greek and Turkish Cypriots may peacefully coexist.

In Congress, I have supported legislation that promotes a comprehensive peace agreement between Greek and Turkish Cypriots. I support discussions resuming to finally identify a settlement to this protracted conflict. It is my hope that a peaceful resolution to the territorial dispute will soon become reality and I am pleased with the progress that Cyprus continues to make with the United Nations and the United States. It is encouraging that the President of Cyprus has established several confidence-building measures that could lead to productive negotiations, measures that the United States has endorsed.

Mr. Speaker, I urge the State Department to work with the government of Cyprus for the advancement of democracy, human rights, and the interests of the United States.

Tribute to Carl F. Aylestock

HON. SHELLEY MOORE CAPITO
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Mrs. CAPITO. Mr. Speaker, I rise to recognize the esteemed military career of Transportation Corporal Carl F. Aylestock. Corporal Aylestock’s service and devotion are to be commended, and the people of West Virginia and the United States owe him an immense debt of gratitude.

Corporal Carl Aylestock began serving his country in 1941 when he enlisted in the United States Army during the Second World War. He went overseas in 1942 with the 29th Infantry Division for 18 months of rigorous training in England, specializing in amphibious operations. The 29th was one of the first divisions to arrive in the European theatre. After landing on Omaha Beach during the Normandy invasion, serving in the Battle of the Bulge and participating in the occupation force in Germany, Corporal Aylestock was honorably discharged from service. In honor of his accomplishments, Corporal Aylestock was awarded a series of awards and decorations including: the Good Conduct Medal, the European-African-Middle Eastern Service Ribbon with a Bronze Arrowhead, and the Combat Infantryman’s Badge with three stars. In addition, his regiment was awarded the Presidential Unit Citation for their valor on D-Day.

Now, 70 years later, Corporal Aylestock lives in Jane Lew, West Virginia, and is about to turn 100 years old in September. Mr. Speaker, on behalf of the State of West Virginia and the United State of America, I would like to thank Corporal Carl Aylestock for his years of selfless service to our State and country.
COMMEMORATING THE LIFE OF REVEREND FATHER CHRISTIAN R. ORAVEC

HON. BILL SHUSTER OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 2014

Mr. SHUSTER. Mr. Speaker, I rise today to commemorate the life of Reverend Father Christian R. Oravec and to remember this dedicated man of faith who did so much for the people of Pennsylvania.

Father Oravec made it his life’s work to give back to the community through service. He was a respected leader, serving as President of St. Francis University for 27 years. During that time he was instrumental in driving the school’s continued growth, as well as offering guidance to generations of students as they passed through the university’s doors each year. His leadership allowed St. Francis to thrive, and his frequent sightings across campus were a cherished part of the college experience for countless students. He was someone that students could look to for guidance, and was a person that they knew they could trust.

Father Oravec’s leadership extended far beyond campus. He maintained a deep commitment to the community, serving as a leader and role model with involvement in over 16 different civic organizations. He was a devout man who dedicated his life to humbly serve a higher calling, and ministered at parishes both in the Diocese of Altoona-Johnstown and overseas in Europe. With Father Oravec’s passing, Pennsylvania has lost one of its most beloved sons, but the memory of his work will forever preserve in our country’s history. Thank you Michael Lynch.

In 1973, immediately after graduating from Santa Clara University, Mr. Lynch, began his long career of public service by becoming the Administrative Assistant to Sacramento County Supervisor Pat Melarkey. Mr. Lynch worked for Mr. Melarkey for five years before accepting a position at a law firm as a consultant.

After a short time in the private sector, Mr. Lynch accepted the Principal Consultant position at the California Assembly Office of Majorities in 1980. After his service at the California Assembly office, in 1984, he accepted a position as Chief of Staff for California Assemblymember Gary Condit, where he served for 13 years improving the lives of California citizens.

In 2004, Mr. Lynch became the Chief Operating Officer of Great Valley Center. Founded in 1997, the Great Valley Center is an organization whose mission it is to engage the public to take an active role and participate in local government. As the COO of Great Valley Center, Michael Lynch advised and oversaw the organization’s efforts in the California Central Valley to promote their mission. One of Mr. Lynch’s greatest accomplishments while in office at the Great Valley Center was the merging of the organization with the University of California, Merced. After the successful integration of the university, Mr. Lynch returned to the private sector to found his own consulting firm. Although he runs his own firm, he still finds the time to advance the mission of the Great Valley Center by advocating for small businesses and bringing critical issues to the forefront of public discourse.

In order to effectively promote small business issues, Michael Lynch volunteered as Chairman of the Turlock Chamber of Commerce Government Relations Committee. As chair of the committee, Michael invites experts to discuss issues with local small business owners in order to keep his community informed. In addition, Mr. Lynch informs the general public and the national small business community about issues affecting Americans by being published in newspapers and business journals.

With his success as Chairman of the Government Relations Committee, the Stanislaus County Board of Supervisors took notice of his expertise and appointed Mr. Lynch to serve on the County Water Advisory Committee. As part of the committee, he has been a strong advocate for small businesses who are dependent on the water supply. One of the highlights of his service on the advisory committee was the scheduling of regional water issues forums focused on the challenges that face Stanislaus County. Along with scheduling speakers for the forum, Mr. Lynch led conference calls and other outreach activities in order to secure the support and participation of key organizations.

Mr. Speaker, please join me in celebrating with the Turlock Chamber of Commerce in honoring Michael Lynch; not only for being awarded the CalChamber Small Business Advocate of the Year Award, but also for continuing to volunteer his services to empower citizens and businesses in the Central Valley. Mr. Speaker, please join me in celebrating with the Turlock Chamber of Commerce in honoring Michael Lynch; not only for being awarded the CalChamber Small Business Advocate of the Year Award, but also for continuing to volunteer his services to empower citizens and businesses in the Central Valley. Mr. Lynch, the members of my district appreciate the 30 years of service Mr. Lynch has put into our great state and community and look forward to his continued support in the future. Thank you Michael Lynch.
IN RECOGNITION OF LIEUTENANT GENERAL FRANK E. PETERSEN JR.

HON. SANFORD D. BISHOP, JR. OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to Lieutenant General (LtGen) Frank E. Petersen Jr., the first African-American to serve as a three-star general officer in the U.S. Marine Corps. At the time of his retirement after 38 years, LtGen Petersen was the senior ranking aviator in the U.S. Marine Corps and the U.S. Navy with the respective titles of “Silver Hawk” and “Gray Eagle.” He will be honored on July 28, 2014 for his selfless acts and lifetime of dedication to the Marine Corps and his country.

A Topeka, Kansas native, LtGen Petersen enlisted in the United States Navy in 1950 as a Seaman Apprentice where he served as an Electronics Technician. One year later, he entered the Naval Aviation Cadet Program, earning his commission and the rank of Second Lieutenant with the U.S. Marine Corps upon the completion of flight school in 1952. LtGen Petersen served during the Korean War, where his assignment was with Marine Fighter Squadron 212. After flying over 64 combat missions, he earned the Distinctive Flying Cross for his combat leadership and bravery on June 15, 1953. He also flew 250 combat missions during the Vietnam conflict, receiving the Purple Heart after enemy aircraft fire brought down his F-4B over the demilitarized zone. In addition, the Marine Corps Aviation Association honored his Marine Fighter Attack Squadron 314 (VMFA–314) with the inaugural Robert M. Hanson Award for best fighter attack squadron during the Vietnam conflict.

LtGen Petersen was the first African-American to command a Marine Fighter Squadron, a Marine Air Group, a Marine Aircraft Wing, and a major Marine base. On February 23, 1979, he was promoted to Brigadier General, becoming the first African-American general of the Marine Corps. Prior to his retirement, he served as the Special Assistant to the Chief of Staff and Commanding General, Marine Corps Combat Development Command in Quantico, Virginia.

Upon his retirement from the Marine Corps on August 1, 1988, LtGen Petersen concluded a military career of remarkable “firsts.” He commanded at every level of command and stood as a trailblazer for all Marines. His autobiography, “Into the Tiger’s Jaw,” is known as the story of the modern U.S. Marine Corps, providing vital insight into the history of Marine aviation as well as the racial integration of the Marine Corps. Throughout the book’s narrative, LtGen Petersen reflects on key moments that defined his life’s sacrifices, triumphs, and key personal moments in addition to unequivocally chronicling the racial integration of the Marine Corps.

Throughout his career, LtGen Petersen confronted racism inside and outside the Marine Corps. Nevertheless, as he reflects in his book, the Marine Corps ethos enabled Marines to ultimately triumph over racism. Subsequently, his life’s commands illustrate the Marine Corps’ triumph. In 1970, as deteriorating race relations threatened to rend the nation asunder, LtGen Petersen became the Special Assistant for Minority Affairs to the Commandant of the Marine Corps. His guidance to the Commandant of the Marine Corps, the Joint Chiefs of Staff, and the Secretary of Defense served the Marine Corps and the country well during this challenging time.

LtGen Petersen spent his civilian years as vice president of corporate aviation for du Pont de Nemours, Inc. He was also appointed by the U.S. Secretary of Education to serve as a Board Member of the Educational Credit Management Corporation, LtGen Petersen’s personal awards and decorations include the Defense Superior Service Medal; Legion of Merit with Combat “V”; Distinguished Flying Cross; Purple Heart; Meritorious Service Medal; Air Medal; Navy Commendation Medal with Combat “V”; Air Force Commendation Medal; Robert M. Hanson Award for the Most Outstanding Fighter Squadron while assigned in Vietnam, 1968; Man of the Year, NAACP, 1979; Honorary Doctorate, Virginia Union University, 1987; and the Grey Eagle Trophy, August 21, 1987–June 15, 1988.

LtGen Petersen has certainly accomplished many things in his life but none of this would have been possible without the love and support of his wife of 39 years, Alicia, and his children: Frank III, Gayle, Dana, and Lindsey. Mr. Speaker, today I ask my colleagues to join me, the United States Marine Corps, and all Americans, in extending our sincerest appreciation to Lieutenant General Frank E. Petersen Jr., a pioneering leader who, in addition to achieving the distinction of a number of “firsts” for African-Americans, has the respect, admiration, and affection of his fellow Marines and leaves behind an outstanding legacy of service and leadership in the Marine Corps of the United States of America.

PERSONAL EXPLANATION

HON. SHEILA JACKSON LEE OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Ms. JACKSON LEE. Mr. Speaker, on Thursday, July 24, 2014, I was unavoidably detained attending to representational activities in my congressional district, including attendance at the memorial service of a distinguished educator and community leader, and thus unable to return in time for rollcall votes 442 through 450. Had I been present I would have voted as follows:

1. On rollcall No. 442 I would have voted “no.” (Motion on Ordering the Previous Question on the Rule providing for consideration of both H.R. 4939 and H.R. 3230.)
2. On rollcall No. 443 I would have voted “no.” (H. Res. 680, Rule providing for consideration of both H.R. 4935, Child Tax Credit Improvement Act and H.R. 3393 Student and Family Tax Simplification Act.)
3. On rollcall No. 444 I would have voted “yes.” (Klímer/Hinojosa/Bachus/Petri/Tsongas Amendment to H.R. 4984, Empowering Students Through Enhanced Counseling Act, ensuring each individual is aware of financial management resources provided by the Treasury through the Financial Literacy and Education Commission.)
4. On rollcall No. 445 I would have voted “yes.” (Motion to Recommit H.R. 4984, Empowering Students Through Enhanced Counseling Act.)
5. On rollcall No. 446 I would have voted “yes.” (Final Passage of H.R. 4984, Empowering Students Through Enhanced Counseling Act, Rep. Guthrie—Education and the Workforce.)
6. On rollcall No. 447 I would have voted “yes.” (H.R. 5111, To improve the response to victims of child sex trafficking Rep. Beatty—Education and the Workforce.)
7. On rollcall No. 448 I would have voted “yes.” (Motion to Recommit H.R. 3933, Student and Family Tax Simplification Act, Rep. Black—Ways and Means.)
8. On rollcall No. 449 I would have voted “no.” (Final Passage of H.R. 3393, Student and Family Tax Simplification Act, Rep. Black—Ways and Means.)
9. On rollcall No. 450 I would have voted “yes.” (Democratic Motion to Instruct Conferences on H.R. 3230, Veterans’ Access to Care Through Choice, Accountability, and Transparency Act of 2014. Motion offered by Mr. Peters of California would instruct conferences to recede from disagreement with section 702 of the Senate Amendment which is related to the approval of courses of education provided by public institutions of higher learning for purposes of the All-Volunteer Force Educational Assistance Program and the Post-9/11 Educational Assistance Program conditional on in-State tuition rates for veterans.)

RECOGNIZING THE CONTRIBUTIONS OF RON LEGLER

HON. ALAN GRAYSON OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 24, 2014

Mr. GRAYSON. Mr. Speaker, I rise today in honor of Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month, to recognize Ron Legler. Ron is President and CEO of Florida Theatrical Association (FTA). Of his many accolades, Ron was recently recognized as Orlando Business Journal’s Most Influential Businessman (Non-Profit) and the Downtown Orlando Partnership’s Downtowner of the Year (DOTY). The Metropolitan Business Association of Orlando also awarded him the Debbie Simmons Community Service Award in 2013. Ron is extremely active in the Orlando community. He serves as a Mayor-appointed Board Member of Sea Art Orlando. He is also a member of Leadership Orlando—Class of 55 and the Broadway League. Ron has previously served as an Arts Groups Advisory Board member at the Downtown Performing Arts Center, Vice President of the Central Florida Performing Arts Alliance, Chairman of the Downtown Arts District, Vice President of the Central Florida Performing Arts Alliance, and Vice Chairman of Orlando’s International Fringe Festival.

Aside from his work with FTA, Ron has helped to spearhead the revitalization of the South Eola district of downtown by purchasing 25,000 square feet of space in The Sanctuary. Ron developed new offices in this space and opened two amazing new entertainment venues, The Abbey and The MEZZ. He formed a partnership with the surrounding businesses and branded the new area “Eola Square.” Ron has worked with the Orlando
Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Art Ibleto for his induction into the Sonoma County Farm Bureau Hall of Fame. Art’s contributions to our community are innumerable and far-reaching; therefore, it is appropriate that we honor and recognize him today.

Art was born and raised in Sesta Godano, Italy, which is where he first cultivated his lifelong love for good Italian cooking. When World War II erupted, Art served as a young demolition specialist in Italy, planting explosives under bridges, railroads and in highway tunnels to hinder the Nazi advance. After the war, Art made his way to Sonoma County in search of a brighter future and immediately immersed himself in the Sonoma County agriculture community. When he first arrived in the U.S., Art worked in the field picking vegetables at the Ghirardelli Ranch in Petaluma, which is where he met his wife, Vicki Ghirardelli. Since then, he has gone on to contribute to our agriculture community in many ways. From being an experienced meat cutter and farmer, to growing quality grapes and making superb wines, it’s hard to think of an area of agriculture that Art hasn’t left an indelible mark on.

In addition to his agricultural endeavors, Art is perhaps best known for his role as the beloved Pasta King. For the past fifty years, Art has shared his gift for cooking authentic Italian food through his renowned Pasta King catering business. Art the Pasta King has been by my side at more of my events than I can count. He volunteers to cook at more community events and for more charitable causes than I could possibly list here. Art is truly committed to giving back to our community, to an extent that most of us will only ever hope to emulate. Art’s unwavering passion and dedication to our community is an inspiration to all. And in turn, Art is beloved by all in our community.

But most importantly, I know Art as my friend who loves his family, his friends and our community. Mr. Speaker, it is my great pleasure and honor to recognize my good friend Art Ibleto today.

HON. CHRIS VAN HOLLEN OF MARYLAND IN THE HOUSE OF REPRESENTATIVES Thursday, July 24, 2014

H.R. 3136 AND H.R. 4984

Mr. VAN HOLLEN. Mr. Speaker, I rise to support the two bipartisan higher education bills we are considering this week—the Advancing Competency-Based Education Demonstration Project Act (H.R. 3136) and the Empowering Students Through Enhanced Financial Counseling Act (H.R. 4984). H.R. 3136, on the floor today, allows schools to pilot new competency-based education programs to give students more flexibility to pursue their educations. By exploring new options to measure student growth, rather than relying solely on completed credit hours, we can reduce costs and time to degree for non-traditional students.

H.R. 4984, which we will consider tomorrow, increases financial counseling for students and parents to ensure that they understand any lower-cost options that are available before turning to more expensive loans, have an accurate picture of their debt and obligations, and can predict and manage their monthly payments upon graduation.

While I support both of these efforts, much more needs to be done to ensure that students have access to affordable education and address college debt, which has now surpassed $1 trillion. I look forward to working on a bipartisan basis to reauthorize the Higher Education Act and give America’s students the opportunity to pursue the skills and education they need without accumulating debt they can’t afford.

HON. RUSH HOLT OF NEW JERSEY IN THE HOUSE OF REPRESENTATIVES Thursday, July 24, 2014

Mr. HOLT. Mr. Speaker, on June 18, 2014, I offered an amendment to this legislation to address another facet of a national tragedy: the epidemic of suicide among our soldiers and veterans.

In March of this year, zero U.S. troops died in combat. In that same month, almost 700 soldiers and veterans died at their own hand.

This bill takes really enormous strides to treat the mental health problems underlying this epidemic. It provides tens of millions of dollars for therapy, outreach, and peer-to-peer support—and for that, the chairman and the ranking member, all the committee members, have my sincere praise and gratitude.

Suicide and the decision to take one’s own life is complex and often mysterious, but we err if we think suicide is only a mental health problem. In truth, suicide is often the desperate act of a soldier or veteran in a desperate situation—and one important component of that desperation is financial stress. My amendment to H.R. 4984, endorsed by the American Foundation for Suicide Prevention. It would set aside up to $1 million to study these issues: to improve our understanding of the links between financial stress, financial abuse, and military suicide, and generate recommendations to fix these interlinked problems.

A few years ago, Army Sergeant Angelo Stevens was living with $100,000 in debt. He had just been told that, because of deteriorating finances, he was at risk of losing his security clearance. If he lost his clearance, he would lose his job—which would make his debt even more unmanageable.

Sergeant Stevens met with a military financial planner. He left feeling hopeless and humiliated. He told a reporter, “I walked out thinking, ‘If I’m dead my family can get $500,000 in life insurance, but I have to kill myself.’”

Now, Sergeant Stevens ultimately found help and survived, but he was far from alone in his desperation. According to the Defense Department’s Suicide Event Report, in 2011, almost one in three military suicides was linked to workplace or financial problems. About one in 10 was directly associated with excessive debt or bankruptcy. Nearly half were associated with family or legal stress that might also be related to financial stress. These numbers surely underestimate the problem, as financial data wasn’t even collected for many suicide deaths.

So we know, through personal stories like Sergeant Stevens’ and through existing data, that financial stress is a major contributor to military suicide. But here’s what we don’t know.

We don’t know, in many cases of military suicide, whether financial stress contributed to the soldier’s decision to take his or her own life.

We don’t know how many soldiers lose their security clearances because of personal financial problems, nor how the loss of a clearance contributes to mental health problems or suicide.

We don’t know, in any evidence-based way, whether existing military financial planning programs are working to alleviate financial stress, financial abuse, mental health problems, or suicide risk.

We need to understand the effects of financial stress and financial abuse on mental health problems, including suicide, among our soldiers. We need to understand how effectively the Defense Department is providing adequate, unbiased, comprehensive financial planning and financial counseling—and we need to understand the obstacles that prevent military personnel from seeking these services.

We need to understand how effectively the suicide prevention programs at the Defense Department, the VA, and the Consumer Financial Protection Bureau are working together, and how they could work together better.

And we need to build connections between the mental health professionals and the financial planning professionals who serve our soldiers. Mental health and financial problems both contribute to suicide, and we should explore ways to treat these problems together rather than separately.

Earlier, I told the story of Sergeant Angelo Stevens. He was one of the lucky ones. A financial planner overheard his accounting of his struggles, amended his loan terms, and, in his personal time, she helped him put his financial life back together. With a lot of help, Sergeant Stevens stepped back from the abyss.
But he got that help only by coincidence, not by design. We can do better. We can design our military to be more responsive, compassionate, and helpful to soldiers like Sergeant Stevens. We can pull more soldiers back from the abyss.

I appreciate my House colleagues’ support for this amendment, and I hope that in any House-Senate conference on the final DoD appropriations bill this amendment will be retained. We need this information. It will help us save lives.

PREVENTING SEX TRAFFICKING AND STRENGTHENING FAMILIES ACT

SPEECH OF HON. EARL BLUMENAUER OF OREGON IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 23, 2014

Mr. BLUMENAUER. Mr. Speaker, I strongly support passage of H.R. 4980, which would prevent the sex trafficking of foster youth, promote adoption, and strengthen international child support. This measure represents an agreement with Senators Wyden and Hatch on three bipartisan bills that the House passed overwhelmingly: the Promoting Adoption and Legal Guardianship for Children in Foster Care Act, the International Child Support Recovery Improvement Act, and the Preventing Sex Trafficking and Improving Opportunities for Youth in Foster Care Act. I voted to approve all three.

While this bill does not address every challenge of foster youth and child sex trafficking facing our nation, it is a positive first step. It also demonstrates Congress can work together to prevent the negative treatment of foster youth that can lead to child sex trafficking. For children involved with the state child welfare agency, states must develop methods to identify, document, and determine services for victims of child sex trafficking and those who are at risk of becoming victims. The legislation also requires the Secretary of Health and Human Services to establish a national advisory committee which will have two years to review, and recommend best practices to states to address sex trafficking of children and youth.

In my home state of Oregon, 8,686 children were in foster care on an average daily basis last year and 12,366 children spent at least one day in foster care of some kind. Nationally, the average foster child will spend nearly two years in foster care and will change homes an average of three times. The legislation also provides a much needed continuation of adoption incentives and FY14 Family Connection grants. It also includes a number of helpful provisions targeted at protecting our most vulnerable youth from becoming victims and oftentimes repeat victims of trafficking.

I will continue to work towards further efforts in Congress to end child sex trafficking and improve our foster care system so that our communities can be safer, healthier, and more economically secure.

TRIBUTE TO THE JEMISON FAMILY

HON. DANNY K. DAVIS OF ILLINOIS IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 2014

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, family reunions are a way of staying connected, keeping relationships intact, strengthening bonds and recognizing heritage. As a member of the U.S. House of Representatives, I take this opportunity to commend and congratulate the Jemison family on the occasion of their family reunion which is being held at the Best Western in Hillside, Illinois on July 24, 2014 through July 27, 2014.

I commend you for the research done to establish your family tree and trust that you have a wonderful weekend. There is nothing quite like a family reunion, there is nothing quite like seeing relatives that you have not seen for a while and there is nothing like sharing the joy of fellowship, love, and precious memories that family reunions generate. Therefore, I commend and congratulate you and pray that you have a wonderful weekend.
Chamber Action

Routine Proceedings, pages S4851–S4974

Measures Introduced: Nineteen bills and eight resolutions were introduced, as follows: S. 2651–2669, S. Res. 517–523, and S. Con. Res. 41.

Measures Reported:

- S. 2508, to establish a comprehensive United States Government policy to assist countries in sub-Saharan Africa to improve access to and the affordability, reliability, and sustainability of power, with amendments. (S. Rept. No. 113–219)
- S. 1353, to provide for an ongoing, voluntary public-private partnership to improve cybersecurity, and to strengthen cybersecurity research and development, workforce development and education, and public awareness and preparedness, with an amendment in the nature of a substitute.

Measures Passed:

- Cambodia and Lao/Hmong Freedom Fighters of Cambodia and Laos: Senate agreed to S. Res. 462, recognizing the Khmer and Lao/Hmong Freedom Fighters of Cambodia and Laos for supporting and defending the United States Armed Forces during the conflict in Southeast Asia, after agreeing to a title amendment and the following amendment proposed thereto:
  
  Reid (for Rubio) Amendment No. 3690, to amend the preamble.

- National Airborne Day: Senate agreed to S. Res. 519, designating August 16, 2014, as “National Airborne Day”.

Measures Considered:

- Bring Jobs Home Act: Senate began consideration of S. 2569, to provide an incentive for businesses to bring jobs back to America, after agreeing to the motion to proceed.

- Harris Nomination—Cloture: Senate resumed consideration of the nomination of Pamela Harris, of Maryland, to be United States Circuit Judge for the Fourth Circuit. During consideration of this nomination today, Senate also took the following action:
By 54 yeas to 41 nays (Vote No. 241), Senate agreed to the motion to close further debate on the nomination.

A unanimous-consent-time agreement was reached providing that at 2 p.m., on Monday, July 28, 2014, Senate resume consideration of the nomination, post-cloture, with the time until 5:30 p.m. equally divided between the two Leaders or their designees; that at 5:30 p.m., all post-cloture time be deemed expired and Senate vote on confirmation of the nomination.

Nominations Confirmed: Senate confirmed the following nominations:

Lisa S. Disbrow, of Virginia, to be an Assistant Secretary of the Air Force.  
Victor M. Mendez, of Arizona, to be Deputy Secretary of Transportation.  
Peter M. Rogoff, of Virginia, to be Under Secretary of Transportation for Policy.  
Bruce H. Andrews, of New York, to be Deputy Secretary of Commerce.  

Messages from the House:

Measures Referred:

Measures Placed on the Calendar:

Measures Read the First Time:

Executive Communications:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Notices of Hearings/Meetings:

Record Votes: One record vote was taken today. (Total—241)

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:13 p.m., until 2 p.m. on Monday, July 28, 2014. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S4974.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nomination of Elizabeth Sherwood-Randall, of California, to be Deputy Secretary of Energy, after the nominee, who was introduced by Senator Feinstein, testified and answered questions in her own behalf.

SOCIAL SECURITY

Committee on Finance: Committee concluded a hearing to examine Social Security, focusing on a fresh look at workers’ disability insurance, after receiving testimony from Stephen C. Goss, Chief Actuary, and Marianna LaCanfora, Acting Deputy Commissioner, Office of Retirement and Disability Policy, both of the Social Security Administration; and Rebecca D. Vallas, Center for American Progress, and Richard V. Burkhauser, Cornell University and American Enterprise Institute, both of Washington, DC.

IRAQ POLICY OPTIONS

Committee on Foreign Relations: Committee concluded a hearing to examine Iraq at a crossroads, focusing on options for United States policy, after receiving testimony from Brett McGurk, Deputy Assistant Secretary of State; Elissa Slotkin, Performing the Duties of the Principal Deputy Undersecretary for Policy, and Michael D. Barbero, Lieutenant General, U.S. Army (Retired), both of the Department of Defense; and James Franklin Jeffrey, The Washington Institute for Near Eastern Policy, and Kenneth M. Pollack, The Brookings Institution, both of Washington, DC.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Anne E. Rung, of Pennsylvania, to be Administrator for Federal Procurement Policy, Office of Management and Budget, after the nominee testified and answered questions in her own behalf.

FEDERAL EMERGENCY MANAGEMENT AGENCY

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Joseph L. Nimmich, of Maryland, to be Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security, after the nominee testified and answered questions in his own behalf.

ROLE OF STATES IN HIGHER EDUCATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the role of states in higher education, after receiving testimony from Teresa Lubbers, Indiana Commission for Higher Education Commissioner, Indianapolis; Illinois Attorney General Lisa Madigan, Chicago; Eric W. Kaler, University of Minnesota, Minneapolis; and Laura W. Perna, University of Pennsylvania, Philadelphia.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Stephen R. Bough, to be United States District Judge for the Western District of Missouri, who was introduced by Senator McCaskill, Armando Ormar Bonilla, of the District of Columbia, to be a Judge of the United States Court of Federal Claims, who was introduced by Senator Whitehouse, and Wendy Beetlestone, Mark A. Kearer, Joseph F. Leeson, Jr., and Gerald J. Pappert, all to be a United States District Judge for the Eastern District of Pennsylvania, who were introduced by Senators Casey and Toomey, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 5184–5202; and 6 resolutions, H. Con. Res. 110; and H. Res. 682–686 were introduced.

Additional Cosponsors:

Reports Filed: Reports were filed today as follows:

H.R. 3044, to approve the transfer of Yellow Creek Port properties in Iuka, Mississippi (H. Rept. 113–553);

H.R. 4156, to amend title 49, United States Code, to allow advertisements and solicitations for passenger air transportation to state the base airfare of the transportation, and for other purposes (H. Rept. 113–554);

H.R. 3846, to provide for the authorization of border, maritime, and transportation security responsibilities and functions in the Department of Homeland Security and the establishment of United States Customs and Border Protection, and for other purposes, with an amendment (H. Rept. 113–555, Pt. 1);

H.R. 594, to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008, with an amendment (H. Rept. 113–556);

H.R. 669, to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life, with an amendment (H. Rept. 113–557);

H.R. 4250, to amend the Federal Food, Drug, and Cosmetic Act to provide an alternative process for review of safety and effectiveness of nonprescription sunscreen active ingredients and for other purposes, with an amendment (H. Rept. 113–558); and

H.R. 4290, to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children Program, with an amendment (H. Rept. 113–559).

Speaker: Read a letter from the Speaker wherein he appointed Representative Duncan (TN) to act as Speaker pro tempore for today.

Recess: The House recessed at 10:39 a.m. and reconvened at 12 noon.

Chaplain: The prayer was offered by the guest chaplain, Reverend Thomas Koys, St. James at Sag Bridge Catholic Church, Lemont, Illinois.

Empowering Students Through Enhanced Financial Counseling Act: The House passed H.R. 4984, to amend the loan counseling requirements under the Higher Education Act of 1965, by a recorded vote of 405 ayes to 11 noes, Roll No. 446.

Rejected the Tierney motion to recommit the bill to the Committee on Education and the Workforce with instructions to report the same back to the
House forthwith with an amendment, by a recorded vote of 193 ayes to 220 noes, Roll No. 445.

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–53 shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill.

Agreed to:

Kline amendment (No. 1 printed in part B of H. Rept. 113–546) that clarifies the information provided to first-time borrowers; a clarification that borrowers must accept their loans annually after the completion of the other counseling requirements; a requirement for the Secretary of Education, acting through the Director of the Institute of Education Sciences, to conduct a longitudinal study of the impact and effectiveness of the student loan counseling required under this act; and other minor technical edits;

Murphy (FL) amendment (No. 3 printed in part B of H. Rept. 113–546) that requires the inclusion of recent average income and employment data for different levels of educational attainment;

Loretta Sanchez (CA) amendment (No. 4 printed in part B of H. Rept. 113–546) that includes an explanation that if a student decides to transfer to another institution, not all of the student’s credits may be acceptable towards meeting specific degree or program requirements at such institution, therefore, eligibility for Federal Pell Grants will not reset due to the maximum number of semesters or equivalent;

Cohen amendment (No. 5 printed in part B of H. Rept. 113–546) that adds a requirement that students be told how Federal and private student loans are treated in bankruptcy;

Hahn amendment (No. 6 printed in part B of H. Rept. 113–546) that provides student loan borrowers with the national average cohort default rate in addition to the institution’s cohort default rate and the categorical national cohort default rate;

Peters (MI) amendment (No. 7 printed in part B of H. Rept. 113–546) that requires that student borrowers receive an explanation of the impact of a delinquency or default on a loan to their credit score, including the borrower’s future ability to find employment or purchase a home or a car; and

Kilmer amendment (No. 2 printed in part B of H. Rept. 113–546) that ensures each individual is aware of financial management resources provided by the Treasury Department’s Financial Literacy and Education Commission (by a recorded vote of 404 ayes to 14 noes, Roll No. 444).

H. Res. 677, the rule providing for consideration of the bills (H.R. 3136) and (H.R. 4984), was agreed to yesterday, July 23rd.

Moment of Silence: The House observed a moment of silence in honor of Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police who were killed in the line of duty defending the Capitol against an intruder armed with a gun on July 24, 1998.

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure which was debated yesterday, July 23rd:


Rejected the Sinema motion to recommit the bill to the Committee on Ways and Means with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 195 yeas to 219 nays, Roll No. 448.

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in H. Rept. 113–552, shall be considered as adopted.

H. Res. 680, the rule providing for consideration of the bills (H.R. 3393) and (H.R. 4935), was agreed to by a yea-and-nay vote of 226 yeas to 189 nays, Roll No. 443, after the previous question was ordered by a yea-and-nay vote of 226 yeas to 191 nays, Roll No. 442.

Moment of Silence: The House observed a moment of silence in honor of the victims of the Malaysia Airlines Flight 17 tragedy that occurred on July 17, 2014.

Motion to Instruct Conferees: The House rejected the Peters (CA) motion to instruct conferees on H.R. 3230 by a yea-and-nay vote of 205 yeas to 207 nays, Roll No. 450. The motion was debated yesterday, July 23rd.
Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, July 25th.

Notice of Intent to Offer Motion: Representative Rahall announced his intent to offer a motion to instruct conferees on H.R. 3230.

Motion to Instruct Conferees: The House debated the Brownley (CA) motion to instruct conferees on H.R. 3230. Further proceedings were postponed.

Presidential Message: Read a message from the President wherein he transmitted the text of an amendment to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes of July 3, 1958, as amended, as well as his written approval, authorization, and determination concerning the Amendment—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 113–137).

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H6758.

Senate Referral: S.J. Res. 40 was referred to the Committee on House Administration.

Quorum Calls—Votes: Six yea-and-nay votes and three recorded votes developed during the proceedings of today and appear on pages H6774, H6774–75, H6775–76, H6777, H6777–78, H6779, H6790, H6790–91, H6791–92. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:51 p.m.

Committee Meetings

THE ROLE OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM IN RELATION TO OTHER FEDERAL ASSISTANCE PROGRAMS

Committee on Agriculture: Subcommittee on Department Operations, Oversight, and Nutrition held a hearing on the role of the Supplemental Nutrition Assistance Program in relation to other Federal assistance programs. Testimony was heard from Sidonie Squier, Secretary, New Mexico Human Services Department; and public witnesses.

LABS OF DEMOCRACY: THE ECONOMIC IMPACTS OF STATE ENERGY POLICIES


LEGISLATIVE MEASURES

Committee on Energy and Commerce: Subcommittee on Communications and Technology held a hearing on the following legislation: H.R. 3670, the “Anti-Spoofing Act of 2013”; the “LPTV and Translator Act of 2014”; and the “E–LABEL Act”. Testimony was heard from Representatives Latta and Meng; and public witnesses.

OVERSIGHT OF THE SEC’S DIVISION OF CORPORATION FINANCE

Committee on Financial Services: Subcommittee on Capital Markets and Government-Sponsored Enterprises held a hearing entitled “Oversight of the SEC’s Division of Corporation Finance”. Testimony was heard from Keith F. Higgins, Director, Division of Corporation Finance, Securities and Exchange Commission.

THE STRUGGLE FOR CIVIL SOCIETY IN EGYPT

Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa held a hearing entitled “The Struggle for Civil Society in Egypt”. Testimony was heard from Charles Michael Johnson, Jr., Director, International Security and Counterterrorism Issues, International Affairs and Trade Team, Government Accountability Office; and public witnesses.

THE GLOBAL CHALLENGE OF AUTISM

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled “The Global Challenge of Autism”. Testimony was heard from public witnesses.

U.S.-INDIA RELATIONS UNDER THE MODI GOVERNMENT

Committee on Foreign Affairs: Subcommittee on Asia and the Pacific held a hearing entitled “U.S.-India Relations Under the Modi Government”. Testimony was heard from Nisha Biswal, Assistant Secretary, Bureau of South and Central Asian Affairs, Department of State; and Arun Kumar, Director General, U.S. and Foreign Commercial Service, and Assistant Secretary for Global Markets, International Trade Administration, Department of Commerce.

JIHADIST SAFE HAVENS: EFFORTS TO DETECT AND DETER TERRORIST TRAVEL

Committee on Homeland Security: Subcommittee on Counterterrorism and Intelligence held a hearing entitled “Jihadist Safe Havens: Efforts to Detect and
Deter Terrorist Travel”. Testimony was heard from public witnesses.

CONSTITUTIONAL SOLUTIONS TO OUR ESCALATING NATIONAL DEBT: EXAMINING BALANCED BUDGET AMENDMENTS

Committee on the Judiciary: Full Committee held a hearing entitled “Constitutional Solutions to our Escalating National Debt: Examining Balanced Budget Amendments”. Testimony was heard from the following: Representatives DeFazio, Coffman, Amash, Scott of Virginia, and Schweieters; and public witnesses.

COPYRIGHT REMEDIES

Committee on the Judiciary: Subcommittee on Courts, Intellectual Property, and the Internet held a hearing on copyright remedies. Testimony was heard from David Bitkower, Acting Deputy Assistant Attorney General in the Criminal Division, Department of Justice; and public witnesses.

THREATS, INTIMIDATION AND BULLYING BY FEDERAL LAND MANAGING AGENCIES, PART II

Committee on Natural Resources: Subcommittee on Public Lands and Environmental Regulation held a hearing entitled “Threats, Intimidation and Bullying by Federal Land Managing Agencies, Part II”. Testimony was heard from James D. Perkins, Sheriff, Garfield County, UT; Leland Pollock, Commissioner, Garfield County, UT; Grant A. Gerber, Commissioner, Elko County, NV; Ronny Rardin, Commissioner, Otero County, NM; and public witnesses.

THE FEDERAL TRADE COMMISSION AND ITS SECTION 5 AUTHORITY: PROSECUTOR, JUDGE, AND JURY

Committee on Oversight and Government Reform: Full Committee held a hearing entitled “The Federal Trade Commission and Its Section 5 Authority: Prosecutor, Judge, and Jury”. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Full Committee held a markup on the following legislation: H.R. 78, to designate the facility of the United States Postal Service located at 4110 Almeda Road in Houston, Texas, as the “George Thomas ‘Mickey’ Leland Post Office Building”; H.R. 2819, to designate the facility of the United States Postal Service located at 275 Front Street in Marietta, Ohio, as the “Veterans Memorial Post Office Building”; H.R. 3957, to designate the facility of the United States Postal Service located at 218–10 Merrick Boulevard in Springfield Gardens, New York, as the “Cynthia Jenkins Jenkins Post Office Building”; H.R. 4443, to designate the facility of the United States Postal Service located at 90 Vermilyea Avenue, in New York, New York, as the “Corporal Juan Mariel Alcantara Post Office Building”; H.R. 4651, to designate the facility of the United States Postal Service located at 601 West Baker Road in Baytown, Texas as the “Specialist Keith Erin Grace Jr. Memorial Post Office”;

PROVIDING FOR AUTHORITY TO INITIATE LITIGATION FOR ACTIONS BY THE PRESIDENT OR OTHER EXECUTIVE BRANCH OFFICIALS INCONSISTENT WITH THEIR DUTIES UNDER THE CONSTITUTION OF THE UNITED STATES

Committee on Rules: Full Committee held a markup on H. Res. 676, providing for authority to initiate litigation for actions by the President or other executive branch officials inconsistent with their duties under the Constitution of the United States. The resolution was ordered reported, as amended.
MODERNIZING AGRICULTURE PRODUCER SIZE STANDARDS

Committee on Small Business: Subcommittee on Agriculture, Energy and Trade held a hearing entitled “Modernizing Agriculture Producer Size Standards”. Testimony was heard from John Shoraka, Associate Administrator for Government Contracting and Business Development, Small Business Administration; and public witnesses.

INTEGRATED PLANNING AND PERMITTING FRAMEWORK: AN OPPORTUNITY FOR EPA TO PROVIDE COMMUNITIES WITH FLEXIBILITY TO MAKE SMART INVESTMENTS IN WATER QUALITY

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing entitled “Integrated Planning and Permitting Framework: An Opportunity for EPA to Provide Communities with Flexibility to Make Smart Investments in Water Quality”. Testimony was heard from Todd Portune, Commissioner, Hamilton County (OH) Board of Commissioners; and public witnesses.

RESTORING TRUST: THE VIEW OF THE ACTING SECRETARY AND THE VETERANS COMMUNITY

Committee on Veterans' Affairs: Full Committee held a hearing entitled “Restoring Trust: The View of the Acting Secretary and the Veterans Community”. Testimony was heard from Sloan D. Gibson, Acting Secretary, Department of Veterans Affairs; and public witnesses.

THE STATUS OF THE MEDICARE ADVANTAGE PROGRAM AND THE IMPACT OF THE AFFORDABLE CARE ACT ON THE MEDICARE ADVANTAGE PROGRAM

Committee on Ways and Means: Subcommittee on Health held a hearing on the status of the Medicare Advantage program and the impact of the Affordable Care Act on the Medicare Advantage program. Testimony was heard from public witnesses.

BUSINESS MEETING

House Permanent Select Committee on Intelligence: Full Committee held a markup on Technical and Tactical Intelligence report; member access requests. The report was ordered reported, without amendment. Six member access requests were approved.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR MONDAY, JULY 28, 2014

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Armed Services, Subcommittee on Seapower and Projection Forces, hearing on amphibious fleet requirements, 9 a.m., 2118 Rayburn.

Committee on Foreign Affairs, Subcommittee on the Middle East and North Africa, markup on H. Res. 665, condemning the murder of Israeli and Palestinian children in Israel and the ongoing and escalating violence in that country; and H. Con. Res. 107, denouncing the use of civilians as human shields by Hamas and other terrorist organizations in violation of international humanitarian law, 9:30 a.m., 2172 Rayburn.

Committee on the Judiciary, Task Force on Over-Criminalization, hearing entitled “The Crimes on the Books and Committee Jurisdiction”, 9:30 a.m., 2237 Rayburn.

Committee on Oversight and Government Reform, Full Committee, hearing entitled “White House Office of Political Affairs: Is Supporting Candidates and Campaign Fund-Raising an Appropriate Use of a Government Office?”, markup on resolution of the Committee on Oversight and Government Reform, 9 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Full Committee, markup on H.R. 2996, the “Revitalize American Manufacturing and Innovation Act of 2013”, 10 a.m., 2318 Rayburn.
Next Meeting of the **SENATE**

**2 p.m., Monday, July 28**

**Senate Chamber**

**Program for Monday:** Senate will resume consideration of the nomination of Pamela Harris, of Maryland, to be United States Circuit Judge for the Fourth Circuit, post-cloture.

At 5:30 p.m., Senate will vote on confirmation of the nominations of Pamela Harris, of Maryland, to be United States Circuit Judge for the Fourth Circuit, Elliot F. Kaye, of New York, to be a Commissioner and Chairman of the Consumer Product Safety Commission, Joseph P. Mohorovic, of Illinois, to be a Commissioner of the Consumer Product Safety Commission, and Brian P. McKeon, of New York, to be a Principal Deputy Under Secretary of Defense.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

**10 a.m., Friday, July 25**

**House Chamber**

**Program for Friday:** Consideration of H.R. 4935—Child Tax Credit Improvement Act of 2014 (Subject to a Rule) and consideration of H. Con. Res. 105—Directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove United States Armed Forces, other than Armed Forces required to protect United States diplomatic facilities and personnel, from Iraq.

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**Extensions of Remarks, as inserted in this issue**

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**CONGRESSIONAL RECORD.—DAILY DIGEST**

**July 24, 2014**

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