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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker.

MORNING-HOUR DEBATE

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

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

THE AMERICAN PEOPLE DESERVE A BALANCED BUDGET

The SPEAKER. The Chair recognizes the gentleman from Virginia (Mr. HURT) for 5 minutes.

Mr. HURT. Mr. Speaker, the American people know that a budget is one of the most important documents produced by any legislative body. It is a document that reflects the values and priorities of our government and our Nation; and while it is a document that is a reflection of today, more importantly, it is a document that lays out a vision for our Nation's future—the future for our children and the future that they will inherit.

So now, for the first time in 4 years, the American people are able to compare, side by side, the three competing visions for our future as proposed by the House, as proposed by the Senate, and as proposed by the President. Two of these proposals would give to our children more taxes, more spending—and neither ever reaches balance. There is only one proposal, the House budget, that would instead give to our children a balanced budget and a brighter future of freedom and opportunity.

Now is the time to choose the budget that reflects our American values. The American people and future generations of Americans deserve a balanced budget.

JOHN BERRY

The SPEAKER pro tempore (Mr. COLLINS of New York). The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Preliminary, however, to my remarks, I want to say I thank the previous speaker for his remarks, and I would hope that with the Senate's having passed a budget, our having passed a budget, and the President submitting a budget that we will now, hopefully as soon as this week, go to conference so that we might discuss the differences and get that budget to which the gentleman addressed himself.

Mr. Speaker, I rise today to pay tribute to a wonderful individual who has served our country in government service for many years and has spent the last four in overseeing our Federal workforce as the Director of the Office of Personnel Management. I am speaking of my dear friend John Berry, who retired last week as Director of the Office of Personnel Management.

America, Mr. Speaker, is blessed with a Federal workforce composed of hardworking, talented, and dedicated men and women. Too often, however, their contributions are overlooked or are even denigrated by those who would use our Federal employees as an easy target to attack the institution of government.

John Berry made it one of his central missions at OPM to stand up for Federal workers' achievements and remind the American people of the true value we get from recruiting and retaining the best public workforce in the world. He came to OPM with plenty of experience in fighting for Federal employees and their families. When he served for 10 years as my legislative director, John was instrumental in crafting the Federal Employee Pay Comparability Act and in making sure Congress passed it into law. Mr. Speaker, that was a bipartisan law, and it was President George Bush I who signed that piece of legislation into law in 1990.

In that undertaking and in many others, John Berry made a real difference for the more than 62,000 Federal workers and everyone else who calls my district home. Just as we look to our Federal workers to watch out for us, our Federal employees have looked to John to watch out for them—to make sure that they have a safe work environment, that their paychecks will arrive on time, and that the benefits they earn are the ones they receive.

Under President Clinton, John served as deputy Assistant Secretary and acting Assistant Secretary for Law Enforcement at the Treasury Department, overseeing the United States Secret Service and the Bureau of Alcohol, Tobacco and Firearms. He later moved to the Interior Department where he was Assistant Secretary for Policy, Management and Budget, essentially the manager of the Department of the Interior.

Before coming to the Office of Personnel Management, John spent nearly a decade working on conservation as Director of the Fish and Wildlife Foundation. Then, arguably, the job he perhaps enjoyed most was that of Director of the National Zoo. At the National Zoo, he was so successful at turning around a faltering institution that after he left they named a lion in his honor.

John, indeed, was a lion—a lion on behalf of the Federal employees, a lion on behalf of good government, a lion on behalf of integrity. Those who know John can attest that he is not only a true leader and an effective manager but also an incredibly warm person with an unfailingly positive outlook.

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John Berry will be greatly missed by all who serve our country in its civilian workforce, and I wish John and his partner, Curtis, all the best as he begins the next phase in his career.

I hope my colleagues will join me in thanking John for his service, for his leadership, for his insights, for his inspiration, and for being an example to all of us of a positive, constructive, supportive, and successful career in Federal service.

Mr. Speaker, our country has been the beneficiary of his character, integrity, and extraordinary ability. We wish him well in all that he will be doing. I'm sure it will be extraordinarily productive and of service to our country as he moves on from Federal service at the OPM to a new challenge and a new career.

THE VETERANS TIMELY ACCESS TO HEALTH CARE ACT

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

Mr. ROSS. Yesterday, I had the distinguished opportunity to greet three busloads of Florida World War II veterans participating in an Honor Flight.

In total, more than 80 proud Floridians who bravely fought to free the world of evil during World War II had the wonderful opportunity to visit and reflect at their memorial. As the son of a World War II veteran, I was blessed to have the opportunity to join my father as he participated in a previous Honor Flight just 2 years ago. Although he has since passed on, I know he truly cherished this great experience.

American veterans are the backbone of the freedom and prosperity this country has enjoyed for over 200 years. Without their service, we would not be the Nation we are today. We would not enjoy the privileges of this democracy—the greatest experiment in government known to mankind. Unfortunately, veterans across the country continue to encounter unacceptable problems and delays in receiving appointments from the Veterans Administration for essential medical and specialty health care needs.

That is why I am proud to introduce H.R. 241, the Veterans Timely Access to Health Care Act.

This legislation, supported by the Military Officers Association of America, will ensure that veterans seeking medical care from the VA facility receive an appointment within 30 days. Moving forward, this legislation will go a long way in ensuring veterans' critical medical needs no longer slip through the cracks of the system.

As I continue to reflect on the proud history and service of the many World War II veterans like my good friend Charlie Clark, with whom I visited yesterday and whom I had the pleasure of knowing for several years as a member of the local YMCA, I will also look forward to ensuring that our youngest generation of veterans receives the support and timely access to health care that they have so honorably earned.

□ 1010

END-OF-LIFE CARE

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

Mr. BLUMENAUER. Mr. Speaker, Monday in the blink of an eye, hundreds of people at the Boston Marathon were faced with an awful decision. None of them woke up that morning expecting they, or a loved one, was going to need emergency care in a life-threatening situation. We tend to think of end-of-life care as the province of a terminally ill person, often elderly, but that's just one circumstance, and not necessarily the most common.

The decisions need to be made instantly about whether to amputate a limb, and a decision must be made that moment. If a person is in shock or unconscious, who helps make that decision for them?

Last week, I had two more circumstances where people in my life were faced with totally unexpected life-threatening circumstances that brought these questions into sharp perspective. Anybody, anywhere, any time. How do we make sure that these decisions, which are made every day in every State in virtually every city, are made in accordance with the best interest and wishes of the patient and the patient's family?

I've been working for the last 5 years for the Federal Government to be a better partner with families. It's called end-of-life care, and the Federal Government, the Department of Health and Human Services, and Congress are missing in action. Medicare will spend billions of dollars on the most expensive, invasive, painful, and in some cases, if not unnecessary, at least questionable care, often regardless of the wishes of the patient and their family. Yet Medicare won't pay $100 or $200 for that medical professional to have a conversation with the patient and their family.

It's time for us to step up. We need to make sure that we clear up the questions in everyone's minds about the choices, the consequences, what the patient and the family want, and most critically, make sure those wishes are honored. Like my friend, whose heart stopped this weekend, totally unexpectedly, we don't know when or where a loved one will be in this position. But there's no excuse we don't do everything we can to help families and encourage everyone that is close to us, that works with us, to take their own steps to identify who speaks for them when they can't, and what they want to happen.

This is personal for me. I had these jarring reminders that one of the greatest gifts each of us can give our families is to have a thoughtful and frank discussion about what our wishes would be for medical care if we're unable to suddenly make those decisions. It's also one of the greatest gifts that this Congress can make to the people we represent by doing our job so that the Federal Government is a better partner in making sure those conversations are possible.

Please cosponsor our bipartisan Personalize Your Care Act, H.R. 1173, and then sit down and have this conversation with your family. It's not always the easiest, but it is far better than making your loved ones guess and feel guilty.

PATH TO STATEHOOD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Mr. Speaker, in November 2012, Puerto Rico held a referendum on its political status. The results demonstrated that a clear majority of the U.S. citizens of Puerto Rico want to end the island's current territory status, that a supermajority prefers statehood among the possible alternatives, and that—for the first time in history—more voters favor statehood than the current status.

As I have remarked before, not a single one of my stateside colleagues in Congress would accept territory status for their own constituents. So they must recognize and respect that the American citizens of Puerto Rico no longer accept it either. I also trust that my colleagues who represent States will credit my constituents for aspiring to have the same rights and responsibilities as their constituents.

Last week, the President took an important step. As part of the proposed budget the administration submitted to Congress, the Justice Department is seeking $2.5 million to conduct the first Federally sponsored vote on Puerto Rico's political status in the 115 years that the territory has been under the U.S. flag. The funding would be granted to Puerto Rico's Elections Commission to conduct objective voter education and a vote on ''options that would resolve Puerto Rico's future political status.''

Key congressional leaders in the House and the Senate, Republican and Democrat alike, have already issued statements of support for the President's action, calling it an appropriate response to the local referendum.

Mr. Speaker, my constituents may not have a vote in the government that makes their national laws, but they do have a voice—and they made that voice heard loud and clear in November. A budget reflects one's priorities and values. I support the President's budget because it shows respect for the democratically expressed aspirations of the U.S. citizens who reside in Puerto Rico. And it demonstrates a clear desire to

move forward on this complex but critical issue.

As the budget request states, the Federally sponsored vote is to be among options that would resolve Puerto Rico's political status. The only way to resolve the island's status is through statehood or national sovereignty. Puerto Rico cannot resolve its status by maintaining the same undemocratic status that my people have endured since 1898 and that they soundly rejected in November. The current status is the root cause of Puerto Rico's political, economic, and social problems, so it cannot also be the solution to those problems.

In addition, the budget language clearly states that the Department of Justice shall not provide funding until it certifies that the ballot and voter education materials are consistent with the Constitution, basic laws, and policies of the United States. The purpose of this language is to ensure that the ballot does not include impossible status proposals that have been repeatedly declared unworkable as a matter of both law and policy by the Federal Government. I am pleased that the administration understands that true self-determination is a choice among options that can be implemented, not an exercise in wishful thinking.

The President's request represents one path forward, but it is important to underscore that it is not the only path forward. In the coming weeks, I will introduce stand-alone legislation on the status issue that will both complement President Obama's request and reflect the undisputable fact that statehood won the November referendum.

Puerto Rico stands in a far different place today than it did six months ago. A historic referendum was held, the President responded to the results, and Congress now has a responsibility to act. Those who seek democracy, equality, and progress for Puerto Rico are on the forward march, while those who support the failed status quo are in retreat. We drive the debate, while they merely react to the debate. And, in the end, mindful that the arc of history is long but that it bends towards justice, I am confident we will prevail.

HONORING MAUDELLE SHIREK

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

Ms. LEE of California. Mr. Speaker, let me first send my thoughts and prayers to the city of Boston, the families and friends of all of those touched by Monday's horrific tragedy. Incredible strength was in full display in the streets of Boston when untold numbers of people—the police, firefighters, volunteers, runners, and bystanders—ran towards the explosions to try to help in any way they could without regard for their own safety.

As we learn the details of this attack, let us remember that what makes us strong as a Nation is the tremendous care we have for our fellow Americans, especially during the hardest times. This is a lesson that I learned deeply from my friend and mentor, Maudelle Shirek. Maudelle died last week at the age of 101. She would have been 102 June 18. My heart and my prayers go out to her friends and family.

□ 1020

Maudelle was truly the ''godmother of East Bay progressive politics.'' The former city of Berkeley vice mayor and eight-term council member was born and raised in Jefferson, Arkansas. As the granddaughter of slaves, she was passionate about justice and civil rights.

After moving to Berkeley in the 1940s, she became active in the antiwar movement, fought on behalf of unions, advocated for HIV and AIDS awareness, care, and treatment, and helped organize the Free Mandela Movement. She was also the first elected official in the United States to advocate for needle exchange programs.

During her tenure as a Berkeley elected official, she was instrumental in creating multiple city commissions, including the Berkeley Commission on Labor. When she retired, mind you, at 92 years of age, she was the oldest elected official in California at that time. In 2007, the Berkeley City Council renamed city hall in her honor.

She not only urged me to get involved in politics, but also inspired my predecessor, Congressman Ron Dellums, to run for Congress. Her understanding of the importance of investing in people won the solid support of voters in her district and across the country.

I met Maudelle in the early seventies while I was a student at Mills College. She widened my perspective on global politics during our travels around the world. She reinforced the idea that we are all part of a global family and what happens here in the United States affects our brothers and sisters in other parts of the world and vice versa. Maudelle was a personal friend, mentor, and confidante.

Maudelle actually was a health aficionado. She was committed to educating seniors and the entire community on the benefits of healthy living. She loved shopping for fresh fruits and vegetables, and you would often find her cooking nutritious meals at the West Berkeley Senior Center.

We loved to walk Lake Merritt and the Berkeley Marina together, where she talked to me about acupuncture and natural remedies like cayenne pepper and warm water for colds and the importance of exercise.

Maudelle was a woman of great faith. During the seventies, we enjoyed attending the Church for Tomorrow, which formerly was the Church for Today. We went there together, and this is where I realized that her passion for service and justice was driven by her commitment to what she called doing the Lord's work on this Earth.

She was a woman who understood that she had to have a comprehensive agenda. It just couldn't be a single issue like health care or seniors or peace and justice, but it had to be about being committed to comprehensive and positive changes that seek to improve the lives of all Americans.

Maudelle worked at the Berkeley Co-Op Credit Union. She engaged all of us, in the seventies, mind you, in financial literacy, and urged me, as a young single student to buy a house because she reminded me over and over again that one's equity in one's home was the primary path to the middle class, and that that was the main way that I could get the resources to take care of my kids and send them to school, a lesson we should teach our own children today.

Several years ago, I tried to name the Berkeley Post Office after Maudelle. While this body has a tradition of supporting post office bills in a bipartisan way, Congressman STEVE KING from Iowa came to this floor and tried to tarnish her character. He brought groundless accusations, and this body voted against—mind you, against—naming the post office in my district after this great icon. I hope one day, in her memory, Representative KING will apologize to Maudelle and her family and the city of Berkeley for such an unfair and unwarranted attack. She was deeply hurt by it, but kept her head high and lived to see the Berkeley City Hall named after her.

Maudelle refused to accept arbitrary limitations. That's one of the best things we all respected about her. Maudelle is one of the best examples of how one person can make a difference. She was a fearless and inspirational woman who tirelessly fought to make this world a fair and just place. She spoke for the voiceless and was such a staunch defender of our basic civil rights.

I believe, like many, that Maudelle's legacy of over 70 years of service to Berkeley, the East Bay, the Nation, and the world will inspire many to speak for the voiceless and to stand up for justice, both here in America and around the globe. I will deeply miss her wise counsel, love, and support.

LET'S DO OUR PATRIOTIC DUTY AND VOTE ON GUN CONTROL

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

Mr. LARSON of Connecticut. Mr. Speaker, our hearts as well go out to the victims and the families of those who were killed and seriously wounded in Boston on Patriots' Day.

This has been a very difficult time for our country. At that event in Boston were families from Newtown, Connecticut, invited to celebrate Patriots' Day in Boston. The Red Sox play in the

morning, the Marathon takes place, families gather, and again, America faces another tragedy.

Last week, family members from Newtown came to the Hill to lobby Congress, to ask Congress what the President of the United States has asked of us, both in the State of the Union and in his two trips up to Connecticut.

What the President has said is: however you feel about the issue of gun violence, however you feel about the Second Amendment, we deserve a vote, both in the other body, in the Senate, and here, on the floor of the House of Representatives; a vote not only for the 20 children and six teachers and administrators who died in that tragedy on December 14, but for people in Tucson and Aurora and on virtually every street in cities all across America where we have seen this needless and senseless violence take place. Patriots' Day, another act of violence.

Strides are being made in the United States Senate. Compromise is being offered on something that 92 percent of the American people agree with: universal background checks, universal background checks to keep guns out of the hands of terrorists.

The United States of America is currently mocked by Adam Gadahn, an American al Qaeda on the FBI's Most Wanted List, who taunts America and says this, and you can see it on BuzzFeed:

> America is absolutely awash with easily attainable firearms, large-capacity clips. You can get them, even without any identification.

This from the most wanted on the FBI list.

We need to vote in the United States Congress. If these young children had the courage to go after their assailant, if the teachers stepped in the way to protect, does Congress have the will and the courage to stand up and merely do what it was elected to do? Cast a vote in both Chambers. Cast a vote on behalf of the American people. Cast a vote on behalf of these children, on behalf of these parents who have come here to beseech the United States Congress only to do its responsibility, to do what we take the oath of office for.

Ninety-two percent of the American people believe that we need universal background checks. We have to make sure that our bodies, both the Senate and the House, take up this legislation. In the aftermath of yet another tragedy, on Patriots' Day, the most patriotic thing we can do is vote.

□ 1030

AWARDING THE CONGRESSIONAL GOLD MEDAL TO PROFESSOR MUHAMMAD YUNUS

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

Mr. HOLT. Mr. Speaker, for centuries, we have lauded the achievements of great entrepreneurs, whether the automobile industry of Henry Ford or the iPhone of Steve Jobs. Business was the province of people with money. As the old cynical joke goes, banks would loan money only to people who don't need it.

So throughout the world, and especially in the post-colonial developing world, the chance of escaping poverty and living a dignified life seemed an impossible dream for millions and millions. One person has helped transform the dream into a possibility—in fact, a reality—of family sufficiency for people all over the planet.

When the Nobel Committee awarded Dr. Muhammad Yunus and the financial institution he created, the Grameen Bank in Bangladesh, the Nobel Peace Prize a few years back, the Committee made the award for ''their efforts to create economic and social development from below.'' I'll phrase it differently. Muhammad Yunus and Grameen Bank received the award for treating people with dignity and giving millions around the world hope.

Today, in the rotunda here at the U.S. Capitol, we honor Dr. Yunus with the Congressional Gold Medal. Muhammad Yunus has shown us being a visionary does not mean promoting the impractical or the impossible. Unlike some economic theories advanced over centuries, Dr. Yunus' theories have been proven to work. To date, the Grameen Foundation and the bank and its partners have helped 9.4 million of the world's poorest people receive microloans. The bank has given loans of a few dollars to millions to those who, by traditional standards, are not worthy of credit.

His idea of a socially conscious business focused on serving the poor flew in the face of conventional economic theory and certainly in the face of existing banking practice. But it worked. Recipients paid back the loans and got ahead financially.

The Grameen Foundation's financial outreach to people living below the poverty level has been life-altering for women in Nigeria and Haiti and Cambodia and Peru. Dr. Yunus has inspired similar local efforts in dozens of nations, including our own. His life and work are a testament to the difference a single person can make here on Earth.

Dr. Yunus' legacy will be measured not simply by the many awards he has won over his career, such as we honor him with today, but by the current and future generations of people who will travel the road from poverty to success and sufficiency because of Dr. Yunus' vision and commitment. He believes that we have the power to end poverty—not just to alleviate it, but end it—and we should take him seriously. Muhammad Yunus is showing us how.

I ask my colleagues to join me in giving Dr. Yunus congratulations on receiving the Congressional Gold Medal today, and join me in giving thanks to him for making many, many lives around the world better.

WVON RADIO'S 50TH ANNIVERSARY

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

Mr. DANNY K. DAVIS of Illinois. I rise to congratulate WVON Radio on 50 years of broadcasting.

On April 1, 1963, WVON Radio in Chicago, Illinois, was launched, and since that time has gone from being ''the voice of the Negro'' to ''the voice of the Nation.''

WVON began when two brothers, Leonard and Phil Chess, the owners of a successful music business, Chess Records, with a plentiful supply of local music under their banner such as Muddy Waters, Lil' Howlin' Wolf, Jimmy Reed, and others, needed a way to express their music. Therefore, the brothers bought WHFC–1450 AM, a 1,000-watt station licensed in Cicero, Illinois.

On April 1, 1963, WVON hit the airwaves in Chicago with a group of handpicked personalities: Franklin McCarthy, E. Rodney Jones, Herb Kent, Wesley South, and Pervis Spann. They became known as ''The Good Guys.'' Ric Ricardo, Bill ''Butterball'' Crane, Ed Cook, Joe Cobb, Roy Wood, Ed Maloney, Bill ''Doc'' Lee, Don Cornelius, Richard Pegue, Isabel Joseph Johnson, Cecil Hale, and McKee Fitzhugh eventually joined the roster.

Under the direction of the station's general manager, Lucky Cordell, and its ''Ambassador of Goodwill,'' Bernadine C. Washington, The Good Guys held black radio listeners hostage in Chicago for a number of years. It became the hottest station in the market. Not only did it convey music, it also conveyed public information, public events, and what was going on. It was the voice during the civil rights movement, and individuals were often given the opportunity to speak. Dr. Martin Luther King was interviewed by Leslie South, as well as Elijah Muhammad and others.

These personalities became so informational and influential that during the riots after the death of Dr. Martin Luther King, they called for calm and peace. And people began to listen to them. They were very influential throughout what was called the civil rights movement, and individuals often went to them.

They also had a relationship with Berry Gordy in Detroit, when he formed Motown Records; and every time a record would come out, he would send it to the WVON station before sending it anyplace else.

WVON actually was instrumental in electing Harold Washington, the first black mayor of Chicago. Lou Palmer, who had a radio series called ''Lou's Notebook,'' had a slogan: ''We shall see in '83.'' And that became the rallying cry. It was also instrumental in electing Carol Moseley Braun to the United States Senate, electing Barack Obama to the United States Senate, and ultimately electing Barack Obama President of the United States of America.

Always more than a radio station, it belonged to the community and was the heart of the community. So I congratulate Melody Spann Cooper and all of those who have made WVON what it is today: the voice of the Nation.

Congratulations to WVON Radio on fifty years of broadcasting.

Mr. Speaker, On April 1, 1963, WVON Radio in Chicago, Illinois was launched and since that time has gone from being "the voice of the negro" to "the voice of the Nation." WVON began when two brothers, Leonard and Phil Chess, the owners of Chess Records, a successful record company with a plentiful supply of local music talent under their banner, such as Muddy Waters, Lil' Howlin Wolf, Jimmy Reed and others, who needed an outlet for their music. Therefore, the brothers bought WHFC–1450 AM, a 1000 watt station licensed in Cicero, Illinois.

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The power of WVON went beyond the Chicago market. Berry Gordy, the founder of Motown Records had a special arrangement with WVON that every song he produced would be sent immediately to WVON before any other station. WVON was so powerful that it produced airplay in other markets, which impacted the overall sales and success of the project.

WVON has always been more than a radio station. During a time when Blacks were actively involved in the civil rights movement, WVON was the voice of information for local and national affairs. During the riots that followed the death of Dr. Martin Luther King, Jr., WVON on-air personalities were there to lift the tension that had erupted in neighborhoods across the city. They pleaded for calmness.

Following the death of Chess in 1969, the family decided to sell WVON to George Gillette (heir to the Shaving Products Company) and to Potter Palmer (heir to Palmer house) who formed Globetrotter Communications.

Their first order of business was to take WVON from 1450 frequency to 5,000 watt 1390 signal, which would improve their coverage of Chicago. The 1450 frequency was left dormant.

In 1977, Globetrotter Communications sold WVON to the Gannett Company, whose major holdings were in print media. Gannett had purchased an FM station in Chicago which became known as WGCI. In 1979, Wesley South and Pervis Spann formed Midway Broadcasting Corporation and purchased the license for the 1450 AM frequency.

Their station WXOL premiered in August of 1979 and remains one of the few minority-owned stations in the market. WVON became a mixed music/talk radio station and with Wesley South, the hotline show in the evening with journalist Lu Palmer doing a notebook series called "Lou's notebook." Lou spearheaded the election of Harold Washington as Chicago's first Black mayor with the slogan, "We Shall See in '83."

Upon the urging of Wesley South,a radio talk show pioneer, WVON changed to a talk format and has never looked back. It has been instrumental in not only electing Harold Washington as Chicago's first Black mayor, but also in electing Carol Mosley Braun, U.S. Senator; Barack Obama, United States Senator; and Barack Obama, President of the United States of America.

WVON's current line-up of hosts are some of the best in the Nation: Cliff Kelly, called the governor of talk radio; Matt McGill; Perry Small; Reverend Al Sharpton; Saleem Muwakil; Kendall Moore; Dr. Leon Finney; and from time to time, Pam Morris, Dr. Terry Mason, and countless others who buy time like Garfield Major, talking to the people.

Congratulations to Melody Spann Cooper and all of those who have helped to make WVON Radio what it is today.

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 37 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at noon.

PRAYER

Rabbi Robert Silvers, Congregation B'Nai Israel, Boca Raton, Florida, offered the following prayer:

Eternal God, we children of humanity pray to You by many names, but in our hearts we all know You as One. Your unity creates the common bond between us and is our common bond with You. And though Your absolute truth eludes us, nonetheless we strive to be more like You and to carry out Your will for humanity: that we live together in peace.

And though some seek to disrupt the peace and deprive us of our very lives, as we witnessed in Boston, we pray, O God, that their actions be thwarted and that You continue to shelter us with Your canopy of peace. Send healing of body and soul, O God, to the victims of this act of terror, to our Nation, and to all who grieve with them. Keep forever in Your loving embrace the souls of those who lost their lives.

We pray that those who do harm be brought to justice and that You, O God, instill in all peoples everywhere a love of humanity and a respect for each and every human being created in Your divine image.

Help us, O God, to realize that each of us holds a glimpse of something greater; though created mortal and fallible, we need Your gifts of wisdom and patience to find partners, even in surprising and unlikely places, with whom we must work together to benefit our country and our world.

We turn to You, Source of Peace, to inspire and support the leaders of our Nation to find accord even in these times of challenge. May it be Your will that in recognizing the Unity of the Divine, they will strive to foster a similar unity among themselves for the sake of this great Nation.

Joining together, we say the Hebrew word affirming faith; faith in each other, continued faith in humanity, and faith in the Holiness beyond us.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Oklahoma (Mr. LANKFORD) come forward and lead the House in the Pledge of Allegiance.

Mr. LANKFORD led the Pledge of Allegiance as follows:

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

WELCOMING RABBI ROBERT SILVERS

The SPEAKER pro tempore. Without objection, the gentleman from Florida (Mr. DEUTCH) is recognized for 1 minute.

There was no objection.

Mr. DEUTCH. Mr. Speaker, I'm proud to have the opportunity to welcome one of my constituents, Rabbi Robert Silvers, of the Congregation B'Nai Israel in Boca Raton, Florida, as he offered the opening prayer here today. He is a leader in the Jewish community in south Florida. His life epitomizes the Jewish tradition of tikkun olam—bettering the world.

Rabbi Silvers' impact is felt well beyond the 1,200 families of Congregation B'Nai Israel, with pastoral work and care that he provides not only to his own congregation but also to the greater local community as a volunteer chaplain for the Palm Beach County Sheriff's Office. He has served as president of the Palm Beach County Board of Rabbis and as president of the Greater Boca Raton Religious Leaders Association, an interfaith coalition of clergy. Rabbi Silvers has been involved in education and interfaith dialogue throughout south Florida.

I'm proud to call Rabbi Silvers and his wife, Ava, friends. I welcome them and all of his congregants who watched

on C–SPAN as he delivered this meaningful prayer.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

THE SPIRIT OF AMERICA

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

Mr. MCCARTHY of California. As we gather today in this House, we opened it with prayer—prayer to remember those families, those children, those runners, those spectators that were lost in Boston. As I watched that horrific incident, I paused for a moment. At the same time that I saw this tragic incident, I also saw the spirit of America. The spirit of America was with those individuals who rushed in to help, not knowing whether they would be injured or not, not knowing what would happen to them. But they rushed to help one another.

I want this body to instill that same American spirit—that we are bound together—so that we will remember those lost, but more importantly, we will bring to justice those that perpetrated this action and that we will be stronger in the end as a Nation and never forget those who were lost.

BOSTON MARATHON ATTACK

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

Ms. CHU. Imagine what the front page of The Boston Globe should have looked like yesterday: marathon winners jubilantly accepting medals; throngs of people triumphantly crossing the finish line; bystanders passing out Gatorade; families and friends cheering on loved ones. Instead, the front page depicted a war zone.

This vicious, senseless attack left nearly 200 people injured, some critically, and three dead. My heart breaks for everyone affected, and justice must be served.

But even this dark act couldn't blot out the examples of love, compassion, and selflessness on display. Volunteers and officers raced to aid blast victims. Marathon runners continued running—straight to the nearest hospital to donate blood. And thousands of people opened their homes to athletes who had nowhere else to go.

These are the stories that define us as a Nation. This is the spirit that no terrorist attack will break.

CHARLES C. GATES CENTER FOR REGENERATIVE MEDICINE AND STEM CELL BIOLOGY

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

Mr. COFFMAN. Mr. Speaker, I rise to draw attention to cutting-edge research now underway at the Charles C. Gates Center for Regenerative Medicine and Stem Cell Biology at the University of Colorado in Aurora. As you know, our Nation faces major deficiencies in its ability to maintain an adequate blood supply for civilian and military demands. Traditional methods for obtaining blood or producing a new supply fall far short of current demand.

But a collaborative effort at the Gates Center at the University of Colorado is working to develop a new technology that enables the rapid growth of adult blood stem cells. This proprietary technology can generate large numbers of cells that can be frozen and thawed while retaining their stem cell characteristics. This also means that soon there will be an ability to culture adult blood stem cells in an almost indefinite manner.

This research is being funded with peer-reviewed grants from NIH, and they have joined a consortium funded by DARPA to further help develop the Red Blood Cell program. I'm very hopeful about the research at the Charles C. Gates Center, and I urge support for their efforts.

PASS GUN CONTROL LEGISLATION

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

Ms. JACKSON LEE. Today, Mr. Speaker, the other body has an opportunity to do what 90 percent of the American people would like us to do—to be prayerful and to come together to respond to the horrific siege of gun violence in America.

It is important to note that, on average, 13 young people from ages 10 to 24 are victims of homicide every day, and 82.8 percent of these youth are killed by a gun. Every 30 minutes a child or teenager in America is injured by a gun. Every 3 hours and 15 minutes a child or a teenager loses their life from a firearm. In 2010, 82 children under the ages of 5 lost their lives due to guns. To put that number in perspective, 58 law enforcement lost their lives.

And so today, we don't have to violate the Second Amendment. As I said, we can be prayerful. We can pass universal background checks—the same thing we do with registering our cars, getting licenses. This is a time for America to rise to our higher angels and do what our children need them to do. I ask the Senate to challenge its conscience and to vote for universal background checks to stop the violence.

□ 1210

THE FINE LINE BETWEEN CHOICE AND MURDER

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

Mr. LANKFORD. Mr. Speaker, in a historic red brick building in Philadelphia, a man and his staff performed thousands of abortions under horrid conditions, which has led to a murder trial which is currently under way for seven children and one adult. Some children were torn apart with surgical instruments in the womb. Some mothers were given abortion-inducing drugs and were seated on a toilet until they delivered their baby into that toilet. Other women had their labor induced; and when they delivered, an assistant flipped the baby over and used the scissors to cut their spinal cord.

The horrific murder of innocent children was repeated over and over again in the clinic; but amazingly enough, only the children fully out of the womb are considered murder victims. Can someone explain to me how the children of the same age, size, and development, who were still in the womb when they were torn to pieces by surgical instruments, are not victims of murder, but those who were delivered and then their spinal cord was cut three feet from their mother are victims of murder?

I will never understand the strained logic that says if a child is killed where you cannot see them in the womb, it's choice; but if you kill that child in the daylight, it's murder.

CONGRATULATING MIROSLABA ''LILI'' VELO ON BEING NAMED 2013 OUTSTANDING SENIOR HIGH SCHOOL TEACHER OF THE YEAR

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

Mr. SWALWELL of California. Many students often remember that one engaging and empowering teacher who inspired them to change the course of their lives. I am proud to recognize one of those teachers, Ms. Miroslaba ''Lili'' Velo, a social studies teacher from Hayward's Tennyson High School in my congressional district.

Ms. Velo was named the 2013 Outstanding Senior High School Teacher of the Year by the California Council for Social Studies. As the chair of the Social Studies Department at Tennyson High School, Ms. Velo is a true leader in advancing social studies education by teaching educators in her high school and across California how to engage students with new and innovative teaching methods. This is something we will need as we continue to lead our students to be competitive in a changing global economy.

Ms. Velo is a wonderful example of the most dedicated teachers from across the Nation, who strive every day to better the lives of their students and assist the teachers around them.

Once again, I congratulate Ms. Velo on receiving this well-deserved recognition.

DEFENDING OUR HOMELAND

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

Mr. PITTENGER. Mr. Speaker, I rise today to pay respect and grief for those who suffered loss of life and harm in Boston. I had two of my own constituents who suffered grievous loss and one of them the loss of a leg. It reminds us once again that those who seek our destruction are fully committed to that objective.

While the terrorists and others work in a very open way, seeking public notoriety, they have also learned to work in a very quiet and sophisticated and tactical way in cyber warfare.

Mr. Speaker, we have a very important bill before us today, H.R. 624. We need to really look at it, and we need to pass it. We need to show the world that we are fully committed to defending our homeland.

300,000 cyber attacks occur on major industry every single day—on each industry. We must stop this. They are bent on our destruction. We can do what it takes today to show the world that we are fully committed to defending our homeland.

MEMPHIS SOUL

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

Mr. COHEN. Last night, PBS aired the ''Memphis Soul'' performance recorded last week at the White House. The performance featured many songs that were recorded at Stax Records located in Memphis.

In 1998, Memphis civic leaders raised more than $10 million to build the Stax Museum on the original site of Stax Records. The museum honors all of the artists who recorded at Stax, including Isaac Hayes, Al Green, Otis Redding, Booker T and the MGs, and others.

From Eddie Floyd's ''Knock on Wood'' to Booker T and the MGs' classic ''Green Onions,'' Isaac Hayes' ''Shaft,'' and Sam and Dave's ''Soul Man,'' the recordings at Stax Records made significant contributions to the music of the era.

Beyond honoring its history, Stax is about education. In 2005, the Soulsville Charter School opened its doors to 60 sixth graders. Now expanded to grades 6–12, the 2013 class of Soulsville Charter School has a 100 percent college acceptance rate and scholarships.

I encourage everyone to come to Memphis to visit the Stax Museum and see the Soulsville Charter School to learn more about Memphis' contribution to music. I also hope you will tune in to PBS this afternoon to watch another performance of ''Memphis Soul'' at 5 o'clock eastern, 4 o'clock central.

CONGRATULATING ASHLAND UNIVERSITY WOMEN'S BASKETBALL TEAM FOR WINNING NCAA DIVISION II CHAMPIONSHIP

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

Mr. GIBBS. Mr. Speaker, I rise today to honor and congratulate the Ashland University women's basketball team for winning the NCAA Division II Championship. The Ashland Eagles earned Ashland University's first basketball national championship with a 71–56 victory over New York's Dowling College on Friday, March 29, 2013.

I would like to congratulate the Eagles MVP, AU senior Kari Daugherty, for contributing 26 points to the win. Ms. Daugherty was also honored with the Player of the Year title for the division.

I would also like to congratulate Coach Sue Ramsey for leading her team to victory. This sportsmanship, determination, and hard work displayed by the Ashland Eagles throughout the season has been unparalleled. This momentous accomplishment deserves the most sincere congratulations, and we're very proud of Ashland University and the Ashland Eagles.

Go Eagles.

IMMIGRATION

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

Mr. CÁRDENAS. Last week, right here in D.C., I hosted farm workers from all over this country that only ask for fair treatment and compensation as they do their work. As they chanted ''Si, se puede''—yes, it is possible—with 20 of us congressional Members, I saw the look of hope on their faces—hope that they would soon have a pathway to citizenship, fair wages, and adequate worker protections. I saw the same hope in the eyes of my parents who came here as farm workers.

With the introduction of the Senate's immigration bill, farm workers are one step closer to gaining legal status and the right to feed their families as they feed America. However, as any legislation moves forward, I will remain vigilant against any effort to legalize farm worker mistreatments.

I look forward to working with both sides of the aisle and both of our Houses to make sure that we fix this broken immigration system.

SENIORS' TAX SIMPLIFICATION ACT

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

Mr. FLEMING. Mr. Speaker, the American people have just finished the annual aggravation of tax preparation. Every year, individuals and businesses spend more than 6 billion hours and about $168 billion just to meet the filing requirements of the IRS.

Among those hit hardest by our 4-million-word Tax Code are senior citizens. Many live on fixed incomes and have common forms of income, like dividends, Social Security benefits, and IRA distributions; yet they face the high cost of compliance. That's why I introduced the Seniors' Tax Simplification Act. This commonsense bill—and it is bipartisan—would create one simple form, much like the popular 1040EZ form. It would be used for the relatively simple tax filing situations that are common for seniors anyway. Creating a no-nonsense 1040SR form would reduce compliance costs for seniors and lessen the burden of the tax season for them.

The Seniors' Tax Simplification Act is a straightforward, no-cost bill that has bipartisan support and has been endorsed by many senior citizen groups and deserves a vote in this House.

IMMIGRATION REFORM

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

Ms. TITUS. After far too long, there is finally real bipartisan momentum in Washington towards implementing much-needed comprehensive immigration reform.

Our immigration system today is crowded and confusing. It divides families, it stifles the American Dream for high-skilled foreign students and entrepreneurs, and it does not address the exploitation of many immigrants in the workplace.

The proposals unveiled last night are not perfect. For example, they eliminate diversity visas and certain family visas. But we are making progress. I look forward to supporting a bill that secures our borders, makes our existing laws more efficient and timely, promotes entrepreneurship and innovation, provides a fair pathway to citizenship for the millions of immigrants already in the United States, and includes the DREAM Act. It must also include humane provisions to keep families of all kinds together. We can and must get this done.

□ 1220

IN MEMORY OF FORMER MEMBER CHARLIE WILSON

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

Mr. CHABOT. Mr. Speaker, as dean of the Ohio Republican delegation in the House, I was greatly saddened to hear of the untimely passing early Sunday morning of our friend and former colleague, Representative Charlie Wilson. Although Charlie and I were on different sides of the aisle and often disagreed on policy, I always admired his dedication to our State and his tireless energy as he worked to serve his constituents to the best of his ability.

I am not alone when I say that a conversation with Charlie was always

memorable and usually ended with broad smiles as you parted company. One thing that Charlie and I did have in common is that we played college football, and we were both defensive linemen. And at least in our own minds, the older we got, the better we had been.

Charlie Wilson was an honorable man, a trusted ally, and a worthy opponent. I ask my colleagues to join in wishing his four sons and nine grandchildren our condolences. His 14 years of government service in Ohio and in Washington, D.C., is a legacy they should always cherish and be proud of.

God bless Charlie Wilson.

NOAA PROPOSES FURLOUGHS

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

Ms. EDWARDS. Mr. Speaker, like many Americans, I began my morning this morning with a check of the local weather forecast. It actually helps me answer questions, important questions, such as what should I wear, do I need an umbrella, or is a storm approaching that's going to tie up traffic.

The weather forecast is really important, but too often it's taken for granted. And, unfortunately, thanks to the Republican insistence that sequester cuts take effect, our access to these timely and reliable weather forecasts may be impacted negatively.

On Monday, the National Oceanographic and Atmospheric Agency, which includes the National Weather Service, proposed 4 furlough days, with a potential for 10. The cash-strapped Weather Service provides predictions for the ever-more-frequent extreme weather events, such as Superstorm Sandy, the historic drought impacting our agricultural sector last year, and the tornados that ravished the South in 2011.

On a daily basis, it impacts the lives of Americans across the country. Even today, severe storms are ravaging the midsection of the country. The Weather Service is already understaffed. Sequestration could further deteriorate forecasting abilities. So, once again, they've made indiscriminate spending cuts our top priority. We need to stop this and protect our economic safety and our national security.

IN RECOGNITION OF FIRST RESPONDERS

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

Mr. CHAFFETZ. Mr. Speaker, our hearts and prayers go out to those in Boston and Massachusetts and all the States where people came from to participate in the marathon.

I, in particular, Mr. Speaker, wanted to stand and thank those first responders. They're firemen and they're police officers and they're paramedics and they're doctors and nurses, and sometimes they're just somebody who never expected to be in that situation at that time. And yet, our fellow countrymen respond; they're there.

And right now we have people responding in the Senate. They've put themselves out there. They've run to the challenges. It is the American spirit. They touch the heart of all of us.

And, Mr. Speaker, I just wanted to say God bless them, and God bless the United States of America.

SUPPORT BACKGROUND CHECKS ON GUN SALES

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

Mr. YARMUTH. Mr. Speaker, this is what my constituent, Barbara Kelty, wrote to the Louisville Courier-Journal this morning:

> While polls continue to say that a majority of NRA members and a sizable majority of the American people support background checks and a majority of citizens support limiting magazine size, a majority in Congress at this point apparently does not favor either.
>
> How can that be? To me, it is evident that these Members of Congress do not feel obligated to us, the people who elected them, whom they represent. Rather, they feel beholden to the gun lobby which fattens their campaign chests. And it is obvious that the gun-making industry, which does not condone or support gun violence, benefits from the emotional rush of citizens exercising the right to buy protection for their families after these tragedies.
>
> We, the citizens, must do our bit to lobby Congress and remind them that our will takes precedence.

Ms. Kelty is right. In Kentucky, three out of four people support background checks for every gun sale. More than 90 percent of the American people, and three-quarters of NRA members, support background checks, which have stopped nearly 2 million people from illegally buying guns. Still, 40 percent of guns are purchased without a background check.

Mr. Speaker, I urge my colleagues in the Senate to listen to the vast majority of Kentuckians and the American people and support background checks.

SENATE IMMIGRATION BILL WORSE THAN WE THOUGHT

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

Mr. SMITH of Texas. Mr. Speaker, it's hard to believe, but the Senate immigration bill is worse than we thought.

Despite assurances, the border is not secured before almost everyone in the country illegally is given amnesty. So the bill guarantees there will be a rush across the border to take advantage of massive amnesty.

And the bill offers amnesty to far more illegal immigrants than we thought. In addition to most of the 11 million illegal immigrants already in the country, it offers to legalize their relatives outside the country and even others who have already been deported home. So current immigration laws are shredded.

The good news is that the House Judiciary Committee will come up with a better plan.

IMMIGRATION REFORM

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

Mr. GALLEGO. Mr. Speaker, I rise today encouraged that comprehensive immigration reform is moving now that a framework has been released by our colleagues in the Senate.

The 23rd Congressional District, which I represent, runs some 800 miles along the Texas-Mexico border and includes five ports of entry. No other congressional district shares a larger border with Mexico.

After more than two decades, I'm encouraged that our friends in the Senate are taking steps and we finally have this framework. I look forward to working in a bipartisan and bicameral way to get it done this way.

Our values teach us that our families should stick together and that hard work, not circumstance, should shape our future. I believe that our Nation becomes stronger as more people pledge allegiance to our flag and commit themselves fully to our Nation and to our economy.

Last week I asked the Senate Gang of Eight to give special consideration to members of the armed services who risk their lives every day for our country and our families—it's particularly important to folks and families at Joint Base Lackland in San Antonio, Laughlin Air Force Base in Del Rio, and Fort Bliss in El Paso—and requested that comprehensive immigration reform eliminate the 3- and 10-year bar on spouses for spouses, prevent the termination of petitions of spouses and children of fallen heroes, and streamline the naturalization process for those deployed overseas.

I look forward to working with my colleagues to getting it done this year.

TAXES

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

Mr. STIVERS. Mr. Speaker, as you all know, Monday was tax day, so it's an appropriate time to talk about the need for tax reform. We need a simpler, more competitive Tax Code that's flatter and fairer so that we can create jobs and put Americans back to work.

We need a simpler code. In fact, the code, when you include all its regulations, annotations, and explanations, totals 74,000 pages. And according to

the latest estimate from the United States Treasury, Americans spent 6.1 billion hours complying with the Tax Code. We also need a more competitive Tax Code. The United States has the highest corporate tax rate in the world.

Simplifying our Tax Code and closing loopholes for everyone will help create an environment that encourages job growth and increases wages. The Ryan budget is based on such reforms. These reforms can help get Americans back to work.

RECOGNIZING THE MERCED COMMUNITY VIOLENCE INTERVENTION AND PREVENTION TASK FORCE

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

Mr. COSTA. Mr. Speaker, on Monday, in Boston, we were reminded how vulnerable we all are as Americans and how important it is that we stay together.

Today, I rise to recognize the Merced Community Violence Intervention and Prevention Task Force. This hardworking organization in the San Joaquin Valley that I represent is the 2013 recipient of the Lois Haight Award of Excellence and Innovation from the Victims' Rights Caucus, of which I am a cochair.

The task force is an innovative collaboration of local leaders that was formed in 2006 in response to gang-related violence throughout the Merced community. The task force makes Merced a safer place by educating the community about violence, promoting character development, and providing information to families and, most importantly, our youth.

From gang awareness workshops to Merced County's first anonymous ''text a tip'' line, the task force has contributed greatly to our Merced community and throughout the area.

On behalf of the Victims' Rights Caucus, congratulations and thank you to the Merced Community Violence Intervention and Prevention Task Force.

□ 1230

TAX REFORM

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

Mr. STEWART. Like all Americans, my heart and prayers go out to the people of Boston.

Mr. Speaker, I'm grateful for the opportunity to stand and speak on a very important issue today. It may not be as interesting, it may not grab as much attention as any other issue, but I'm not aware of any other thing that we could talk about that has the potential to invigorate our economy, to expand personal freedoms, and restore faith in our government and, frankly, in our future like this issue could. Of course I'm talking about meaningful, strategic tax reform.

I was a business owner and CEO for 12 years. Because of that, I understand in a very personal way that the current tax system is rife with waste. It invites abuse. Worst of all, it creates so much uncertainty as to make it difficult, if not impossible, to make good decisions about our future.

Again and again, we read stories and we see examples where the current Tax Code punishes success while ignoring the economic impacts of poor government policy. We can do better than this. We have an opportunity to do better than this. We must do better. Everyone will benefit.

Let's do this now.

REMEMBERING THE VICTIMS IN BOSTON

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

Mr. CICILLINE. Mr. Speaker, last Monday, men and women from around the world traveled to the beautiful city of Boston to take part in the 117th running of the Boston Marathon.

But this longstanding American tradition, this celebration of athletic achievement was shattered at 2:50 eastern time when two bombs went off along the finish line, killing three spectators, including an 8-year-old child, and injuring nearly 200 more.

At times like this, words fail to capture the sense of our disbelief, the pain in our hearts, and the anger we feel towards anyone who would do such great harm to so many innocent lives.

Although we do not yet know the identity of the perpetrators, what we do know is that our country will not rest until they are brought to justice. The American people will emerge from this horrific incident stronger and more united than ever before.

Like all Rhode Islanders since last Monday, my thoughts have remained with the people of Boston and all of the victims of this vicious act of violence and their loved ones, and I pray that the passage of time might bring them some level of comfort.

TAX REFORM

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

Mr. DESJARLAIS. Mr. Speaker, this week, many of my constituents filed tax returns. Unfortunately, their taxes weren't the only thing that they had to pay. Hardworking Americans will spend $168 billion completing their taxes under our country's 4-million-word Tax Code.

America's tax system is broken and simply doesn't meet the needs of the 21st century economy. It is time for a simpler, fairer, flatter code, one that eliminates special interest loopholes to ensure that everyone pays what they owe. But what we don't need is higher taxes.

The government is already poised to take in record revenues this year, yet the President insists on calling for another $1.1 trillion in new taxes. Levying more taxes on families and businesses won't create jobs and won't lead to economic prosperity. Rather, we need to cut spending, balance the budget, and rein in excessive government.

Comprehensive tax reform is something that the American people overwhelmingly support and something that House Republicans remain committed to addressing.

GUN REFORM

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

Ms. HAHN. Mr. Speaker, background checks may not have changed what happened at Sandy Hook, but I hope Sandy Hook changes what happens here.

Ninety percent of the American people agree that expanding background checks for gun sales is the right thing to do. These checks will help keep guns out of the hands of the mentally unstable, convicted felons, and domestic abusers who threaten the safety of our families and our communities.

It's time for Congress to listen to common sense and the voices of the American people.

I say to my Senate colleagues: You came here to work for the American people, not just to work for your reelection. We're here to do a job, not just keep our jobs.

I support Senators MANCHIN and TOOMEY for coming together in a bipartisan way to push forward this legislation for expanded background checks. All we need is 60 Senators who have the courage to stand up and do the right thing.

Commonsense measures to fight tragedy shouldn't be a heavy lift. This should be an easy vote.

The SPEAKER pro tempore. All Members are reminded to direct their remarks to the Chair.

IMMIGRATION REFORM

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

Mr. KING of Iowa. Mr. Speaker, I come to the floor here to announce that the Senate released their Gang of Eight immigration bill sometime around 2:45 a.m. this morning. It didn't take very long for the secret group in the House to release their support for the bill. They had time, apparently, to analyze the 844 pages that are in this bill.

I've had time to analyze a little bit of it. Mr. Speaker, what it says is this: they want to instantaneously legalize everybody that's here in America illegally, with a few exceptions, in case they decide to enforce the law against them.

That doesn't satisfy them, Mr. Speaker. They even want to legalize the people that have been deported and sent to their home countries and bring them back to the United States. If that occurs, 11 million to 20 million becomes at least 30 million people.

Because we have what they call a ''de facto'' amnesty now, it is, in fact, literally amnesty now, and making that promise is going to start another rush over our borders.

We must restore the rule of law.

IMMIGRATION REFORM

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

Mr. PAYNE. Mr. Speaker, creating an immigration process for new American immigrants is not just an issue that will shape the future for one group.

So much is at stake for 3 million African and Caribbean immigrants that live and work here. They're a vital part of our future as hardworking, upstanding individuals in search of freedom and a better life. They also deserve a fair system that works, and they are more than just a number on a page.

Last week, a young lady came to my office who was born in America to Haitian parents. Her name is Natalie. Natalie is a graduate student who has job offers lined up. She is ready to work and commits herself to this country. But Natalie can't do those things because of our broken immigration system. She is neither recognized as a citizen here nor in Haiti. While in tears, she said she has no home. She can't see her family. She's scared and feels alone. Natalie is one of those 11 million people that are looking for a pathway to citizenship.

It is time to pass commonsense legislation that fixes our immigration system once and for all, one that serves our interests and reflects our values for Natalie and the 11 million other Natalies who call America home.

AMERICA'S ECONOMY CAN THRIVE AGAIN

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

Mr. ROTHFUS. Mr. Speaker, the solution to our economic challenges is one simple word: growth. Unfortunately, the only place really growing in our country today is Washington, D.C.

As I travel my district, workers, job seekers, and small business owners tell me they're concerned about jobs and economic security.

Washington must unleash their economic potential by spending less, taxing less, and regulating less. Washington has to stop growing so the rest of the country can start to grow.

Small business owners this year spent upwards of 2 billion hours trying to comply with our Tax Code. Simplifying the Tax Code will help them save time and money that they can then put towards growing their businesses, hiring new employees and raising wages.

Washington must also streamline regulations that are strangling growth. The REINS Act would require that any regulation with an annual impact of $100 million or more be subject to a vote of this House.

With the right tax and regulatory policies, America's economy can thrive again.

□ 1240

CLOSE GUANTANAMO BAY

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

Mr. MORAN. Mr. Speaker, about 12 years ago, 779 people were gathered initially and sent to the prison at Guantanamo Bay, Cuba. About 85 percent of them had never actually engaged in direct combat against the United States. A report was issued by an independent, authoritative commission yesterday that I want to bring attention to. It was headed by Asa Hutchinson, a former Republican colleague of ours, and 4 star General Jim Jones, who was head of the National Security Council in the Obama administration.

It concluded that the United States engaged in the practice of torture at Guantanamo Bay. It concluded that the methods we used, like waterboarding, slamming prisoners into walls, chaining them in stress positions for hours, violated international legal obligations with ''no firm or persuasive evidence that they produced valuable information that could not have been obtained by other means.'' It also concluded that what we did had ''no justification'' and ''damaged the standing of our Nation, reduced our capacity to convey moral censure when necessary, and potentially increased the danger to U.S. military personnel taken captive.''

It concluded that President Bush and Vice President Cheney were directly involved in condoning such tactics and that their legal advisors engaged in ''acrobatic'' legal analysis to attempt to establish legal justification.

There was no legal precedent. Guantanamo Bay should be closed—now.

TAX REFORM

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

Mr. SOUTHERLAND. Mr. Speaker, it's tax week. As you know, that means that Americans' heads are chock-full of all kinds of numbers. We've done all kinds of itemizations, deductions, and calculations in our personal finances just to make sure that we know how much we are going to hand over to Uncle Sam. Let me share with you some more numbers.

How about $168 billion? That's how much our fellow Americans spend each year just to make sure they comply with our overcomplicated Tax Code. Just how complicated are the tax rules in this country? Well, here is another number—4 million. That's how many words there are in the U.S. Tax Code. There are 4,500 words in the U.S. Constitution. There are 775,000 words in the Bible. Yet there are 4 million in our Tax Code.

What does this all add up to?

It means that our current tax system is broken. We need fundamental, comprehensive tax reform to make our Tax Code fairer and simpler for all Americans. That is the House Republican plan.

PROVIDING FOR CONSIDERATION OF H.R. 624, CYBER INTELLIGENCE SHARING AND PROTECTION ACT

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 164 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 164

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-7. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any

amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. WOODALL. Mr. Speaker, I always enjoy the reading of the resolution. There are a lot of readings that you can waive on the floor of this House, but not so with a Rules resolution because this resolution is framing the nature of the debate we are going to have perhaps on the most important issue that we've taken up so far in this Congress.

The underlying bill is H.R. 624. It's the Cyber Intelligence Sharing and Protection Act.

Whenever we start talking about cyber intelligence sharing and protection, folks often think that sharing and protection are oxymorons—you can't have protected sharing, and you can't have shared protection. It's not an easy nut to crack, Mr. Speaker. I don't sit on the Intelligence Committee, but I've been down to the classified briefings where folks are sharing details of the amazing successes that our teams, both domestically and abroad, are having and combating in cyber threats; but it's getting harder and harder every day, and we have to balance the national security implications of failing to address these threats with what we, as all Americans, love, which is our liberty here at home—our liberty here at home, our privacy here at home.

In order to try to crack that, Mr. Speaker, you'll know that we brought this bill to the floor in the last Congress, and it has been changed and improved since that time. Today, this rule makes in order an additional 12 amendments. Now, of course we'll have the traditional 1 hour of debate on the underlying bill, but there will be another 12 amendments, each debated—2 hours of total additional time—so that Members can have their voices heard. Of these additional 12 amendments, four of them were offered by Republican Members; seven of them were offered by Democratic Members; and one of them is a bipartisan amendment. But the rule is designed to allow that further discussion because of the very important nature of the underlying bill.

I rise, of course, in support of the rule to allow for that debate, and I rise in support for the underlying bill. In today's world, you don't have to have a battlefield full of tanks to wage war on your enemy. A nation-state can have a roomful of young computer scientists and a couple of computers and begin to be a threat to the largest, most democratically controlled country in the world.

How do we stop that, Mr. Speaker? Because we don't want to close our borders. We don't want to have Federal control over the Internet. In so many of these nation-states, the government does control the Internet. That's never going to happen here in America. That's not who we are. That's not what we're about. In fact, 10 private sector providers control about 80 percent of the networks here in America—as it should be.

But what can we do to make ourselves safer tomorrow than we are today? Here is what the underlying bill does, Mr. Speaker: it enables, for the very first time, businesses and governments to share information about the threats that they are facing.

If you go up the road to Maryland, where the NSA is operating today, there are some smart, smart folks there, and I'm glad we have every single one of them on the front lines of cyber warfare—protecting America, protecting American enterprise. Yet today, when they are aware of threats that are impending threats to our financial system, threats to our economic system, they can't share that information with the private sector.

Back in my home district, Mr. Speaker, we're home to UPS—the United Parcel Service—Delta, Home Depot. If those companies come under attack today, Delta can't share that information with American Airlines and say, Look at what has just happened to us. Be on the lookout. It might happen to you. Home Depot can't share with Lowe's today, This is what has happened to us. We want you to be on the lookout. Don't let it happen to you.

□ 1250

This bill changes that. This bill, for the first time, says in the name of defending America and American interests against cyber threats around the globe, you can begin to share with one another what your experiences are and opportunities to protect yourself from having that happen to you again in the future.

Now, the real important thing to me about this bill, and I will just hold it up for you, Mr. Speaker, the Cyber Intelligence Sharing and Protection aspect of this bill, it's the important part. It's the meat of this bill. It's what's going to allow us to be safer tomorrow than we are today, but the bulk of the words in this bill don't speak to the sharing in terms of enabling it. It speaks to the sharing in terms of restricting it. Page after page after page after page of this short, 24-page bill talks about how we as citizens must, must, must continue to be safe and secure in the privacy of our own information.

It's a four-step process the bill lays out, Mr. Speaker, in terms of how we can ensure that no personally identifiable information is being shared from Home Depot or Delta or UPS or any of the other folks who are out there on the Internet when they're sharing that with the government or with one another in order to prevent threats to American security or economic prosperity, to ensure that personally identifiable information is not a part of that information that's shared, because privacy is paramount.

I've been tremendously impressed through this process, Mr. Speaker, because I'm one of the folks who is most likely to be suspect when we start talking about sharing information with the government. I'm a big lover of liberty. There's not many things I'm willing to give liberty up for. In fact, I dare say there's not a one that I'm willing to give liberty up for.

But the Intelligence Committee, from which this bill came, has worked with Members month after month after month after month to ensure that privacy is protected, that we as citizens can be secure. At the same time that we're fighting threats that perhaps we're not allowed to talk about on this floor, we're protected from threats that each and every one of us experiences in our day-to-day lives—a threat to privacy.

It's not been easy to craft this bill, and it has been an incredible bipartisan effort throughout, Mr. Speaker, in order to put this language together. Again, we have four Republican amendments made in order by this rule, seven Democratic amendments made in order by this rule, and one bipartisan amendment made in order by this rule. It is my great hope that we can move forward today with this rule, with debate on the underlying bill, and move forward with something that is far, far, far overdue, Mr. Speaker, and that's protecting America—American business and American individuals, American citizens—from the threats posed by nation states through cyber warfare from abroad.

With that, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my friend from Georgia for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Before I begin, I would like to take a moment, as have almost all of our colleagues that have spoken here today, to offer my sincerest condolences to the people of Boston, Massachusetts, following the deadly explosions at

Monday's marathon. I can't speak for everyone here, but I believe that most of us would say that the thoughts and prayers of the United States Congress are with the victims, their families and friends at this most difficult time. Those responsible for this act of terror will be brought to justice.

Mr. Speaker, while I rise today in support of H.R. 624, the Cyber Intelligence Sharing and Protection Act, better known as CISPA, I do not support the rule. My friend from Georgia spoke about how important it is that we have the reading of the rule, and one of the particular efforts of Congress that allows for there not to be any abridgement of that, but I do believe that we would be better served if this were an open rule.

Last night, during our Rules Committee hearing, the majority blocked several germane Democratic amendments which would have further helped to balance cybersecurity concerns with smart policies that protect our citizens. I spoke to those issues last night, and I raise them again, particularly the two amendments offered by our colleagues, Ms. SCHAKOWSKY and Mr. SCHIFF, and others.

However, the underlying CISPA legislation is, as my friend from Georgia said, a bipartisan bill that aims to safeguard our Nation's computer networks and critical infrastructure by allowing for two-way cyber threat information sharing on an entirely voluntary basis, both between the private sector and the Federal Government, and within the private sector itself.

In his March 12, 2013, testimony before the Senate Intelligence Committee, the Director of National Intelligence, James Clapper, stated for the first time that cyber attacks and cyber espionage have supplanted terrorism as the top security threat facing the United States.

In recent months, media reports have highlighted cyber attacks on several major U.S. companies, including Facebook, Google, and the network security firm RSA, as well as The New York Times, Bloomberg News, and The Washington Post newspapers.

Furthermore, government networks such as those of the Central Intelligence Agency and the United States Senate have also been targeted by hackers. Waves of cyber attacks have sought to disrupt operations at financial institutions and service providers, including American Express, JPMorgan Chase, Citigroup, Wells Fargo, Bank of America, MasterCard, PayPal, and Visa.

The fact of the matter is that state actors, terrorist organizations, criminal groups, individuals, and countless persons that describe themselves as hackers attack our public and private computer networks thousands of times every day. Many foreign hackers seek to steal valuable trade secrets, which results in the loss of countless American jobs. There are estimates that have been quoted of loss from economic espionage that range as high as $400 billion a year.

Unfortunately, the same vulnerabilities used to steal trade secrets can be used to attack the critical infrastructure we depend on every day. Our economy, our power grids, and our defenses are increasingly reliant on computers and network integration. These networks power our homes, provide our clean water, protect our bank accounts, defend our intellectual property, guard our national security information, and manage other critical services. In addition to intellectual property and national security intelligence, personal finance, health care, and other private records are prime targets for hackers to steal.

According to the Information Technology Industry Council, 18 adults become victims to cyber crime—including identity theft and phishing campaigns—every second. This adds up to 1.5 million cyber crime victims each day.

□ 1300

Cyber attacks present a very real and dangerous threat to the United States. However, the government currently does not have the authority to share classified cyber intelligence information with the private sector.

While private companies have taken considerable measures to protect their networks, they often have limited information and can only respond to known threats.

Cyber threats evolve at the speed of technology, and CISPA, this measure, helps the private sector protect against cyber attacks by providing companies with the latest cyber threat information from the intelligence community, which has timely, classified information about destructive malware. This cyber threat intelligence is the information that companies and the government need to protect and defend their networks.

The so-called ''signatures'' are primarily made up of numerical codes consisting of zeros and ones, without any personal information attached.

CISPA is the product of close cooperation between the intelligence community, the private sector companies, and trade groups and, to a certain degree, the White House, as it pertains to many of the measures that are included in this legislation.

During their efforts to improve the bill, they also maintained a dialogue with privacy advocates in an effort to strengthen civil liberties protections and oversight.

I add a personal note here for the reason that, over a period of 10 years, I served 8 of those years on the Intelligence Committee, and the now-chairman of the Intelligence Committee and ranking member were both junior members of the committee that I served on. They have risen to the position that they are in and have acted in an extremely responsible way, over a 2-year period of time, trying to bring a measure as complicated as this one, contemplating all of the factors that I've identified and more, including the members of the committee.

I would urge Members of the House of Representatives—many of them continue to have concerns, not only about this particular legislation, but about other intelligence matters, and rightly so are they concerned. But let me remind them that they are Members of a body that allows, if they wish to go into the spaces of the Intelligence Committee and to be briefed by staff and Members there on classified information, upon appropriate undertakings, they too can gain the information and insight that's needed in order to make an intelligent determination when they are voting, rather than come out here and criticize the people that do that hard work. They get no benefits, no concerns from the Members, and yet, cannot say all of the things that are needed to say or be said to the American public.

The same holds for ADAM SCHIFF and JAN SCHAKOWSKY and others that I won't mention that I served on that committee with. These are conscientious people who spend more time than almost any Member of Congress on any matter that he or she is attending to, and I have great respect for them. I don't agree with everything that either or all of them say, but I know they put their heart and time, both in the amendments that are offered, as well as in this bill and the particulars that are being put forward to this body.

As a result of their work, 19 improvements to enhance privacy and protect Americans have been adopted. Chief among them, this CISPA measure that requires the government to eliminate any personal information it receives that is not necessary to understand the cyber threat.

It creates no new authorities for any agency, and I can't say that enough. It creates no new authorities for any agency.

It gives companies the flexibility to choose which agency within the intelligence community they would like to work with to protect the cyber networks. It requires an annual review and report by the intelligence community's inspector general of the government's use of any information shared by the private sector.

And I would urge Members, when we increase the responsibilities of the inspector general that we also give the inspector general the resources in order to be able to do the necessary oversight that is required in this legislation.

It includes something that I very much support, and that is a 5-year sunset provision. I've supported other 5-year sunset provisions in the intelligence community and would have preferred, in this instance, that it be a 3-year provision. But the fact of the matter is, it's 5, and we will learn an awful lot during that period of time, and we will be back here dealing with

this same subject at some point in the future.

Allowing for the appropriate sharing of cyber threat information between the government and private sector is key to protecting our Nation from those who would do us harm. CISPA balances the critical need to strengthen our cyber defenses while protecting Americans' individual privacy.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, at this time it's my great pleasure to yield 3 minutes to the gentleman from Texas (Mr. CONAWAY), one of those Members on the Intelligence Committee my friend from Florida spoke of, a gentleman who serves us all.

Mr. CONAWAY. Mr. Speaker, I appreciate the opportunity to speak.

I rise in strong support of the rule and the underlying legislation that is before us this afternoon.

I also want to congratulate my colleague from Florida. I agree wholeheartedly with his reasons why this is important. He walked through those very eloquently.

I'd like to speak quickly as to what this bill does not do. It does not create a government surveillance program. It does not give the government the authority to monitor private networks or communications like email or other activities.

And it is strictly voluntary. It does not create a mandate on the private sector that they participate. In fact, these activities, monitoring and surveillance, are specifically excluded from being an activity that would be authorized under this bill.

There are four purposes for which this activity can be conducted, and whatever gets done has to fit within one of these four. One is cybersecurity. Two is investigating and prosecuting cybersecurity crimes. Three would be preventing death and physical injury, and four would be protecting minors from physical and psychological harm. So whatever gets done under this bill has to fit within those narrow categories specifically to make that happen.

As both speakers have said already, great work has been done in trying to protect the privacy and the civil liberties that all of us have. Those who have a grave concern that we've not fixed those, I would ask them to simply go review the contract they have with their Internet service provider. They have ceded immense personal liberties and privacies under that contract to simply sign up with that Internet service provider.

So as they look at what we're trying to do with this bill, I would argue that they may have already gone past that with respect to those guys.

This bill does nothing like that whatsoever. No personal information can be shared. There's a mandate that the government put in place filters so that, as that data's coming in at the speed of light, no one's reading this information. This is machine-to-machine. That personal information is scrubbed from that as it comes in.

There are immense reporting requirements for this system to be put in place, so that if there are occasional breaches, and there may be, that those breaches are reported on a timely basis to the committee, not at the end of some arbitrary period but as quickly as the system can report it to the oversight committees that have jurisdiction.

There is no ambiguity in this bill. It says what can be done and what cannot be done, and it outlines the consequences for breaking the law.

Let me also agree with my colleague from Florida. It has a sunset provision. Five years from now, future Congresses will have to either deal with this or it goes away. And so unlike many of our bills that just simply go on unless we actually do something, this has the protection of allowing those who disagree with it to know that there will be another bite at this apple 5 years from now if, in fact, there are things we've learned about that intervening 5-year period.

But this is critical for America to have this. If this were a physical attack on this country, there would be no question that the Federal Government, through its military, would stand in the breach and protect this country. There are no less dangerous attacks conducted against infrastructure, banks, airlines, other things every single day that we weren't able to help protect the private sector from, and this bill goes a long way toward doing that.

I urge my colleagues to support the rule and the underlying bill.

Mr. HASTINGS of Florida. Mr. Speaker, I'm privileged to yield 5 minutes to the distinguished gentleman from Colorado (Mr. POLIS), my colleague on the Rules Committee.

Mr. POLIS. Mr. Speaker, where to begin?

Let's start with process. This, as has been indicated by everyone who spoke thus far, is a critical issue for our country, getting the balance right between protecting American infrastructure and our way of life, with our civil liberties and confidence in the Internet ecosystem. And yet, this rule only allows 1 hour of debate in the House of Representatives on this bill.

□ 1310

I might add, the amendments that were talked about in the Rules Committee last night, the amendments that actually address some of the deficiencies which I'll be getting into about this bill, are not allowed under this rule. In fact, out of the 12 amendments allowed, two of them are actually the same. The same exact amendment allowed twice. And yet a number of other amendments are not even allowed to be debated or voted on here on the floor of the House.

I hold in my hands many, many amendments that were brought forward by Members of both parties and under this rule were prevented from being debated upon here on the floor of the House, which is why I strongly encourage my colleagues to vote ''no'' on the rule and ''no'' on the underlying bill in its present form.

There's no disagreement that cybersecurity is a very real and important issue. Threats come from criminal enterprises, they come from nation states, they come from corporations, they come from 16-year-olds. There's a variety of threats to both the public and private sector both here and abroad. The question is, What's the solution?

One of the first fallacies with the premise of this bill at the 20,000-foot level is, Who helps who? Frankly, it is the government that needs to learn and the private sector that leads the way. I've talked to a number of technology executives, having been a technology executive before I got here, and they are frequently ahead of the government. Because everyday they're fighting hacking attempts and they're on the front lines of cybersecurity.

Now it's not a doubt whether they want free help. Who wouldn't want free help? Should we in fact as taxpayers subsidize the defense of those who have not invested in their own cybersecurity? Should this be a bailout of companies with poor cybersecurity? But the truth of the matter is most of the learning that needs to occur is from the private sector to the government. And, in fact, we're taking some of those steps. The government and the NSA are using private contractors who are in the forefront of this issue every day, and that's more of the direction we need to go.

The notion that somehow the government would be of assistance to companies is laughable to many of the technology executives that I talk to; nor would they expect to call the government for help when they themselves are so far ahead. But to the extent we want to get the government involved with information and with the private sector here, we need to be very careful how this information is used, not just from a civil liberties perspective, which we'll be talking about, but because this is an economic issue; it's a confidence issue.

The Internet has been a tremendous engine of innovation and economic growth. And we should be concerned for the Internet ecosystem, concerned for the millions of jobs, concerned for the great value that's been created, the benefits to consumers across the country, the way it's touched our lives in so many ways.

What's fundamentally flawed in this approach is it trumps privacy agreements in terms of use that Internet companies enter with their users. So you could sign up for a service on the Internet, it could say explicitly we will not share this information with the government unless required by law, in terms of use—and frequently there are

statements analogous to that in there—and the minute you click send and complete it, if this bill were law, the company you gave that information to could then turn around, in violation of their own terms of use, and provide all that information to the government.

The limitations on what the government would do with that information are completely inadequate. There is a section of the bill on pages 10 and 11 that deals with those limitations. First, it says that information can be used for cybersecurity purposes. Okay, that's the purpose of the bill: investigation and prosecution of cybersecurity crimes. That's okay. Then it goes far afield into pretty much everything. It talks about bodily harm, danger of death. When we look at bodily harm and bodily injury, that includes things under USC section 18, 365: cuts, abrasions, bruises, disfigurement, including mental pain.

So this is anything the government wants to use the information for. Paper that can cause paper cuts. The government can collect who's buying paper, who's buying scissors, who's playing football, who's organizing gun shows, who's a Tea Party enthusiast.

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

Mr. HASTINGS of Florida. I yield the gentleman 1 additional minute.

Mr. POLIS. And there are absolutely no protections with regard to what is done with that information.

There are a number of improvements that could make this bill viable, and these are not allowed under this rule. My colleague, Mr. SCHIFF, has put forward an amendment that would have simply required that reasonable precautions were taken to ensure privacy was protected. That would be a strong step forward. Real limitations about actually tying the use of this information to cybersecurity would be an important step forward with the bill.

What's at danger is, yes, civil liberties; but the danger is the confidence in the Internet ecosystem that has driven our economic growth over the last decade. There will be great harm if that confidence is shaken, great harm if people know that the information that they provide and sign up for can immediately be turned over to a government agency—indeed, a secretive government agency—with no recourse and completely exempt from any liability for the company that's done it.

It's been noted that this program is voluntary. It may be voluntary for the corporations. It's not voluntary for the individual. It's not voluntary for the citizens of the country who provide that information.

Mr. WOODALL. Mr. Speaker, I yield myself 1 minute to say I know my friend from Colorado's concerns are heartfelt, and he shared those last night in the Rules Committee. The gentleman has a great deal of experience in this industry. And as heartfelt as his concerns are, I know, too, equally heartfelt are his concerns to national security if we fail to come together and address this issue.

I would like to be able to say, Mr. Speaker, that when we pass this bill today, it's going directly to the President's desk for signature. I don't actually believe that to be true. I think it's a long process between now and getting it to the President's desk for signature. And I know the gentleman will be raising these concerns throughout that process.

But I just cannot emphasize enough, Mr. Speaker, the dangers to the liberties of the American people of failing to begin this process today. I'm very proud we're allowing 12 amendments today to work through the concerns that the gentleman has, among others. But the importance of beginning this process today cannot be overstated.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 3 minutes to the gentleman from California (Mr. SCHIFF), my friend and a distinguished member of the Intelligence Committee.

Mr. SCHIFF. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the rule. At the outset, let me say that the cyber threat is real and its damage already devastating. And I very much appreciate the work that the chair and ranking member of the Intelligence Committee have done on this bill, and I appreciate that we have made and are continuing to make improvements.

But as the bill currently stands and as it will stand even after the amendments allowed by the rule are adopted, the bill simply does not do enough to protect the private information of Americans. Most importantly, I'm disappointed that the proposed rule does not allow an amendment that I offered with Ms. SCHAKOWSKY, Ms. ESHOO, Mr. HOLT, and Mr. THOMPSON of Mississippi. My amendment would fix an issue specifically cited by the White House in its Statement of Administration Policy in explaining why the President's advisers would recommend a veto of CISPA without important change. It would require the companies that share cyber threat information either with the government or with another private company to make reasonable efforts to remove personally identifiable information.

As the administration stated in its veto threat, the administration remains concerned that the bill does not require private entities to take reasonable steps to remove irrelevant personal information when sending cybersecurity data to the government or other private sector entities. Citizens have a right to know that corporations will be held accountable—and not granted immunity—for failing to safeguard personal information adequately.

The requirement of government-alone efforts to safeguard or minimize personal information is simply not enough. This is most apparent when, under the immunized conduct in the bill, private entities can share information with each other without ever going through the government. In those circumstances, how can the government minimize what it never possesses? So government-side minimization alone, which is all this bill includes, is not enough.

We have responded to the concerns of industry by making sure that when we ask them to take reasonable efforts to remove personal information, they can do so in real-time through automated processes. The witnesses who testified before the Intelligence Committee said that often the private parties are in the best position to anonymize the data. This is something they're doing anyway. And it's more than reasonable to require them to do that, particularly if we want to give them a broad grant of immunity.

□ 1320

Mr. Speaker, without an amendment to ensure that companies remove private information when they can do so—when they can do so through reasonable efforts—I cannot support the underlying bill. I believe that Members of both parties who support this change deserve the chance to vote on it. I suspect that because that issue would have gathered broad support, it is not being brought up for a vote here on the floor, and that is very disappointing. Accordingly, I urge a ''no'' vote on the rule, and I thank the gentleman for yielding.

Mr. WOODALL. Mr. Speaker, I yield myself 60 seconds to say I agree with my friend, that the private sector is often in the best position to get the work done that we're talking about in this bill.

I would refer my colleague, Mr. Speaker, to the Intelligence Committee's Web site—it's intelligence.house.gov—where you can see the long list of those private sector actors who are supporting this bill here today, that long list of folks in the private sector responsible for the security of their firms, of the information that Americans have entrusted to them, asking this body to move forward with this bill today.

There's no question, Mr. Speaker, when you're dealing with something of the magnitude of the national security threats posed by cyber warfare and the privacy protections that everyone in this body is committed to, that you're going to end up with conscientious men and women on both sides of this issue. But it is important to note that the private sector—which is being bombarded each and every day with threats from nation-state actors overseas—is asking, pleading with this body to move forward with this bill.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, may I inquire about how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Florida has 9 minutes remaining. The gentleman from Georgia has 17 minutes remaining.

Mr. HASTINGS of Florida. With that, Mr. Speaker, in an effort to respond to my colleague and friend from Georgia, I yield 1 additional minute at this time to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentleman for yielding the additional time.

And just to respond to my colleague, I'd be interested to know if there is anything you can point to in those 17 amendments that governs or requires the private sector, when it shares information with other private sector entities, to remove personally identifiable information. Because under the bill, the only minimization that's required is being done by the government; and in the case of private-to-private sector sharing, there is no government role. So this is the big hole.

While there are many private sector companies that may support the bill because it gives them broad immunity without any responsibility, that doesn't mean it's good policy, particularly when private companies have said they would make reasonable efforts. They're willing to do it; they can do it; they have the capacity to do it; we're just not asking them to do it or requiring them to do it. And we're giving something of great value to them, and that is we're giving them broad immunity. I think with that immunity ought to come some responsibility; and it shouldn't be too much to ask that that responsibility take the form of a reasonable effort, not a herculean one, not an impossible one, but a reasonable effort to ensure that Americans' privacy interests are observed and they take out that information when they can.

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

Mr. HASTINGS of Florida. Mr. Speaker, again, for purposes of clarity, I yield 1 additional minute to my colleague from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Speaker, I have three documents to submit to the RECORD: one from former Representative Bob Barr, one Statement of Administration Policy, and a letter from several tech companies and others opposed to the bill.

I quote, in part:

> Developments over the last year make CISPA's approach even more questionable than before.

Former Representative Bob Barr:

> Congress must take the civil liberties threats created by this bill just as seriously as it takes the cyber threats the legislation purports to address.

Mr. Speaker, we should not hurt the Internet to save the Internet; and this bill, in its current form, leaves the language wide open with potential abuse. Again, when we talk about bodily harm, I have learned that in a California statute that includes dog bites. Essentially, anything is included in this information without limitation with regard to how the government can use it. This is a backdoor attack on the Fourth Amendment against unreasonable search and seizures.

We have criminal procedures and processes around how information can and can't be used. This is the biggest government takeover of personal information that I've seen during my time here in Congress. Again, I believe, on the balance, it harms what it purports to protect.

"JUST SAY NO" TO CYBERSECURITY BILL

(By Former Rep. Bob Barr (R–Ga.), Apr. 16, 2013)

Anyone who has read or watched any news source over the past year knows President Obama, numerous Administration officials, and many leaders in Congress agree that addressing the threat of cyber attacks is a critical national priority. Based on this threat analysis, the administration and many members of Congress continue to push for passage of cybersecurity legislation that would clarify and expand the government's powers to receive and process traffic from American computer networks.

It would, however, be a mistake for Congress to rush to enact legislation that could militarize our computer networks, and pave the way for private companies to share vast quantities of sensitive and highly personal information with the government, all in the name of "cybersecurity." Although a carefully-crafted "information sharing" program that includes robust protections for civil liberties could be an effective approach to cybersecurity, the bill about to come up for a vote in the House clearly fails this test.

The Cyber Intelligence Sharing and Protection Act (CISPA), H.R. 624, is set to be considered by the full House of Representatives later this month. Although the bill that emerged from markup by the House Permanent Select Committee on Intelligence (HPSCI) includes some improvements in privacy safeguards over the earlier version, CISPA's proponents have overstated the protections incorporated into the bill. As a result, members of Congress should vote against CISPA when it comes to the House floor.

Last year, The Constitution Project's bipartisan Liberty and Security Committee, on which I serve, prepared a detailed report on ways that Congress could protect our nation's computer networks from cyber threats, while at the same time preserving the constitutionally-guaranteed rights of Americans. Unfortunately, the drafters of CISPA failed to incorporate the robust safeguards we recommended.

Most critical, CISPA's sponsors have resisted all efforts to ensure that the new cybersecurity program would maintain civilian control of our nation's computer networks. CISPA would allow private companies, cloaked with broad immunity from legal liability, to share sensitive information such as internet records or the content of emails, with any agency in the government, including military and intelligence agencies. Sensitive personal information from private computer networks should not be shared directly with the military or the National Security Agency (NSA), the agency that gained widespread public notoriety seven years ago for its warrantless wiretapping program—hardly the agency we want to see tasked with receiving private internet traffic.

Sadly, the members of HPSCI voted down an amendment that would have ensured civilian control of computer networks, by specifying that when private companies share information with the federal government, they should not provide it to the NSA or any other military agency or department. This amendment would still have permitted the NSA to share its own expertise on cyber threats with the private sector, but would have protected the information flowing into the government.

A second critical flaw with CISPA is that it fails to include meaningful limits on the extent of private sensitive information that companies can send into the government. The HPSCI also voted down an amendment requiring that before sharing cyber threat information with the government, companies must "make reasonable efforts" to remove "any information that can be used to identify a specific person unrelated to the cyber threat." A similar provision was included in last year's Senate cybersecurity bill, and witnesses at a hearing before HPSCI earlier this year testified that companies can easily strip out personally identifiably information that is not necessary to address cyber threats. Yet CISPA still lacks any such safeguard.

It is true that from a privacy perspective, this version of CISPA is an improvement over last year's bill. Most notably, the bill no longer permits private information to be used for broad 'national security uses" unrelated to cybersecurity. But it clearly is not sufficient. Congress must take the civil liberties threats created by this bill just as seriously as it takes the cyber threats the legislation purports to address. CISPA does not meet this test, and members of the House should just say no.

STATEMENT OF ADMINISTRATION POLICY

H.R. 624—VYBER INTELLIGENCE SHARING AND PROTECTION ACT

(Rep. Rogers, R–MI, and Rep. Ruppersberger, D–MD), Apr. 16, 2013)

Both government and private companies need cyber threat information to allow them to identify, prevent, and respond to malicious activity that can disrupt networks and could potentially damage critical infrastructure. The Administration believes that carefully updating laws to facilitate cybersecurity information sharing is one of several legislative changes essential to protect individuals' privacy and improve the Nation's cybersecurity. While there is bipartisan consensus on the need for such legislation, it should adhere to the following priorities: (1) carefully safeguard privacy and civil liberties; (2) preserve the long-standing, respective roles and missions of civilian and intelligence agencies; and (3) provide for appropriate sharing with targeted liability protections.

The Administration recognizes and appreciates that the House Permanent Select Committee on Intelligence (HPSCI) adopted several amendments to H.R. 624 in an effort to incorporate the Administration's important substantive concerns. However, the Administration still seeks additional improvements and if the bill, as currently crafted, were presented to the President, his senior advisors would recommend that he veto the bill. The Administration seeks to build upon the continuing dialogue with the HPSCI and stands ready to work with members of Congress to incorporate our core priorities to produce cybersecurity information sharing legislation that addresses these critical issues.

H.R. 624 appropriately requires the Federal Government to protect privacy when handling cybersecurity information. Importantly, the Committee removed the broad national security exemption, which significantly weakened the restrictions on how this information could be used by the government. The Administration, however, remains concerned that the bill does not require private entities to take reasonable steps to remove irrelevant personal information when sending cybersecurity data to the government or other private sector entities. Citizens have a right to know that corporations

will be held accountable—and not granted immunity—for failing to safeguard personal information adequately. The Administration is committed to working with all stakeholders to find a workable solution to this challenge. Moreover, the Administration is confident that such measures can be crafted in a way that is not overly onerous or cost prohibitive on the businesses sending the information. Further, the legislation should also explicitly ensure that cyber crime victims continue to report such crimes directly to Federal law enforcement agencies, and continue to receive the same protections that they do today.

The Administration supports the longstanding tradition to treat the Internet and cyberspace as civilian spheres, while recognizing that the Nation's cybersecurity requires shared responsibility from individual users, private sector network owners and operators, and the appropriate collaboration of civilian, law enforcement, and national security entities in government. H.R. 624 appropriately seeks to make clear that existing public-private relationships—whether voluntary, contractual, or regulatory—should be preserved and uninterrupted by this newly authorized information sharing. However, newly authorized information sharing for cybersecurity purposes from the private sector to the government should enter the government through a civilian agency, the Department of Homeland Security.

Recognizing that the government will continue to receive cybersecurity information through a range of civilian, law enforcement, and national security agencies, legislation must promote appropriate sharing within the government. As stated above, this sharing must be consistent with cybersecurity use restrictions, the cybersecurity responsibilities of the agencies involved, as well as privacy and civil liberties protections and transparent oversight. Such intra-governmental sharing and use should not be subject to undue restrictions by the private sector companies that originally share the information. To be successful in addressing the range of cyber threats the Nation faces, it is vital that intra-governmental sharing be accomplished in as near real-time as possible.

The Administration agrees with the need to clarify the application of existing laws to remove legal barriers to the private sector sharing appropriate, well-defined, cybersecurity information. Further, the Administration supports incentivizing industry to share appropriate cybersecurity information by providing the private sector with targeted liability protections. However, the Administration is concerned about the broad scope of liability limitations in H.R. 624. Specifically, even if there is no clear intent to do harm, the law should not immunize a failure to take reasonable measures, such as the sharing of information, to prevent harm when and if the entity knows that such inaction will cause damage or otherwise injure or endanger other entities or individuals.

Information sharing is one piece of larger set of legislative requirements to provide the private sector, the Federal Government, and law enforcement with the necessary tools to combat the current and emerging cyber threats facing the Nation. In addition to updating information sharing statutes, the Congress should incorporate privacy and civil liberties safeguards into all aspects of cybersecurity and enact legislation that: (1) strengthens the Nation's critical infrastructure's cybersecurity by promoting the establishment and adoption of standards for critical infrastructure; (2) updates laws guiding Federal agency network security; (3) gives law enforcement the tools to fight crime in the digital age; and (4) creates a National Data Breach Reporting requirement.

APRIL 15, 2013.

DEAR REPRESENTATIVE: Earlier this year, many of our organizations wrote to state our opposition to H.R. 624, the Cyber Intelligence Sharing and Protection Act of 2013 (CISPA). We write today to express our continued opposition to this bill following its markup by the House Permanent Select Committee on Intelligence (HPSCI). Although some amendments were adopted in markup to improve the bill's privacy safeguards, these amendments were woefully inadequate to cure the civil liberties threats posed by this bill. In particular, we remain gravely concerned that despite the amendments, this bill will allow companies that hold very sensitive and personal information to liberally share it with the government, including with military agencies.

CISPA creates an exception to all privacy laws to permit companies to share our information with each other and with the government in the name of cybersecurity. Although a carefully-crafted information sharing program that strictly limits the information to be shared and includes robust privacy safeguards could be an effective approach to cybersecurity, CISPA lacks such protections for individual rights. CISPA's information sharing regime allows the transfer of vast amounts of data, including sensitive information like internet records or the content of emails, to any agency in the government including military and intelligence agencies like the National Security Agency or the Department of Defense Cyber Command.

Developments over the last year make CISPA's approach even more questionable than before First, the President recently signed Executive Order 13636, which will increase information sharing from the government to the private sector. Information sharing in this direction is often cited as a substantial justification for CISPA and will proceed without legislation. Second, the cybersecurity legislation the Senate considered last year, S. 3414, included privacy protections for information sharing that are entirely absent from CISPA, and the Obama administration, including the intelligence community, has confirmed that those protections would not inhibit cybersecurity programs. These included provisions to ensure that private companies send cyber threat information only to civilian agencies, and a requirement that companies make ''reasonable efforts'' to remove personal information that is unrelated to the cyber threat when sharing data with the government. Finally, witnesses at a hearing before the House Permanent Select Committee on Intelligence confirmed earlier this year that companies can strip out personally identifiably information that is not necessary to address cyber threats, and CISPA omits any requirement that reasonable efforts be undertaken to do so.

We continue to oppose CISPA and encourage you to vote 'no.'

Sincerely,

Access; Advocacy for Principled Action in Government; American Arab Anti-Discrimination Committee; American Association of Law Libraries; American Civil Liberties Union; American Library Association; Amicus; Association of Research Libraries; Bill of Rights Defense Committee; Breadpig.com; Center for Democracy & Technology; Center for National Security Studies; Center for Rights; Competitive Enterprise Institute; The Constitution Project; Council on American-Islamic Relations; CREDO Action; Daily Kos; Defending Dissent Foundation; Demand Progress.

DownsizeDC.org, Inc.; Electronic Frontier Foundation; Fight for the Future; Free Press Action Fund; Government Accountability Project; Liberty Coalition; Mozilla; National Association of Criminal Defense Lawyers; New American Foundation's Open Technology Institute; OpenMedia.org; PolitiHacks; Reddit; RootsAction.org; Tech Freedom.

Mr. WOODALL. Mr. Speaker, I yield myself 60 seconds again to say to my friend from Colorado that I know his concerns are heartfelt; but he knows, as I do, there's nothing that we can do in statute here today that would trump any of our civil liberties that are protected under the Constitution of the United States of America. The Constitution of the United States of America trumps all.

What we're doing here today, Mr. Speaker, is responding to a very serious national security threat, and we're doing so in a way that can give Americans great comfort that their civil liberties are every bit as protected today as they were yesterday. In fact, Mr. Speaker, in that these nation-states are hacking into these accounts and accessing our personal information every single day, I would tell you that we will actually have our privacy more protected in the presence of a secure Internet than we do today, as nation-states are frequently eroding our cybersecurity border here in the United States of America.

With that, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I would advise my friend from Georgia that I'm the last speaker. If he is prepared to close, I am prepared to close.

Mr. WOODALL. I thank my friend. I have one speaker remaining.

Mr. HASTINGS of Florida. I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, at this time it is my great pleasure to yield as much time as he may consume to the chairman of the Rules Committee, the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Speaker, I want to thank the gentleman, my dear friend from Georgia (Mr. WOODALL), not only for managing his rule, but for the time that he has invested not into just this issue, but the issues that come before the Rules Committee, and I want to thank him for his service.

I also want to thank, if I can, the gentleman from Florida (Mr. HASTINGS)—welcome back to the committee after a couple of days of being out with surgery—and for the vigorous hearing that we had yesterday at the Rules Committee.

Mr. Speaker, we had an opportunity to have Mr. RUPPERSBERGER, the leader for the Democrats from the Intelligence Committee, as well as MIKE ROGERS from Michigan, the chairman of the committee. Both came and vigorously talked about the things which are aimed at our country—cyber threats, nation-states, nations such as China, North Korea, and others who are trying to invade our Internet here in the United States and to steal not only information and data, but also thoughts, ideas, and money. So it gave

us an opportunity yesterday to have a great hearing, one which was full of detail, one which really offered intrigue by our Members and a lot of thought process by all those who came before the committee.

However, I would like to advise, if I can, that following the closing statements on the rule before us, the gentleman from Georgia (Mr. WOODALL) will be offering an amendment to the rule that seeks to address concerns with the role of civilian Federal agencies in receiving the cyber information that would be transmitted from the private sector that is included in the underlying bill. This amendment was in negotiation yesterday and submitted for consideration to the Rules Committee, but the final compromise was not ready at the time that the committee finished its work product yesterday evening, so negotiations continued all last night and through this morning until today.

On a bipartisan basis, these negotiations have given us what I consider to be a good amendment with good merits and should be considered under this rule. The amendment has been vetted thoroughly by the five committees which share jurisdiction in this matter, including Ranking Members THOMPSON and RUPPERSBERGER, and, by the way, my colleague, the ranking member of the Rules Committee, Ms. SLAUGHTER.

If the rule is amended, the language would be offered by Mr. MCCAUL, the chairman of the House Committee on Homeland Security. I'm confident that this work product and the work which we are bringing to this floor will continue to support not just the rule, but the legislation that would be before this House tomorrow by the Rules Committee.

So I believe that this helps not just the underlying bill, but really is a testament to the work on a bipartisan basis among our committees, among a lot of people who had a chance to look at not just jurisdictional issues, but the actual substance of trying to make protecting this country, its assets, and its people a reality now in law that the United States House of Representatives will fully debate tomorrow, vote on, and support.

Part of the role of the Rules Committee about this process has been to make sure that the final product that came to the floor of the House of Representatives was well vetted, received the attention that was necessary, and, perhaps more importantly, was leading-edge.

□ 1330

And, lastly, the most important thing is that we know what we've agreed to; that we know what we've agreed to where we're very clear about what the law is and the expectations of that performance.

I thank the gentleman for yielding.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

I thank the distinguished chairman of the Rules Committee, my good friend, Mr. SESSIONS, for his explanation of the measure going forward. I certainly do not anticipate that my side will oppose the measure as offered.

In addition thereto, I would highlight what he did eloquently point out, and that is the bipartisan effort that has been put into this, including all of the negotiations leading up to now what will be the McCaul amendment offered by Mr. WOODALL.

CISPA, Mr. Speaker, provides the government and private sector with the tools they need to secure our networks and prevent future cyber attacks, while respecting the privacy of individuals.

In bringing private companies and trade groups to the table, as well as taking into consideration the concerns expressed by civil liberties organizations, CISPA has been improved to better address the growing cybersecurity risks faced by the Federal Government and private sector, provide greater oversight, and protect Americans' privacy. We can take significant steps to reduce our vulnerability to cyber threats today.

I have had the honor and privilege of meeting many of our intelligence professionals when I served as a member of the Intelligence Committee; and since that time, I cannot overstate how much I appreciate, and am humbled by, their service.

Furthermore, I want to take this moment of personal privilege to thank my good friends, Chairman ROGERS and Ranking Member RUPPERSBERGER, and to underscore one of the unnoticed and hardworking staffs' efforts, and that would be the House Intelligence Committee staff, for their hard work and dedication in helping to see this and other measures having to do with the intelligence of this committee to the House floor, as well as in cooperation with their colleagues and ours at the United States Senate.

I urge my colleagues to vote ''no'' on the rule and ''yes'' on the underlying bill, and I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself the balance of my time.

I thank my friend from Florida for his service on the Rules Committee and his service on the Intelligence Committee.

The work that goes on in the Intelligence Committee, Mr. Speaker, is work that so many Members of Congress do not involve themselves in. It goes on deep in the bowels of the Capitol Complex. It's under great security, all electronic devices left outside the door, so that they can discuss things within the four walls of that committee that we're not allowed to discuss here on the House floor.

In fact, when they asked me to handle the rule today, Mr. Speaker, I was a little concerned because throughout this process of developing CISPA, I traveled down to that committee room time and time again in order to understand the threats that this Nation is facing, understand the challenges that this community of intelligence professionals is grappling with around the globe, and I don't want to be the one who shares those stories here on the House floor by mistake. I don't envy the gentleman from Florida having to balance being in that committee every single day, trying to protect the security of every single citizen, and not being able to come out of that committee room and share with, not just your colleagues here in the House, but your constituents back home, why it is you're doing the things that you do.

Can you imagine, Mr. Speaker, what would have happened in World War II if we had to keep the bombing of Pearl Harbor a secret? It's a secret. Nobody knows. What do you think the support would have been, Mr. Speaker, for taking affirmative action in World War II? It would have been hard to generate that support. I would have voted ''no.''

There are things going on in this Nation and in this world today, Mr. Speaker, that our Intelligence Committee grapples with, that our intelligence professionals grapple with, things that are frightening, and things that threaten the liberty of this country and the economic security of this country. Now, I don't want to be a fearmonger, Mr. Speaker. What I love about this country is no matter what the challenge is, we are great enough collectively to rise to meet it.

In this case, we happen to need to rise to meet it in a subject matter that is near and dear to the heart of every American, which is my Internet privacy. I care a lot about Internet privacy, Mr. Speaker. I've got a VPN system set up so nobody is listening in on my Wi-Fi. I change my password about every 10 days to make sure nobody is making any progress towards hacking my system. I'll occasionally go on the Internet and use one of those anonymizers to make sure my IP address isn't being tracked when I'm looking at things that perhaps my friends in Congress, I'm trying to get a bill done, I don't want you to know I'm getting that bill done. Who knows what those people down in HIR, House Information Resources, what they're tracking that we do here? We have tools available to us in that way, Mr. Speaker.

But do you know who I can't outsmart? Perhaps I can outsmart my next-door neighbor who wants to piggyback on my Wi-Fi system. Perhaps I can outsmart the guy at the hotel who is trying to piggyback on my information there in the hotel room. Perhaps I can even outsmart the U.S. House of Representatives. But what I can't outsmart is that team of cyber warriors gathered by nation-states around the globe who are hacking my information and your information every single day, stealing our intellectual property, stealing our military technology, threatening the privacies that we've

talked so much about here on the floor today.

I'm very glad, Mr. Speaker, that as you page through this bill, you will find line after line after line aimed at protecting your and my privacy. I think we do a good job of finding that balance. We even will offer amendments today on the floor to do even better. But without security at the Internet border, I have no protection of my privacy because those agents of the state of China, North Korea, and beyond are accessing that information today.

Mr. Speaker, it's been 18 months that we've been working to craft that balance of privacy and security. We'll continue to work on that throughout 12 amendments here today. I urge my colleagues, look through this resolution, look through H.R. 624 to see the efforts that have gone into crafting this bipartisan piece of legislation; and look at those 12 amendments, look at those 12 amendments that we'll have an opportunity to vote on over the next 2 days to make this bill even better. But the time for delay, Mr. Speaker, has passed us, and the cost of delay is most certainly measured in dollars, and I fear it is measured in lives.

Let's move forward with this bill today, Mr. Speaker. I urge strong support for the rule, and I urge strong support after the debate of these 12 amendments on the underlying legislation.

AMENDMENT OFFERED BY MR. WOODALL

Mr. WOODALL. Mr. Speaker, at this time, I offer an amendment to the resolution.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the resolution, add the following:

SEC. 2. Notwithstanding any other provision of this resolution, the amendment specified in section 3 shall be in order as though printed as the last amendment in House Report 113–41 if offered by Representative McCaul of Texas or his designee. That amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

SEC. 3. The amendment referred to in section 2 is as follows: After section 1, insert the following new section (and renumber subsequent sections accordingly):

"SEC. 2. FEDERAL GOVERNMENT COORDINATION WITH RESPECT TO CYBERSECURITY.

''(a) COORDINATED ACTIVITIES.—The Federal Government shall conduct cybersecurity activities to provide shared situational awareness that enables integrated operational actions to protect, prevent, mitigate, respond to, and recover from cyber incidents.

''(b) COORDINATED INFORMATION SHARING.—

''(1) DESIGNATION OF COORDINATING ENTITY FOR CYBER THREAT INFORMATION.—The President shall designate an entity within the Department of Homeland Security as the civilian Federal entity to receive cyber threat information that is shared by a cybersecurity provider or self-protected entity in accordance with section 1104(b) of the National Security Act of 1947, as added by section 3(a) of this Act, except as provided in paragraph (2) and subject to the procedures established under paragraph (4).

''(2) DESIGNATION OF A COORDINATING ENTITY FOR CYBERSECURITY CRIMES.—The President shall designate an entity within the Department of Justice as the civilian Federal entity to receive cyber threat information related to cybersecurity crimes that is shared by a cybersecurity provider or self-protected entity in accordance with section 1104(b) of the National Security Act of 1947, as added by section 3(a) of this Act, subject to the procedures under paragraph (4).

''(3) SHARING BY COORDINATING ENTITIES.—The entities designated under paragraphs (1) and (2) shall share cyber threat information shared with such entities in accordance with section 1104(b) of the National Security Act of 1947, as added by section 3(a) of this Act, consistent with the procedures established under paragraphs (4) and (5).

''(4) PROCEDURES.—Each department or agency of the Federal Government receiving cyber threat information shared in accordance with section 1104(b) of the National Security Act of 1947, as added by section 3(a) of this Act, shall establish procedures to—

''(A) ensure that cyber threat information shared with departments or agencies of the Federal Government in accordance with such section 1104(b) is also shared with appropriate departments and agencies of the Federal Government with a national security mission in real time;

''(B) ensure the distribution to other departments and agencies of the Federal Government of cyber threat information in real time; and

''(C) facilitate information sharing, interaction, and collaboration among and between the Federal Government; State, local, tribal, and territorial governments; and cybersecurity providers and self-protected entities.

''(5) PRIVACY AND CIVIL LIBERTIES.—

''(A) POLICIES AND PROCEDURES.—The Secretary of Homeland Security, the Attorney General, the Director of National Intelligence, and the Secretary of Defense shall jointly establish and periodically review policies and procedures governing the receipt, retention, use, and disclosure of nonpublicly available cyber threat information shared with the Federal Government in accordance with section 1104(b) of the National Security Act of 1947, as added by section 3(a) of this Act. Such policies and procedures shall, consistent with the need to protect systems and networks from cyber threats and mitigate cyber threats in a timely manner—

''(i) minimize the impact on privacy and civil liberties;

''(ii) reasonably limit the receipt, retention, use, and disclosure of cyber threat information associated with specific persons that is not necessary to protect systems or networks from cyber threats or mitigate cyber threats in a timely manner;

''(iii) include requirements to safeguard non-publicly available cyber threat information that may be used to identify specific persons from unauthorized access or acquisition;

''(iv) protect the confidentiality of cyber threat information associated with specific persons to the greatest extent practicable; and

''(v) not delay or impede the flow of cyber threat information necessary to defend against or mitigate a cyber threat.

''(B) SUBMISSION TO CONGRESS.—The Secretary of Homeland Security, the Attorney General, the Director of National Intelligence, and the Secretary of Defense shall, consistent with the need to protect sources and methods, jointly submit to Congress the policies and procedures required under subparagraph (A) and any updates to such policies and procedures.

''(C) IMPLEMENTATION.—The head of each department or agency of the Federal Government receiving cyber threat information shared with the Federal Government under such section 1104(b) shall—

''(i) implement the policies and procedures established under subparagraph (A); and

''(ii) promptly notify the Secretary of Homeland Security, the Attorney General, the Director of National Intelligence, the Secretary of Defense, and the appropriate congressional committees of any significant violations of such policies and procedures.

''(D) OVERSIGHT.—The Secretary of Homeland Security, the Attorney General, the Director of National Intelligence, and the Secretary of Defense shall jointly establish a program to monitor and oversee compliance with the policies and procedures established under subparagraph (A).

''(6) INFORMATION SHARING RELATIONSHIPS.—Nothing in this section shall be construed to—

''(A) alter existing agreements or prohibit new agreements with respect to the sharing of cyber threat information between the Department of Defense and an entity that is part of the defense industrial base;

''(B) alter existing information-sharing relationships between a cybersecurity provider, protected entity, or self-protected entity and the Federal Government;

''(C) prohibit the sharing of cyber threat information directly with a department or agency of the Federal Government for criminal investigative purposes related to crimes described in section 1104(c)(1) of the National Security Act of 1947, as added by section 3(a) of this Act; or

''(D) alter existing agreements or prohibit new agreements with respect to the sharing of cyber threat information between the Department of Treasury and an entity that is part of the financial services sector.

''(7) TECHNICAL ASSISTANCE.—

''(A) DISCUSSIONS AND ASSISTANCE.—Nothing in this section shall be construed to prohibit any department or agency of the Federal Government from engaging in formal or informal technical discussion regarding cyber threat information with a cybersecurity provider or self-protected entity or from providing technical assistance to address vulnerabilities or mitigate threats at the request of such a provider or such an entity.

''(B) COORDINATION.—Any department or agency of the Federal Government engaging in an activity referred to in subparagraph (A) shall coordinate such activity with the entity of the Department of Homeland Security designated under paragraph (1) and share all significant information resulting from such activity with such entity and all other appropriate departments and agencies of the Federal Government.

''(C) SHARING BY DESIGNATED ENTITY.—Consistent with the policies and procedures established under paragraph (5), the entity of the Department of Homeland Security designated under paragraph (1) shall share with all appropriate departments and agencies of the Federal Government all significant information resulting from—

''(i) formal or informal technical discussions between such entity of the Department of Homeland Security and a cybersecurity provider or self-protected entity about cyber threat information; or

''(ii) any technical assistance such entity of the Department of Homeland Security provides to such cybersecurity provider or such self-protected entity to address vulnerabilities or mitigate threats.

''(c) REPORTS ON INFORMATION SHARING.—

''(1) INSPECTOR GENERAL OF THE DEPARTMENT OF HOMELAND SECURITY REPORT.—The Inspector General of the Department of Homeland Security, in consultation with the

Inspector General of the Department of Justice, the Inspector General of the Intelligence Community, the Inspector General of the Department of Defense, and the Privacy and Civil Liberties Oversight Board, shall annually submit to the appropriate congressional committees a report containing a review of the use of information shared with the Federal Government under subsection (b) of section 1104 of the National Security Act of 1947, as added by section 3(a) of this Act, including—

''(A) a review of the use by the Federal Government of such information for a purpose other than a cybersecurity purpose;

''(B) a review of the type of information shared with the Federal Government under such subsection;

''(C) a review of the actions taken by the Federal Government based on such information;

''(D) appropriate metrics to determine the impact of the sharing of such information with the Federal Government on privacy and civil liberties, if any;

''(E) a list of the departments or agencies receiving such information;

''(F) a review of the sharing of such information within the Federal Government to identify inappropriate stovepiping of shared information; and

''(G) any recommendations of the Inspector General of the Department of Homeland Security for improvements or modifications to the authorities under such section.

''(2) PRIVACY AND CIVIL LIBERTIES OFFICERS REPORT.—The Officer for Civil Rights and Civil Liberties of the Department of Homeland Security, in consultation with the Privacy and Civil Liberties Oversight Board, the Inspector General of the Intelligence Community, and the senior privacy and civil liberties officer of each department or agency of the Federal Government that receives cyber threat information shared with the Federal Government under such subsection (b), shall annually and jointly submit to Congress a report assessing the privacy and civil liberties impact of the activities conducted by the Federal Government under such section 1104. Such report shall include any recommendations the Civil Liberties Protection Officer and Chief Privacy and Civil Liberties Officer consider appropriate to minimize or mitigate the privacy and civil liberties impact of the sharing of cyber threat information under such section 1104.

''(3) FORM.—Each report required under paragraph (1) or (2) shall be submitted in unclassified form, but may include a classified annex.

''(d) DEFINITIONS.—In this section:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Homeland Security, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Committee on Armed Services of the House of Representatives; and

''(B) the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Select Committee on Intelligence, and the Committee on Armed Services of the Senate.

''(2) CYBER THREAT INFORMATION, CYBER THREAT INTELLIGENCE, CYBERSECURITY CRIMES, CYBERSECURITY PROVIDER, CYBERSECURITY PURPOSE, AND SELF-PROTECTED ENTITY.—The terms 'cyber threat information', 'cyber threat intelligence', 'cybersecurity crimes', 'cybersecurity provider', 'cybersecurity purpose', and 'self-protected entity' have the meaning given those terms in section 1104 of the National Security Act of 1947, as added by section 3(a) of this Act.

''(3) INTELLIGENCE COMMUNITY.—The term 'intelligence community' has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

''(4) SHARED SITUATIONAL AWARENESS.—The term 'shared situational awareness' means an environment where cyber threat information is shared in real time between all designated Federal cyber operations centers to provide actionable information about all known cyber threats.''.

Page 5, strike line 6 and all that follows through page 6, line 7.

Page 7, beginning on line 17, strike ''by the department or agency of the Federal Government receiving such cyber threat information''.

Page 13, strike line 13 and all that follows through page 15, line 23.

Page 17, strike line 15 and all that follows through page 19, line 19.

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

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 227, nays 192, not voting 13, as follows:

[Roll No. 109]

YEAS—227

Aderholt
Alexander
Amash
Amodei
Bachus
Barber
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Gutierrez
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ruppersberger
Ryan (WI)
Salmon
Scalise
Schneider
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—192

Andrews
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Richmond
Rohrabacher
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stockman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Bachmann	Kennedy	Rangel
Blackburn	Lynch	Shimkus
Gohmert	Markey	Westmoreland
Holding	Miller, Gary	
Hurt	Neal	

□ 1418

Mr. RAHALL, Ms. PELOSI, Ms. BROWNLEY of California, Mr. CÁRDENAS and Ms. WILSON of Florida changed their vote from ''yea'' to ''nay.''

Messrs. KING of New York, YOHO and AMASH changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBERS TO THE BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). The Chair announces the Speaker's appointment, pursuant to 14 U.S.C. 194, and the order of the House of January 3, 2013, of the following Members on the part of the House to the Board of Visitors to the United States Coast Guard Academy:

Mr. COBLE, North Carolina

Mr. COURTNEY, Connecticut

□ 1420

CYBER INTELLIGENCE SHARING AND PROTECTION ACT

GENERAL LEAVE

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill H.R. 624.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 164 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 624.

The Chair appoints the gentlewoman from Florida (Ms. ROS-LEHTINEN) to preside over the Committee of the Whole.

□ 1422

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, with Ms. ROS-LEHTINEN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. ROGERS) and the gentleman from Maryland (Mr. RUPPERSBERGER) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

I want to thank my ranking member and both the Republican and Democratic staffs and the Republican and Democratic members of the Intelligence Committee for 2 years of long hours in negotiated efforts to reach the point that we are.

I want to back up just a little bit and tell you how we got to where we are today. We sat down some 2 years ago when the ranking member and I assumed the leadership of the Intelligence Committee and we looked at the one threat that we knew existed but we were not prepared to handle as Americans, both the private sector and the government. And we knew that we had to do something about this new and growing and misunderstood cyber threat and what it was doing to our intellectual property across the country, what it was doing to the freedom and open Internet that we so enjoy and are increasingly dependent on and the commercial value of our growing economy. And it was at risk. The private sector was at risk because people were stealing their identities, their accounts, their intellectual property, and subsequent to that, their jobs, and people began to question the value of getting on the Internet and using it for commercial purposes. Their trust in the free and open Internet the way we've embraced it in the United States really was at risk.

How do we solve that problem? We knew that nation states were investing millions and billions of dollars to generate cyber warriors to go in and crack your computer network. I don't care if you had intellectual property—those blueprints that made your business successful, or maybe it was your bank account, or your ability to have a transaction. If they could interrupt that, they could do great harm to our economy and to the United States.

We saw nation-states like Russia and China and now Iran and North Korea and others developing military-style attacks to actually do harm to the U.S. economy, to hurt the very men and women who get up every day and play by the rules and think that the Internet would be a safe place for them to interact when it comes to commerce. We want that to continue.

So we sat down and we talked to industry folks, people who are in the business, high-tech industry folks from Silicon Valley, financial services folks from New York City, manufacturers from across the Midwest, who were losing intellectual property due to theft from nation-states like China. We talked to privacy groups. We talked to the executive branch. And over the last 2 years, there were some 19 adjustments to this bill on privacy.

We believe this: this bill will not work if Americans don't have confidence that it will protect your privacy and civil liberties while allowing one very simple thing to happen: cyber threat material, that malware that goes on your computer and does bad things, allows somebody else to take over your computer to attack a bank, allows them to go on your computer and steal your personally identifiable information and use it in a crime, allows them to go into your network at work and steal your most valuable company secrets that keep you alive and build great products here in the United States—could we allow the government to share what they know with the private sector and allow the private sector to share when it comes to just that cyber threat, those zeros and ones in a pattern that equates to malicious code traveling at hundreds of millions of times a second the speed of light, can we share that in a way to stop them from getting in and stealing your private information?

And the good news is the answer is, yes, we can do this. We can protect privacy and civil liberties, and we can allow this sharing arrangement, but not of your identity, not of your personally identifiable information. As a matter of fact, if that's what's happening, it won't work. But at the speed of light, from machine to machine, from your Internet service provider before it ever gets into your network they bounce out the nastiest stuff that's in there that's going to take over your computer, steal your money, steal your personally identifiable information, steal your company secrets. And they can identify that by a pattern and kick it out. They'll say, Something looks bad about that. Can the government take a look at that and say, you know what? This is a Chinese attack, it's an Iranian attack, it's a North Korean attack—let's defend our networks. It's really very simple.

Today, what you see is a collaborative effort. This isn't a bill by DUTCH RUPPERSBERGER and MIKE ROGERS and this is the only way it has to be. We have taken suggestions from all the groups I just talked about, from privacy to the executive branch to industry to other trade associations. And this is the bill that mutually all of those people, representing tens of millions of employees around this country, said this is the way you do this and protect the free and open Internet and you protect civil liberties. And you finally raise that big red sign that tells people like China and Iran and Russia, stop. We're going to prevent you from stealing America's prosperity.

I heard a lot of debate earlier on the rule. I've heard a lot of misinformation. There are people who don't like it for whatever reason, maybe it's conviction, maybe it's politics, maybe it's political theater. And I have a feeling there's a little bit of all of that when they talk about this bill.

This bill does none of the things I've heard talked about in the rule—that

it's an exchange of information that they've never seen with the government. This is not a surveillance bill. It does not allow the national security agencies or the Department of Defense or any of our military organizations to monitor our domestic networks. It does not allow that to happen. We would not allow that to happen.

□ 1430

So some notion that that's happening is just wrong, and some of the folks who are pretending otherwise know it's wrong. This is important.

You know, the Iranians, by public report, are laughing at our shores, looking for weaknesses in our financial institutions. They're not doing it for benevolence. They're doing it to try to create chaos in our markets here at home. This isn't 10 years or 20 years. This is today. It's happening today.

The average credit card in your purse, Madam Chair, will be hit 300,000 times today by bad actors trying to get in and steal your personal information—all those cardholders' information—and use it to commit a crime.

Today, hundreds of millions of times across this great country companies will be besieged by DDoS attacks trying to overwhelm their systems and shut them down and not allow commerce to happen, by people who are trying to get into their networks and steal something valuable.

This bill is that right balance between our privacy, civil liberties, and stopping bad guys in their tracks from ruining what is one-sixth of the U.S. economy. It's that important, and it's important that we get at it today.

We must do more to improve our cybersecurity, and this bill is that vital first step toward that bill. Our intelligence agencies collect important information overseas about advanced foreign cyber threats that could dramatically assist the private sector. That information is the intelligence community's unique value-added when it comes to our cybersecurity.

Unfortunately, we are not getting the full value of those intelligence insights. As I said, the intelligence community is not monitoring the Internet. They don't know what's happening on the domestic Internet. So when there is a nasty piece of source code or malicious source code attacking the private sector, the only way we're going to know that is if we—and these folks are victims of crime, by the way—if we allow them, in a classified environment, to share malicious source codes—zeros and ones in the right pattern—with the government and say, Hey, I am the victim of a crime. Here's what it looks like. Can you help? The government needs to be able to share this threat intelligence so that the private sector can protect its own networks.

The government is going to reciprocate. Our intelligence services go overseas. They find out what the bad guys are doing. They come back and protect the government networks. The problem is, because of laws and policies and procedures, we can't share that with the private sector so they can protect their own networks. Wouldn't it be great if they know what's coming? If you know what you're looking for, you can stop it. That's really what we're talking about doing here, Madam Chair.

We must also modernize the law to give the private sector clear authority to share cyber threat information within the private sector, as well as the government, on a voluntary, anonymous basis.

Again, if you believe in the free and open Internet and you look at all the bills that have been introduced, there is a chomping at the bit in this town to go out and try to put their mitts on the Internet. They want to get in there and start regulating and standards and setting up procedures. They want to get in from business-to-business communication. They want the government to be at every corner of the Internet. I reject that wholly. It's the wrong approach. It will not work. It will bring the Internet to a halt. This is the only bill that doesn't have new mandates, new authorizations for any government involvement in the Internet.

It does something very simple. I'm going to repeat it a lot today, Madam Chair. It allows the government to share zeros and ones in the right pattern with the private sector. And zeros and ones from the private sector, when they know it's malicious and attacking their networks, they share it with the government and say, This is a problem. Can you help me? That's what this bill does. And we've got a long list of privacy protections and restrictions to make sure that that's all that this bill does. The bill achieves all of these important goals that I just walked through, and it will empower the private sector, which already does significant work to protect computer networks, to do even more.

The bill will allow the government to share cyber threat intelligence more widely with American companies in operationally usable form so they can help prevent state-sponsored cyber spies from stealing American trade secrets. It also provides clear, positive authority to allow companies to share cyber threat information with others in the private sector. It also provides authority to allow those companies to share threat information on a purely voluntary and anonymized basis with the government, meaning no personal identifying information.

This bill will not require additional Federal spending. It will not require the creation of a vast new government bureaucracy. It will not impose any Federal regulations or unfunded mandates on the private sector. To the contrary, it will be a critical, bipartisan first step toward enabling America's private sector to better defend itself from the advanced state-sponsored cyber threats in which we live in today.

I'm very proud of the open and transparent process that produced this bill. We've had a great conversation over the last 2 years with a broad range of private sector companies, trade groups, privacy and civil liberties advocates, and the executive branch. I appreciate all the constructive input we have received from the process. This bill has been revised every step of the way in this process, and all of that has been based on discussions with all the groups I just mentioned.

I just want to cover some of the privacy protections we've added along the way.

The bill prohibits the government from requiring private sector entities to provide information to the government. There is nothing in here that has any requirement that the private sector must share cyber threat information. If they don't think it's in their best interest to stop that cyber crime, they don't have to say a word. If they do, they're allowed to share just that cyber threat information with the right agencies in real time. Again, this is machine to machine so that they can deal with the international nature of that threat.

It encourages the private sector to anonymize or minimize the information it voluntarily shares with others, including the government.

In addition, the bill requires an annual independent inspector general audit and report to Congress of all voluntary information sharing with the government. That's another layer of oversight. We have built multiple layers of oversight into this bill so that we can gain the confidence of the public in its purpose, intent, and success.

The bill significantly limits the Federal Government's use of information voluntarily provided by the private sector, including a restriction on the government's ability to search that data—very important.

The bill also enforces the restrictions on the government by levying penalties against the government through Federal court lawsuits for any violations of those restrictions. Again, another layer of oversight.

In the markup, we've made some progress, as well, between the ranking member and the members on the committee negotiating and working out what changes we can make to, again, improve the confidence that people have in this bill. We have improved this bill every step of the way for the last 2 years, and the markup was no different. At our markup, which voted the bill out of committee on a strong 18–2 vote, we adopted five important amendments to further strengthen the bill's protections and safeguards.

We adopted an amendment by Mr. LANGEVIN that made it clear that the bill contained no new authority to allow companies to hack back into networks in other companies. It certainly wasn't intended in the legislation. I thought it was a well-intended amendment. The last thing we want to do is

unleash digital vigilantism across the country and what that might do to our ability to continue to rely on the Internet as an engine of commerce.

We've put in place the private sector use restriction that limits companies' use of information received to only cybersecurity purposes. Mr. HECK and Mr. HIMES worked diligently on this amendment to improve the bill and make it very clear that this is just about cybersecurity and cybersecurity purposes.

The bill previously gave the government authorization to create procedures to protect privacy and civil liberties and prevent the government's retention of personal information not necessary to understand a cyber threat. Last week's amendment makes those procedures mandatory. That was by Mr. HIMES. We agreed that was the right place to put the burden to make sure there was no personal identifiable information that was not necessary to determine the nature of the attack.

We also struck the bill's authorized government ''national security'' use of information received from the private sector. This would have provided the government flexibility in the future to address advanced cybersecurity threats. In conversations with government national security lawyers in recent months, they assured us that this flexibility wouldn't be required in the near future. In light of that, and given the widespread misunderstanding this language was generating, we thought it was prudent to take it out. Ms. SEWELL from Alabama offered that amendment and worked with the committee to make sure it was adopted.

We also added additional oversight in the already very strong oversight structure in the bill to monitor the government's receipt and use of cyber threat information voluntarily provided by the private sector. We added roles for the Privacy and Civil Liberties Board and the individual agency privacy officers to provide additional oversight of the government's use of information received from the private sector under this bill.

I'm also very proud to cosponsor an amendment today with Mr. MCCAUL and Mr. THOMPSON of Mississippi, Mr. RUPPERSBERGER and myself that would put a civilian face on the privacy sector cyber information sharing with this government. It was a concern by many. It was something we had long debates and conversations on, and I think we came to an agreement that will at least end that debate. It puts the appropriate civilian face so that, again, people can have confidence in the intention of this bill and what it will do to protect cybersecurity on networks or allow the private sector to protect their own networks and protect civil liberties of Americans.

□ 1440

Other elements of the government, such as the intelligence community, will still receive the information they need to play their important roles, but only after it has been minimized and screened by a civilian entity like the DHS or, in some rare cases, the FBI.

This bill already contains several levels of strong protections to ensure that it improves cybersecurity without compromising our important civil liberties, but this bill will add a significant new privacy protection to that existing structure.

Again, Madam Chair, you can see the level of effort that we are doing here to protect privacy and civil liberties and still have a workable bill that stops nation-states like China, Russia, Iran, and North Korea from getting into your networks and stealing your property.

We have yet to find a single U.S. company that opposes this bill. In fact, we have the enthusiastic support of nearly every sector of the economy, because they are under assault from foreign cyber attacks and they need our help. They need it now. Companies and industry groups from across the country, including Intel, the chip maker, IBM, the Internet Security Alliance, the U.S. Chamber of Commerce, the Business Roundtable, TechAmerica, TechNet, companies of Silicon Valley, the Financial Services Roundtable, U.S. Telecom, the Nuclear Energy Institute, and the National Association of Manufacturers, just to name a few, have sent the committee letters of support. And that list is growing by the day of people who are encouraged by the very light touch of the government; no new programs, no new authorizations, it's not a surveillance bill. This is the only appropriate way to try to deal with this problem.

By allowing the private sector to expand its own cyber defense efforts and to employ classified information to protect systems and networks, this bill will harness private-sector drive and innovation while also keeping the government out of the business of monitoring and guarding private-sector networks.

This important legislation would enable cyber threat sharing and provide clear authority for the private sector to defend its own networks while providing strong protections for privacy and civil liberties.

Madam Chair, with this great collaborative effort, with the effort facing this country, when you see this many Republicans and Democrats coming together, recognizing the threat and crafting a bill that meets that very important standard, this is the bill we should all stand up and enthusiastically support, and I reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chair, I yield to the gentleman from Illinois (Mr. GUTIERREZ) for the purpose of making a unanimous consent request.

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

Mr. GUTIERREZ. I thank the gentleman for yielding.

Madam Chair, as a member of the House Permanent Select Committee on Intelligence, I am very familiar with the types of threats that this country faces every day and the serious ramifications of cyber vulnerabilities. This is an issue to which the committee has devoted a great deal of time and energy during the last year.

In the cyber security realm these threats are growing in frequency and severity, so much so that the Director of National Intelligence, James Clapper, identified cyber security as a top threat facing this country earlier this year. Director Clapper stated in an open hearing just a month ago that the growing cyber capabilities of both state and non-state actors ''put all sectors of our county at risk, from government and private networks to critical infrastructures.'' We have seen more and more brazen attacks, from financial institutions and banks to news outlets, credit card companies, telecommunications providers and even government entities.

I believe that we should make every effort to safeguard the privacy of Americans' personal information even as we take steps to prevent attacks to our electronic networks and attempts to steal trade secrets, facilitate critical information sharing, and protect our critical infrastructure.

To that end, the committee made a number of improvements to the bill with bipartisan support during our markup last week. Most notably, we voted to remove the authority for private information to be used for broad non-cyber ''national security'' purposes. We also expanded oversight responsibilities for the Privacy and Civil Liberties Oversight Board and restricted usage of information received by private entities to cyber security information. The bill also requires the government to minimize any personal information that is unrelated to a cyber threat. The bill has improved since the last time it was considered by the House of Representatives in 2012.

I understand that there remain areas of concern for some of my colleagues. I share your reservations and am disappointed that we were unable to adopt amendments to address some of the liability issues, require private sector entities to make ''reasonable efforts'' to remove irrelevant personally identifiable information, and establish the Department of Homeland Security as the primary receptor of cyber threat information. An amendment to place DHS as the primary agency was not made in order today and I hope that we can continue to work on an agreement to do that.

I am sensitive to these privacy concerns and hope that we can continue to improve the Cyber Intelligence Sharing and Protection Act through amendments today and ongoing dialogue. However, my underlying concerns about the national security implications of ever-present and even escalating cyber attacks compels me to support the bill today.

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

Chairman ROGERS and I are here today to discuss the Cyber Intelligence Sharing and Protection Act, known as CISPA. The bill simply allows the government to give cyber threat intelligence to the private sector to protect its networks from cyber attacks.

I don't want to repeat a lot of what the chairman has said, but the first

thing I want to do is to acknowledge the leadership of the chairman. Three years ago, the chairman and I, when we took over the leadership of the House Select Intelligence Committee, realized how serious the threat of cyber attacks were to our country, to our businesses, to our health, safety, and welfare.

We decided to pull together a group of representatives from different parts of this issue—we had the administration involved, we had the privacy groups involved, including the ACLU, we brought in the industry—because we knew that we had to put together a bill that would pass the House, the Senate and be signed by the President.

So, what we attempted to do was get input, and then we put together a bill. And, by the way, the bill is only 27 pages—it's probably a record in this Congress—and we did read the bill.

Now, what we attempted to do in this bill is to address a situation where now, the government cannot really communicate with the private sector to try to help protect our citizens, our businesses from cyber attacks. The reason for that is in 1947, there is a law that says that the intelligence community cannot communicate or pass information to another entity that does not have clearances. So, basically what our bill does is to allow the sharing of information, which we can't do now, to the private sector.

Now, why is this important? This is something that is very important because most people don't understand this. In the United States of America we have 10 companies, called the providers, that control 80 percent of our network—80 percent of our network. So in order for us to protect the United States of America from cyber attacks, we need to make sure that the government has a partnership with the private sector and that they can pass the threat information so that the government can help protect.

As an example, if your house is being robbed, you call 911 and the police department comes. That's the same scenario that we're looking at here, only it's a lot more sophisticated. Again, as the chairman said, passing information, mostly zeroes and ones, to the government so that we can work together to protect our network.

Now, why is this so important? And I think it's important that we get into some of the issues of threats. Just recently, we understand, and we know, that The Washington Post, The New York Times, The Wall Street Journal, were cyber-attacked. And basically, our understanding is that they did this, especially China, to intimidate the paper sources within China. We had our U.S. banks. It is very serious for U.S. banks to be attacked and hacked. Most of what our banks have are records and information. And to be able to shut down a bank or to be able to manipulate or get privacy information could be very destructive to our banks, and yet this is being done, and it's been done for a period of time.

Media reports have said that Iran, a rogue country that we know exports terrorism—we know what Iran's beliefs are, and yet reports have said that Iran attacked Saudi Arabia's oil company, one of the largest in the world, Aramco, and wiped out 30,000 computers in a weekend. And let me say this: Iran is not a very sophisticated company as it comes to cyber, but they have the sophistication to be able to knock out 30,000 computers and really shut their businesses down for a period of time. This is what's happening in the United States.

Cyber Command, whose job it is to protect our military networks, estimated that in the last couple of years that we have had, the United States of America has had $400 billion—not million, billion—worth of American trade secrets being stolen from U.S. companies every year, costing these companies market share and jobs. That's probably the biggest theft in the history of the world, and yet we still are not able to help government working with business.

You have Secretary Napolitano, the Director of the FBI, you have the Director of the NSA, Alexander, and all three have said one of the biggest fears they have now are these attacks, and that unless we have a sharing opportunity between government and between business, they feel that they cannot protect our country from these cyber attacks the way that they should. It's so important that we need to act now on this bill.

Now, we can pass bills in the House all day long, but if the Senate doesn't pass a bill and the President doesn't sign it, where are we? We were able to pass our bill last year in a bipartisan manner, and yet our bill went to the Senate and it stalled and the bill didn't go anywhere, so Chairman ROGERS and I started again.

But, what we said to each other and we discussed was that we need to address the issue of privacy. Even though we felt strongly that our bill does protect privacy, we knew there were groups out there, especially the privacy groups, that felt that there was not enough protection in our bill. So we rolled up our sleeves, we listened to the issues raised by the privacy groups, the administration had issues with respect to privacy, and we changed the bill.

Now, I don't want to repeat what the chairman said, but basically we made some significant changes to our bill to deal with the issue of privacy. We provided that first, there's a privacy and civil liberties oversight board, and now that board must review our program. That's one area of oversight.

In the intelligence community, we have privacy officers in each department, in each area. And these privacy people have to look at the threat information. They must also conduct a classified and unclassified review. That's the second oversight that was changed in the bill.

□ 1450

An annual report must be sent to Congress. We also have what we call the ''inspector general,'' whose job it is to oversee the different agencies they represent. Those are four areas of oversight just in the bill.

Regarding the privacy agreements that we were concerned about, we only have five elements where this bill applies. That means if you're a tax cheat and we pick up some information, that can't be used against you. The privacy agreements were concerned about the issue of national security being one of those elements in this bill. They thought it was too broad. So Chairman ROGERS and I got together, and we were able to get the votes from both sides of the aisle, and we were able to take a position that the national security issue is not in the bill anymore. We feel national security is being covered by one of the elements in the bill that says it deals with the issue of protecting people's lives or liberty. So we feel that we have covered national security.

One of the most important issues was the issue of minimization. What is minimization? Most people don't know what it is. Basically, minimization is if private information is passed, there needs to be an entity out there that will take that private information out so that it is not used.

We've now added to the bill that any of the zeroes and ones that are passed—and that's what's happening—if there was some reason why somebody's personal information is passed when those zeroes and ones are coming back and forth, now we have what we call 100 percent minimization, and the government will make sure that every single entity and all the information that is passed will be 100 percent minimized. If there is any personal information in there at all, it will be knocked out. That's very significant, and that gives a lot of coverage.

This is also important: you don't have security if you don't have privacy. That was one of the themes Chairman ROGERS and I used in the beginning: if you don't have security, you don't have privacy. Even though we thought our first bill had it, we felt there was a certain perception, we heard what was said and we made these changes.

There is one other issue that is out there that's very important that I think is also extremely relevant. That's the issue of when the information is passed when we're attempting to protect our citizens and our businesses from these attacks and hopefully from a destructive attack like Iran did to Aramco in Saudi Arabia, there was a perception out there which, again, had to deal with perceptions. The perception was that if this information of zeroes and ones that are being passed back and forth, what is the point of entry. We did not want the perception to be that the military in any way would be in charge or would

be the entity that is overseeing this. We felt very strongly that it had to be civil.

So Chairman ROGERS and I, along with Chairman MCCAUL of the Homeland Security Committee and Ranking Member THOMPSON, have an amendment here today which is very significant. I'm sure it will be very well received by the privacy groups in the White House. What the bill will now say is that when information is passed, it will be the Department of Homeland Security. That is very significant, and we would hope that that would truly deal with the majority of these privacy issues.

We know that we have to move and we have to move quickly. We're here today to debate this bill. And, again, Chairman ROGERS—he's not listening, but I'll say it anyhow—has shown tremendous leadership. I say this and I say it sometimes in jest, that I was a former investigative prosecutor and he was a former FBI agent and all good FBI agents must listen to their prosecutors, even if we're in the minority. That was a joke. Not withstanding that, he has shown leadership. We threw partisanship out the window. We knew the stakes were high. We have been concerned that we have not been able to protect our country. I believe that Congress needs to act because we're standing in the way of protecting our country.

This reminds me of a situation. We know how serious Hurricane Sandy was. It's similar to if you are a meteorologist and Sandy is coming up the east coast and you can't warn your constituents that Sandy is coming. That's why we need to pass this bill tomorrow, and we need to do it for the benefit of our country.

And I do want to end with this: you do not have security if you don't have privacy. We feel that this bill, along with the amendments that will be introduced today, will effect that.

With that, I reserve the balance of my time.

Mr. ROGERS of Michigan. Madam Chair, I yield 3 minutes to a current military officer and great member of the Intelligence Committee, the gentleman from Nevada (Mr. HECK).

Mr. HECK of Nevada. I want to begin by thanking both the chairman and the ranking member for their incredible leadership on this very difficult task. It was especially gratifying to work in such a bipartisan manner to come to the final product that we'll be voting on later tomorrow.

Madam Chair, our Nation is under attack every day, every hour, every minute. Cyber attacks on our Nation's networks threaten our economic and national security. That is why I rise in support of H.R. 624, the Cyber Intelligence Sharing and Protection Act.

Whether it is hacktivists attempting to disrupt services, criminals intent on stealing personal information, spies looking for intellectual property or trade secrets or nation-states searching for military and security vulnerabilities, our networks are at risk.

Cyber looting puts U.S. businesses at a competitive disadvantage, threatening jobs and our private information. The same vulnerabilities used to steal intellectual and personality property are also exploited to target America's critical infrastructure, such as our electrical grids and our banking and financial institutions. These cyber weaknesses make the intelligence-sharing provisions within H.R. 624 vitally important. However, as we seek to secure and defend the U.S. economy and our country's critical infrastructure, we must be mindful of our Nation's founding principles. We must ensure that we protect our citizens' privacy and civil liberties.

The House Permanent Select Committee on Intelligence has sought the input of and worked closely with privacy and civil liberties groups to strengthen the bill and provide necessary individual protections. These discussions resulted in a number of amendments that were adopted on a broad bipartisan basis during the committee markup.

My amendment, offered with my colleague from Connecticut (Mr. HIMES), specifically limits the private sector's use of cyber threat intelligence only to a cybersecurity purpose. This provision addresses the concerns and misperceptions that private sector companies could have used this information for marketing and other commercial purposes.

Another amendment requires the establishment of minimization procedures to limit the receipt, retention, and use of personally identifiable information, or PII. In the unlikely event that PII is inadvertently shared, this provision will prevent the government from receiving and/or maintaining that information while still ensuring rapid transmission of critical cyber threat intelligence necessary to protect our systems.

Yet another amendment narrows the authorized use of shared cyber threat intelligence by striking the provision providing the government broad authority to use this information for national security purposes.

All of these bipartisan amendments will provide the private sector the necessary tools to protect its own networks while at the same time providing critical protections for privacy and civil liberties.

This legislation represents an important first step toward securing our Nation's intellectual property and critical infrastructure from cyber attack, and I urge my colleagues to support its passage.

Again, I thank the chairman and the ranking member for their leadership.

Mr. RUPPERSBERGER. Madam Chair, I now yield 2 minutes to a senior member of our committee who worked very hard on this bill, the gentleman from California (Mr. THOMPSON). He's been with us for the last 3 years attempting to pass a bill that will help our country and protect us.

Mr. THOMPSON of California. Madam Chair, I thank the gentleman for yielding, and I thank both the ranking member and the chairman for their good work on this measure and for including all of us in trying to build a better product.

Clearly, the threat of a devastating cyber attack is real and, as has been mentioned by a number of previous speakers, can't be understated. Advanced cyber attacks from China and other nation-state actors are stealing hundreds of billions of dollars' worth of cutting-edge research and development from our U.S. companies and even from our Federal Government. That's why it's essential that the business community and the Federal Government work together to share cyber threat information for the purpose of protecting the American people from the fallout of cyber attacks and cyber hackers.

While it's important that we protect against the threat of cybersecurity, it's equally as important that we recognize the responsibility to protect the constitutional rights of law-abiding citizens. Though I support H.R. 624, both for the fact that it is important that we address these issues and because I believe it needs to be moved on and we can get it in conference committee with the Senate bill, I remain somewhat concerned that the bill as drafted could lead to the broad sharing of consumer information which in turn could be used in ways unrelated to combating cybersecurity threats.

□ 1500

I emphasize ''could be used.''

Already the chair and the ranking member have accepted and we've incorporated a series of provisions in this bill that I authored that would minimize the sharing of some personally identifiable information, that would limit permissible uses of information which would be shared under this bill, and that would insist on a number of reporting requirements that will ensure Congress' ability to provide the necessary oversight of this program.

The CHAIR. The time of the gentleman has expired.

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

Mr. THOMPSON of California. So, taken together, these provisions will improve the transparency and the accountability of this bill. However, notwithstanding these important changes, the bill is not perfect. Given the significance of this threat and the commitment of everyone to continue to work together, I strongly urge my colleagues to support this bill and to move it out of the House. Let's get the thing to conference. Let's get the best bill possible, get it signed into law, and work together to protect the American people.

Mr. ROGERS of Michigan. Madam Chair, I am proud to yield 3 minutes to a leader on the Homeland Security

Committee and the chair of the House Admin Committee, the gentlelady from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I thank the gentleman for yielding me time.

Madam Chair, let me just read for our colleagues the preamble of our Constitution:

We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Madam Chair, this great statement that is the foundation for our Federal Government provides us the direction that we need to our primary responsibilities. I would suggest that this legislation helps us fulfill every one of the responsibilities mandated on us by our Constitution. Now let's just take them one by one.

''Establish justice''—it is just to protect American companies from the theft of their intellectual property by attackers and by competitors.

''Insure domestic tranquility''—can you even imagine the threat to domestic tranquility if our power grid is successfully attacked by a foreign state like North Korea and this Nation is left in the dark?

''Provide for the common defence''—what is more common than our power grid, our financial system and our economy? Are we not required to defend all of that?

''Promote the general welfare''—again, if our power grid is taken down, it is impossible to promote the general welfare.

''Secure the blessings of liberty to ourselves and to our posterity''—our intellectual property, made with American ingenuity, our life savings in banks, under threat from foreign actors, our jobs, our economy. All of these blessings of liberty are currently at risk if we do nothing.

I've heard some suggest, Madam Chair, that they have constitutional concerns about passing this bill. I would just suggest to them that I believe strongly that you should have constitutional concerns about not passing this bill. I do not believe that our Constitution gives foreign state actors like China or Russia or North Korea or Iran uncontested access to the critical systems of private American companies. To the contrary, I believe that our Constitution requires us, the Federal Government, to defend them.

I certainly want to applaud the great work that has been done by the chairman of the House Intelligence Committee, Mr. ROGERS of Michigan, and certainly applaud our ranking member, Mr. RUPPERSBERGER.

Gentlemen, you have worked so closely together on your committee and with other committees as well on this great piece of legislation.

I would urge all of my colleagues, Madam Chair, to join me in fulfilling our oath and in voting ''yes.''

Mr. RUPPERSBERGER. Madam Chairwoman, I yield 2 minutes to a great Member from the State of Illinois (Mr. ENYART).

Mr. ENYART. Madam Chair, I rise today in support of this important legislation.

The threat we face today from cyber attacks poses a clear and present danger that must be addressed. When I was sworn in to Congress to represent the people of southern Illinois, I took a vow to protect them from all enemies, both foreign and domestic. It was not the first time I had taken such an oath. By supporting CISPA, we move to fulfill our oath.

I know there are good Americans who oppose this legislation because they believe the protections for civil liberties and privacy don't go far enough, but we must not let the perfect be the enemy of the good. This bill prohibits the government from forcing private sector entities to provide information to the government. It places restrictions on the use of any data voluntarily shared. The bill provides for strong congressional oversight. These are tremendous victories to protect our civil liberties.

I support this bill because American jobs hang in the balance. Every day, our companies are subject to cyber attacks seeking to steal valuable trade secrets which deprive American citizens of high-paying high-tech jobs. Locally, my hometown grocery store in southern Illinois, Schnucks, was recently hacked, and customers' debit and credit card information was compromised, making many of my constituents vulnerable to theft.

I cannot stand by and let an opportunity to prevent such actions pass me by, which is why I stand in support of this legislation. To protect the jobs of those who work to build planes at Boeing in Belleville or workers at Afton Chemical in Sauget, I must support this legislation. To ensure that those who make weapons to defend our country at General Dynamics in Marion, Illinois, don't lose their jobs because some Chinese hacker has stolen proprietary information, I must support this legislation.

As the weapons of warfare change and adapt, we must make the necessary adjustments to protect our Nation while adhering to our founding principles. I urge my colleagues to join me in support of this act.

The CHAIR. The gentleman from Maryland has 14½ minutes remaining, and the gentleman from Michigan has 5½ minutes remaining.

Mr. ROGERS of Michigan. Madam Chair, I yield 2 minutes to a former military officer, the distinguished gentleman from Kansas (Mr. POMPEO).

Mr. POMPEO. I want to thank Chairman ROGERS and Ranking Member RUPPERSBERGER for all of their hard work over many months, now years, in bringing this to where we are today, and I want to thank all of the committee staff who worked so hard to bring it to this point as well.

I'd like to keep things pretty simple. If there were a sergeant from the Chinese People's Liberation Army inside one of our power plants or inside one of our banks and if they were trying to steal stuff and if they were looking around, trying to figure out how to get in and how to access our systems or to take property or to do damage to our power grid, the American people would demand that the government do whatever it could, and they would be thrilled to learn that that company was permitted and, indeed, protected if it decided to share with others that potential threat to its piece of the infrastructure. That's what we're doing today.

The world has changed just a little bit. In just this last month, the last M–1 tank left Europe. It's the first time we haven't had a tank in Europe since D-day when the great Kansan invaded on the great quest to free us from Nazi totalitarian domination. There are no tanks. We fight in a different world today. We use the word ''cyber,'' and sometimes folks forget what we're really talking about. We're talking about nation-states trying to do terrible harm to American interests, to American property and, indeed, to American civil liberties.

Now, in the last minute I have here, I want to talk about a couple of myths that have arisen about this piece of legislation. When I first learned about it, I, too, shared some of the concerns about what might be happening, about what might take place here. I offered an amendment last year, which is now incorporated into the bill, along with dozens of such amendments, to make sure belt-and-suspenders that we protected civil liberties.

I've heard the myth propagated that this piece of legislation violates contract rights, that somehow through CISPA we're going to take away the ability of people to negotiate privately for contractual things that they want. I don't know how that could be. This bill is purely voluntary. It mandates that no one participate. It simply allows businesses to voluntarily participate and share information they have about attacks that have been foisted upon them.

I've heard a second myth that this will authorize warrantless searches across the United States of America.

The CHAIR. The time of the gentleman has expired.

Mr. ROGERS of Michigan. I yield an additional 60 seconds to the gentleman.

□ 1510

Mr. POMPEO. There's talk about warrantless searches all across America. The legislation does no such thing. It's a short bill. It's 26 pages. I would urge everyone to go read it for themselves.

It fairly clearly limits what government may do, what information government may receive. It limits what private companies can share with government and amongst themselves. It

limits what government can do with that information once it is received. It has greatly capped what is going on here.

Its design is simple: it is to make sure that all of the information about direct attacks on America are widely known, easily disseminated, and available for all to help in the protection of the American state. I urge my colleagues to support this legislation.

Mr. RUPPERSBERGER. Madam Chair, I yield 2 minutes to my good friend, the gentleman from Rhode Island (Mr. LANGEVIN); and I do want to say that we've been working together for years on this issue of cybersecurity, and I consider him to be one of the experts and one of my closest friends working on this issue.

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

Mr. LANGEVIN. Madam Chair, I thank the gentleman for yielding. I rise in strong support of H.R. 624, and I do thank Chairman ROGERS and Ranking Member RUPPERSBERGER for their commitment to a bipartisan and inclusive process on a very, very challenging issue.

We know with certainty that cybersecurity threats that we face are real, and they are increasing both in number and sophistication every day. Congress may not have acted last year, but those who would use cyberspace for nefarious purposes certainly did, and they continue to steal intellectual property, identities, funds from bank accounts, and sensitive security information.

I know full well that this is not a perfect bill, such is the nature of the legislative process. But we need the authority that CISPA provides to allow the voluntary sharing of cybersecurity threat information.

Improvements, I should point out, have been made over last year's bill. Several amendments have already been adopted to alleviate many privacy concerns, and more may be adopted before we are done. I welcome such progress. This bill is an important step, but information-sharing is only one portion of the broader cybersecurity debate.

I have long maintained that we must also work to ensure the creation of minimum standards for critical infrastructure; the education of a strong and vibrant future cybersecurity workforce; and effective Federal and military cyber structure, including a Senate-confirmed cybersecurity director with real authority, including comprehensive budgetary authority; and the coordination of research and development on cybersecurity across the Nation.

Together with the President's recent executive order, I believe CISPA and the bills this House approved yesterday are a very promising beginning, but there is obviously much more to be done.

Again, I want to thank Chairman ROGERS and Ranking Member RUPPERSBERGER for their efforts. I commend them on a collaborative approach to a very important issue, and I ask my colleagues to support this important measure.

Mr. ROGERS of Michigan. I don't have any further speakers, and so I will continue to reserve the balance of my time to close.

Mr. RUPPERSBERGER. I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), who is a senior member of our committee and has worked very hard on this issue.

Ms. SCHAKOWSKY. Madam Chair, I sincerely want to thank the chair and ranking member of the Intelligence Committee and express my appreciation for all of their efforts to work in a bipartisan manner and to address the concerns raised by me, by civil liberties groups, and by the White House.

However, I rise today in opposition to the bill. While I strongly believe that we need to address the serious cybersecurity threat—there is no question about that—I think we can do it without compromising our civil liberties. Despite some positive changes, I feel this bill fails to adequately safeguard the privacy of Americans. Cybersecurity and privacy are not mutually exclusive, and this bill fails to achieve a balance between protecting our networks and safeguarding our liberties.

Yesterday, I offered an amendment that would have made critical advances toward protecting privacy. My amendment would have required that companies report cyber threat information directly to civilian agencies, maintaining the longstanding tradition that the military doesn't operate on U.S. soil or collect information of American citizens.

Another important amendment offered by Congressman SCHIFF would have required companies to make ''reasonable efforts'' to remove personal information before sharing cyber threat information. Unfortunately, those critical amendments were not made in order.

Yesterday, the Obama administration expressed ongoing concerns about this legislation, issuing a veto threat. I share the President's concern—despite positive changes, this bill falls short in several key ways. As written right now, and hopefully there still may be some changes, CISPA allows the military to directly collect personal information on American citizens. It fails to safeguard privacy of Americans and grants sweeping immunity to companies for decisions made based on cyber information, prohibiting consumers from holding companies accountable for reckless actions and negligence.

The CHAIR. The time of the gentlewoman has expired.

Mr. RUPPERSBERGER. I yield 30 seconds to the gentlewoman.

Ms. SCHAKOWSKY. I do urge my colleagues to oppose this bill. We can and should do better, and I'm hopeful that we still will do better.

Mr. ROGERS of Michigan. Madam Chair, I yield myself 30 seconds.

I just want to make very, very clear—and I thank the gentlelady for working with us, she is a great member of the committee—nowhere in this bill does it allow the military to collect information on private citizens in the United States. This is not a surveillance bill. It does not allow it to happen. That needs to be very, very clear in this debate. It does not allow the military to surveil private networks in the United States. Period. End of story. That's the biggest part of our privacy protections. Again, I want to thank the gentlelady for working with us, but that's just an inaccurate statement, and I want to make that clear for the RECORD.

I reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chair, how much time do I have remaining?

The CHAIR. The gentleman from Maryland has 10 minutes remaining.

Mr. RUPPERSBERGER. Madam Chair, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), a very active member of our caucus.

Ms. JACKSON LEE. I thank the distinguished ranking member and the chairman, as well, for working to answer an enormous concern on the question of national and domestic security.

Since Robert Tappan Morris in 1988 released one of the first commuter worms, we realized, as the computer and the Internet now have grown, the proliferation of computer malware, or computer programs designed specifically to damage computers or their networks or to co-opt systems or steal data, has attracted public and media attention and that we needed to do something. Now more than ever, cybersecurity impacts every aspect of our lives.

As a member of the Homeland Security Committee, I can assure you that my concern about the electric grid utilities, the energy and financial industries, recognize that it is important to act, and to act with speed and understanding. Likewise, I am concerned about the rage in epidemic of hackers and the impact that it has on 85 to 87 percent of the infrastructure in this Nation.

For that reason, however, I believe that along with this effort, we should have a lead civilian agency to collect the data. I'm looking forward to the manager's amendment, which I hope will clarify that Homeland Security will be that.

In addition, I have offered an amendment. My amendment ensures that if a cloud service provider identifies or detects an attempt by someone to access, to gain unauthorized access to nongovernmental information stored on the system, it would not be required or permitted to report that attempt to the government and it cannot share that information with the government. I thank the Rules Committee for allowing that amendment to be in.

I do, however, want to raise the question on privacy. I believe that we could

fix this legislation with a small addition dealing with the privacy question as we hopefully address the question dealing with the lead civilian agency. I thank the chairman and the ranking member, and I look forward to further discussion on this legislation.

Mr. ROGERS of Michigan. I continue to reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chair, I yield 2 minutes to the gentleman from Colorado (Mr. POLIS), a member of the Rules Committee.

Mr. POLIS. I thank the gentleman.

This bill, unfortunately, hurts what it purports to help. It's detrimental to job growth, innovation, and privacy.

□ 1520

We talked a bit about the process whereby a number of amendments that would have improved it were not allowed to be discussed or voted on on the floor. And there are still enormous flaws with this bill which need to be addressed.

Look, to the extent that companies believe that information-sharing is important, it should be done in a way that's consistent with sanctity of contract. If there's something that gets in the way of information-sharing, we need to identify it. That hasn't been identified.

Clearly, the answer is not to say whatever a company agrees upon with a personal user, even if explicitly it says we're going to keep your information private, the minute after that's agreed to by a user, the company would be completely indemnified by turning all this information, personal information, credit card information, address, everything, over to the government.

Now, why not remove anything?

Why not just pass along the parts that are related to cybersecurity?

There's no incentive to do so. Had there been a requirement that reasonable efforts were taken to delete personal data, that would have been a step in the right direction. But, again, it's an extra cost with no benefit for the company to delete personal data because they're completely indemnified with regard to this matter without the consent of the user himself.

What happens to this information once it reaches the government?

It can be shared with any government agency. It can be shared with the Bureau of Alcohol, Tobacco and Firearms, the National Security Agency, the Food and Drug Administration. Again, the limitations are so open-ended that anything that relates even to a minor scratch or a cut, issues completely unrelated to cybersecurity, things that could be related to dog bites, essentially any information.

Part of the problem here, there are cyber attacks everywhere. I ran an e-commerce site. Tens of thousand every day. I mean, any e-commerce company experiences this every day, so it's a reality every day. Everything is a potential cybersecurity threat. There's people cracking passwords every day.

So all information is affected by this, under this bill, in its present form, turned over to the government, shared with every agency relating to any bodily injury or harm, and we haven't been offered an opportunity to amend that.

So I encourage my colleagues to vote ''no'' on this bill. We can and we must do better for our country.

Mr. RUPPERSBERGER. I yield 2 minutes to the gentlewoman from Alabama (Ms. SEWELL). Is it ''Roll Tide''? She is an outstanding new member of the Intelligence Committee. She's smart. She works hard. She's very dynamic, and she is our closer today.

Ms. SEWELL of Alabama. Madam Chair, today I rise to support the bill.

I can say, Madam Chair, that I actually voted against the bill last term. But today I am proud to say, because of the hard work of both the chairman and the ranking member and so many members of this committee, that today I stand before you in support of the bill.

I am now a new member of the Intelligence Committee and, as I've told my staff, the more you know, the better you can vote. And today, I want to rise to explain why I am voting for this bill.

I think that everybody agrees that there are cyber threats each and every day. And, in fact, Director Clapper, the Director of National Intelligence, he actually said his number one thing that keeps him up at night is cyber attacks.

And what this bill will do is simply to share information. It is not about releasing personal identifiable information. That is strictly prohibited by this bill. So it is strictly prohibited by this bill.

And this bill has been greatly enhanced by so many of my wonderful colleagues who have submitted amendments, many of which I am sure will pass tomorrow, as well as greatly enhanced by the amendments that were brought forth by committee members.

I shared some serious concerns about some privacy protections when I came on the committee, and I have to tell you that the committee was gracious enough to listen to the amendments that I offered, as well as other amendments that were offered by my colleagues on this side of the aisle.

I was surprised, given the partisan nature of politics here in this House, that the Intelligence Committee really tries, because of our national security, to work together. And in a true bipartisan manner, many of those privacy protections were unanimously agreed to by members of the committee.

Once again, I urge my colleagues to vote for this bill, and I urge the President to sign this bill into law.

Today, I rise in support of this bill. But Madam Chair, last year, I voted against the cybersecurity bill that was offered in this body. I am now and am honored to serve as a member of the Intelligence Committee and the more you know, the better you can vote. I want to commend the Chairman and the Ranking Member for their leadership to improve this legislation. I also want to thank all of my colleagues who offered amendments to strengthen this bill by providing more privacy protections for our citizens and improving inter-agency coordination. While this is not a perfect bill, this is a step in the right direction and I am hopeful that the Senate will take up this measure and make it even stronger. It is also my hope that the White House will continue to work with us in this body's effort to be proactive instead of reactive. Madam Speaker, we simply cannot afford to wait—The threats against our national and economic security are real. Attacks against our financial, energy and communication sectors are happening every day. We have received dire warnings from our defense and intelligence officials that widespread attacks are the number one threat to our national security above all else. The Director of National Intelligence, James Clapper, has elevated cyber threats to the top of the list of national-security concerns. The National Intelligence Estimate provided evidence of widespread infiltrations of U.S. computer networks. Evidence has also emerged of spying inside the computer networks of major U.S. media, including the Wall Street Journal and New York Times. Defense and intelligence officials have grown increasingly alarmed over a relentless cyber attack campaign against U.S. banks, critical infrastructure and a host of other private entities.

We must continue to work together to find a balance between preserving privacy and protecting the security of this country from the danger of cyber attacks. Sharing cyber threat information, as provided for in this bill, is vital for combatting malicious hackers, criminals, and foreign agents. By removing the legal and regulatory barriers currently impeding the free flow of actionable information, the Cyber Intelligence Sharing and Protection Act (CISPA) will promote nimble, adaptive innovation—the best strategy for defending against a rapidly evolving threat landscape.

This growing number and complexity of cyber attacks on private and government computers has provided an opportunity for us to join together and pass bipartisan legislation to address the problem. I am committed to finding a workable solution with the Senate and White House, and I believe this bill provides a solid framework on a critical issue for national and economic security. I look forward to considering any amendments my colleagues put forth today to help improve the legislation of this bill. And though I realize this is not a perfect bill, I think the time to act is now to protect our national security. I urge members to vote for this legislation.

Mr. RUPPERSBERGER. Madam Chair, I yield myself as much time as I may consume.

First thing, we've heard testimony today about how serious the cyber attacks are to our country. We know what has occurred already. We know that our banks have been attacked, our major banks. We know that our newspapers, New York Times, Washington Post, have been attacked.

We know that news reports have said that Iran attacked Aramco, Saudi Arabia's largest oil company. They took out 30,000 computers, which means we are subjected to those attacks also.

We also know that Cyber Command has said that we, in the United States,

have lost, from the attacks on our businesses, approximately $200 billion. Just think what that equates to in jobs, stealing information about trade secrets, about competing globally with a country like China where they have all of our information, where they're able to shut down banks.

This is a very serious issue, and we need to do a better job to educate the public on how serious it is. And we just hope that we can pass this bill today in the House, a bill in the Senate, and the President signs the bill, so that we can protect our citizens, we can protect our businesses from these attacks.

If we knew that Iran was sending over an airplane with a bomb we would take it out. And yet we have to make sure that we deal with the issue in the United States of America to protect ourselves.

Now, there was a major issue raised, and that issue was privacy. And believe me, I want to say this over and over again. You don't have security if you don't have privacy. And we feel very strongly that this bill provides privacy.

But we also know, Chairman ROGERS and I know, that if we pass a bill here, we need to pass a bill in the Senate, and we need the President to sign it. So we got together, and even though we passed our bill in a bipartisan effort last year and it stalled in the Senate, we now have made the bill what we feel is a lot stronger as it deals with the perception of privacy.

And we've added oversight. We have four categories of oversight, privacy. We've made sure that minimization—taking out any privacy information that might pass—we made sure that that is 100 percent minimization so that no one's private information will pass.

But the most important thing is that we have to make sure that we pass a bill because of the fact that 80 percent of our network is controlled by 10 companies in the United States of America. And all of our experts in this area have said that if government and business can't share information about these attacks, zeros and ones, if they can't share information, they cannot protect our country from these ongoing attacks that are occurring as we speak right now.

So let's act. Let's not wait until we have another catastrophic attack like 9/11. Let's deal with this now. Let's pass the bill and make sure that we protect, again, our citizens. And I want to say it one more time. The issue that you can't have security if you don't have privacy.

I do want to also say, I want to thank all those individuals in our government, in the private sector. The privacy groups have all come together. This has been a good debate. It's been a debate about issues that the public needed to know.

And I also want to thank the chairman for his leadership, and the fact that he was willing, even though we had our bill passed a year ago, he was willing to deal with the issue of perception and to make sure we made privacy an element that we could deal with, and that we could change our bill to deal with certain perceptions. I feel that we've done that.

I also want to thank Chairman MCCAUL from Homeland Security and Ranking Member BENNIE THOMPSON from Homeland Security, who've worked with us to get an amendment that was very important, as you heard from JAN SCHAKOWSKY.

That amendment basically says that the point of entry for any communication is on the civil side of our government, Homeland Security, and we hope to pass that amendment.

And I feel very strongly that if we do that, we will have addressed the majority of the issues that are so important to this bill and to our security and to our privacy.

I yield back the balance of my time.

Mr. ROGERS of Michigan. Madam Chair, I yield myself the remaining time.

I just want to quickly, Madam Chair, address some of the moving targets on the bill. When we move to change something in the bill, the 19 privacy amendments, people who still decide they don't like it for, again, whatever reason, move their challenges of why they don't like it.

The newest, I think, straw man is that this somehow would violate contract law. Nothing in this bill allows you to avoid contract law. Nothing.

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It's a red herring. It is not accurate. Nothing in this bill would allow this to happen. The fact that someone who was in the technical business would say this hurts job growth, that's interesting. The sheer number of companies who support this, from the Business Roundtable to the Financial Services Business Group to TechNet, who has companies like Intel Corporation, Symantec, Juniper, Oracle, EMC, social media, all stand up and say this is the right approach. It will allow us to protect our consumers of our product from foreign governments stealing their private information.

We need to understand what this bill is and what it is not. It is not a surveillance bill. Nothing in here authorizes surveillance. We're going to have an amendment to clarify that, to say it in the law so people can regain that confidence.

We argue, Read the bill. It's 27 pages. It is very clear. It is predominantly protections of your civil liberties, and it also allows companies to voluntarily share malicious source code—and that's source code that's committing a crime against their consumers and their company—with the Federal Government so they can go back overseas and find the Chinese or the Iranians or the Russians or the North Koreans who are perpetrating that crime. This bill is nothing more. It does do that.

Thanks to the ranking member and all who have gotten to this point. I look forward, Madam Chair, to the debate on the amendments, and I yield back the balance of my time.

Mr. CONYERS. Madam Chair, this week, the House of Representatives is scheduled to take up the Cyber Intelligence Sharing and Protection Act (CISPA). Among other things, the legislation would authorize open-ended sharing of threat information between certain private companies and the federal government, and grant those companies unlimited legal immunity. I—along with more than 30 civil liberties and privacy groups ranging from the ACLU to the Competitive Enterprise Institute—believe the bill is badly flawed, and will harm the privacy and civil liberties of our citizens. While the Intelligence Committee amended CISPA last week, purporting to address privacy-related issues, the changes do not ameliorate the core concerns I have with the bill.

CISPA would create a "Wild West" of information-sharing, where any "certified" private-sector entity could share information with any federal government agency for various ill-defined purposes. By allowing for the direct sharing of information between the private sector and the National Security Agency, as well as other Defense Department agencies, the legislation hastily casts aside time-tested legal prohibitions against intelligence agencies and the military from operating on U.S. soil. The bill should be amended to prevent this direct sharing with non-civilian agencies.

CISPA would also create duplicative information-sharing processes with no central oversight or accountability. Successive administrations have expended enormous resources building proper information-sharing programs at the Department of Homeland Security and the FBI; these efforts should be enhanced, not clouded by permitting the proliferation of redundant programs across the federal government.

The legislation also removes current legal protections applicable to companies that facilitate and process our private communications and share them with the government and one another. Companies sharing information would be exempt from all privacy statutes and would be relieved of liability for recklessly sharing, or deciding not to share information. Without narrowly defining the information that may be shared, limiting to whom it may be shared and why, and preserving mechanisms to provide accountability for wrongdoing, the privacy of our citizens and confidence in the trustworthiness of our electronic communications networks would be weakened. For example, the bill would not prevent a company sharing cyber threat information from including data not necessary to understanding the threat, such as private emails between family members or personal information such as medical records, in a data dump to the government.

The bill should narrowly define the categories of information that may be shared, such as malicious code or methods of defeating cybersecurity controls, and require that companies sharing the data take reasonable steps to remove information identifying individuals not involved in the threat. It is not enough to require government recipients of the data to remove the private information because it should never be sent to the government in the first place. The bill therefore should be amended to require that companies sharing cyber threat information make reasonable efforts to

remove such personally identifiable information from the data they share with other companies and the government.

The bill's liability protection provisions are also unnecessarily broad and eliminate the ability of aggrieved citizens and companies to protect and secure their privacy, as well as their property and physical well-being. Regardless of whether a company acted recklessly or negligently, the bill would prevent civil or criminal actions for decisions made for cybersecurity purposes "based on" cyber threat information. In effect, the legislation removes critical incentives for industry to act reasonably concerning cyber threat information.

Consider a situation in which a telecommunications company through its operations becomes aware of a cyber threat directed toward a utility but fails to notify the critical infrastructure company of the threat, denying the utility the opportunity to engage in defensive measures and resulting in a catastrophic event producing substantial property damage and loss of life. Under the legislation, the telecommunications company characterizing its decision not to notify as one made for a cybersecurity purpose would be able to avoid legal liability. The bill's exemption from liability should therefore be narrowed to exclude protection for such decisions.

The cyber threats our nation faces are serious, and we need to take action. The president's recent executive order directing the enhanced sharing of cyber threat information by the government to industry is a significant step in the right direction. Legislation encouraging information-sharing by the private sector is also required, but it must be carefully crafted and limited to actual threats. The House version of CISPA is not the right solution to this real problem, and it must be fixed before it reaches the president's desk.

The CHAIR. All time for general debate has 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 Permanent Select Committee on Intelligence, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–7. 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:

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

H.R. 624

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Cyber Intelligence Sharing and Protection Act''.

SEC. 2. CYBER THREAT INTELLIGENCE AND INFORMATION SHARING.

(a) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 442 et seq.) is amended by adding at the end the following new section:

''CYBER THREAT INTELLIGENCE AND INFORMATION SHARING

''SEC. 1104. (a) INTELLIGENCE COMMUNITY SHARING OF CYBER THREAT INTELLIGENCE WITH PRIVATE SECTOR AND UTILITIES.—

''(1) IN GENERAL.—The Director of National Intelligence shall establish procedures to allow elements of the intelligence community to share cyber threat intelligence with private-sector entities and utilities and to encourage the sharing of such intelligence.

''(2) SHARING AND USE OF CLASSIFIED INTELLIGENCE.—The procedures established under paragraph (1) shall provide that classified cyber threat intelligence may only be—

''(A) shared by an element of the intelligence community with—

''(i) a certified entity; or

''(ii) a person with an appropriate security clearance to receive such cyber threat intelligence;

''(B) shared consistent with the need to protect the national security of the United States; and

''(C) used by a certified entity in a manner which protects such cyber threat intelligence from unauthorized disclosure.

''(3) SECURITY CLEARANCE APPROVALS.—The Director of National Intelligence shall issue guidelines providing that the head of an element of the intelligence community may, as the head of such element considers necessary to carry out this subsection—

''(A) grant a security clearance on a temporary or permanent basis to an employee or officer of a certified entity;

''(B) grant a security clearance on a temporary or permanent basis to a certified entity and approval to use appropriate facilities; and

''(C) expedite the security clearance process for a person or entity as the head of such element considers necessary, consistent with the need to protect the national security of the United States.

''(4) NO RIGHT OR BENEFIT.—The provision of information to a private-sector entity or a utility under this subsection shall not create a right or benefit to similar information by such entity or such utility or any other private-sector entity or utility.

''(5) RESTRICTION ON DISCLOSURE OF CYBER THREAT INTELLIGENCE.—Notwithstanding any other provision of law, a certified entity receiving cyber threat intelligence pursuant to this subsection shall not further disclose such cyber threat intelligence to another entity, other than to a certified entity or other appropriate agency or department of the Federal Government authorized to receive such cyber threat intelligence.

''(b) USE OF CYBERSECURITY SYSTEMS AND SHARING OF CYBER THREAT INFORMATION.—

''(1) IN GENERAL.—

''(A) CYBERSECURITY PROVIDERS.—Notwithstanding any other provision of law, a cybersecurity provider, with the express consent of a protected entity for which such cybersecurity provider is providing goods or services for cybersecurity purposes, may, for cybersecurity purposes—

''(i) use cybersecurity systems to identify and obtain cyber threat information to protect the rights and property of such protected entity; and

''(ii) share such cyber threat information with any other entity designated by such protected entity, including, if specifically designated, the Federal Government.

''(B) SELF-PROTECTED ENTITIES.—Notwithstanding any other provision of law, a self-protected entity may, for cybersecurity purposes—

''(i) use cybersecurity systems to identify and obtain cyber threat information to protect the rights and property of such self-protected entity; and

''(ii) share such cyber threat information with any other entity, including the Federal Government.

''(2) SHARING WITH THE FEDERAL GOVERNMENT.—

''(A) INFORMATION SHARED WITH THE NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER OF THE DEPARTMENT OF HOMELAND SECURITY.—Subject to the use and protection of information requirements under paragraph (3), the head of a department or agency of the Federal Government receiving cyber threat information in accordance with paragraph (1) shall provide such cyber threat information in as close to real time as possible to the National Cybersecurity and Communications Integration Center of the Department of Homeland Security.

''(B) REQUEST TO SHARE WITH ANOTHER DEPARTMENT OR AGENCY OF THE FEDERAL GOVERNMENT.—An entity sharing cyber threat information that is provided to the National Cybersecurity and Communications Integration Center of the Department of Homeland Security under subparagraph (A) or paragraph (1) may request the head of such Center to, and the head of such Center may, provide such information in as close to real time as possible to another department or agency of the Federal Government.

''(3) USE AND PROTECTION OF INFORMATION.—Cyber threat information shared in accordance with paragraph (1)—

''(A) shall only be shared in accordance with any restrictions placed on the sharing of such information by the protected entity or self-protected entity authorizing such sharing, including appropriate anonymization or minimization of such information and excluding limiting a department or agency of the Federal Government from sharing such information with another department or agency of the Federal Government in accordance with this section;

''(B) may not be used by an entity to gain an unfair competitive advantage to the detriment of the protected entity or the self-protected entity authorizing the sharing of information;

''(C) may only be used by a non-Federal recipient of such information for a cybersecurity purpose;

''(D) if shared with the Federal Government—

''(i) shall be exempt from disclosure under section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act');

''(ii) shall be considered proprietary information and shall not be disclosed to an entity outside of the Federal Government except as authorized by the entity sharing such information;

''(iii) shall not be used by the Federal Government for regulatory purposes;

''(iv) shall not be provided by the department or agency of the Federal Government receiving such cyber threat information to another department or agency of the Federal Government under paragraph (2)(A) if—

''(I) the entity providing such information determines that the provision of such information will undermine the purpose for which such information is shared; or

''(II) unless otherwise directed by the President, the head of the department or agency of the Federal Government receiving such cyber threat information determines that the provision of such information will undermine the purpose for which such information is shared; and

''(v) shall be handled by the Federal Government consistent with the need to protect sources and methods and the national security of the United States; and

''(E) shall be exempt from disclosure under a State, local, or tribal law or regulation that requires public disclosure of information by a public or quasi-public entity.

''(4) EXEMPTION FROM LIABILITY.—

''(A) EXEMPTION.—No civil or criminal cause of action shall lie or be maintained in Federal or State court against a protected entity, self-protected entity, cybersecurity provider, or an officer, employee, or agent of a protected entity, self-protected entity, or cybersecurity provider, acting in good faith—

''(i) for using cybersecurity systems to identify or obtain cyber threat information or for sharing such information in accordance with this section; or

''(ii) for decisions made for cybersecurity purposes and based on cyber threat information

identified, obtained, or shared under this section.

''(B) LACK OF GOOD FAITH.—For purposes of the exemption from liability under subparagraph (A), a lack of good faith includes any act or omission taken with intent to injure, defraud, or otherwise endanger any individual, government entity, private entity, or utility.

''(5) RELATIONSHIP TO OTHER LAWS REQUIRING THE DISCLOSURE OF INFORMATION.—The submission of information under this subsection to the Federal Government shall not satisfy or affect—

''(A) any requirement under any other provision of law for a person or entity to provide information to the Federal Government; or

''(B) the applicability of other provisions of law, including section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act'), with respect to information required to be provided to the Federal Government under such other provision of law.

''(6) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to provide new authority to—

''(A) a cybersecurity provider to use a cybersecurity system to identify or obtain cyber threat information from a system or network other than a system or network owned or operated by a protected entity for which such cybersecurity provider is providing goods or services for cybersecurity purposes; or

''(B) a self-protected entity to use a cybersecurity system to identify or obtain cyber threat information from a system or network other than a system or network owned or operated by such self-protected entity.

''(c) FEDERAL GOVERNMENT USE OF INFORMATION.—

''(1) LIMITATION.—The Federal Government may use cyber threat information shared with the Federal Government in accordance with subsection (b)—

''(A) for cybersecurity purposes;

''(B) for the investigation and prosecution of cybersecurity crimes;

''(C) for the protection of individuals from the danger of death or serious bodily harm and the investigation and prosecution of crimes involving such danger of death or serious bodily harm; or

''(D) for the protection of minors from child pornography, any risk of sexual exploitation, and serious threats to the physical safety of minors, including kidnapping and trafficking and the investigation and prosecution of crimes involving child pornography, any risk of sexual exploitation, and serious threats to the physical safety of minors, including kidnapping and trafficking, and any crime referred to in section 2258A(a)(2) of title 18, United States Code.

''(2) AFFIRMATIVE SEARCH RESTRICTION.—The Federal Government may not affirmatively search cyber threat information shared with the Federal Government under subsection (b) for a purpose other than a purpose referred to in paragraph (1).

''(3) ANTI-TASKING RESTRICTION.—Nothing in this section shall be construed to permit the Federal Government to—

''(A) require a private-sector entity or utility to share information with the Federal Government; or

''(B) condition the sharing of cyber threat intelligence with a private-sector entity or utility on the provision of cyber threat information to the Federal Government.

''(4) PROTECTION OF SENSITIVE PERSONAL DOCUMENTS.—The Federal Government may not use the following information, containing information that identifies a person, shared with the Federal Government in accordance with subsection (b) unless such information is used in accordance with the policies and procedures established under paragraph (7):

''(A) Library circulation records.

''(B) Library patron lists.

''(C) Book sales records.

''(D) Book customer lists.

''(E) Firearms sales records.

''(F) Tax return records.

''(G) Educational records.

''(H) Medical records.

''(5) NOTIFICATION OF NON-CYBER THREAT INFORMATION.—If a department or agency of the Federal Government receiving information pursuant to subsection (b)(1) determines that such information is not cyber threat information, such department or agency shall notify the entity or provider sharing such information pursuant to subsection (b)(1).

''(6) RETENTION AND USE OF CYBER THREAT INFORMATION.—No department or agency of the Federal Government shall retain or use information shared pursuant to subsection (b)(1) for any use other than a use permitted under subsection (c)(1).

''(7) PRIVACY AND CIVIL LIBERTIES.—

''(A) POLICIES AND PROCEDURES.—The Director of National Intelligence, in consultation with the Secretary of Homeland Security and the Attorney General, shall establish and periodically review policies and procedures governing the receipt, retention, use, and disclosure of non-publicly available cyber threat information shared with the Federal Government in accordance with subsection (b)(1). Such policies and procedures shall, consistent with the need to protect systems and networks from cyber threats and mitigate cyber threats in a timely manner—

''(i) minimize the impact on privacy and civil liberties;

''(ii) reasonably limit the receipt, retention, use, and disclosure of cyber threat information associated with specific persons that is not necessary to protect systems or networks from cyber threats or mitigate cyber threats in a timely manner;

''(iii) include requirements to safeguard non-publicly available cyber threat information that may be used to identify specific persons from unauthorized access or acquisition;

''(iv) protect the confidentiality of cyber threat information associated with specific persons to the greatest extent practicable; and

''(v) not delay or impede the flow of cyber threat information necessary to defend against or mitigate a cyber threat.

''(B) SUBMISSION TO CONGRESS.—The Director of National Intelligence shall, consistent with the need to protect sources and methods, submit to Congress the policies and procedures required under subparagraph (A) and any updates to such policies and procedures.

''(C) IMPLEMENTATION.—The head of each department or agency of the Federal Government receiving cyber threat information shared with the Federal Government under subsection (b)(1) shall—

''(i) implement the policies and procedures established under subparagraph (A); and

''(ii) promptly notify the Director of National Intelligence, the Attorney General, and the congressional intelligence committees of any significant violations of such policies and procedures.

''(D) OVERSIGHT.—The Director of National Intelligence, in consultation with the Attorney General, the Secretary of Homeland Security, and the Secretary of Defense, shall establish a program to monitor and oversee compliance with the policies and procedures established under subparagraph (A).

''(d) FEDERAL GOVERNMENT LIABILITY FOR VIOLATIONS OF RESTRICTIONS ON THE DISCLOSURE, USE, AND PROTECTION OF VOLUNTARILY SHARED INFORMATION.—

''(1) IN GENERAL.—If a department or agency of the Federal Government intentionally or willfully violates subsection (b)(3)(D) or subsection (c) with respect to the disclosure, use, or protection of voluntarily shared cyber threat information shared under this section, the United States shall be liable to a person adversely affected by such violation in an amount equal to the sum of—

''(A) the actual damages sustained by the person as a result of the violation or $1,000, whichever is greater; and

''(B) the costs of the action together with reasonable attorney fees as determined by the court.

''(2) VENUE.—An action to enforce liability created under this subsection may be brought in the district court of the United States in—

''(A) the district in which the complainant resides;

''(B) the district in which the principal place of business of the complainant is located;

''(C) the district in which the department or agency of the Federal Government that disclosed the information is located; or

''(D) the District of Columbia.

''(3) STATUTE OF LIMITATIONS.—No action shall lie under this subsection unless such action is commenced not later than two years after the date of the violation of subsection (b)(3)(D) or subsection (c) that is the basis for the action.

''(4) EXCLUSIVE CAUSE OF ACTION.—A cause of action under this subsection shall be the exclusive means available to a complainant seeking a remedy for a violation of subsection (b)(3)(D) or subsection (c).

''(e) REPORTS ON INFORMATION SHARING.—

''(1) INSPECTOR GENERAL REPORT.—The Inspector General of the Intelligence Community, in consultation with the Inspector General of the Department of Justice, the Inspector General of the Department of Defense, and the Privacy and Civil Liberties Oversight Board, shall annually submit to the congressional intelligence committees a report containing a review of the use of information shared with the Federal Government under this section, including—

''(A) a review of the use by the Federal Government of such information for a purpose other than a cybersecurity purpose;

''(B) a review of the type of information shared with the Federal Government under this section;

''(C) a review of the actions taken by the Federal Government based on such information;

''(D) appropriate metrics to determine the impact of the sharing of such information with the Federal Government on privacy and civil liberties, if any;

''(E) a list of the departments or agencies receiving such information;

''(F) a review of the sharing of such information within the Federal Government to identify inappropriate stovepiping of shared information; and

''(G) any recommendations of the Inspector General for improvements or modifications to the authorities under this section.

''(2) PRIVACY AND CIVIL LIBERTIES OFFICERS REPORT.—The Civil Liberties Protection Officer of the Office of the Director of National Intelligence and the Chief Privacy and Civil Liberties Officer of the Department of Justice, in consultation with the Privacy and Civil Liberties Oversight Board, the Inspector General of the Intelligence Community, and the senior privacy and civil liberties officer of each department or agency of the Federal Government that receives cyber threat information shared with the Federal Government under this section, shall annually and jointly submit to Congress a report assessing the privacy and civil liberties impact of the activities conducted by the Federal Government under this section. Such report shall include any recommendations the Civil Liberties Protection Officer and Chief Privacy and Civil Liberties Officer consider appropriate to minimize or mitigate the privacy and civil liberties impact of the sharing of cyber threat information under this section.

''(3) FORM.—Each report required under paragraph (1) or (2) shall be submitted in unclassified form, but may include a classified annex.

''(f) FEDERAL PREEMPTION.—This section supersedes any statute of a State or political subdivision of a State that restricts or otherwise expressly regulates an activity authorized under subsection (b).

''(g) SAVINGS CLAUSES.—

''(1) EXISTING AUTHORITIES.—Nothing in this section shall be construed to limit any other authority to use a cybersecurity system or to identify, obtain, or share cyber threat intelligence or cyber threat information.

''(2) LIMITATION ON MILITARY AND INTELLIGENCE COMMUNITY INVOLVEMENT IN PRIVATE AND PUBLIC SECTOR CYBERSECURITY EFFORTS.—Nothing in this section shall be construed to provide additional authority to, or modify an existing authority of, the Department of Defense or the National Security Agency or any other element of the intelligence community to control, modify, require, or otherwise direct the cybersecurity efforts of a private-sector entity or a component of the Federal Government or a State, local, or tribal government.

''(3) INFORMATION SHARING RELATIONSHIPS.—Nothing in this section shall be construed to—

''(A) limit or modify an existing information sharing relationship;

''(B) prohibit a new information sharing relationship;

''(C) require a new information sharing relationship between the Federal Government and a private-sector entity or utility;

''(D) modify the authority of a department or agency of the Federal Government to protect sources and methods and the national security of the United States; or

''(E) preclude the Federal Government from requiring an entity to report significant cyber incidents if authorized or required to do so under another provision of law.

''(4) LIMITATION ON FEDERAL GOVERNMENT USE OF CYBERSECURITY SYSTEMS.—Nothing in this section shall be construed to provide additional authority to, or modify an existing authority of, any entity to use a cybersecurity system owned or controlled by the Federal Government on a private-sector system or network to protect such private-sector system or network.

''(5) NO LIABILITY FOR NON-PARTICIPATION.—Nothing in this section shall be construed to subject a protected entity, self-protected entity, cyber security provider, or an officer, employee, or agent of a protected entity, self-protected entity, or cybersecurity provider, to liability for choosing not to engage in the voluntary activities authorized under this section.

''(6) USE AND RETENTION OF INFORMATION.—Nothing in this section shall be construed to authorize, or to modify any existing authority of, a department or agency of the Federal Government to retain or use information shared pursuant to subsection (b)(1) for any use other than a use permitted under subsection (c)(1).

''(h) DEFINITIONS.—In this section:

''(1) AVAILABILITY.—The term 'availability' means ensuring timely and reliable access to and use of information.

''(2) CERTIFIED ENTITY.—The term 'certified entity' means a protected entity, self-protected entity, or cybersecurity provider that—

''(A) possesses or is eligible to obtain a security clearance, as determined by the Director of National Intelligence; and

''(B) is able to demonstrate to the Director of National Intelligence that such provider or such entity can appropriately protect classified cyber threat intelligence.

''(3) CONFIDENTIALITY.—The term 'confidentiality' means preserving authorized restrictions on access and disclosure, including means for protecting personal privacy and proprietary information.

''(4) CYBER THREAT INFORMATION.—

''(A) IN GENERAL.—The term 'cyber threat information' means information directly pertaining to—

''(i) a vulnerability of a system or network of a government or private entity or utility;

''(ii) a threat to the integrity, confidentiality, or availability of a system or network of a government or private entity or utility or any information stored on, processed on, or transiting such a system or network;

''(iii) efforts to deny access to or degrade, disrupt, or destroy a system or network of a government or private entity or utility; or

''(iv) efforts to gain unauthorized access to a system or network of a government or private entity or utility, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network of a government or private entity or utility.

''(B) EXCLUSION.—Such term does not include information pertaining to efforts to gain unauthorized access to a system or network of a government or private entity or utility that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

''(5) CYBER THREAT INTELLIGENCE.—

''(A) IN GENERAL.—The term 'cyber threat intelligence' means intelligence in the possession of an element of the intelligence community directly pertaining to—

''(i) a vulnerability of a system or network of a government or private entity or utility;

''(ii) a threat to the integrity, confidentiality, or availability of a system or network of a government or private entity or utility or any information stored on, processed on, or transiting such a system or network;

''(iii) efforts to deny access to or degrade, disrupt, or destroy a system or network of a government or private entity or utility; or

''(iv) efforts to gain unauthorized access to a system or network of a government or private entity or utility, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network of a government or private entity or utility.

''(B) EXCLUSION.—Such term does not include intelligence pertaining to efforts to gain unauthorized access to a system or network of a government or private entity or utility that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

''(6) CYBERSECURITY CRIME.—The term 'cybersecurity crime' means—

''(A) a crime under a Federal or State law that involves—

''(i) efforts to deny access to or degrade, disrupt, or destroy a system or network;

''(ii) efforts to gain unauthorized access to a system or network; or

''(iii) efforts to exfiltrate information from a system or network without authorization; or

''(B) the violation of a provision of Federal law relating to computer crimes, including a violation of any provision of title 18, United States Code, created or amended by the Computer Fraud and Abuse Act of 1986 (Public Law 99–474).

''(7) CYBERSECURITY PROVIDER.—The term 'cybersecurity provider' means a non-Federal entity that provides goods or services intended to be used for cybersecurity purposes.

''(8) CYBERSECURITY PURPOSE.—

''(A) IN GENERAL.—The term 'cybersecurity purpose' means the purpose of ensuring the integrity, confidentiality, or availability of, or safeguarding, a system or network, including protecting a system or network from—

''(i) a vulnerability of a system or network;

''(ii) a threat to the integrity, confidentiality, or availability of a system or network or any information stored on, processed on, or transiting such a system or network;

''(iii) efforts to deny access to or degrade, disrupt, or destroy a system or network; or

''(iv) efforts to gain unauthorized access to a system or network, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network.

''(B) EXCLUSION.—Such term does not include the purpose of protecting a system or network from efforts to gain unauthorized access to such system or network that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

''(9) CYBERSECURITY SYSTEM.—

''(A) IN GENERAL.—The term 'cybersecurity system' means a system designed or employed to ensure the integrity, confidentiality, or availability of, or safeguard, a system or network, including protecting a system or network from—

''(i) a vulnerability of a system or network;

''(ii) a threat to the integrity, confidentiality, or availability of a system or network or any information stored on, processed on, or transiting such a system or network;

''(iii) efforts to deny access to or degrade, disrupt, or destroy a system or network; or

''(iv) efforts to gain unauthorized access to a system or network, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network.

''(B) EXCLUSION.—Such term does not include a system designed or employed to protect a system or network from efforts to gain unauthorized access to such system or network that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

''(10) INTEGRITY.—The term 'integrity' means guarding against improper information modification or destruction, including ensuring information nonrepudiation and authenticity.

''(11) PROTECTED ENTITY.—The term 'protected entity' means an entity, other than an individual, that contracts with a cybersecurity provider for goods or services to be used for cybersecurity purposes.

''(12) SELF-PROTECTED ENTITY.—The term 'self-protected entity' means an entity, other than an individual, that provides goods or services for cybersecurity purposes to itself.

''(13) UTILITY.—The term 'utility' means an entity providing essential services (other than law enforcement or regulatory services), including electricity, natural gas, propane, telecommunications, transportation, water, or wastewater services.''.

(b) PROCEDURES AND GUIDELINES.—The Director of National Intelligence shall—

(1) not later than 60 days after the date of the enactment of this Act, establish procedures under paragraph (1) of section 1104(a) of the National Security Act of 1947, as added by subsection (a) of this section, and issue guidelines under paragraph (3) of such section 1104(a);

(2) in establishing such procedures and issuing such guidelines, consult with the Secretary of Homeland Security to ensure that such procedures and such guidelines permit the owners and operators of critical infrastructure to receive all appropriate cyber threat intelligence (as defined in section 1104(h)(5) of such Act, as added by subsection (a)) in the possession of the Federal Government; and

(3) following the establishment of such procedures and the issuance of such guidelines, expeditiously distribute such procedures and such guidelines to appropriate departments and agencies of the Federal Government, private-sector entities, and utilities (as defined in section 1104(h)(13) of such Act, as added by subsection (a)).

(c) PRIVACY AND CIVIL LIBERTIES POLICIES AND PROCEDURES.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Homeland Security and the Attorney General, shall establish the policies and procedures required under section 1104(c)(7)(A) of the National Security Act of 1947, as added by subsection (a) of this section.

(d) INITIAL REPORTS.—The first reports required to be submitted under paragraphs (1) and (2) of subsection (e) of section 1104 of the National Security Act of 1947, as added by subsection (a) of this section, shall be submitted not later than 1 year after the date of the enactment of this Act.

(e) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by adding at the end the following new item:

''Sec. 1104. Cyber threat intelligence and information sharing.''.

SEC. 3. SUNSET.

Effective on the date that is 5 years after the date of the enactment of this Act—

(1) section 1104 of the National Security Act of 1947, as added by section 2(a) of this Act, is repealed; and

(2) the table of contents in the first section of the National Security Act of 1947, as amended by section 2(d) of this Act, is amended by striking the item relating to section 1104, as added by such section 2(d).

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 113–41. Each such amendment may be offered only in the 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, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. ROGERS OF MICHIGAN

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113–41.

Mr. ROGERS of Michigan. 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 12, beginning line 15, strike ''unless such information is used in accordance with the policies and procedures established under paragraph (7)''.

The CHAIR. Pursuant to House Resolution 164, the gentleman from Michigan (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. I offer this amendment to ensure that library records, firearm sales records, medical records, and tax returns are not included in any information voluntarily shared with the government under CISPA. Though the underlying bill would not permit this information unless it was cyber threat information, I will support this amendment, as it is a clarification amendment that settles some Members' concerns and reflects an amendment that was passed last year overwhelmingly.

With that, Madam Chair, I urge this body's support of this clarification amendment, and I reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chair, I rise to claim the time in opposition, even though I am not opposed.

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

There was no objection.

Mr. RUPPERSBERGER. I support Chairman ROGERS' amendment to make a technical change to correct our personal records provision and retain the privacy protections that we had in our bill upon the introduction.

I yield back the balance of my time.

Mr. ROGERS of Michigan. I yield back the balance of my time.

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

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. ROGERS of Michigan. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. CONNOLLY

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113–41.

Mr. CONNOLLY. 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 2, line 15, strike ''and''.

Page 2, line 18, strike the period and insert ''; and''.

Page 2, after line 18, insert the following:

''(D) used, retained, or further disclosed by a certified entity for cybersecurity purposes.''.

The CHAIR. Pursuant to House Resolution 164, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Madam Chairwoman, this amendment represents a commonsense improvement to H.R. 624, which I support, that simply narrows the scope of the authorization for the intelligence community to share classified—I stress, classified—cyber threat intelligence with private sector entities and utilities.

As my colleagues are aware, the administration and some leading voices from the civil liberties and privacy rights communities have raised serious concerns with CISPA as reported out of the Permanent Select Committee on Intelligence. These concerns revolve around the fact that many provisions of CISPA are perhaps perceived as overly vague, or outright silent, with respect to limiting the scope of information sharing and mitigating the risk of unintended consequences.

For example, section 2 of CISPA, titled ''Cyber Threat Intelligence and Information Sharing,'' is silent on what specific purposes classified cyber threat intelligence may be used, retained, or further disclosed by a certified entity. As reported, section 2 only requires that the DNI's procedures governing the sharing of classified cyber threat intelligence between the intelligence community and private sector entities be ''consistent with the need to protect the national security of the United States'' and used by certified entities ''in a manner which protects cyber threat intelligence from unauthorized disclosure.''

In this particular instance, I believe the concerns raised over the potential unintentional consequences from vagueness are real, valid, and ought to be addressed. I also believe it's a false choice that we must somehow choose between effective cybersecurity initiatives on the one hand and preserving the sacred civil liberties and privacy rights we hold so dear as a Nation on the other. In many cases, defining or limiting the scope of authority would go a long way toward addressing the privacy concerns that have been raised with respect to this legislation.

To be clear, I want to recognize that the sponsors of CISPA have already engaged in good faith efforts to incorporate and address outstanding concerns with respect to the legislation that were held by the administration and other stakeholders, and I think that needs to be recognized.

On that note, I am pleased that my amendment that was made in order represents a straightforward improvement, I hope, to CISPA that's consistent with the sponsor's stated commitment to enhancing cybersecurity, safeguarding privacy rights and civil liberties, and ensuring oversight of activity. The amendment simply establishes that, with respect to CISPA's requirements, the DNI establish procedures to govern the sharing of classified cyber threat intelligence—that this classified cyber threat intelligence may only be used, retained, or further disclosed by a certified entity for cybersecurity purposes.

As noted by the ACLU in its statement of support for the amendment, it's consistent with similar restrictions limiting the scope of other information sharing activities addressed in other parts of the bill. The straightforward enhancement will be one of many needed improvements to the bill that will ensure it is a targeted, well-defined bill that directly—and only—strengthens our national cybersecurity.

With that, I reserve the balance of my time.

Mr. ROGERS of Michigan. Madam Chair, while I do not oppose the amendment, I ask unanimous consent to claim the time in opposition.

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

Mr. ROGERS of Michigan. Madam Chair, I do not oppose this amendment, which clarifies that classified intelligence shared by the government with a certified cybersecurity entity may only be used, retained, or further disclosed for cybersecurity purposes. The amendment is consistent with language that is already in the bill requiring the DNI, the Director of National Intelligence, to ensure that such classified information is carefully protected.

I appreciate the gentleman's working with us and the ACLU to find an amendment that we could all agree on. I do not oppose this further clarification and would urge support by this body of the amendment.

I reserve the balance of my time.

Mr. CONNOLLY. I would inquire of the Chair how much time is remaining.

The CHAIR. The gentleman from Virginia has 2 minutes remaining.

Mr. CONNOLLY. Madam Chairwoman, I yield 1 minute to the distinguished ranking member of the committee, the gentleman from Maryland (Mr. RUPPERSBERGER).

□ 1540

Mr. RUPPERSBERGER. I thank the gentleman for yielding.

This amendment increases the privacy and civil liberties protections in our bill; therefore, I urge a ''yes'' on Congressman CONNOLLY's amendment.

Mr. ROGERS of Michigan. I continue to reserve the balance of my time.

Mr. CONNOLLY. Madam Chairwoman, I yield 1 minute to my distinguished colleague and our friend from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Madam Chair, I rise in support of this amendment.

I would also argue that, in addition to it being vague, it's also overbroad in that it includes investigations for child pornography and child abductions and computer crimes. This means that under CISPA, the NSA could share data with law enforcement to investigate computer crimes, which is so broad and includes even lying about your age on your Facebook page. Are these really cyber threats that this bill claims to fix? We must defend against cyber attacks while protecting the liberties and privacy of Americans.

Mr. ROGERS of Michigan. Madam Chair, I yield myself such time as I may consume to clarify that this doesn't call for investigations of those crimes based on this material, but only protection of the individuals that may—and I want to stress ''may,'' because, again, the PII, the personal identifying information, is stripped clean. But in some rare, rare cases, you might find that you have located the child who has been subjugated to child pornography. In those cases, you don't want to throw that away. There are parents out there begging for us to find this child. It's very rare, it's exceptional, doesn't happen often, but in that very rare case—and, remember, there's no personally identifiable information. It would allow for the protection, not investigation.

I reserve the balance of my time.

Mr. CONNOLLY. Madam Chairwoman, I just want to thank the distinguished chairman and the distinguished ranking member of the committee for their leadership and for their cooperation, and I yield back the balance of my time.

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

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. ROGERS of Michigan. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. SCHNEIDER

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113–41.

Mr. SCHNEIDER. Madam Chairman, 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, beginning on line 2, strike ''employee or officer'' and insert ''employee, independent contractor, or officer''.

The CHAIR. Pursuant to House Resolution 164, the gentleman from Illinois (Mr. SCHNEIDER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SCHNEIDER. Every day, U.S. Web sites, databases, and operating networks are threatened by foreign governments, criminal organizations, and other groups trying to hack into our systems and wreak havoc.

Daily we read about infiltrations of the networks of our banks, newspapers, and even Federal agencies putting sensitive information at risk. These cyber attacks are real, and they can have devastating consequences: billions of dollars a year in stolen intellectual property and the potential to shut down our power grids and financial systems. The Cyber Intelligence Sharing and Protection Act gives the private sector the necessary tools to protect itself and its customers against these cyber attacks.

Currently, the intelligence community has the ability to detect cyber threats, but Federal law prohibits the sharing of this information with the very companies whose firewalls are under attack. By sharing this information, private companies can actually prevent these attacks.

The amendment I'm offering makes a small, clarifying change to the underlying bill, simply allowing independent contractors to be eligible for security clearances to perform the critical work of handling cyber threat intelligence. This clarification will allow companies—in particular, small and medium-sized businesses without the resources to employ full-time experts—to hire the most capable individuals and organizations to analyze network information, coordinate with the Federal Government, and protect ordinary Americans.

We cannot allow ourselves to be in a situation where the Federal Government has available the information to prevent or mitigate a cyber attack, but companies remain defenseless because there was no legal framework to share that critical information.

The networks at risk power our homes, our small businesses, and are what allow our banking systems to function. They facilitate nearly every aspect of our daily lives. These networks must be protected as best and responsibly as possible.

I urge my colleagues to support both my amendment and final passage of this critically important bill.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Madam Chairman, while I do not oppose the amendment, I ask unanimous consent to control the time in opposition.

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

There was no objection.

Mr. ROGERS of Michigan. Madam Chairman, I will support the clarification in this amendment.

The amendment clarifies that independent contractors are eligible to receive security clearances to handle cyber threat intelligence and cyber threat information shared under the bill, an important clarification amendment.

I appreciate the gentleman's work and effort in offering this amendment; And because the bill was not intended to exclude independent contractors, I will support this important clarification and would reserve the balance of my time.

Mr. SCHNEIDER. I yield such time as he may consume to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentleman for yielding, and I rise in opposition to the overall measure.

There are three concerns that have been raised by the administration about this bill that I share.

The first is that it does not include a provision requiring the private sector to make reasonable efforts to remove personal information before they share it with each other or before they share it with the government. This is a bedrock necessity for those who are concerned about the privacy of Americans who may be implicated in this cyber sharing.

Second, it's very important that a civilian agency, like the Department of Homeland Security, be the main intake—really, the sole intake—for this domestic data.

There was one form of amendment offered in Rules to try to address this problem yesterday, yet another form of that amendment that was ultimately adopted by Rules, and yet a third form of that amendment that was adopted here this morning. None of us know exactly what it does because it has been a moving object. But it is very unclear whether this amendment would make a civilian agency, such as DHS, the sole intake for this domestic data. It should not be a military agency. We shouldn't have the private sector interacting directly with a military agency when it comes to domestic data that may involve the privacy of the American people.

Finally, the immunity provisions are very broad and need to be reined in so as to encourage the private sector to take reasonable steps to make sure it

does not compromise privacy interests when it is not necessary to do so to protect cybersecurity.

Those three issues still must be addressed.

I want to compliment the chairman and the ranking member for the work they have done. They have made a very good-faith effort to make progress on many of these issues and in fact have made progress, but the bill still falls short and I must urge a ''no'' vote.

Mr. SCHNEIDER. Madam Chairman, may I inquire as to how much time I have remaining.

The CHAIR. The gentleman from Illinois has 2 minutes remaining.

Mr. SCHNEIDER. I yield such time as he may consume to the ranking member.

Mr. RUPPERSBERGER. Madam Chair, our bill now enables companies and the government to have the option to hire independent contractors to handle cyber threat information. It helps bring talented people into our cybersecurity workforce; it provides jobs; it is good for our economy; and it is good for our national security. Therefore, I urge a ''yes'' vote on this amendment.

I also want to acknowledge Congressman SCHNEIDER for his involvement in this issue.

Mr. SCHNEIDER. I reserve the balance of my time.

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

I just want to address my friend from California, who is a thoughtful member of the intelligence community.

This is a position that much has been debated about: Should the government regulate into the private sector their use of the Internet? I argue that is a dangerous place to go. They will have to promulgate rules; they will have to set what reasonable standards are; they will have to determine what the private sector does on the Internet. That's government in the Internet. One of the things that we decided to avoid in this bill was not to make that mandate, the burden to make sure that no PII, personal identifying information, is mandated in this bill; and it's stripped out at the place where the burden should be: on the government. To make sure it happens, we have four different layers of oversight built in just to make sure what we say that they're supposed to do according to the law, they follow the law—four levels of review.

□ 1550

We shouldn't put the burden on the victims. We don't do it if somebody sticks a gun in your face on the street or robs the bank or robs your home. What's the difference if they're robbing your Internet or stealing your blueprints that steals American jobs? The difference? There is none. Theft is theft.

Let us not move to get the government into regulating. Aspects of the Internet between private to private has been the explosion of growth in one-sixth of our economy. Keep the government out of it.

That's what we decided to do. We came to a very sensible place that protects that PII, that personal identifying information, and allows the government to stay out of regulating the Internet.

I think that's the right prudent course. I think most Americans are with us. Certainly the broad specter of industries who have joined this, from the high-tech industry to the financial services to manufacturing, have said, This is the right way to go. You stay out of our business. We'll share with you when we're victims of a crime.

With that, I reserve the balance of my time.

Mr. SCHNEIDER. Madam Chairman, I just want to thank the ranking member and the chairman for the way you have approached this in a bipartisan effort, and I yield back the balance of my time.

Mr. ROGERS of Michigan. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. SCHNEIDER).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. LANGEVIN

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113–41.

Mr. LANGEVIN. Madam Chair, I rise to offer an amendment, No. 35, listed as No. 4 in the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 16, strike ''a State, local, or tribal law or regulation'' and insert ''a law or regulation of a State, political subdivision of a State, or a tribe''.

The CHAIR. Pursuant to House Resolution 164, the gentleman from Rhode Island (Mr. LANGEVIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

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

My amendment ensures that utility districts are not unnecessarily and unintentionally limited from protecting their own information and ultimately will lead to a broader and more effective information sharing structure, leading to better cybersecurity across all critical infrastructure. Specifically, the amendment replaces the word ''local,'' which is typically interpreted to mean city, town, and county by the courts.

Such a definition, I believe, could potentially leave out special districts that provide utility services, like the Salt River Project, the Central Arizona Project, the Metropolitan Water District of Southern California, and other smaller special districts.

My amendment, Madam Chair, which is supported by the American Public Power Association, changes the bill to read, ''political subdivision,'' allowing more utilities to receive the protections built into our bill. In doing so, it also makes the language consistent with the preemption provision in the bill.

If not amended, this legislation could subject utility districts to additional requirements if they share threat information, effectively creating a deterrent to participation—precisely what we want to avoid. We know that myriad threats are arrayed against the networks that run our critical infrastructure, and we must ensure that the utilities, which are the front lines in the cybersecurity fight, are properly protected.

I have long advocated for minimum standards for utilities, but absent such standards, I believe that we have to make sure that as many utilities as possible have access to the best possible information to defend their networks and are able to share information about the attacks that they experience.

This is an important bill overall. I really do want to applaud, again, Chairman ROGERS and Ranking Member RUPPERSBERGER for their outstanding work on the underlying bill.

Obviously, the challenges of the threats that we face in cyberspace are growing exponentially every day. It seems like there's not a week that goes by that you don't hear of a new major attack on the critical infrastructure or, in particular, our banking system or major corporations with intellectual property theft, and obviously we have got to take action and do so now. Failure to do so would be a great abdication of our responsibility.

I'm disappointed the bill didn't pass last year. I know how hard the chairman and ranking member worked on this legislation, but clearly our adversaries, or enemies, have not taken a hiatus. They are actively engaged in cyber attacks or threats of intellectual property or identity theft, and the list goes on and on.

The underlying bill is a major step forward in protecting our cyber networks, allowing classified information to be shared with the private sector, allowing threat information to be shared back with the government to give broader situation awareness, as well as information sharing between both in the private sector among companies.

So, again, the underlying bill is a major step forward. I believe this amendment that I'm offering makes the bill even better for making sure that broader utilities are included in allowing for information sharing.

I urge my colleagues to support this commonsense amendment and the underlying legislation, and I reserve the balance of my time.

Mr. ROGERS of Michigan. Madam Chair, while I do not oppose the amendment, I ask unanimous consent to control the time in opposition.

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

Mr. ROGERS of Michigan. Madam Chair, I yield myself such time as I may consume.

I want to thank the gentleman from Rhode Island (Mr. LANGEVIN), who has been a tremendous leader on cybersecurity efforts on the Intelligence Committee. Much of our work there is classified and it goes unnoticed, and rightly so. I think it would be wrong for us not to commend in public your great leadership and efforts and work with us to try to make sure that this bill does what we say we want it to do. It has been a great privilege and pleasure to work with you throughout that process, and without that leadership, we wouldn't be standing on the floor today. I want to thank the gentleman for that.

I will support the amendment, which clarifies that entities located across multiple localities are intended to be covered by provisions in the bill exempting information shared under the bill from certain disclosures otherwise required of public or quasi-public entities. The amendment replaces the term ''local'' with ''political subdivision.'' Because there is no intention to exclude such entities, this is intended as a clarification, an important clarification, and I will gladly support the amendment, and again thank the gentleman for his work on the totality of both national security issues and cybersecurity.

I reserve the balance of my time.

Mr. LANGEVIN. Madam Chair, I yield such time as he may consume to the ranking member of the Intelligence Committee, the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. I thank the gentleman for yielding.

Madam Chair, first, I want to agree with our chairman, and I said it before, that you have been one of the key players in developing legislation to protect our country. From the beginning, when those of us started working on this issue, probably 2006, you were there. You have a tremendous amount of expertise. You have been a great adviser to all of us, and also not only the Intelligence Committee, but the Armed Services Committee, and I appreciate all your work.

I also support your amendment to include political subdivisions within the information, use, and protection requirements in our bill. Your amendment ensures that utility districts are not unnecessarily and unintentionally limited from protecting their own information.

Therefore, I urge a ''yes'' vote on your amendment.

Mr. LANGEVIN. Madam Chair, before I close, I just wanted to thank, again, the chairman and the ranking member for their comments, but, more importantly, their extraordinary collaborative work in trying to protect our Nation's cybersecurity. The work that they did in putting this legislation together, it is a real service to the country what you have done, and I am grateful to have played a part in it with you, and thank you for your friendship.

With that, I urge my colleagues to support the amendment, and I yield back the balance of my time.

Mr. ROGERS of Michigan. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. ROGERS of Michigan. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

□ 1600

Mr. ROGERS of Michigan. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MARCHANT) having assumed the chair, Ms. ROS-LEHTINEN, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, had come to no resolution thereon.

RECESS

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

Accordingly (at 4 o'clock and 1 minute p.m.), the House stood in recess.

□ 1630

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARRIS) at 4 o'clock and 30 minutes p.m.

CYBER INTELLIGENCE SHARING AND PROTECTION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 164 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 624.

Will the gentleman from Texas (Mr. MARCHANT) kindly take the chair.

□ 1631

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, with Mr. MARCHANT (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 4 printed in House Report 113–41 offered by the gentleman from Rhode Island (Mr. LANGEVIN) had been postponed.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 113–41 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. ROGERS of Michigan.

Amendment No. 2 by Mr. CONNOLLY of Virginia.

Amendment No. 4 by Mr. LANGEVIN of Rhode Island.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. ROGERS OF MICHIGAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. ROGERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 418, noes 0, not voting 14, as follows:

[Roll No. 110]

AYES—418

Aderholt	Bucshon	Cook
Alexander	Burgess	Cooper
Amash	Bustos	Costa
Amodei	Butterfield	Cotton
Andrews	Calvert	Courtney
Bachus	Camp	Cramer
Barber	Campbell	Crawford
Barletta	Cantor	Crenshaw
Barr	Capito	Crowley
Barrow (GA)	Capps	Cuellar
Barton	Capuano	Culberson
Bass	Cárdenas	Cummings
Beatty	Carney	Daines
Becerra	Carson (IN)	Davis (CA)
Benishek	Carter	Davis, Danny
Bentivolio	Cartwright	Davis, Rodney
Bera (CA)	Cassidy	DeFazio
Bilirakis	Castor (FL)	DeGette
Bishop (GA)	Castro (TX)	Delaney
Bishop (NY)	Chabot	DeLauro
Bishop (UT)	Chaffetz	DelBene
Black	Chu	Denham
Blumenauer	Cicilline	Dent
Bonamici	Clarke	DeSantis
Bonner	Clay	DesJarlais
Boustany	Cleaver	Deutch
Brady (PA)	Clyburn	Diaz-Balart
Brady (TX)	Coble	Dingell
Braley (IA)	Coffman	Doggett
Bridenstine	Cohen	Doyle
Brooks (AL)	Cole	Duckworth
Brooks (IN)	Collins (GA)	Duffy
Broun (GA)	Collins (NY)	Duncan (SC)
Brown (FL)	Conaway	Duncan (TN)
Brownley (CA)	Connolly	Edwards
Buchanan	Conyers	Ellison

Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, George
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—14

Bachmann
Blackburn
Green, Gene
Holding
Jackson Lee
Kennedy
Lynch
Markey
Miller, Gary
Moore
Nugent
Rush
Shimkus
Tsongas

□ 1656

Mrs. LOWEY and Mr. RANGEL changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. GENE GREEN of Texas. Mr. Chair, on rollcall No. 110, had I been present, I would have voted "aye."

AMENDMENT NO. 2 OFFERED BY MR. CONNOLLY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 418, noes 0, not voting 14, as follows:

[Roll No. 111]

AYES—418

Aderholt
Alexander
Amash
Amodei
Andrews
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack

Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—14

Bachmann
Bishop (UT)
Blackburn
Graves (GA)
Holding
Jackson Lee
Kennedy
Lynch
Markey
Miller, Gary
Nugent
Rush
Shimkus
Tsongas

□ 1701

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. LANGEVIN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 411, noes 3, not voting 18, as follows:

[Roll No. 112]

AYES—411

Aderholt
Alexander
Amodei
Andrews
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, George
Moore
Moran
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOES—3

Amash
Gohmert
McClintock

NOT VOTING—18

Bachmann
Blackburn
Fattah
Holding
Jackson Lee
Kennedy
Lewis
Lucas
Lynch
Markey
Miller, Gary
Mullin
Nugent
Rush
Scott, David
Shimkus
Stivers
Tsongas

□ 1707

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. BACHMANN. Mr. Chair, on April 17, 2013, I was not able to vote on rollcall votes 110, 111 and 112. At the time, I was performing my duties as a designee of the U.S. House of Representatives attending the funeral of Baroness Margaret Thatcher in London. Had I been present for the vote, I would have voted "aye" on all three votes.

Mr. SESSIONS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. WAGNER) having assumed the chair, Mr. MARCHANT, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, had come to no resolution thereon.

□ 1710

HOUR OF MEETING ON TOMORROW

Mr. COLLINS of Georgia. Madam 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 Georgia?

There was no objection.

APPOINTMENT AS MEMBER TO WORLD WAR I CENTENNIAL COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 4(b) of the World War I Centennial Commission Act (Public Law 112–272), and the order of the House of January 3, 2013, of the following individual on the part of the House to the World War I Centennial Commission:

Colonel Thomas N. Moe, Retired, Lancaster, Ohio

PERSONAL EXPLANATION

Ms. JACKSON LEE. Madam Speaker, I was unavoidably detained with meetings in my office. Had I been present, I would have voted ''aye'' on the Rogers amendment, ''aye'' on the Connolly amendment, and ''aye'' on the Langevin amendment to the underlying legislation, H.R. 624.

COMMEMORATING 100TH ANNIVERSARY OF THE CONGRESSIONAL RESEARCH SERVICE

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, 100 years ago, Congress passed the 1914 Legislative, Executive, and Judicial Appropriations Act, which established a separate department within the Library of Congress to serve the legislative and resource needs of the United States Congress.

The legislation authorized the Library of Congress to ''employ competent persons to prepare such indexes, digests, and compilations of laws as may be required for Congress and other official use.''

In 1946, the Department was renamed the Legislative Reference Service, which is today known as the Congressional Research Service, or CRS. Over the years, CRS has served the Congress by providing comprehensive and reliable legislative research and analyses that are timely, objective, and authoritative.

This year is the 100th anniversary of the Congressional Research Service, and today I want to thank these research professionals for the work they do and the contributions they make to the United States Congress and our Federal legislative process.

SAFE CLIMATE CAUCUS

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

Mr. WAXMAN. Madam Speaker, last week, members of the Safe Climate Caucus challenged the Republicans who are on the Energy and Commerce Committee to come to the floor and debate with us and talk about the problems of climate change. We wrote them a letter, and we haven't even gotten a reply. There seems to be a conspiracy of silence in the House of Representatives about the dangers of climate change, and it's time for real debate on the House floor.

Every day, members of the Safe Climate Caucus have come to this floor to give speeches on topics relating to climate change, including the importance of preparing communities to mitigate the impacts of extreme weather events, potential for clean energy technologies, and the threats of rising temperatures across the country.

In contrast, we're not aware of any Republican Member who has spoken on the House floor about the dangers of climate change, and the committee of jurisdiction is not even willing to hold a hearing to hear what the scientists and experts have to say about the issue.

I have a message to House Republicans: You can't make climate change go away by ignoring the problem.

THE BOSTON TRAGEDY

(Mrs. MCMORRIS RODGERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MCMORRIS RODGERS. Madam Speaker, today our hearts remain heavy. Our hearts are heavy for those who lost their lives in Monday's unspeakable act of violence, for those who remain in critical condition, for the parents who lost their 8-year-old son, and for the families whose loved ones never came home from the Boston Marathon.

While our sorrow is great, so, too, is our resolve. We're committed to working with law enforcement officers to ensure that those responsible are held accountable, and we are committed to stopping acts of terror on U.S. soil and abroad.

We will remain vigilant, demand answers, and seek justice, for there is nothing we take more seriously than the protection of American life. And in our sorrow, we will find gratitude for the firefighters, paramedics, police officers, and first responders who put their lives at risk to help save others.

In the words of Ronald Reagan:

> I know in my heart that man is good, that what is right will always eventually triumph. And there's purpose and worth to each and every life.

So today let us come together as Americans—as moms and dads, brothers and sisters, husbands and wives—and continue to pray for those whose lives were forever changed.

SAFE CLIMATE CAUCUS

(Mrs. CAPPS asked and was given permission to address the House for 1 minute.)

Mrs. CAPPS. Madam Speaker, earlier today, the Energy and Commerce Committee passed, for the third time in 2 years, a bill to force approval of the Keystone XL pipeline.

I voted against the bill for many reasons, but chief among them is the fact that it doubles down on a dead-end oil-based energy policy that is hurting our economy, hurting our environment and our health.

Burning fossil fuels is a primary cause of climate change, and we simply can't afford to continue down this destructive path. It makes far more sense to focus on developing the clean, renewable energy technologies that we all know we're going to need down the road. Developing these technologies will create quality long-term jobs that can't be shipped overseas. It's good for business; it's good for our planet; and it's good for our national security.

There's no reason we can't put aside our differences and take action to promote a clean energy future. It's what our constituents sent us here to do.

Our window of opportunity is rapidly closing. The time to act is now.

□ 1720

CYBERSECURITY AND THE CONSTITUTION

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

Mr. MCCLINTOCK. Madam Speaker, the House has been considering H.R. 624, the so-called CISPA bill.

Although its sponsors assure us that a person's Internet data would be stripped of personal identification, this bill then allows this data to be used to prosecute certain Federal crimes. Well, how could they do it? It turns out the Federal Government, having stumbled upon this evidence, can then seek a warrant to obtain that personally identifying information.

That makes it the functional equivalent of the ''writs of assistance'' used by the English Crown in colonial times. It is antithetical to the Fourth Amendment, which requires that, before the government can invade your privacy, it must first present a court with reasonable cause to believe you have committed a crime. This bill effectively allows the government to search through your personal records indiscriminantly and then use that information to form the basis of a prosecution.

Cybersecurity is an important national security issue, but it does not trump the Bill of Rights or the American freedoms that our Constitution protects.

SAFE CLIMATE CAUCUS

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

Mr. JOHNSON of Georgia. Today, I rise to cite the fact that the American people and Democrats and scientists agree that climate change is a danger to us all, but where are the Republicans? A week ago, I joined my colleagues in the Safe Climate Caucus to challenge the Republican members of the Energy and Commerce Committee to debate the Nation's response to climate change on the House floor. We received no response.

It is time for a real debate on the House floor about the dangers of climate change. We are already seeing the powerful forces and effects of nature. We are witnessing the predictions of our premier scientists come true, and they are alarming. We've seen catastrophic storms, record heat waves, droughts, and wildfires. Top scientists in the U.S. and around the world tell us that impacts like these will get even worse as climate change continues. There is no debate about the science of climate change.

Madam Speaker, it's time for a debate on how to solve climate change.

THE ''GOLD STAR'' FOR DAWSON COUNTY HIGH SCHOOL JUNIOR ROTC

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

Mr. COLLINS of Georgia. Madam Speaker, I am pleased to report that the Dawson County High School Junior ROTC recently earned ''gold star'' status. This honor places the Dawson County High School Junior ROTC in

the top 10 percent of the Nation. This status is a reflection of each cadet's hard work and the investment of the parents, the instructors, and the community in the Junior ROTC program.

As a member of the Air Force Reserve, I have great admiration for the young people involved in Junior ROTC in Georgia and throughout the United States. This important program instills the values of citizenship, service, and personal responsibility in the next generation of leaders.

I anticipate great things from these young men and women in the future, and I wish the Dawson County High School Junior ROTC program continued success.

THE 40TH ANNIVERSARY OF FEDEX

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

Mr. COHEN. I rise today to recognize the 40th anniversary of the founding of FedEx, one of the world's great companies.

According to business lore, CEO Fred Smith originally introduced his idea for FedEx in a Yale economics paper that got him a C grade. Today, 40 years later, we can all appreciate the merit of that C paper after the company originally set up shop in 1973 near the Memphis airport with 14 aircraft and 186 packages set for delivery. That first day, FedEx flew to 25 U.S. cities from its home base in Memphis, which remains its world headquarters. Today, FedEx has grown to ship more than 9 million parcels daily across the globe.

FedEx and Fred Smith have also shown great generosity to the country, and Memphis is lucky and proud that it's our home company. Fred Smith, a combat marine, who served two tours of duty in Vietnam, served as the co-chair of the World War II Memorial Committee to build a memorial here in Washington.

It used to be said that what's good for General Motors is good for the Nation, but now I think what's good for FedEx is good for the Nation—absolutely, positively.

I congratulate Fred Smith and FedEx on 40 years of great service, and I look forward to another 40 years of innovation and service.

SAFE CLIMATE CAUCUS

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

Mr. TONKO. It is time for a real debate on climate change—right here on the House floor. The members of the Safe Climate Caucus come to the floor to talk about this critical issue every day that the House is in session, but where are our Republican colleagues?

Last week, we challenged the Republican members of the Energy and Commerce Committee to a debate, a debate about the appropriate policy response to the threat of climate change, but we've heard nothing from the Republicans. The House Republican leadership should schedule that debate right away. This problem is not going away. The longer we delay, the greater the risks.

The Energy and Commerce Committee has refused to act or to even hear the latest science. Congressman WAXMAN and Congressman RUSH have sent over 20 letters requesting hearings with scientists and other experts about important developments in climate science, but the Republicans have refused to hold any hearings on climate change. The American public is entitled to an explanation for this disappointing record of inaction.

Madam Speaker, we need to get serious about tackling climate change. That means having a debate about what actions should be taken. That debate is long overdue, and my friends, time is running out.

JOHN GRANVILLE

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

Mr. HIGGINS. Madam Speaker, I rise today to talk about a remarkable man from Buffalo, New York—John Granville.

John was a diplomat with the United States Agency for International Development, who was facilitating free elections in the Sudan when, 5 years ago, he was assassinated in Khartoum. Four of his killers were captured and convicted, but they escaped from prison. Two remain at large, and the State Department has issued a $5 million reward for information leading to their capture. Meanwhile, in February, the Sudanese Government pardoned the man who helped John Granville's killers escape.

Madam Speaker, John deserves better. He was a selfless and courageous man who dedicated his life to representing the United States and in helping those who needed it most. Tomorrow, I will introduce a resolution calling for the Sudan to remain on the State Sponsors of Terrorism list until the pardon is repealed and the escapees are captured. I will also send a letter demanding that President al-Bashir rescind the pardon immediately.

John Granville made western New York and our Nation proud. I will keep fighting to see that justice is served and that his memory is honored.

CLIMATE CHANGE NEEDS A GLOBAL SOLUTION

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

Mr. GRIFFITH of Virginia. Ladies and gentlemen, I join you today to share an amusing note that one of my constituents posted on Facebook recently. He said:

> I carved my pumpkin, and it was snowing outside. Today, I dyed Easter eggs, and it's snowing outside. Congratulations, Mr. President. You've solved global warming.

Now, that's amusing. Climate change is a serious issue, but we must recognize that we do not have this planet all to ourselves and that, when the Chinese are increasing elevenfold their profits on the production of coal, when they, in fact, have become the number one coal producer, when their equipment is about 30 to 50 percent less efficient than ours, we cannot solve this problem without a global solution, and we must have the Chinese act.

We've done our part in going down this road to solve problems. We need the Chinese to act as well.

COMMONSENSE BACKGROUND CHECKS ON GUN OWNERS

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

Mr. LARSON of Connecticut. I rise to commend JOE MANCHIN and PAT TOOMEY for coming up with a rational approach that 92 percent of Americans all agree with in the need for universal background checks as they relate to our gun laws.

The bill was taken up today in the Senate, and the vote was 54–46. Every fifth grader in America is astounded that that bill was defeated. Only in the United States Senate, the other body, could that take place—that a vote of 54–46 would not pass.

So, disheartening as it is and in reeling from the events that have taken place in Boston on Patriots' Day, children all across America cannot be reassured by their parents tonight that they are safe, but the NRA will sleep well this evening. Mission accomplished.

But there is another Chamber and an opportunity for the House of Representatives to speak its will on the violence that has been perpetrated across this country: in the commonsense background checks that are needed here in this country.

□ 1730

WAR ON COAL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Kentucky (Mr. BARR) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. BARR. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of my Special Order.

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

There was no objection.

Mr. BARR. Madam Speaker, this Nation was founded on a simple, but majestic, idea; and that idea is that we are endowed by our Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

Think about these words from Jefferson in the Declaration of Independence for just a minute: the pursuit of happiness—the idea that every human being has a fundamental, natural right to follow his or her dreams, to reach for the stars, to work hard to achieve their God-given potential, all without undue interference from the government.

What is the key to happiness? I believe it to be hard work—a relentless and unyielding desire on the part of the individual to apply effort and improve their lot in life. Hard work, after all, has been an American tradition from our very founding. Benjamin Franklin once said:

> It is the working man who is the happy man. It is the idle man who is the miserable man.

And so this story is the story of America. The work ethic defines who we are as a nation. It is in our DNA; unconstrained by excessive government, the industry and creativity of the American people have fueled the most prosperous and productive nation in the history of the world.

So what gives Americans—or anyone else for that matter—the character to pursue happiness? What animates our capacity to do work? In a word: energy.

Quite literally, the classic, scientific definition of energy is the ability to do work. And Americans' ability to perform work, to work hard and to pursue happiness over the years has been supported by an abundant and affordable supply of domestic American-produced energy. Energy has been the indispensable ingredient in Americans' ability to pursue happiness.

Think about it: the story of this country has been the story of American energy—coal, oil, natural gas. Abundant, reliable, affordable energy has always been essential to a growing national economy. It built the railroads and conquered the West. It spawned the industrial revolution and won two world wars. It revolutionized communications and fostered innovation from Henry Ford to the Wright brothers, Apollo and Neil Armstrong. It propelled us into the Information Age and the knowledge-based economy. Energy always has been and always will be the key to Americans' ability to work hard and pursue happiness.

It is no surprise then that the countries with the best human health and the most material wealth on this planet are the countries with the highest levels of energy consumption. The most salient difference between nations in the developed world and nations in the lesser-developed world is that nations in the developed world produce and consume the most energy, whereas nations in the lesser-developed parts of the world produce and consume the least.

And so before us we have a choice, and it's a choice between two futures. The first is a future of energy freedom and independence in which we continue to embrace the ideals of our Founding Fathers, of Jefferson and Franklin, where men follow their dreams, can work hard and pursue happiness unconstrained by central planners in Washington, D.C., where we can pursue an open energy system and a diversity of energy sources to create jobs and opportunity and power a future of unlimited growth and potential.

The second is a future of energy scarcity, a future of energy dependency in which we abandon the traditions of the Founding Fathers, reject the American work ethic, and deprive Americans of their ability to pursue their dreams, by limiting the diversity of their energy choices to only those that Washington politicians and not the American people decide are worthwhile and sustainable.

In short, in the words of Benjamin Franklin, we can be the happy man. We can pursue happiness, or we can be the idle man. The choice is ours, and here's why this is relevant today. We are on the path toward a future of energy scarcity rather than energy freedom. We are on a path that replaces Americans' right to work hard and pursue happiness with a government-directed society in which politicians and bureaucrats restrict Americans' freedom and limit their choices. And the best example of this is the Obama administration's war on coal.

What is the impact of this great, abundant natural resource? In 2012, coal was responsible for 37 percent of electricity generated in the United States, more than any other source of electricity. Given current consumption rates, the United States has more than 230 years remaining in coal reserves. Coal is mined in 25 U.S. States and is responsible for over 760,000 U.S. jobs.

My home State, Kentucky, has produced energy for centuries. And most importantly, we have produced coal. And our coal industry that has been built by the hard work of my fellow Kentuckians powers America. Kentucky was the third largest coal producer in the United States during 2011, and coal mining was by far the greatest source of energy production in the Commonwealth. In 2011, coal mines employed more than 19,000 individuals through the year, and mining directly contributed approximately $4 billion to the Commonwealth's economy.

What has the war on coal brought to our country and to Kentucky? Domestic coal decreased by 4.6 percent just last year. In 2012, U.S. coal consumption for electric power declined by 11.5 percent. Within the past year, 226 coal electricity-generating units have been shut down. In 2012, Kentucky's overall coal production decreased by 16.3 percent, reaching its lowest level of production since 1965.

And this has an impact on real people. U.S. coal-mining jobs dropped by 7,700 in 2012, and new and pending EPA regulations will cost 1.65 million jobs. With 205 coal-fired generators shutting down in the coming year due to stricter environmental regulations, the United States is expected to lose up to 17,000 jobs.

In my home State of Kentucky, this war on coal has been devastating to my fellow Kentuckians. In 2012, direct employment in Kentucky's coal industry decreased by over 4,000 workers.

Mr. Speaker, this has a real impact on real lives. It's easy to sit in Washington and issue regulations when you don't have to confront the human cost.

I want to yield time to some of my fellow colleagues in the House; but before I do, I want to tell a brief story that I think tells the story of the war on coal and why it matters to people all around this country. It's a story of a young coal miner that I met in my home State of Kentucky. His name is Chris Woods, and Chris commutes over an hour each way, both ways, to work and back home every day. He took me in the coal mine, and he wanted to show me his work. And it's heroic work what these coal miners do. And he took me underground and he showed me what he did. As we were coming out of the mine, and as I recognized that what he was doing was providing low-cost, reliable electricity to the American people, he looked at me and he said: You know, ANDY, I don't really know much about politics. And, frankly, I don't care much about politics; but if you can save my job, I'm for you.

And the thing about Chris Woods was he wasn't thinking about himself. His one paycheck takes care of his wife, two children, and both sets of parents.

□ 1740

This matters to people. And for every one coal mining job lost, there are 3½ additional jobs that are dependent on the coal industry.

And so, Mr. Speaker, I look forward to having a discussion tonight about the future of coal in America, about the choices we have as a country to pursue our happiness, to work hard, to fulfill and embrace the Founding Fathers' vision that we should shoot for the stars, that we should have energy diversity and energy freedom, and we should reject the path we're on, a path of energy scarcity and dependence.

With that, Mr. Speaker, I'd like to yield to the gentlelady from Missouri, ANN WAGNER.

Mrs. WAGNER. I thank the gentleman from Kentucky for yielding and for hosting this Special Order on the importance of America's coal industry.

Mr. Speaker, I rise to discuss the importance of coal in Missouri. There is no denying that coal has played a vital role in providing an abundant source of power to plants that generate electricity for families and for businesses across this country.

In Missouri, coal-fired electricity is responsible for 81 percent of the State's electric supply, and largely contributed

to Missouri's low electricity rate of 7 cents per kilowatt hour in 2011, compared with the national average of 10 cents per kilowatt hour for that very same year.

Additionally, Missouri was sixth in the country in coal consumption, with 46 million tons of coal used for electricity in 2011, of which Ameren Missouri's Meramec plant in the Second Congressional District consumed 3½ million tons.

Ameren Missouri, based out of St. Louis, is the State's largest electric utility and provides electric service to approximately 1.2 million customers across central and eastern Missouri, including the Greater St. Louis area.

In addition to the consumption of coal, the Greater St. Louis area is also a critical player in the procurement of coal for our Nation's energy needs, with companies like Arch Coal, Peabody Coal and Patriot Coal headquartered in St. Louis and drawing employees from Missouri's Second Congressional District. These companies are among some of the country's and the world's largest coal providers.

All of this helps in keeping energy costs low for families and for businesses. More than half of American households devote more than 20 percent of their family budget to energy costs and, in this economy, we must do everything we can in order to keep the costs of electricity down.

Despite the reliance on coal in providing for this country's energy needs and contributing to low electricity prices, this administration has continually made it more difficult for these longstanding plants to operate, which ultimately threatens the industry for the future.

Existing power plants are already in the middle of meeting compliance with an EPA regulation aimed at reducing uncontrolled greenhouse gas emissions by 90 percent over 3 years. Now EPA is also proposing to regulate greenhouse gases for new power plants that will require them to meet a natural gas standard for air emissions by relying on unproven technology utilizing carbon capture and storage.

This standard was originally designed for a completely different energy source and relies on technology that has not yet been commercially tested, with the EPA itself estimating that this New Source Performance Standards rule will add around 80 percent to the cost of electricity for a new coal plant.

The EPA has already missed their April 13 deadline to finalize the rule, citing that they are still reviewing the close to 2 million comments that have been offered on the proposal. Among these comments are submissions from 221 Members of Congress, including 14 Democrats, who all have concerns with the devastating impact that this rule will have on jobs and the economy.

As a new Member of Congress, I would like to join my colleagues in opposition of this rule. The New Source Performance Standards rule will deny economic and environmental benefits of new low-emissions coal power plants in favor of plants that rely on commercially unproven technology in order to chase unrealistic and marginal environmental standards.

On top of all of this, President Obama's nominee to head the EPA during his second term only promises to bring the same kind of policies that have shut down factories and bogged down companies with increased regulatory red tape during his first term.

Gina McCarthy has headed the EPA's Office on Air Quality since 2009, and was instrumental in the creation of these regulations that have attacked the coal industry.

I applaud Senator ROY BLUNT's leadership in placing a hold on her nomination, and hope that my other Senate colleagues will also take a hard look at her previous agenda when considering her legitimacy for the position, with such an important part of our domestic energy production and economic activity at stake. The coal industry just simply cannot handle four more years of the same regulatory overburden by the EPA.

What this all comes down to is continuing to provide reliable and affordable energy for the people of Missouri and the United States of America. Increasing costs of doing business subsequently increases the price of energy for households at a time when families are spending more and more of their budget on powering their homes.

The amount that American households devote from their family budget to energy cost is more than double from 10 years ago, and these regulations on coal have all played a significant role in that.

Mr. BARR. I thank the gentlelady, and appreciate her comments on the fact that certainly affordable electricity is part of this discussion. And it's particularly important to recognize that the war on coal affects everybody, not just coal miners, not just people in the power industry, but seniors on fixed income.

Over half of American households devote more than 20 percent of their family budget to energy costs, more than double 10 years ago, and so this matters to every middle class family in America.

At this time I'd like to yield to my colleague, the gentleman from Kentucky, the chair of the Energy Subcommittee.

Mr. WHITFIELD. I want to thank the gentleman from Kentucky for hosting this discussion about the importance of coal, and for all those who are going to participate in this discussion this evening.

When President Obama was seeking the office he now holds, he visited San Francisco and he attended a meeting in San Francisco. And at that meeting he made the comment that if he was elected President, you could still build a coal plant in America, but he would bankrupt the industry.

And guess what?

He and his administration have made it very clear, despite their comments that they support all of the above in energy policy to produce electricity, they've made it very clear that they do not support the use of coal.

The gentleman from Kentucky mentioned earlier that over 205 coal-burning plants have closed in this country in recent years. And this President's EPA recently came out with a rule proposal relating to greenhouse gas emissions, and that when they finalize that rule—they were supposed to have finalized it on April 13 and they did not do it—but when they finalize it, it will be impossible to build a new coal-powered plant in America because the technology is not available to meet the emissions standards required by EPA.

Now, let's think about that for a moment. We would be the only country in the world in which you would not be able to build a coal-powered plant to produce electricity. And we know that in China, they're building more and more every day, every week, every month. The same thing in India. And even in Germany, where they closed down their nuclear power plants, they're building more coal-powered plants.

Now, what does that mean to America if we can not build a new coal-powered plant?

My friend from Virginia was talking about, in Virginia, just about a year ago, they built one of the cleanest burning coal-powered plants in America.

I was in Texarkana, Arkansas, in December. They opened up another clean-burning plant in Arkansas. But under these new regulations, you would not be able to build any plant, regardless of how clean it is.

□ 1750

Now the sad thing about this is that we're losing jobs because of these regulations. But just as important, America is becoming less competitive in the global marketplace because it's increasing the cost of electricity, making it much more difficult for us to compete in the global marketplace. And the sad thing about it is that this is being done by regulators without any public debate.

It's hard to believe that a regulation administered by EPA will prohibit the building of any coal-powered plant in America, once it's final, from that day forward, unless the technology is dramatically improved. And yet there's no public debate about it. This is a decision that should be made on the floor of the House of Representatives and on the floor of the United States Senate, not by a group of regulators who determine that they want to put coal out of business.

Now a few of our friends were talking earlier in the 1-minutes about climate change. America does not have to take a backseat to anyone on a clean environment. In fact, our CO_2 emissions in

America today are lower than they have been in 20 years, and our other emissions are lower than they have been in many, many years because our Clean Air Act and our Clean Water Act are working. But let's not use these pieces of legislation to penalize the American people and lose jobs and be less competitive in the global marketplace.

So I want to thank the gentleman for sponsoring this event. Let's be mindful of the importance of coal and producing electricity in America.

Mr. BARR. I thank the gentleman. And I think his final point was a good one; that, ironically, the EPA's overly restrictive policies are actually contributing to a negative global environment. The crackdown on domestic energy production is producing exports to countries with inferior electrical generation capabilities. We need to unleash the American free enterprise system. The American free enterprise system is what will solve problems in utility generation and energy production.

So I thank the gentleman, and I look forward to continuing to work with him on this important topic.

I now would like to recognize the gentlelady from West Virginia.

Mrs. CAPITO. I would like to thank the gentleman from Kentucky for hosting us today to talk about coal. As he mentioned, I am from the great State of West Virginia, one of the largest coal-producing States in our Nation, and, historically, some of the largest coal-producing areas of our Nation.

As we know, coal is a huge part of the economy in West Virginia. But we also know that energy is a jobs economy. When you're generating energy in any capacity, you're generating jobs. We have over 7.6 percent unemployment across the country, and yet we have a President who wants to pick winners and losers on the energy front. Coal has been one of the President's favorite losers, as we have seen and heard from our colleagues.

But there are three reasons I'm standing here today. The first reason I'm here is to stand up for the jobs of tens of thousands of West Virginians, whether that's a coal miner, as you mentioned, transportation, shop owner, electrician, fuel supplier, and all the different jobs that are connected with getting to and burning our Nation's most abundant resource. And I'm very concerned about it. We lost 1,200 jobs in the last quarter of 2012 in West Virginia alone.

Secondly, I'm here to stand up to the families and those who are on fixed incomes. As the gentleman from Kentucky brought up, when you think about the largest part for a senior who lives on a fixed income, the most difficult thing for them is the fluctuation in their power bill, whether it's heating or air conditioning. And when you start chipping away at $50 or $100 a month, you're going to find our seniors and those who live on fixed incomes really suffering.

Finally, I'm here to talk about the reliability of our electrical grid. If we disadvantage ourselves as a Nation, as we have been, and say no more coal generation, no more coal-fired power plants, we're going to disadvantage ourselves as an energy economy and the manufacturing jobs that come with that.

We've heard a lot about the different regulations that are out there that we've tried to battle back in the House and say, Unacceptable; you can't regulate; you have to legislative, you have to let this body, the representatives of the people, decide who are going to make these decisions. We've already had 266 coal-fired power plants close.

I know we have the gentleman from Kentucky. We've got Virginia, West Virginia. Permitting has been very, very difficult. We've got regulators who are coming in and have yanked back one major permit retroactively. After the 10 years of going through all the permitting, all of the reissuing, all of the capital investment, the EPA comes in and grabs back on that permit. The court said, No, you can't do that. And so we have an overreaching EPA that is willing to overreach into the legal area until the courts say, No more.

Now we've worked in the House to try to stop this war on coal. We've passed a lot of things. We did pass the Stop the War on Coal Act last September. Unfortunately, the Senate did not act on this. It's sort of a bit of a repeating theme for us in the House.

But the administration is seeking to turn us away from coal and keep the war on coal and drive up energy prices. People around the world are buying West Virginia coal. Our exports in the Nation almost doubled since 2006, and in West Virginia we exported more than $5 billion of West Virginia coal. Now we all know it's going to China because they have an insatiable demand, right? Guess where else it's going? Europe, the Netherlands, Italy, Germany. These are countries that are going to use our cheaper resource to power themselves into a burgeoning economy, and we're going to disadvantage ourselves here with our own natural resources.

So the rest of the world wants American coal.

Myself and my colleagues here today can't for the life of us see why we don't have a President and an administration that believes that coal has a great future in our energy mix. He always says he's for all of the above, but we all know standing here it's ''all of the above, except.''

I always try to end everything on a bit of a positive note. And there's some great technological advances with coal. This is why I think we've got to keep coal active and in the mix and viable as our energy resource because the future for coal is very good. One of the discoveries was at Ohio State University, where they were able to do a laboratory experiment. We don't know if it'll go full-scale, but the technique would release the heat from the coal without actually burning it. So there's no carbon emission. That has great potential.

Also, in another use of coal, the carbon could be used commercially for enhanced oil recovery. We hear about all of the oil sands and the oil shale in the northern part of our country and even in West Virginia. There are technologies that enable the use of carbon to enhance that recovery so that we get more from the recovery. And I think that's something that has a tremendous future for us.

We stand here today on a united front. I look at my colleagues and I see folks from States all across this country. We formed a Coal Caucus, of which I'm the chair, to talk to our other Members of Congress who don't have this passion and realistic view of the place that coal can play in our energy future.

I want to thank all of my colleagues here for fighting the good fight. We have a lot of miners and their families, other business folks, jobs, manufacturers, and elderly folks who understand what it means to try to have availability of cheaper energy resources. We've got a whole lot of America behind us. This is the reason the opportunity to talk about these things tonight, I think, sends a powerful message across the Congress, across to the Senate, across to the President that really an all-of-the-above energy plan does include coal, must include coal, and we're going to fight like heck to make sure it does.

Mr. BARR. I thank the gentlelady.

I would like to recognize another Member from the great State of West Virginia and yield some time to the gentleman. This is not a partisan issue. It is an American issue. And I am appreciative of the gentleman's attending this session tonight.

Mr. RAHALL. Thank you, Mr. BARR. I appreciate very much your giving this Special Order for a discussion of America's most plentiful, most economic, efficient domestic energy resource we have, that being coal.

□ 1800

I also come from the great State of West Virginia, a State that is proud of its heritage of mining coal—proud of its coal miners, number one, those individuals who go beneath the bowels of the Earth to extract the energy that has fueled the industrial revolution in this country. They are brave, courageous individuals. Every one of us is concerned every day about their safety, number one, their health, and their retirement benefits for themselves and their families. Yes, coal is a valuable natural resource, but our number one natural resource is the coal miner, himself or herself. So we thank them for what they do. They are courageous individuals.

My district is both surface and deep mined. We can do both in a very environmentally sane manner, a manner

which produces jobs for our people, produces energy for our country, and at the same time does restore our environment and make it a beautiful place in which to work. That's why we in West Virginia pride ourselves on our clean environment, our productive workforce, and our high worker morale because we can do all-of-the-above at the same time. And we are for all-of-the-above as far as our energy resources as long as all-of-the-above means our domestic production of resources for energy in this country.

Coal literally keeps the lights on. Many a county commission in my district, during the downturns in the coal market, has had to lay off law enforcement personnel, has had to really trim the lighting of their public streets when coal resources are down, when revenues and our coal severance taxes are down to our local county units of government.

So coal is important. It has been, it is, and it always will be a mainstay of our economy in West Virginia. Our quality of life—indeed, the quality of life in America—and our economic vitality have long been fueled by coal, and it's something that the American people cannot turn their backs on. Yet too many, I'm afraid, fail to recognize the contributions that coal has made to our past, and certainly they underestimate the role that coal can and should play in our future.

Through decades of investment, coal has changed for the better. It is not our grandfathers' coal. It is a cleaner, more efficient fuel than ever before. And with the right kind of investments and know-how and the technologies that are coming online—some of which have already been talked about this afternoon—its use continues to improve and modernize.

Our Nation must embrace an energy strategy that encompasses a broad range of fuel choices, including domestic coal, if we are ever to have any hope of completely freeing ourselves from our overdependence on foreign fuels. This means that this Nation must acknowledge the simple fact that coal has been and for the foreseeable future it must be part of a comprehensive national energy strategy that will enable us to grow our economy, remain strong militarily, and help to influence environmental and economic challenges around the globe.

So coal is a critical element for ensuring affordable, abundant, and reliable energy that fuels the opportunities and the way of life that we cherish here in the United States of America.

So as a Representative of coal mining communities and generations of coal mining families, I will continue the good fight in the Congress for the future of coal and for the health and safety of America's coal miners. And as the gentleman from Kentucky has said, it is a bipartisan issue. I wish there were more from my side of the aisle here this evening, but perhaps they will submit comments for the RECORD. I do hope that many more of my colleagues that may not be with us on the floor this evening will come forth and express their support for coal as a valuable domestic source of energy.

I thank the gentleman for yielding.

Mr. BARR. I thank the gentleman from West Virginia. I thank him for his comments. I thank him for, in particular, his sentiments about the heroic work of these men and women who go to work every day in our coal mines. I just cannot thank them enough for their contributions to our society every day for providing us with affordable and reliable electricity.

With that, I would like to yield to the gentlelady from Missouri.

Mrs. HARTZLER. I thank the gentleman. I really appreciate you holding this special time, where we can show our support for the coal industry, as well as condemn the Obama administration's current war on coal, because that's what it is.

In Missouri, coal is our preferred source of energy for electrical generation due to its abundance and its low cost. Coal provides over 81 percent of Missouri's electric-power generation, and Missouri ranks 11th in the Nation in energy affordability. So that means the people of Missouri have more money that they can spend on other things for their family.

It also attracts businesses to our State. We want to keep it that way. We love coal in Missouri, and we appreciate the role that it plays in having affordable, safe energy in our country.

I wanted to show this picture to you and my colleagues here because a lot of people think in Missouri that we don't have coal mines. But I want to tell you, in the Fourth District of Missouri, we have a coal mine. This is a picture. My husband and I had the opportunity to go there and I snapped a few pictures, and let me tell you we are so proud of it. These hardworking people here are doing a great job in getting coal out of the ground and taking it to our local power plants.

This coal mine is providing great jobs in my district. These are high-paying, skilled jobs. I know some of the people that work here, and they appreciate this opportunity. This mine is also bringing in property taxes to our local schools, and it's helping the economy of the entire county, this region of the district. Plus, it is powering two of our local power plants nearby. So this is very exciting for us. We want to see this continue rather than having the current administration, through the EPA, try to rein us in and to force us to rely on more expensive, untested energy sources in our country.

You know, President Obama and the EPA are pushing this over-prescriptive, regulatory agenda without adequate cost-benefit analysis, workable timelines, and input from the industry. Both of the proposed and current regulations being promoted by the EPA are having sweeping negative impacts on coal-fueled electricity generation in this country.

Now, according to the National Economic Research Associates, it is estimated that compliance costs for these EPA regulations on the electric sector will average $15 billion to $16 billion per year. Who pays for that? Who's going to pay for the extra cost to our electric industry, $15 billion to $16 billion? I'll tell you who: it's the families in my district who are living from paycheck to paycheck and who are struggling to put food on the table. When they see their electric bill go up every month because of the EPA coming here from Washington, D.C., imposing these regulations on our electric industry, that's who ends up paying, and it's wrong.

It also is costing jobs. The same group estimated that these regulations are going to cost half a million jobs just next year. Now, we have too much unemployment in this country already. Why would the government administration from this President be pushing regulations that's going to kick out half a million more people from being able to work? Just in Missouri alone, the cost is expected to be $500 per household in higher electricity bills. It's wrong.

I want to just point out two of these regulations that are driving this cost and impacting them—and several of my colleagues have mentioned several of them already. But these two I wanted to bring to your attention.

The New Source Performance Standards for new coal units are establishing new guidelines that control carbon dioxide emissions from any newly constructed coal and natural gas power plants. This proposal requires new coal units to meet a standard so low that it effectively is going to ban new coal plants. My friend and colleague from Kentucky did a very good job of illustrating this. I wanted to reiterate, though, the quote from our President about this administration. He admitted in 2008 that his goal was to bankrupt new coal-fired power plants. Now, that is wrong. Here's what he said:

> If somebody wants to build a coal-powered plant, they can. It's just that it will bankrupt them because they're going to be charged a huge sum for all that greenhouse gas that's being emitted.

Now, it's frustrating to me that the Obama administration, our President, would target an industry that is providing clean, affordable energy for our country, providing jobs in my district and all across this country, and keeping that electricity bill at home low for our families, but he is.

The second regulation that he is talking about is going to impact what's called coal ash and try to make it a hazardous waste. Now, this is something that is not hazardous. It is going to increase the cost of cement. Now, we need cement. We're building new highways. We need it in building new homes. We need it for our businesses that are building. Why would we do this? It's going to increase the cost for that.

□ 1810

We have in Missouri five cement plants that provide 12,000 jobs. Yet if this continues to go through we're going to see an increase in cement cost.

So here, gentleman, we have two examples of regulations coming out of Washington here that are increasing the cost for our families at home and that are killing jobs and increasing our electricity costs. It's wrong, and I will continue to stand against it. And I appreciate all my colleagues as we stand together tonight against this and we make a stand for low-cost, reliable energy, and that is coal. I commend you for having this, and I encourage all my colleagues to join us in this very important effort.

Mr. BARR. I appreciate the gentlelady, and I appreciate her stand for the coal industry. Just one of those rules that she was referring to, the Utility MACT rule, the EPA estimates it to cost $10 billion per year, but other independent annual cost estimates range from $70 billion to $200 billion, well above the EPA estimate. It is no wonder that within the past year, 226 coal electricity-generating units have shut down.

With that, I would like to recognize the gentleman from Pennsylvania.

Mr. KELLY of Pennsylvania. I thank the gentleman, and thank you for holding this this evening, because it's really important that we understand exactly what's going on with coal.

When America was looking for energy, they went to coal. Coal has always been there for us. It is abundant, it is accessible, it is affordable, and it is truly American. And this is the part I don't get. You just heard Mrs. HARTZLER talk about the President's statement, and also Mr. WHITFIELD. That's one campaign promise he kept. He said, If you want to produce electricity using coal, you can do it, but we'll bankrupt you. Now, this makes absolutely no sense to anybody who understands what America needs right now, and it's jobs.

In Pennsylvania, 40 percent of Pennsylvania's electricity is produced using coal. In addition to keeping electricity affordable, the coal industry contributes more than $7 billion annually to the Commonwealth's economy. It's about jobs, jobs, jobs.

This is a President who just doesn't get it. He talks about all the above when it comes to energy, but he forgets all that's below. He turns his back on coal and looks to renewables that are very expensive and make no sense to the average American. And the hardworking American people who produce this coal are miners. We've not only shut down their mines, we've shut down their power plants, and we're ruining their communities. We're absolutely ruining communities right now.

Now, I couldn't understand what was so horrible about this product, because I heard the President describe it many times, and I grew up in a coal producing community. The Sauls were in the coal mining business, they had Eagle Coal. My friend John Stilley has Amerikohl. I have friends over in the Kittanning area, Rosebud.

But I went to CONSOL, and I went down to the Bailey Mine. I went down 700 feet underground to see this horrible, horrible product that the President absolutely hates and wants to eliminate. And while I was there, I was trying to figure out: Where is it so bad?

I watched as they did the longwall mining, how it shaved the coal off the wall. It's being drenched all the time with a fine mist, and then there's vacuums taking all the coal dust out.

I sat as far away from the machine as you having a conversation with somebody. And the guy who I was talking to said: You know, Mike, I've done this for 40 years. When I first started, I had to do it on my hands and knees. I laid on my back and I used a pick. And the reason I did that was because I was married and my wife and I had some dreams. We wanted to buy a house, we wanted to raise a family, wanted to educate those kids, and we wanted to live our life. And I did it through coal mining.

But, you know, the way it is now, this is incredible. And I stood in a room that was at least 10 to 12 feet high and about 30 feet wide and watched the coal miner, a machine, shave the face of the coal off the wall and then extract it.

Now, it doesn't make sense to me or to anybody else as a commonsense person. What in the world are you trying to do, Mr. President? In Erie, Pennsylvania—that's where GE Transportation is, they build locomotives. Now, the locomotives haul trains and those trains haul coal. And there's been a 20 percent reduction in coal.

So do you know what that did to GE? They don't have to build as many locomotives. We have 3,000 locomotives sitting idle. Why? In a country that's looking for jobs, why is this President eliminating jobs?

Now, look, it doesn't make any sense, it just doesn't make any sense. And as we go forward, I would like this President to look at energy, all the above. What would make us great as a country? Energy independence. That's what we need—low cost energy. And we have it right here, right now.

When coal wins, America wins, and when America wins, we all win. This isn't a Republican initiative or a Democrat initiative. As you said earlier, this is about America and America's strategy and America's answer to energy independence. Coal is a big part of it and has to continue to be a big part of that.

So I thank you for what you're doing. We'll keep fighting for coal, we're not going to give up, we're not going home. Mr. RAHALL spoke very eloquently about it. But all these folks from all these coal-producing areas—you know, Pennsylvania is the fourth-leading coal-producing State in the country, the third-largest State in terms of coal produced by the underground mining method, and first in terms of total coal extracted by longwall mining technology. We win with coal, we put people to work with coal, we lower our energy costs with coal, we win the battle in the world economy because our cost of energy is lower, which allows us to pay higher wages to all those folks out there right now who are struggling, hardworking American taxpayers.

Why in the world would we take from them right now low-cost energy and condemn it because it doesn't meet this President's standards?

It's time for us to fight back and fight back hard, not as Republicans, not as Democrats, but as Americans. So, Mr. BARR, I thank you so much for what you're doing.

Mr. BARR. I thank the gentleman. I think his comments about the railroads reminds me of a quick story about my district in Estill County, Kentucky, a little town called Ravenna. This community was built on the railroads, and those railroads carried the coal out of Perry County and Harlan County and Bell County and all those counties in southeast Kentucky. This community in my congressional district was built on the railroads.

Today, furloughed railroaders, their families are without jobs, without a paycheck, and this is because of the war on coal. One of the furloughed railroaders told me that just a few years ago 120 trains would come through their community full of coal. Now barely 50 come through every month.

So this has a real impact for real people, middle class Americans losing their jobs. The war on coal is hurting the American people. Unemployment is higher than the national average in Estill County, Kentucky, because of this President's war on coal. So I thank the gentleman.

I would now like to recognize the gentleman from Indiana to talk about coal in Indiana.

Mr. BUCSHON. Mr. Speaker, I rise today in strong support of our coal industry and the men and women who work in the industry.

I grew up in a small town in Illinois, 1,400 people, Kincaid, Illinois, where my dad was a United Mine worker for 36 years. All of my friends' parents worked in the coal mine. Coal created good, middle class jobs for those who lived in my hometown.

I've been down in these mines in my hometown when I was a kid, and recently in my district now in southwestern Indiana. I've met the proud, hardworking coal miners, and I've seen the impact their hard work has on the local economy.

In 2010, Indiana mined around 36 million tons of coal and consumed nearly 65 million tons. Currently, Indiana has more energy underground in the form of coal reserves than the entire United States does in oil and gas reserves.

Indiana's demonstrated coal reserve base of over 17 billion short tons is

enough to maintain the current level of production in Indiana for 500 years. The reserve base for the entire Illinois Basin, which includes Indiana coal, is over 130 billion tons, enough to meet the entire U.S. coal demands for the next 100 years. Eighty-eight percent of all electricity generated in Indiana is from coal. And I'm proud to say that all of that coal production is in my district.

This natural resource is vital to our State's energy industry and supports over 3,300 direct mining jobs and approximately 12,000 indirect mining jobs. Twenty-seven percent of Indiana's GDP is from manufacturing dependent on coal-fired electrical generation.

Mr. Speaker, we cannot deny that coal is vitally important to Indiana's economy, as well as our Nation's. Despite the immense impact coal has on our economy, onerous Federal regulations can often be an obstacle for this industry.

I'm pleased to say that the administration actually recently responded to a request by myself and our two Indiana Senators to give a permit to a company creating 100 jobs in my area, but this is unusual. The coal industry under this administration should not have to navigate the overaggressive and ideological regulatory climate coming out of the EPA.

□ 1820

The Mine Safety and Health Administration, or MSHA, recently proposed outlandish rules that are nearly impossible to follow. As has been previously stated, they can't be followed. There's no technology that will meet these standards. These proposed rules are oftentimes, as I just stated, impossible to meet, and they fail to examine the science.

I was a heart surgeon in my previous career, and I can tell you I didn't practice medicine based on ideology or anecdote. I practiced based on scientific fact. Many of the regulations do not have the backing of science.

Madam Speaker, we need a sound energy policy that supports our Nation's coal industry to lower the cost of electricity, create jobs, and make our businesses more competitive internationally.

I'm proud to stand here today to support coal in Indiana and across America, and I thank the gentleman from Kentucky for holding this Special Order.

Mr. BARR. I thank the gentleman.

I would now recognize the gentleman from Montana.

Mr. DAINES. I want to thank the gentleman from Kentucky this evening for this opportunity to talk about coal.

I stand with my colleagues to show support for an all-of-the-above energy strategy. Montana possesses an abundance of hydropower, oil, sun, wind, natural gas, and coal. And coal is a very important piece of that equation.

Coal provides the fuel for roughly 40 percent of the electricity used in the United States. You know, I see the electric cars going down the street; and I'm not opposed to electric cars, but they ought to say ''powered by coal'' on them in terms of understanding where the source of the power is to power these electric cars.

Coal keeps energy costs low. It helps keep American businesses competitive, and it allows middle Americans to keep more of their hard-earned dollars during these challenging economic times.

In Montana, we are seeing firsthand the critical role that coal plays in the energy sector. In my home State, it is creating hundreds of jobs, fostering important relationships with our Indian reservations, being a leader in coal production for our country and leading the way for coal exports.

I support this industry because it enables more young Montanans to put their training and education to work and to stay at home with their job instead of exporting our talent to other places so Grandma and Grandpa have to fly to see the grandkids versus visiting them next door.

You see, in my home State of Montana, we boast the largest coal reserve in the Nation. The Powder River Basin, which spans across southern Montana and northern Wyoming, contains nearly 3.4 billion tons of coal reserves.

I recently met with representatives from Arch Coal, a company that is ready to invest millions of dollars into developing the Otter Creek mine in southeastern Montana.

Developing these resources creates jobs, injects millions of dollars into the economy. It helps lower energy costs, and, importantly, it creates tax revenues for our schools.

Cloud Peak Energy recently signed an agreement with the Crow Tribe to open up access to more than 1.4 billion tons of coal on the northern Powder River Basin, which would help inject millions of dollars into the Crow reservation's economy. I met with Chairman Old Coyote of the Crow Tribe. He said they have a vision of becoming financially independent on the reservation because of these coal opportunities.

These are exciting opportunities, but the industry is under attack. Fringe environmental groups continue to pressure the administration and others to slow production and slow economic development. This must change.

As Montana's Congressman, I'm committed to working for commonsense reforms that ensure that our natural resources like coal can be developed responsibly.

With that, I thank the rest of my colleagues here tonight for helping do the same.

Mr. BARR. I thank the gentleman.

I now yield to the gentleman from Illinois.

Mr. RODNEY DAVIS of Illinois. I'd like to thank the gentleman from Kentucky for doing this Special Order tonight, and it's an honor for me to also follow my colleague from Indiana (Mr. BUCSHON), who talked about his hometown of Kincaid, Illinois, and talked about the importance growing up of coal mining in that community.

I represent Kincaid, Illinois, right now in the 13th Congressional District of Illinois, and just over 20 years ago, these miners lost their jobs because of deliberations and the eventual stroke of a pen here in Washington, D.C. It became cheaper to import coal from the western United States to burn at the power plant across the street from this coal mine where these miners worked than it was to dig it out from underground, ship it on an electronic conveyor belt across the street, and burn it. Over 1,200 miners that day lost their job.

Those were Congressman BUCSHON's friends. Those were my friends' parents. It hit our local economy harder than anything we had seen. Our local economy has since recovered, but we cannot forget that these deliberations in this great body have an impact on all of America's families. And these coal miners of 20 years ago are no different than the coal mining families of today, and we need to make sure we think of them every single time we see this war on coal, that we stand together, Mr. BARR, and fight.

Thank you.

Mr. BARR. I thank the gentleman.

I would now like to yield to the gentleman from Pennsylvania.

Mr. ROTHFUS. I thank the gentleman from Kentucky, and I rise today in solidarity with the middle class workers and families who call western Pennsylvania home.

President Obama's war on coal is a threat to their livelihood and to our communities. From the mine and power plant workers who have received pink slips because of misguided regulations, to the middle class moms who are trying to pay monthly utility bills, to the restaurants and barbershops and other small businesses concerned about costs, President Obama's onerous regulations will negatively impact our communities.

Coal is an essential part of our economy and infrastructure. It is an abundant, affordable, and reliable source of energy that powers our streetlights, schools, and factories. Coal-fired power plants generate 40 percent of electricity in Pennsylvania and 37 percent around the country. Electricity derived from coal is more affordable for families and businesses.

The coal industry employs more than 41,000 hardworking women and men across our commonwealth. Unfortunately, these workers, their families, and their communities are the ones who will suffer as a result of the EPA's unreasonable regulations and President Obama's war on coal.

These burdensome regulations have forced the electric generating industry to shutter coal-fired power plants and lay off workers. Six of these coal-fired power plants in our commonwealth—including several in Western Pennsylvania—have been marked for closure since

the beginning of last year. The power company placed part of the blame on the burdensome cost of federal environmental regulation.

The resulting slowdown in demand and surge in costly regulation have forced coal mines to shut down or reduce production. Last summer, the head of a Western PA coal company attributed the idling of some of its mines to the escalating costs and uncertainty caused by EPA regulations.

Layoffs caused by shuttering of power plants and idling of coal mines—and job losses in related industries—devastate middle-class workers, their families, and their communities.

It is too easy for unelected federal elites in Washington to write regulations without an understanding of the human costs of their actions.

That is why I am working with my colleagues to pass the REINS Act. The REINS Act will provide a check and balance on the Obama Administration by requiring that any regulation with an annual economic impact of $100 million or more be subject to the approval of the House and Senate. Last week, I voted in favor of the REINS Act in the House Judiciary Committee. The Act was approved and now moves to the full House for consideration.

Middle-class moms and dads, coal miners, seniors, and those on fixed incomes deserve the support of all of my colleagues in the House and Senate on a pro-growth agenda. I call on both chambers to pass the REINS Act as a good first step towards sensible regulation that helps grow all parts of our economy.

There is a war on coal in this country, and it needs to stop. It's time to keep the lights on in America. It's time to relight America, and we need to do that here in this House and stop this war on coal.

With that, I thank the gentleman from Kentucky.

Mr. BARR. I thank the gentleman.

I would now like to yield to the gentlelady from Wyoming.

Mrs. LUMMIS. I thank the gentleman for yielding and hosting this Special Order.

Wyoming is the largest coal-producing State in the Nation. It has been since 1986. The 10 largest coal mines in the United States are in the State of Wyoming. And we're having trouble exporting our coal. Even if Americans don't want to use it and would disadvantage themselves in comparison to other countries, we'd like to send it overseas to people who want it.

Who wants it? I'll show you.

China, India, and even Turkey wants our coal. Yet here's the United States, this little dot. This is all the United States wants. It's silly, given this tremendous resource the United States has that produces jobs and revenue and electricity that keeps our manufacturing competitive, to have to send it to those other countries. They want it because they want what we have. They want inexpensive, affordable, abundant energy so their people can manufacture.

We need to protect these jobs in manufacturing. We need to protect the affordability and the reliability by keeping these resources working at home for Americans with American energy.

Mr. BARR. I thank the gentlelady.

I appreciate all of my colleagues here this evening talking about and highlighting the importance of the future of energy freedom in this country and independence.

I would like to yield the balance of our time to the gentleman from California.

Mr. LAMALFA I appreciate my colleague from Kentucky having this conversation tonight and allowing me to speak on it.

Being from California, we don't have a lot of coal in California, and we don't really use a lot of it either. But what I would like to point out is we have a very similar plight in that many of our industries have been devastated by out-of-control regulations by Federal Government: our timber industry, mining, our ability to trap more water for our water supply. Agriculture is also being affected by overreaching regulations.

Also, coal is very important for our entire Nation, and it does have an effect on California, too. What I'm saying here is that, with 42 percent of our Nation's grid being powered by coal and a mandate coming down from the EPA and the President's very aggressive remarks saying that coal is a thing of the past, we're going to put our country in great peril by devastating this industry for our electricity grid. For all the many jobs that are all over the eastern part of this country and part of the West, we're really going to hurt ourselves in this country with this type of policy.

□ 1830

In California, we've seen the effects, for example, in that we have a self-inflicted mandate that makes it where California can no longer use coal, and we've devolved down to only 8 percent as part of our grid—and getting lower. So we're going to be seeing higher and higher energy costs in our State. Why would we want to do this to the rest of our Nation here? California's energy costs are 14 cents per kilowatt while the Nation's average is about 10 cents.

That's why we see an exodus of business from the State of California and their moving to other States. If we do this type of thing in this country, this mandate, we're going to see a bigger exodus to places like China, where they don't have near our environmental regulations. Indeed, China's smoke plume comes over in the jet stream and affects California. We're going backwards with this type of mandate, with this type of policy.

So, for many reasons, I think it's key that we support the coal industry in America—for our economy and for our electricity grid. For those who want to be agitators against coal, then they should be the first ones to sit in the dark, in the cold, from not having electricity on the grid.

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

IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. VARGAS) is recognized for 60 minutes as the designee of the minority leader.

Mr. VARGAS. Thank you very much, Madam Speaker. I appreciate it.

I would first like to say and take a moment to remember the victims of the Boston attack. Certainly, my prayers and the prayers of all of us here go to the families and everyone affected.

I had the great opportunity to go to Harvard Law School and to graduate from that school and spend 3 years there. I ran the marathon once. Usually, when you finish the marathon, it's a great celebration. It's an incredible time. The people there are so friendly, so nice, and everyone is excited. So what this horrible tragedy has done is unbelievable, and our prayers go out to each and every one affected.

I also rise today in recognition of the need for our great Nation to address immigration reform. Tomorrow, many evangelical churches are scheduled to come to the Capitol to pray for just and merciful immigration reform. I want to welcome them here. I think it is about time that we listened to some of the voices of these pastors, to some of the voices of their congregations. I welcome them here, and I'm very, very excited about their presence here at the Capitol tomorrow. I know that they will be praying for us. I know that they will be here to open up our hearts and to listen to what immigration reform can do for us, which is to set us on a path of not only more justice but a more merciful path, so I am very excited about tomorrow.

I want to put this in the context of what has been happening in the United States because of our immigration laws, and I'd like read an excerpt from The New York Times. This is entitled, ''Immigration Status of Army Spouses Often Leads to Snags'':

> Lieutenant Kenneth Tenebro enlisted in the Armed Forces after the September 11 terrorist attacks, signing up even before he became an American citizen. He served one tour of duty in Iraq, dodging roadside bombs . . . but throughout that . . . mission, he harbored a fear he did not share with anyone in the military. Lieutenant Tenebro worried that his wife, Wilma, back home in New York with their infant daughter, would be deported. Wilma, who like her husband was born in the Philippines, is an undocumented immigrant.
>
> ''That was our fear all the time,'' he said. When he called home, ''She often cried about it,'' he said. ''Like, hey, what's going to happen? Where will I leave my daughter?''

It goes on and explains:

> Like Lieutenant Tenebro, many soldiers, anticipating rebuke and possibly damage to their careers, do not reveal to others in the military their family ties to immigrants here illegally.
>
> Mrs. Tenebro is snagged on a statute, notorious among immigration lawyers, that makes it virtually impossible for her to become a legal resident without first leaving

the United States and staying away for 10 years.

So our current law requires that the wife of this brave American soldier leave the country for 10 years before her status can be legalized. There are very few things that I can think of that are less just than that law, and that law must be changed.

I want to thank the Senators, the Group of Eight—I don't like the word ''gang'' because I'm from California, and there it has a very negative connotation. I don't think of the Senators as gangs or as anything other than good guys over there, so I want to thank the Group of Eight that has come forward with these proposals, because I think these proposals are very, very important.

You might think that Wilma and Lieutenant Tenebro are unique, but they're not. In fact, we've heard testimony here, interestingly. A brave marine said something in such stark terms that I'll never forget it. He came and told his story, and he said this:

> I've been through two tours of duty in Iraq, and I'm going back to Afghanistan. I'm not afraid of dying, ''because that's what soldiers do.''

I thought that was really stark. He's not afraid of dying in fighting for our country, but what he said he was afraid of was that his wife might be deported. It was the exact same thing as Lieutenant Tenebro. His fear was not that he would be killed in action. His fear was that his wife would be deported. He said, What will I do then with my two children? What will happen with my two children if they deport my wife?

He told the story that he met his wife at church. I understand from him she's a beautiful young lady. They fell in love, they got married, and they began to have children. The next thing he thinks about is—well, he gets deployed to fight for his country, and he's proud to do it, but his fear is that his wife and his kids will be separated, that the family will be broken.

He did a very interesting thing that I've heard a couple of soldiers do now. He has covered his wife's car with ''Go, Marines. My husband is a marine in Iraq.'' He says he has blanketed his car with that, suspecting that they won't pull her over for a minor traffic issue because, if they do pull her over, the police will find out that she does not have a driver's license because she's not a citizen. So his fear is that they're going to deport her. What will become then of their kids?

Again, he's not unique. We also met here—and he testified over in the Senate—a gentleman who was an Army soldier. He was in the Army. He went to Iraq, and unfortunately, he was injured. He then came home, and thank God for his loving wife, who has taken care of him, and his children. He has the opportunity then to live with them, but they live in fear. He says:

> I'm captured here. I am a prisoner of my country. I'm afraid to go anywhere because I can't drive. My wife drives, but my wife's undocumented. I am afraid that they're going to pull us over and they're going to deport her. Then what am I supposed to do? How am I going to take care of myself and my kids?

This is a very unjust law. This law has to be changed. How can it be that we can allow this? One of our brave soldiers is called by his Nation to fight. He fights and he's injured. He comes home, and his loving wife takes care of him, and his fear is that his wife is going to be deported. We have to change this law. We have to change this law because it's unjust.

I would like to take a moment to review what our immigration law is, because a lot of people say, Well, you know, these people broke the law. They broke the law. Maybe they should be deported. Maybe the soldier's wife should be deported. She broke the law. I would say this: let's take a look at the law because the law is very interesting. I'm an attorney, and I can tell you this, that the law usually is divided in a very special way, and that is: malum in se and malum prohibitum.

□ 1840

So what is malum in se? Malum in se is this. Malum in se means the thing is wrong or bad in itself. It's malum in itself. Malum in se. So, for example, murder, murder is illegal because it's malum in se. It's always wrong. It's bad. It's wrong to murder and it's illegal to murder, so that's malum in se.

So what is malum prohibitum? Malum prohibitum is it's bad or wrong or illegal because it's prohibited, not because it's wrong or immoral in itself. So the act itself is not wrong; it's simply illegal because we make it illegal. A good example is the speed limit. You could be traveling 56 miles an hour in a 55-mile-an-hour zone. Now you've broken the law, but have you done something immoral? Have you done something wrong? Well, you broke the law, but you know what? You didn't endanger anybody. And, in fact, your car is built to go safely at 56 miles an hour. The road, we call them in California freeways, the freeway was built to do 70, so you're actually obeying common sense. So it's illegal only because it's malum prohibitum, because we created the law, not because it's wrong in itself. And, in fact, we often change the law because we say that's a silly law. It doesn't make sense to travel 55 miles an hour on a freeway, so we change the law to 70. Although I drove through Texas, and I see that they have 75. They think it's safe at 75, which is great. I'm sure it is. And so they changed the law. Why they'd change the law, because there's nothing wrong or immoral about it. It's simply malum prohibitum, so they changed the law. That's what we have to do with our immigration laws.

When a person comes here to work, when a wife like Wilma lives here with her husband, she's not violating any type of moral law. She's violating malum prohibitum, a law that we made that we can change.

So let's review, then, a little bit of the immigration laws in our Nation.

The Naturalization Act of 1790 stated that Congress adopted the uniform rule so that any free white person could apply for citizenship after 2 years of residency. So if you were here, if you lived here for 2 years, you could become a resident.

Then there were minor changes, and in 1882, we had the Chinese Exclusion Act of 1882. It was the first Federal immigration law that suspended Chinese immigration for 10 years and barred Chinese in the U.S. from becoming citizens. A terrible law that, of course, we changed. Why? Because it was malum prohibitum. It was a dumb law. It was an immoral law. We changed it, and we should've changed it. Thank God we changed it.

Then in 1892 we opened up Ellis Island. No one ever talks about California, by the way. We had Angel Island located in San Francisco. Not as many people went through Angel Island. In fact, between 1892 and 1953, in Ellis Island we had over 12 million immigrants that were processed in that facility. Angel Island had nowhere near that.

What was the law then? The law said this: first-and second-class passengers, those on ships, were not required to undergo inspections at Ellis Island unless they were sick or had legal problems. So, in other words, you showed up; come on in. That's the law. That was the law. You showed up; come on in. You're in first-class, second-class on a ship, yup, come on through. No problem.

Third-class passengers had to undergo a medical and legal inspection. If in good health and papers in order, the process took 3 to 5 hours, and then they were citizens. That was the law. That was the law. So it's very interesting when people say, Well, we did it the right way. My ancestors did it the right way.

They came here. There was basically no law. All you had to do was walk in. It was very interesting.

Then there were minor changes. But in 1986, we had a major change—the Immigration Reform and Control Act of 1986. It is also known as the Simpson-Mazzoli Act. And what this law did, it set a ceiling of 540,000 immigrants a year. It also required employers to attest to their employees' immigration status, that they were here legally, and made it illegal to knowingly hire or recruit unauthorized immigrants. It legalized certain seasonal agricultural immigrants, and it legalized illegal immigrants who entered the United States before January 1, 1982, and had resided here in the United States continuously.

And who signed the law? Ronald Reagan. Ronald Reagan signed the law. It's very interesting because I'm a Californian. Ronald Reagan, even though he is from Illinois originally, we claim him as one of our own. We're very proud of Ronald Reagan in California,

and even as a Democrat, I'm very proud of Ronald Reagan. I've always liked Ronald Reagan. I thought he was a good man, and I think he set a great example. He certainly set a great example when it came to immigration. He looked at the humanity of the immigrants here, and I'll read a couple of quotes from him a little later on, but he signed it, and it was something he never regretted. He never regretted. Just the opposite. He said, I regretted raising taxes in California and a bunch of other bills that he signed when he was still a fairly young Governor, but he never regretted this. Just the opposite; it was something that he was proud of.

So what now? Where do we go from here? I think what we should do is we should remember the people that are coming tomorrow, the evangelical pastors and churches, and thank them for coming and opening our hearts. I want to read a few letters from both Catholic priests, pastors and a rabbi, and see what they think about immigration because it has been very interesting. I do watch here some of the speeches that are given, and I have to say that they're very negative about immigrants. You hear about all the terrible things, the parade of horribles that some people come up here and talk about day after day after day, and you'd think that most immigrants are terrible. It would be as if I came up here and talked about some of the terrible things that some mothers do, and say, Well, mothers are terrible. We should get rid of mothers. That's ridiculous.

The reality is most immigrants are very hardworking people. They come here for a better life. They work hard. I want to read a few letters from pastors and priests and a rabbi that talks to this and puts it into the context of Scriptures because I think it is very important. Obviously they are here tomorrow because they read the Scriptures, they believe in the Scriptures, and that's why they're here tomorrow; and I want to put this debate within that context because I think that we are a very fair and merciful people. I think we are a God-fearing people. I think we need to put this immigration debate within the context of our faith communities, and so I'm going to read this letter.

The first letter is from Father Scott Santarosa. He's the pastor at Dolores Mission Catholic Church in Los Angeles, California. He's a Jesuit. He addresses this letter to me and it reads like this:

Dear Congressman Vargas,

I applaud your enthusiastic support of comprehensive immigration reform that includes a pathway to citizenship. I believe you are correct in stating, as you did before the House of Representatives last week, that immigration reform is one of the most pressing moral issues of our time.

He says it's ''one of our most pressing moral issues of our time.''

He goes on and says:

The truth is there are numerous biblical reasons for advocating for immigration reform. Indeed, our Judeo-Christian history as people is built on immigration, and Jesus, who himself is the new covenant with us, calls us to be compassionate to all.

He goes on and says:

Early in Genesis, we find God's exhortation to Abraham: ''Leave your country, your people, and your father's household and go to the land I will show you.''

That's from Genesis 12:1.

He goes on and says:

God makes a promise to Abraham to make him a great nation. It is a promise of a better life, a better future.

Again, a quote from the Bible:

''I will make of you a great nation, and I will bless you; I will make your name great, so that you will be a blessing.''

Genesis 12:2–3.

This is God's calling his people to immigration as their pathway to greatness, and we of Christian and Jewish faith cannot deny that our roots are built on immigration, on God's call to us to be migrants.

And once we arrive at our destination, we cannot rest there, but we must remember what it was to be immigrants, to be aliens. God instructs us, His people, ''to love those who are aliens for you, yourselves, were aliens in Egypt'' (Deuteronomy 10:19) and to treat strangers by providing a place of rest, food, and hospitality: ''Let some water be brought that you may bathe your feet and then rest yourselves under the tree. Now that you have come close to your servant, let me bring you a little food that you may refresh yourselves.'' (Genesis 18:4–5)

□ 1850

Scripture is clear on the treatment of the immigrant. We read this time and again in passages like the following:

''When an alien lives with you in your land, do not mistreat him. The alien living with you must be treated as one of your native-born.''

I'm going to read that again:

''When an alien lives with you in your land, do not mistreat him. The alien living with you must be treated as one of your native-born. Love him as yourself, for you were aliens in Egypt. I am the Lord your God.'' (Leviticus 19:33–34)

Then Father goes on and quotes from Deuteronomy:

''Cursed is the man who withholds justice from the alien, the fatherless or the widow.''

He then quotes Exodus 23:9:

''Do not mistreat the alien or oppress him, for you were aliens in Egypt. Do not oppress an alien; you yourselves know what it feels to be aliens, because you were aliens in Egypt.''

Father Santarosa goes on and says:

Jesus himself is an immigrant, as very early in His life He and His parents, Mary and Joseph, are forced to flee to Egypt for His safety. We must understand that His heritage as a Jewish person and as an immigrant informed His teachings on how we are called to treat the other, in particular the most vulnerable among us. Jesus goes so far as to say that how we treat the least among us, namely, the immigrant, is how we treat him: ''For I was hungry and you gave me something to eat. I was thirsty and you gave me something to drink. I was a stranger, and you invited me in. I needed clothes and you clothed me. I was sick and you looked after me. I was in prison and you came to visit me.'' (Matthew 25:35–36). Jesus clearly mandates that we are to treat the immigrant and the alien as we would treat Jesus himself.

Other New Testament readings after Jesus continue to emphasize the just and humane treatment of our immigrant brothers and sisters. First, we read that we, though perhaps not actual immigrants, are called to see ourselves as people who have no home here on Earth, that our destination is beyond this world: ''But our citizenship is in heaven, and from it we also await a Savior'' (Phillipians 3:20) and ''Beloved, I urge you as aliens and sojourners to keep away from worldly desires that wage war against the soul.'' (1 Peter 2:11).

And second, we are called to be just and fair in our treatment of immigrants. ''Contribute to the needs of the holy ones. Exercise hospitality.'' (Romans 12:13). ''Let mutual love continue. Do not neglect hospitality, for through it some have unknowingly entertained angels.'' (Hebrews 13:1–2).

He goes on and says:

In sum, as people of Judeo-Christian heritage, and as people of faith, we cannot escape or get around Jesus' call to exercise hospitality towards our immigrant brothers and sisters. Jesus' call to love one another as He loves us requires that we not simply do the least or the minimum just to get by, for that is not how He has loved us. Jesus has loved us to the maximum. So, also, we are called to go above and beyond what could be expected in order to love others. In this country, this would imply granting full citizenship to our undocumented brothers and sisters. Less than this would be creating a level of society that is devalued as persons, and this would be in direct violation of everything that Jesus teaches. To be a person of value in this democratic country is to be a person with a voice, a person with a vote. This is the democratic foundation of our country.

He goes on and ends like this:

Thank you for reading this letter to fellow leaders in Congress. I, together with my parishioners of Dolores Mission, and with 26 other multi-faith congregations of Los Angeles, and 1 million families in 150 cities of this country which make up PICO, am praying for your good discernment as you propose to enact an immigration reform which is just and humane, rooted in our faith and biblical values.

Gratefully and faithfully yours,

Father Reverend Scott Santarosa, S.J., Society of Jesus, Pastor.

I want to thank Father Santarosa. I want to let him know that tomorrow he will have help here. He will have plenty of help from the evangelical ministers and pastors that will be here tomorrow on hand to open up the hearts and the minds of those that are not yet convinced that we have to have a humane, a just, and a merciful immigration reform package. And I thank him.

The second letter that I'd like to read is from Father Sean Carroll. Father Sean Carroll is the executive director at the Kino Border Initiative for Nogales, Arizona, and Nogales, Sonora, Mexico. He also addresses the letter to me and says this:

Dear Congressman Vargas:

Since 2009 I have been working with deported migrant men, women and children along the U.S./Mexico border. These past 4 years I have witnessed firsthand their brokenness in body and spirit when they are deported due to days and weeks in detention

and forced separation from their spouses and children. I have held the hand of the mother separated from her children in Chicago, and listened to the father deported away from his two children in North Dakota. I have been present with the mother so far apart from her children in New York and with the son seeking to be reunited with his mother in Central California.

He goes on and says:

I know God calls us not to oppress the widow, the orphan and the stranger (Exodus 22:21–22 and Deuteronomy 27:19) and yet I have been a witness to how we essentially make widows out of women migrants when we deport them away from their husbands in the United States. I am also keenly aware of how we turn U.S. citizen children into orphans by repatriating their migrant parents to Mexico and placing their sons and daughters in foster care. And I see the ways we reject the stranger in our midst, the person seeking a better life for themselves and their families, the one who in the Gospel of Matthew (25:35–40) reflects the presence of Jesus himself.

What would happen if we accepted God's invitation to remember the moments that we were in exile (Exodus 22:21), the times when we felt like strangers, and to recall how God has led us through those experiences to new life? My memory of God's action in my own struggles and challenges compels me in gratitude to put this Word of God into practice in the here and now, to support a path to citizenship for our undocumented sisters and brothers, to reunify family members separated due to mixed immigration status, and to provide some ways for people that come to work in the United States with dignity and with their human rights respected.

Jesus quotes the book of Isaiah (61:1–2) when He opens the scroll and says, ''The Spirit of the Lord is upon me, because He has anointed me to bring good news to the poor. He has sent me to proclaim release to the captives and recovery of sight to the blind, to let the oppressed go free, to proclaim the year of the Lord's favor. Today, this scripture has been fulfilled in your hearing.'' (Luke 4:16–19; 21). I firmly believe that God has given us the gift of His Spirit, the same Spirit that Jesus breathed on His friends when he rose from the dead (John 20:19–22). It is a spirit that empowers us to make the promise and command of the word, God's word, a reality, by working for comprehensive immigration reform.

□ 1900

He concludes by saying this:

Please count on my prayers for you and the other Members of Congress, as you follow God's word on this issue of great importance for us as a country and as a people of faith.

Sincerely yours in Christ,

Reverend Sean Carroll, Society of Jesus

Executive Director

Kino Border Initiative

Nogales, Arizona, and Nogales, Sonora, Mexico.

Thank you, Father Carroll. I appreciate that very much.

Father Carroll very poignantly says that our policy today makes orphans out of children of migrants.

Recently, I had the opportunity in San Diego to listen to a young lady who is very accomplished in her short life. I believe she's 17 years old. She's very excited about going to college next year. She attends the Preuss School. It's a magnet school at UCSD. She has very, very good grades and is excited about college. We're very excited for her. She started off with a great tempo and we thought wow, this is going to be a great story. She's a lovely young person. She was telling her story and we were all excited to listen and hear what was going on in her life. And then she stopped for a moment, sort of an awkward cadence, and started crying. She said, Of course, my parents have just been deported. She said she didn't know what to do because her parents had been deported.

It really was a shocking moment to me to listen to her because she's an American citizen, she was born here, but her parents are undocumented immigrants. Right at the moment of great accomplishment, the moment of great pride for her, and I'm certain for her parents, her parents are pulled away, not because they're terrible, not because they have done anything wrong other than try to provide a better life for themselves and for their daughter, but because they're undocumented.

The good thing is that we have a chance to do something about this. We have a chance to pass immigration reform that's merciful, that lives up to the values that we hold dearly in this country. And so I'm very excited about this reform. I'm very excited about tomorrow, frankly. I have to be honest and say I've always been in favor of immigration reform. I thought that President Reagan got it right, that we should have a humane policy towards immigrants. I think he was following certainly the Good Book. I appreciate Ronald Reagan, and I appreciate all those that felt like him previously.

I've always thought that we should have immigration reform that makes sense. But not everyone was always convinced of this. In fact, a few years ago, I had a conversation with a pastor in San Diego who was pretty sour on the notion that we should give an opportunity for the people that came here without documents to stay. We got into a heated but loving discussion. I do love the pastor. He's a great guy. But we got into somewhat a heated discussion. I said, I don't see how this tracks the Bible. I know the Bible pretty well. I studied to be a priest myself for 5 years. So I certainly read the Good Book and am humbled by what's in there. I said, I challenge you to go through there and find a place that criticizes the immigrant, that criticizes the stranger. Because it's just the opposite.

Anyway, we got into a theological discussion. And we remain friends. I met him again recently and he told me that he was praying for me and for the rest of us in Congress to pass a very comprehensive, just, merciful reform package. And I said, Pastor, I remember our conversation. He says, Yes, so do I. He said, I was wrong. I said, What happened? He said, I want to say it was simply the Bible. I read it. But the reality is my congregation has changed. We evangelize. That's our mission. I'm an evangelizing preacher here, and in my evangelization I have brought in people who are undocumented. And they're wonderful. They come, they pray. They make my church a better place. Some of them have married, he mentioned two people, in fact, who were in the Navy, the people in his congregation. He says, I've changed. I was wrong about them.

So I thank the evangelical churches, most of whom now are ardent supporters of immigration reform, a comprehensive immigration reform that's just, that's merciful, that leads to citizenship so people are not second-class citizens. I want to thank them.

Tomorrow, I know that they're going to have an opportunity to mix among us Congress Members and senators. And I hope that we have an open heart to receive them and to receive their words because I think they're here on a good mission.

I would like to read a letter from Mark Potter. He is the Provincial Assistant for the Social Ministries at the California Province, Society of Jesus, the Jesuits. And it reads like this:

In the Hebrew scriptures the story of Israel is a story of a people on the move, called by God to migrate and to become strangers in strange lands, motivated by God's promise of something better—a better life, a better future: ''The Lord said to Abram: 'Go forth from your land, your relatives, and from your father's house to a land that I will show you.' '' This is how the people of Abraham wound up in Egypt, where they were forced into captivity. The Egypt experience of being enslaved because they were immigrants became for Israel the touchstone of God's command to treat aliens with hospitality.

And they certainly have. And I thank the Jewish community. I know a number of rabbis in San Diego, and they are the first people to defend immigrants in such a strong way. And I thank the Jewish community. That faith community is one that has always had the immigrant at heart. I thank you from the bottom of my heart.

It goes on with a quote from Deuteronomy:

''So you, too, should love the resident alien, for that is what you were in the land of Egypt.'' Care and hospitality for the stranger became a hallmark of Jewish ethics, law, and culture, famously invoked dozens of times throughout the Hebrew scripture as the particular concern for the ''widow, the orphan, and stranger in your midst.'' Living according to these values became for Israel a sign of fidelity to God's laws. Violating this concern for the widow, the orphan, and the alien became reasons for God's judgment against his people.

Exodus 22:20–22:

''You shall not oppress or afflict a resident alien, for you were once aliens residing in the land of Egypt. You shall not wrong any widow or orphan. If ever you wrong them and they cry out to me, I will surely listen to their cry.''

Leviticus 19:33–34:

''When an alien resides with you in your land, do not mistreat such a one. You shall treat the alien who resides with you no differently than the natives born among you; you shall love the alien as yourself; for you too were once aliens in the land of Egypt. I, the Lord, am your God.''

Deuteronomy 27:19:

''Cursed be anyone who deprives the resident alien, the orphan, or the widow of justice! And all the people shall answer, 'Amen.' ''

He goes on and quotes a number of passages from the Bible. And then he concludes his letter by stating this:

The most literal reference to care for the stranger is found in the famous story of the Final Judgment in Matthew 25, where Jesus instructs His followers about how they will ultimately be judged by how they treated the most vulnerable: ''The King shall say to those on His right, 'Come, you who are blessed by my Father. Inherit the kingdom prepared for you from the foundation of the world. For I was hungry and you gave me food, I was thirsty and you gave me drink, a stranger and you welcomed me, naked and you clothed me, ill and you cared for me, in prison and you visited me.' '' (Matthew 25: 34–37)

Tomorrow we will have, again, the opportunity, and I hope that we all take the opportunity to meet with the pastors that are going to be here, the evangelical churches.

□ 1910

I would like to quote a pastor who wrote very eloquently. He is a doctor, Pastor Dr. Richard Land, outgoing president of the Southern Baptist Convention's Ethics and Religious Liberty Commission and executive editor of The Christian Post. He writes:

Southern Baptists have gotten to know immigrants as brothers and sisters in Christ. It has put a human face on this.

He also pointed out that Southern Baptist churches now include several hundred thousand Hispanics as a result of their evangelization efforts. An Hispanic pastor told Reverend Land that he estimates that as many as 40 percent of those Southern Baptist Hispanics probably do not have legal status in this country.

So I am very excited about tomorrow. I know that Dr. Pastor Richard Land and others are praying for us. They're very excited about coming and speaking to us and opening up our hearts and our minds and making sure that we do the right thing, which I'm sure we will do—I'm hoping we will do.

The last letter that I'm going to read is a letter that was actually written by Rabbi Laurie Coskey, executive director of the Interfaith Committee for Worker Justice, and Pedro Rios, chairperson of the San Diego Immigrant Rights Consortium and director of the American Friends Service Committee. The letter is addressed to the San Diego Council, which just last week unanimously approved a resolution in support of comprehensive immigration reform.

I would note that the San Diego City Council is made up pretty equally of Democrats and Republicans, and here they put aside partisanship and they strongly passed a resolution in support of comprehensive immigration reform. So this is the letter that Rabbi Laurie Coskey and Mr. Pedro Rios wrote:

Dear San Diego City Council, we are writing to you today representing ourselves and the myriad of organizations that have worked within our city to support immigrants and refugees over many decades. Over the years, in the spirit of good faith, we have urged our City Council members to take a stand with immigrant and refugee communities who live and work in the city of San Diego.

As the conundrum of our broken immigration system has affected all of us in profound ways, many times over the years the City Council of San Diego has been at the forefront of human rights issues that affect the people living and working here. We come to you now, recognizing the importance of your voice.

Today, we stand at a unique moment in history, where the Federal Government has recognized that the immigration laws and policies are no longer of benefit, and that they are stretching to craft a new comprehensive immigration policy that we pray will be generous, humane, and transformational for those who live and work here.

As the leaders of the largest border city in the United States, we passionately urge you to take a leadership stand by passing a bipartisan resolution in support of reasonable immigration policy reform.

In parenthesis, they did, they did exactly that. They did it unanimously. And I thank the San Diego City Council—every member, the Democrats and the Republicans. Thank you. Thank you deeply for that.

They go on and say:

Because of the prominence of San Diego, your bipartisan resolution can serve as an example and as a model to the Federal legislators that the benefit of such policy change demands bipartisan collaboration and agreement in order to pass sweeping immigration policy reform. To put it simply, by working together quickly, you may teach the Congress what bipartisan collaboration can actually accomplish.

They did exactly that. They acted together; they acted swiftly; they acted unanimously; they acted compassionately. I hope we do the same.

They go on and say:

Additionally, your action will encourage immigrant and refugee community members and their supporters by demonstrating that their city representatives understand and support the call for reforming immigration laws.

We all recognize that in recent years the failure of Congress to reform immigration laws has led to great hardships for too many people who live in fear. In San Diego, we have witnessed the devastating impact of the broken immigration system. Families have been torn apart in immigration raids; immigrant workers are silent in the face of abusive labor practices; distrust has generated fear for immigrants, who otherwise contribute to the social fabric of our communities; and the current immigration laws have led to an unbalanced focus on enforcement.

To be sure, the city of San Diego would not be America's finest city without numerous ways that immigrant and refugee communities contribute economically, culturally, and socially, from the agriculture fields in northern San Diego County to the tech industries, and adding to the cultural vibrancy that make San Diego an attraction to people around the world.

As a border city, San Diego is uniquely positioned to address immigration issues and to offer insight into what reasonable immigration reform might look like. A resolution might address the need to improve the port's infrastructure. It can address human and civil rights implications and enforcement mechanisms. It can advocate for a broad and inclusive pathway to citizenship without burdensome obstacles.

As representative organizations and coalitions, we urge you to adopt a resolution that supports a reasonable and comprehensive approach to immigration reform.

It's signed, Sincerely Rabbi Laurie Coskey, Educational Doctorate, Executive Director, Interfaith Committee for Worker Justice; Pedro Rios, Chairperson, Director of the San Diego Immigrant Rights Consortium and the American Friends Service Committee.

I want to thank Rabbi Laurie Coskey for this letter. I also want to thank Pedro Rios for coauthoring this letter.

I have to say that one of the reasons that I'm up here reading these letters is that there are a lot of people that want to be heard out in the Nation about this issue of immigration. From this podium, day after day after day, they've only been hearing the negative voices, the parade of horribles, the instances when immigrants have failed or have even committed horrible crimes, and some have. But unfortunately, it has been somewhat of a less than veiled attack on all immigrants, especially those that came to this country for no other reason but to better their lives and to work very hard so their children could have a better life. That's the American Dream. That's the American Dream for all of us, for our children, that we can have a better life.

I want to read now from President Ronald Reagan. Again, many of us are very proud of Ronald Reagan. I will give Illinois their due, he was from there originally, but the reality is he's a Californian. If you look at the statue here in Statuary Hall, he's here as a Californian. So I'm very proud of him. As a Democrat, I've always been very proud of him. I say that, and some of my Democrat friends, they get a little nervous about that. The reality is I'm very proud of him. I didn't agree with everything, obviously, but I agreed with his humanity.

I think we will see that in some of these quotes. I think what made Reagan a great person and a great President was that he didn't stick to some of the tired dogma of others. Instead, he led us forward as a great President. I quote him:

Unless the United States makes a more sensible and efficient system for admitting legal migrants who come to take advantage of work opportunities, no reasonable level of enforcement is likely to be enough to resolve this illegal immigration problem.

How true he was. How true he is still.

I also agree with former President Reagan when he said the following, referring to the Immigration Reform and Control Act, again, the Simpson-Mazzoli Act of 1986:

We have consistently supported a legalization program which is both generous to the alien and fair to the countless thousands of people throughout the world who seek legally to come to America.

You know what? Ronald Reagan was generous. I hope that each and every one of us can have that spirit of generosity, that magnanimous spirit that he had.

I'm going to quote him again and continue with his quote:

> The legalization provisions in this act will go far to improve the lives of a class of individuals who now must hide in the shadows without access to many of the benefits of a free and open society. Very soon many of these men and women will be able to step into the sunlight, and ultimately, if they choose, they may become Americans.

□ 1920

I thank Ronald Reagan because I think he was very generous. It's very interesting how many Republicans are running away from his legacy on this, his legacy of generosity. You shouldn't be running away from it; you should be running towards it; you should be running to it. You will be like him if you have that spirit that he had, the spirit of a generous soul.

I know I have a few minutes left here, and I thank the Speaker very much for the opportunity that they've given me here. Normally I don't speak this long, but I thought it was important to come and hear another voice, not just the voice that condemns the immigrant, a voice that says there's millions and millions and millions of Americans out there, in fact, a great majority now, that want comprehensive immigration reform that's just, that matches up with our values of a generous people.

This is a statement of citizenship from the evangelical churches. This is the evangelical statement of principles for immigration reform.

> Our national immigration laws have created a moral, economic, and political crisis in America. Initiatives to remedy this crisis have led to polarization and name calling, in which opponents have misrepresented each other's position as open borders and amnesty versus deportations of millions. This false choice has led to an unacceptable political stalemate at the Federal level at a tragic cost of human life, at tragic human cost.

As evangelical Christian leaders, they say:

> We call for a bipartisan solution on immigration that respects the God-given dignity of every person, protects the unity of the immediate family, respects the rule of law, guarantees secure national borders, ensures fairness to taxpayers, establishes a path toward legal status and/or citizenship for those who qualify and those who wish to become permanent residents. We urge our Nation's leaders to work together with the American people to pass immigration reform that embodies these key principles and that will make our Nation proud.

There's heads of the evangelical immigration table, and it's very, very lengthy. In fact, I'm not going to go through and read it. I was tempted to do that because day after day I heard a few people come in here and you'd think that everyone in the United States was against immigration reform. In fact, just the opposite.

I could read that Leith Anderson, President of the National Association of Evangelicals; Stephan Bauman, President and CEO of the World Relief; David Beckmann, President of Bread for the World; Noel Castellanos, CEO of Christian Community Development Association—I could go on and on and on because this thing goes on for pages. My trustee staff gave me pages and pages and pages of leaders in the evangelical churches that have signed on to this, so I won't go on and read all the names.

But I will say this. I believe we will come to an agreement on immigration. I do believe that. I honestly believe that. I do believe that the prayers that the faith communities are directing towards us, and especially towards the immigrants, are going to be heard. I believe that. I believe it deeply that this time we won't fail, that this time will be different, that this time, in fact, we will pass a law that is just, a law that treats immigrants as we're supposed to treat them, as it says in this Good Book. As our values as Americans, I think that we will have a just, a merciful immigration law, and I'm very excited about it.

I wanted to end with a story of a young woman that came and testified in California last year. I spoke about it in California and I want to speak about it here, because it's one of those incredible tragedies in life, and I called it, ''Two Days in Mexicali.'' And, unfortunately, for many of us Californians, when we think about 2 days in Mexicali or 2 days in Tijuana, it's normally not the 2 days that I'm going to speak about here.

Instead, this was a young lady. This was a young lady who was born in Mexicali. Her mother was a prostitute and a drug addict. They lived in Los Angeles. The mother had been born and raised there. She went to Mexicali and then had a child in Mexicali.

She abandoned the child there, and this child's grandmother went and found her, brought her back to Los Angeles. And the grandmother was, I suspect, a very Christian, devout woman, and raised this child in a beautiful way, because for 13 years she developed into a very successful student and a very nice person.

We got to meet her because she was, I guess, 19 years old. She had turned 19, and she had not known that she was an undocumented person because that never came up. So, instead, she lived her life thinking she was an American citizen. Then she applied for college. And at that point, we hadn't changed the law yet as they had in Texas to allow an undocumented person to get in-State tuition or to get any kind of financial aid; so even though her mother was a prostitute and a drug addict who abandoned this little girl, this little girl grew up to be a wonderful person, and then the law oppressed her by not allowing her to continue.

We have a chance to change that for her and for so many other people. And I hope we listen to the pastors tomorrow, our evangelical brothers and sisters that are going to come tomorrow to pray for us, to pray that we open up our hearts, pray that we will see the immigrant as the stranger in Matthew 25, that we will treat them in a way that is humane and that cherishes our values as Americans.

Madam Speaker, I thank you very much for the opportunity today to speak. I think this is a very important issue, an issue that I have great faith in God that will be resolved according to our best values; and our best values are those of mercy.

I thank you very much, and I yield back the balance of my time.

CURRENT EVENTS IN REVIEW

The SPEAKER pro tempore (Mrs. WALORSKI). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Madam Speaker, we know that there is so much going on after the tragedy in Boston where not just Boston was attacked, but the United States was attacked by acts of sheer evil, perpetrators who did not care about innocent people and innocent lives. They thought it better to try to kill, maim, and destroy. What sick, twisted, evil human being or human beings would do that?

But we saw 9/11/2001 vividly clear. There actually are people who are so radical, so mean, so evil, so twisted that they actually believe they could make for themselves a way to paradise by killing innocent people, killing children not even old enough to have really done anything wrong, and that is what they obviously felt would make their great mark in the world. I can't help but strongly believe with all my heart that, unless they repent and find grace, they are in for a very rude awakening in the next life.

It is my hope, as well, that the individual or individuals who are responsible will be held to account with the death penalty that will be implemented behind closed doors, without cameras present, without an opportunity for them to yet insult or hurt anyone else. They've done enough.

□ 1930

We'll await to see who it is that ends up being responsible. Perhaps there's an announcement tonight, perhaps not.

I am glad that even though there was a person of interest, that the investigators did not rush to judgment on that, that they continue to explore every possible clue, every possible video and photograph, thoroughly doing a good job it certainly appears in law enforcement so that when the evil culprits are apprehended and they go to trial and their attorneys are trying to raise a reasonable doubt with a jury, that the investigation will have been so thorough and there will not have been an inappropriate rush to judgment such that a fair trial is had, due process is had, and then making sure that it is,

indeed, the perpetrator or perpetrators and then carry out a death penalty. I hope that is the justice that ends up being carried out.

In the meantime, we had a gun bill that was voted down, as I understand, 54–46 in the Senate. It did not pass. It did not have enough votes. But with all of our hearts having poured out and continuing to have prayers and sympathy and empathy for the people in Sandy Hook, in Newtown, we still had a bill that was being brought to the Senate floor that all of the people who supported the bill, as I heard, had basically admitted that bill would not have saved a single one of the precious, dear little children that were so violently gunned down in their schoolroom. It would not have saved the heroic administrator, a teacher, those who were trying to protect the children.

It just seems that if people in Washington or other parts of the world, New York City or wherever, are going to manipulate and use such a tragic situation, such sympathetic victims, they ought to at least, for goodness' sake, at least put forward a bill that if it had been implemented would have ensured that at least one of the children or adults killed at Sandy Hook would not have been killed.

Otherwise, let's put together laws and let's have this administration finally enforcing laws that both together will reduce violence. Pushing forward a bill that would not save any of the lives lost there or in Colorado is just inappropriate and manipulative, and the victims deserve better.

I still completely understand the families of the victims, their hearts, the struggle, the difficulty. I understand, but let's not manipulate them for an individual political agenda.

Now, I was on C–SPAN this morning with the host, Greta Brawner, a terrific host, as is Susan Swain. I've enjoyed being on with both of them. But we were talking about border security and a bill that the so-called ''Gang of Eight'' is putting forward. They're great people in the ''Gang of Eight,'' and I know they mean well. They want good for this country.

I'm also reminded of a line that I was told back in the Soviet Union in the summer of 1973 when I got close to a Soviet college student and we had a free exchange of ideas. He never put down his country at all. Despite that, he was ordered not to talk to me anymore after we became good friends because that's what happens in a country where the government becomes too powerful: you can't even choose your friends any more.

At one point we were sitting alone visiting, and he tugged on my shirt and he said, We don't have material this good for our individual citizens. We wish we did, but we recognize you have so much more and better things for your citizens in the United States than we do here in the Soviet Union. He said, But you've got to understand that here in the Soviet Union, since we were formed in 1918, we have had two major wars fought on our own soil that have kept this country just in turmoil, and we have had to spend most of our resources not on such nice clothes and good things for individuals, but in defending our country because we never had two oceans protecting us the way you have in the United States.

I was able to point something out to President Bush some years back when he was President and I was a freshman here. I said, Look, for most of this Nation's history, as the young Soviet college student told me when I was a college student, you have had two oceans protecting your country, the United States. He was exactly right. For most of our history, two oceans have protected the United States.

I remember having conversations in the eighties and nineties, as we would see violence in other places, whether it was Beirut or the terrible atrocities inflicted on Israelis on their own soil, the constant bombings and people being blown up just as occurred at the terrible and evil event in Boston.

People have actually said the thing about America is if somebody were to decide to be a suicide bomber in America, they'd have to cross either the Atlantic or the Pacific, and they'd have such a cooling-down time, that even though they might be whipped up into a rage before they left to fly to America, all of the hours of sitting quietly on a plane or days on a ship would be enough to cause them to pause; and when they got to America, they would think, Nah, I really didn't want to blow myself up after all. That seemed to work pretty well.

But then the radicalization of Muslims got to the point where they were actually able to radicalize people who could cross an ocean, who could come into America; and as the 9/11 hijackers, they could come in here and unthinkably live in America, enjoy our liberties, our freedoms, enjoy the company of neighbors, share food with their neighbors, have neighbors invite them over and share food, share things such as if they need a cup of flour or whatever it is, share and see the way Americans share and are such a friendly country. They were able to live here. And too many of them were here on visas, and the visas expired.

□ 1940

Since neither Republican nor Democratic administration was effectively enforcing visas when they expired, these 9/11, hate-filled hijackers were able to keep on the mask that they enjoyed America, enjoyed the liberties, while all the time looking for the opportunity to kill themselves in a manner that would most effectively kill the greatest number of innocent people they could in America. It's unthinkable for American citizens.

The only thing closely akin that came to mind after 9/11 was when some were talking about, Well, you know what, in World War II, the idea that someone would get in an airplane and fly it toward an American ship and crash their plane into the ship, trying to sink the ship, and kill as many as possible was foreign to Americans. We couldn't believe there was such a thing as kamikaze pilots. Who would do such a thing? Who would have that little regard for life and such hatred for other life that you would do all you could, including giving up your own life, just to kill as many people as you possibly could who just want to live free? That was foreign during World War II. It was strange. We couldn't believe it. I remember being taught about that in public schools while growing up. The teachers thought it was so strange, and we thought it was strange.

Now we've seen that same type of mentality that was told to Thomas Jefferson when he went to negotiate with the Barbary pirates. In essence, he couldn't understand why these radical Muslims, the Barbary pirates, would be attacking American ships. As Jefferson and the other diplomats explained, We've never attacked your ships. We've never attacked you. We're not any threat to you. Why would you attack American ships?

It was explained, In our religion, we believe that, if you die killing infidels, which you Americans are and since you don't believe what we do, then we go to paradise.

Jefferson thought that so strange. He was so well read, so intelligent that he couldn't believe it. He got his own copy of the Koran, in English translation, and read it. He could not believe there was a religion that anybody believed was teaching that you would go to paradise by killing innocent people. That just seemed so strange.

I am extremely grateful that most Muslims don't believe that. They don't believe they should get themselves a ticket to paradise by killing innocent people. They believe in reason and in talking and in trying to work things out. They don't want to be ruled and reigned over by radical Islamists either. Amazingly, I've had people approach me, the last in DFW airport, who have come up and indicated:

Aren't you in Congress?

Yes.

I'm from Egypt.

The last was getting ice cream there at DFW. He said, Aren't you in Congress?

Yes.

He said, You're helping the wrong people.

He had family still in Egypt, and he said, You're helping the wrong people. You're helping the radicals. You're helping the Muslim Brotherhood. We don't want the Muslim Brotherhood running Egypt. We want freedom in Egypt. That's what we thought we were going to get, and then your government helps the wrong people. You help the radicals. You help the Muslim Brotherhood. Quit doing that. Please, tell others in Washington to quit doing that. Quit helping the radicals.

I was surprised. That was not the first time, but it was the most recent time that someone turned out who was from Egypt, a Muslim. They want to live in peace. They don't want radicals ruining their lives, and they think it's wrong for radical Muslim Brotherhood members to persecute, kill, inflict pain and suffering on Coptic Christians and Jews. They don't think that's appropriate. They may not agree with them, but they want to live in peace. Yet this administration continues to help the wrong people.

After I met the young man from Egypt at DFW, I find out we're sending tear gas to Egypt in order to help the radicals in the Muslim Brotherhood use it against people like Coptic Christians, like Jewish residents in Egypt, like moderate Muslims who disagree with the kind of radicalism that is being forced on them in Egypt. Then we find out this week that this administration is sending more tanks to be used to crush those who just want freedom in Egypt. They're moderate Muslims. They want to have freedom. They don't want radicals running their country.

Just like our allies, the Northern Alliance—the moderate Muslims in Afghanistan who fought—many gave their lives. They lost friends and family in fighting the Taliban on our behalf, and now this administration has figuratively thrown them under the bus, and it's trying to buy friendship and peace—literally buy it with money—with the Taliban. That's not how you deal with the Taliban. The Northern Alliance knew how to deal with them. We helped them with some arms. We embedded less than 500 Special Operations people in intelligence, and within 3 or 4 months, the Northern Alliance had defeated the Taliban.

Then as I learned in my first meeting with Northern Alliance leaders some years ago, we told them, Give us back the significant weapons we've given you because we're America. We will make sure you're safe now. We'll make sure Afghanistan is safe and peaceful now. So they turned in the weapons. They trusted the United States, and now they find an administration that had previously been offering to buy elegant, first-class international offices in Qatar, in the Middle East, to give the Taliban—who still wants to kill Americans and destroy our way of life—international standing, classing them up in their efforts to kill Americans and destroy our way of life.

And what did the Northern Alliance get for their loyalty for defeating the Taliban initially before we allowed them to re-surge? They got betrayed. They have been betrayed.

It was reported that the administration was offering to release some of the Taliban's murdering thugs and buy them elegant offices in Qatar. No preconditions. Just sit down and talk with us, and we will buy you stuff, and we will let your murdering thugs go from confinement. We've already done that.

One of them was on television over a year ago, telling the Afghanistan people on the most watched television station, If you do not fully support the Taliban, then you have one chance, and that is to come apologize to us and, under sharia law, beg our forgiveness and ask for our protection. Then you will fall under our protection, and you will not be killed. They explained to the nation of Afghanistan—the leader that this administration let out of confinement and who is now back leading the Taliban against us—that everyone in the world knows that the Americans have been defeated, and so their President is pulling everyone out. They're running away; they're scared; they're cowards; they're afraid of us. So once the cowardly Americans finish running away from us, in 2014, we, the Taliban, will be back in charge.

□ 1950

And so you've got a choice. You either come back, apologize, pledge devotion to us, ask forgiveness and protection, and under sharia law, we'll protect you. Otherwise, life may not last long once the Americans are gone.

The message has been going around the world. In Egypt when we turned—this administration, at least—turned its back on our ally, Mubarak. When Qadhafi had blood on his hands since 2003, he had been an important ally of this country, giving us more information about terrorists because it was in his interest to keep terrorists at bay, giving us more information about terrorism at times than any other countries were able to give us; and that was repaid by this administration—helped bomb Qadhafi and his troops, and support the radicals. Back at the time, some of us here on the floor were explaining, we don't know who all's involved in the revolution, but we know there are al Qaeda elements of this revolution. Let's stop. This is not a good idea until we know whose side we should be on.

But the world has seen this administration turns against its allies and tries to buy off its enemies. So if this administration were going to be consistent, it would seem that the thing to do, to expect for this administration to offer something, as the Clinton administration did to North Korea: hey, you know, we'll build you a nuclear plant; we'll do something if you just promise you won't develop nuclear weapons. Well, we saw how that worked. Madeleine Albright and President Clinton worked out a heck of a deal. We helped them get nuclear weapons because of the naivete of that administration, and now we're faced with a very difficult situation.

Also understand, if North Korea continues on this path and Iran is not stopped, that what North Korea has Iran may have, and then no one in Israel will be safe at all. And Israel is considered in their minds, in radical Islamist minds, the Little Satan, and we're the Great Satan.

I mentioned this morning on C–SPAN that we have been aware that not everyone that wants to come into this country wants to come for jobs. We know that. Most of the Hispanics are fantastic people. They want to work hard. They believe in God. They're devoted to family. And that is a bit of a generalization, but it's my hope that that Hispanic culture coming into this country will help bring a resurgence and make us the strong country we once were when it came to family values and an acknowledgement that ''In God We Trust,'' as is our national motto.

Or as Ben Franklin said during the Constitutional Convention:

> I've lived, sir, a long time, and the longer I live the more convincing proofs I see of this truth: God governs in the affairs of men.

And as Franklin said:

> If a sparrow cannot fall to the ground without His notice, is it possible an empire could rise without His aid? We've been assured in the sacred writing, that unless the Lord build the House, they labor in vain that build it. I firmly believe that.

So I welcome people. And I've met Christian friends that I just fell in love with in West Africa. And one of them, an elderly black West African, wonderful, wonderful man, a heart as big as all outdoors, but he said, please tell others in Washington to quit getting weaker because if America grows weak, yes, we know where we go when we die, but if America grows weak, we have no chance of peace. We have no chance of a good life in this world. So please stop getting weaker. It looks like you're getting weaker.

He started off by saying, We were excited when you elected your first black President, but please urge him to quit getting weaker in America. We need you to be strong.

And I mentioned this morning that we even are aware that we've had al Qaeda, we've had radical Islamists try to disguise themselves as Hispanics and sneak across our southern border because Americans have never been worried about our Hispanic friends being radical and wanting to kill innocent people to go to paradise. That's not part of the Hispanic culture.

And I've been amazed since then that the left wing always wants to try to distort, to create a story out of a twisted—I have to choose my words wisely because it'll be interesting to see what the twisted mind of the left does—but the ignorance was apparently only coupled by laziness by left wing media, so they go nuts trying to paint me as a bigot when obviously they are the bigots, and not only bigots but they're lazy because if they had bothered to even turn on their computer and use it for something besides mean-spirited, twisted, distorted untruths, they could have found this story from the ''American Thinker'' back on August 2, 2010. In the story by Norah Petersen, it points out, it discusses that:

> In 2001, the brother of a Hezbollah military chief illegally entered the United States by

crossing the Mexican border. He then settled in Dearborn, Michigan, and raised money for Hezbollah.

In 2002, illegal immigrants from Lebanon who were thought to have ties to Hezbollah were smuggled into the United States via the Mexican border, according to a congressional report:

''In December 2002, Salim Boughader Mucharrafille, a cafe owner in Tijuana, Mexico, was arrested for illegally smuggling more than 200 Lebanese illegally into the United States, including several believed to have terrorist ties to Hezbollah.''

The congressional report also revealed that the FBI has confirmed that persons from al Qaeda-linked nations have been known to disguise themselves as Hispanic immigrants:

''Federal Bureau of Investigation Director Robert Mueller has confirmed in testimony 'that there are individuals from countries with known al Qaeda connections who are changing their Islamic surnames to Hispanic-sounding names and obtaining false Hispanic identities, learning to speak Spanish, and pretending to be Hispanic immigrants.' ''

These are the kinds of things that our enemies are doing to try to bring down this Nation. I hope the administration will wise up and do something about it.

With that, Madam Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SHIMKUS (at the request of Mr. CANTOR) for today and April 18 on account of personal matters.

ADJOURNMENT

Mr. GOHMERT. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, April 18, 2013, 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:

1139. A letter from the Under Secretary, Department of Defense, transmitting the Department's Evaluation of the TRICARE Program for Fiscal Year 2013, pursuant to 10 U.S.C. 1073 note; to the Committee on Armed Services.

1140. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Daniel P. Bolger, United States Army, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1141. A letter from the Acting Chairman, National Foundation on the Arts and the Humanities, transmitting the Federal Council on the Arts and the Humanities' thirty-seventh annual report on the Arts and Artifacts Indemnity Program for fiscal year 2012; to the Committee on Education and the Workforce.

1142. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-03, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1143. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting extension of the waiver of Section 907 of the FREEDOM Support Act, Pub. L. 107-511, with respect to assistance to the Government of Azerbaijan; to the Committee on Foreign Affairs.

1144. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's fiscal year 2012 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1145. A letter from the Chairman, Federal Mine Safety and Health Review Commission, transmitting the Commission's FY 2012 Annual Report pursuant to Section 203, Title II of the Notification and Federal Anti-discrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Oversight and Government Reform.

1146. A letter from the Chairman, National Labor Relations Board, transmitting the Board's FY 2012 Buy American Act report; to the Committee on Oversight and Government Reform.

1147. A letter from the Director, National Science Foundation, transmitting the Foundation's annual report for FY 2012 prepared in accordance with Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1148. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Senate's Resolution of Advice and Consent to the Treaty with Australia Concerning Defense Trade Cooperation (Treaty Doc. 110-10) activities report; to the Committee on Foreign Affairs.

1149. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Modification of VOR Federal Airways V-68, V-76, V-194, and V548 in the Vicinity of Houston, TX [Docket No.: FAA-2013-0231; Airspace Docket No.: 13-ASW-7] (RIN: 2120-AA66) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1150. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Middletown, OH [Docket No.: FAA-2012-0651; Airspace Docket No.: 12-AGL-7] received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1151. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; West Union, IA [Docket No.: FAA-2011-1434; Airspace Docket No.: 11-ACE-27] received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1152. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Decorah, IA [Docket No.: FAA-2011-1433; Airspace Docket No.: 11-ACE-26] received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1153. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Tecumseh, NE [Docket No.: FAA-2012-1098; Airspace Docket No.: 12-ACE-5] received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1154. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Beeville, TX [Docket No.: FAA-2012-0821; Airspace Docket No.: 12-ASW-8] received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1155. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Superior, WI [Docket No.: FAA-2012-0656; Airspace Docket No.: 12-AGL-5] received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1156. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of VOR Federal Airway V-233, Springfield, IL [Docket No.: FAA-2013-0179; Airspace Docket No.: 05-AGL-6] (RIN: 2120-AA66) received April 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1157. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2012-1288; Directorate Identifier 2012-NE-37-AD; Amendment 39-17403; AD 2013-06-06] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1158. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Robinson Helicopter Company Helicopters [Docket No.: FAA-2012-1088; Directorate Identifier 2012-SW-005-AD; Amendment 39-17987; AD 2013-05-15] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1159. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hughes Helicopters, Inc., and McDonnell Douglas Helicopter Systems (Type Certificate is currently held by MD Helicopters, Inc.) Helicopters [Docket No.: FAA-2012-0890; Directorate Identifier 2011-SW-019-AD; Amendment 39-17388; AD 2013-05-16] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COURTNEY (for himself, Mr. LARSON of Connecticut, Ms. DELAURO, Ms. PINGREE of Maine, and Mr. SCHRADER):

H.R. 1590. A bill to amend the Specialty Crops Competitiveness Act of 2004 to include farmed shellfish as specialty crops; to the Committee on Agriculture.

By Mr. CARTER (for himself, Mr. BURGESS, Ms. SPEIER, Mr. KING of New York, Mr. MCCAUL, and Mr. RANGEL):

H.R. 1591. A bill to amend the Public Health Service Act to provide for the establishment and maintenance of an undiagnosed diseases network, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MICA (for himself, Ms. WILSON of Florida, Mr. DIAZ-BALART, Ms. WASSERMAN SCHULTZ, Mr. RADEL, Mr. HASTINGS of Florida, Mr. ROONEY, Mr. BUCHANAN, Mr. GARCIA, Ms. ROS-LEHTINEN, and Mr. MILLER of Florida):

H.R. 1592. A bill to provide for the conveyance of the David W. Dyer Federal Building and United States Courthouse in Miami, Florida, to Miami Dade College in Miami Dade County, Florida; to the Committee on Transportation and Infrastructure.

By Ms. SPEIER (for herself, Mr. ANDREWS, Ms. BASS, Mr. BECERRA, Mr. BERA, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Ms. CHU, Mr. CICILLINE, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURO, Mr. DELANEY, Mr. DOGGETT, Ms. EDWARDS, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Mr. FATTAH, Ms. FRANKEL of Florida, Mr. GARAMENDI, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HOLT, Mr. HONDA, Mr. HUFFMAN, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. JONES, Ms. KAPTUR, Mr. KEATING, Mr. KIND, Ms. LEE of California, Mr. LEWIS, Mr. LEVIN, Mr. BEN RAY LUJÁN of New Mexico, Mrs. CAROLYN B. MALONEY of New York, Mr. MARKEY, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCNERNEY, Mr. GEORGE MILLER of California, Ms. MOORE, Mrs. NAPOLITANO, Ms. NORTON, Mr. PAYNE, Mr. PERLMUTTER, Ms. PINGREE of Maine, Mr. POLIS, Mr. QUIGLEY, Mr. RANGEL, Mr. RAHALL, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Ms. SCHWARTZ, Mr. SCHRADER, Mr. THOMPSON of California, Mr. THOMPSON of Mississippi, Mr. TIERNEY, Ms. TITUS, Mr. TONKO, Mr. WALZ, Ms. WATERS, Mr. WELCH, Ms. WILSON of Florida, and Mr. LARSON of Connecticut):

H.R. 1593. A bill to amend title 10, United States Code, to improve the prevention of and response to sexual assault in the Armed Forces by establishing a Sexual Assault Oversight and Response Council and an enhanced Sexual Assault Oversight and Response Office and by requiring the appointment of a Director of Military Prosecutions for sexual-related offenses committed by a member of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. CASSIDY (for himself, Mr. BRIDENSTINE, Mr. LAMALFA, Mrs. NOEM, Mr. POSEY, Mr. FLEMING, and Mr. OLSON):

H.R. 1594. A bill to prohibit the use of Federal funds for the costs of official portraits of members of Congress, heads of executive agencies, or heads of offices of the legislative branch; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, 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. COURTNEY (for himself, Mr. BISHOP of New York, Ms. BONAMICI, Mr. BRALEY of Iowa, Mrs. BUSTOS, Mrs. CAPPS, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CASTRO of Texas, Mr. CICILLINE, Ms. CLARKE, Mr. COHEN, Mr. CONNOLLY, Ms. DELAURO, Ms. DELBENE, Mr. DINGELL, Mr. DOYLE, Ms. DUCKWORTH, Ms. EDWARDS, Ms. ESTY, Mr. GRIJALVA, Mr. HIGGINS, Mr. HIMES, Mr. HINOJOSA, Mr. HOLT, Mr. HORSFORD, Ms. JACKSON LEE, Mr. KILMER, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEWIS, Mr. LOEBSACK, Mrs. CAROLYN B. MALONEY of New York, Mr. MARKEY, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MOORE, Mr. NADLER, Ms. NORTON, Mr. PETERS of Michigan, Ms. PINGREE of Maine, Mr. POLIS, Mr. RANGEL, Mr. RYAN of Ohio, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHRADER, Ms. SCHWARTZ, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. TONKO, Mr. VAN HOLLEN, Mr. VELA, Mr. WALZ, Mr. WAXMAN, Mr. WELCH, Mr. YARMUTH, Mr. CONYERS, Mr. AL GREEN of Texas, Ms. ROYBAL-ALLARD, Mr. THOMPSON of California, Mr. PETERS of California, Mr. TIERNEY, Mr. LYNCH, Mr. CARTWRIGHT, Mr. BEN RAY LUJÁN of New Mexico, Mr. VARGAS, Ms. BORDALLO, Ms. ESHOO, Ms. CASTOR of Florida, Ms. TITUS, Mrs. DAVIS of California, Mr. ELLISON, Mr. ENYART, Mr. FOSTER, Mr. GENE GREEN of Texas, Mr. KILDEE, Mr. KIND, Mr. MATHESON, Mr. MCINTYRE, Mr. O'ROURKE, Mr. RUSH, Mr. SABLAN, Mr. SMITH of Washington, Mr. CAPUANO, and Ms. WILSON of Florida):

H.R. 1595. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans; to the Committee on Education and the Workforce.

By Mr. DEFAZIO:

H.R. 1596. A bill to increase the employment of Americans by requiring State workforce agencies to certify that employers are actively recruiting Americans and that Americans are not qualified or available to fill the positions that the employer wants to fill with H-2B nonimmigrants; to the Committee on the Judiciary.

By Mr. DEUTCH:

H.R. 1597. A bill to amend the Internal Revenue Code of 1986 to provide a credit to individuals for legal expenses paid with respect to establishing guardianship of a disabled individual; to the Committee on Ways and Means.

By Mr. GRIFFIN of Arkansas (for himself, Mr. GRIFFITH of Virginia, Mr. MCGOVERN, Ms. SHEA-PORTER, Mr. NUNNELEE, Ms. HANABUSA, Mr. BLUMENAUER, Ms. BORDALLO, Ms. SLAUGHTER, Mr. KEATING, Mr. HIMES, Mr. RUSH, Mrs. HARTZLER, Mr. JONES, Ms. NORTON, Mr. BRADY of Pennsylvania, Mr. WESTMORELAND, Mr. RAHALL, Mr. GRIJALVA, Mrs. MILLER of Michigan, Mr. HASTINGS of Florida, Mr. VAN HOLLEN, Mr. BUCSHON, Mr. HECK of Washington, Mr. BRIDENSTINE, Mr. LATTA, Mr. LONG, Mr. TAKANO, Mr. OLSON, Mr. WITTMAN, Mr. STEWART, Mr. FITZPATRICK, Mr. POLIS, Mrs. ROBY, Mr. BENTIVOLIO, and Mr. COHEN):

H.R. 1598. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans; to the Committee on Veterans' Affairs.

By Mr. GRIJALVA (for himself, Mr. GARY G. MILLER of California, and Mrs. NAPOLITANO):

H.R. 1599. A bill to amend section 520E of the Public Health Service Act to require States and their designees receiving grants for development or implementation of statewide suicide early intervention and prevention strategies to consult with each Federally recognized Indian tribe, tribal organization, and urban Indian organization in the State; to the Committee on Energy and Commerce.

By Mr. GRIJALVA:

H.R. 1600. A bill to prescribe procedures for effective consultation and coordination by Federal agencies with federally recognized Indian tribes regarding Federal Government activities that impact tribal lands and interests to ensure that meaningful tribal input is an integral part of the Federal decision-making process; to the Committee on Natural Resources.

By Mr. GRIJALVA (for himself, Ms. CHU, Mr. CONYERS, Ms. NORTON, Ms. LEE of California, Ms. SCHAKOWSKY, and Mr. SERRANO):

H.R. 1601. A bill to amend title XVI of the Social Security Act to update eligibility for the supplemental security income program, and for other purposes; to the Committee on Ways and Means.

By Mr. GRIJALVA:

H.R. 1602. A bill to amend the Internal Revenue Code of 1986 to allow Indian tribes to transfer the credit for electricity produced from renewable resources; to the Committee on Ways and Means.

By Mr. GRIMM (for himself, Mr. KING of New York, and Mr. MEEKS):

H.R. 1603. A bill to support and promote community financial institutions in the mutual form, and for other purposes; to the Committee on Financial Services.

By Mr. LAMBORN:

H.R. 1604. A bill to establish the National Geospatial Technology Administration within the United States Geological Survey to enhance the use of geospatial data, products, technology, and services, to increase the economy and efficiency of Federal geospatial activities, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Oversight and Government Reform, Science, Space, and Technology, and Agriculture, 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. LARSON of Connecticut:

H.R. 1605. A bill to protect Second Amendment rights, ensure that all individuals who should be prohibited from buying a firearm are listed in the National Instant Criminal Background Check System, and provide a responsible and consistent background check process; to the Committee on the Judiciary, and in addition to the Committees on Veterans' Affairs, and Energy and Commerce, 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. NEUGEBAUER:

H.R. 1606. A bill to amend the Federal Crop Insurance Act to make available to producers a supplemental coverage option based on both an individual yield and loss basis and an area yield and loss basis in order to allow producers to cover all or a portion of their deductible under the individual yield and loss policy, to improve the accuracy of actual production history determinations, and for other purposes; to the Committee on Agriculture.

By Mrs. NOEM (for herself and Mr. TERRY):

H.R. 1607. A bill to amend the Federal Crop Insurance Act to extend certain supplemental agricultural disaster assistance programs to cover fiscal years 2012 through 2018,

and for other purposes; to the Committee on Agriculture.

By Mr. OWENS:

H.R. 1608. A bill to require the Secretary of Health and Human Services to promulgate regulations regarding the authorship, content, format, and dissemination of Patient Medication Information to ensure patients receive consistent and high-quality information about their prescription medications and are aware of the potential risks and benefits of prescription medications; to the Committee on Energy and Commerce.

By Mr. PASCRELL (for himself and Mr. KING of New York):

H.R. 1609. A bill to authorize the Secretary of Education to make grants to support fire safety education programs on college campuses; to the Committee on Education and the Workforce.

By Mr. RIBBLE (for himself, Mr. WALZ, Mr. GIBBS, Mr. ROKITA, Mr. PETRI, and Mr. DUFFY):

H.R. 1610. A bill to amend the Food, Conservation, and Energy Act of 2008 to authorize producers on a farm to produce fruits and vegetables for processing on the base acres of the farm; to the Committee on Agriculture.

By Mr. RIBBLE:

H.R. 1611. A bill to authorize the Secretary of Agriculture to use funds derived from conservation-related programs executed on National Forest System lands to utilize the Agriculture Conservation Experienced Services Program; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Alabama (for himself, Mr. ADERHOLT, Mr. BACHUS, Mr. BONNER, Mr. BROOKS of Alabama, Mrs. ROBY, and Ms. SEWELL of Alabama):

H.R. 1612. A bill to direct the Secretary of Veterans Affairs to convey a parcel of land in Tuskegee, Alabama, to Tuskegee University, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LATHAM (for himself, Mr. COLE, Mr. DUFFY, Mr. FITZPATRICK, Mr. FORTENBERRY, Mr. HANNA, Mr. KING of Iowa, and Mr. NUGENT):

H. Res. 166. A resolution condemning any proposals for the arbitrary seizure of funds from federally insured deposit accounts in the United States by the Government without due process; to the Committee on Financial Services.

By Mr. GRAVES of Missouri (for himself, Mr. HANNA, Mr. SCHIFF, Mr. PAYNE, Mr. SIMPSON, Ms. BORDALLO, Mr. LOEBSACK, Mr. NEAL, Mr. HOLT, Mr. GUTHRIE, Mr. ROE of Tennessee, and Mr. WALZ):

H. Res. 167. A resolution recognizing the roles and contributions of America's teachers to building and enhancing our Nation's civic, cultural, and economic well-being; to the Committee on Education and the Workforce.

By Mr. MARKEY (for himself, Mr. NEAL, Mr. MCGOVERN, Mr. KENNEDY, Ms. TSONGAS, Mr. TIERNEY, Mr. CAPUANO, Mr. LYNCH, and Mr. KEATING):

H. Res. 168. A resolution condemning the horrific attacks of April 15, 2013, in Boston, Massachusetts, and expressing support, sympathy, and prayers for all persons impacted by this tragedy; to the Committee on Oversight and Government Reform.

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. COURTNEY:

H.R. 1590.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 1 and Article IV, section 3, Clause 2 of the Constitution of the United States grant Congress the authority to enact this bill.

By Mr. CARTER:

H.R. 1591.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. MICA:

H.R. 1592.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Ms. SPEIER:

H.R. 1593.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. CASSIDY:

H.R. 1594.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. COURTNEY:

H.R. 1595.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. DEFAZIO:

H.R. 1596.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8. Clause 4.

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States

By Mr. DEUTCH:

H.R. 1597.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution.

By Mr. GRIFFIN of Arkansas:

H.R. 1598.

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. GRIJALVA:

H.R. 1599.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. GRIJALVA:

H.R. 1600.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. GRIJALVA:

H.R. 1601.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GRIJALVA:

H.R. 1602.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. GRIMM:

H.R. 1603.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. LAMBORN:

H.R. 1604.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3—

Article IV—The States

Section 3—New States

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. LARSON of Connecticut:

H.R. 1605.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers veted by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. NEUGEBAUER:

H.R. 1606.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States'', 18 (''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof'').

By Mrs. NOEM:

H.R. 1607.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, the Commerce Clause.

By Mr. OWENS:

H.R. 1608.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. PASCRELL:

H.R. 1609.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. RIBBLE:

H.R. 1610.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. RIBBLE:

H.R. 1611.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. ROGERS of Alabama:

H.R. 1612.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1—This bill promotes the general welfare of the United States by returning vacant land to its original charitable donor, Tuskegee University.

Article 1, Section 8, Clause 18—Creates necessary and proper authority for the Secretary of Veterans Affairs to convey the vacant land to Tuskegee University.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolution as follows:

H.R. 139: Mr. CARTWRIGHT.

H.R. 164: Mr. STEWART, Mrs. ELLMERS, Mr. GRIMM, Mr. PETERSON, and Mr. PAULSEN.

H.R. 198: Mr. MCDERMOTT.

H.R. 274: Mrs. BUSTOS and Ms. SINEMA.

H.R. 300: Mr. YODER.

H.R. 335: Mr. GARAMENDI.

H.R. 357: Mr. RUNYAN.

H.R. 377: Mr. RUIZ and Ms. SEWELL of Alabama.

H.R. 382: Mr. RADEL and Mr. BURGESS.

H.R. 445: Mr. JOHNSON of Georgia.

H.R. 452: Mr. SWALWELL of California, Mr. COURTNEY, Mr. PALLONE, Mr. TONKO, Mr. HIGGINS, and Mrs. LOWEY.

H.R. 485: Mr. SWALWELL of California and Ms. TITUS.

H.R. 495: Mr. NUNES.

H.R. 521: Ms. SINEMA.

H.R. 523: Mr. KING of New York, Mr. HUDSON, Mr. DESJARLAIS, Mr. HENSARLING, Mr. LABRADOR, Mrs. LUMMIS, Mr. GARY G. MILLER of California, Mr. RIGELL, Ms. ROS-LEHTINEN, Mr. RUNYAN, Mr. SOUTHERLAND, Mr. WOODALL, and Mr. YOUNG of Alaska.

H.R. 525: Mr. RADEL.

H.R. 526: Mr. SCHIFF.

H.R. 556: Mr. CHABOT, Mr. STOCKMAN, Mr. YOHO, and Mr. GRAVES of Georgia.

H.R. 627: Mr. VELA, Ms. BASS, Mrs. DAVIS of California, Ms. JACKSON LEE, Ms. TITUS, Mr. THOMPSON of Mississippi, Mr. FALEOMAVAEGA, Mr. LEWIS, Mr. PIERLUISI, Mrs. NOEM, Mr. TERRY, Mr. ROSKAM, Ms. SINEMA, Mrs. WAGNER, Mrs. WALORSKI, Mr. HULTGREN, Mr. LUETKEMEYER, Mr. HUFFMAN, Ms. SCHWARTZ, Mr. OLSON, Mr. DOYLE, Mr. CUMMINGS, Mr. MARCHANT, Mr. GRIFFIN of Arkansas, Mr. WOLF, Mr. FORBES, Mr. STUTZMAN, Mr. LARSEN of Washington, Mr. ANDREWS, Mr. CÁRDENAS, and Mr. VEASEY.

H.R. 649: Mr. FARR.

H.R. 693: Mr. DUNCAN of Tennessee.

H.R. 721: Mr. ANDREWS.

H.R. 724: Mr. MULVANEY, Mr. BENISHEK, and Mr. PALAZZO.

H.R. 730: Mr. POE of Texas.

H.R. 732: Mr. BENTIVOLIO.

H.R. 755: Ms. MATSUI.

H.R. 763: Mr. WALBERG, Mr. WENSTRUP, Mr. DIAZ-BALART, Mr. POMPEO, Mr. HANNA, Mr. AUSTIN SCOTT of Georgia, Mr. NEUGEBAUER, and Mr. REICHERT.

H.R. 769: Mr. ENYART.

H.R. 786: Mrs. CAPPS.

H.R. 792: Mr. CLAY.

H.R. 807: Mr. CRAWFORD, Mrs. ELLMERS, and Mr. COBLE.

H.R. 809: Mr. DUNCAN of Tennessee.

H.R. 820: Mr. RANGEL and Mrs. CHRISTENSEN.

H.R. 846: Mr. DENHAM, Mr. GINGREY of Georgia, Mr. RAHALL, and Mrs. LUMMIS.

H.R. 847: Mr. MURPHY of Florida and Mr. SHERMAN.

H.R. 851: Mr. BRADY of Pennsylvania.

H.R. 855: Mr. MAFFEI.

H.R. 892: Ms. SCHWARTZ.

H.R. 893: Mr. CHABOT and Mr. STOCKMAN.

H.R. 894: Mr. COHEN.

H.R. 904: Mr. WEBER of Texas, Mr. ROSKAM, and Mr. FORBES.

H.R. 906: Mr. POCAN, Mr. MORAN, and Mr. BILIRAKIS.

H.R. 938: Mr. GARDNER, Ms. HERRERA BEUTLER, Mr. LARSON of Connecticut, Mr. ROSS, Mr. MULVANEY, Mr. PERLMUTTER, Ms. WILSON of Florida, Mr. GRAYSON, Mr. COTTON, Mr. WEBER of Texas, Ms. DELAURO, Mr. RENACCI, Mr. ROYCE, and Mr. SESSIONS.

H.R. 940: Mr. GOSAR.

H.R. 949: Ms. SCHWARTZ, Mr. BRADY of Pennsylvania, and Ms. DELAURO.

H.R. 959: Mr. SHIMKUS and Mr. PITTS.

H.R. 961: Mr. LOBIONDO and Mrs. CAROLYN B. MALONEY of New York.

H.R. 962: Mr. PETERS of California.

H.R. 974: Mr. HECK of Washington.

H.R. 997: Mr. YOUNG of Florida.

H.R. 1010: Ms. SHEA-PORTER.

H.R. 1014: Mr. COLE.

H.R. 1015: Mr. GERLACH and Mr. WOLF.

H.R. 1026: Mr. GOSAR, Mr. LUCAS, Mr. WEBER of Texas, and Mr. RIBBLE.

H.R. 1029: Mr. BRADY of Pennsylvania.

H.R. 1074: Mr. TAKANO, Mr. GENE GREEN of Texas, and Mr. BISHOP of New York.

H.R. 1077: Mr. COTTON, Mr. GRIFFIN of Arkansas, and Mr. FINCHER.

H.R. 1078: Mr. SMITH of Nebraska.

H.R. 1095: Mr. KLINE.

H.R. 1130: Ms. LEE of California.

H.R. 1149: Ms. MCCOLLUM.

H.R. 1173: Mr. LEVIN and Mr. LARSON of Connecticut.

H.R. 1179: Mr. BISHOP of Georgia and Mr. OWENS.

H.R. 1199: Mr. COHEN, Mr. WALZ, Mr. KILMER, Mr. MEEKS, Ms. CHU, Mr. BISHOP of New York, Mr. SARBANES, Mr. DINGELL, Mr. DELANEY, Mr. SCHRADER, and Ms. DELBENE.

H.R. 1209: Mr. BENTIVOLIO, Mr. WENSTRUP, Mr. VELA, Mr. FLORES, Mrs. BLACK, Mrs. BLACKBURN, Mr. DESJARLAIS, Mr. FINCHER, Mr. KEATING, Mr. BARTON, Mr. DUNCAN of Tennessee, Mr. DAINES, Mrs. MCMORRIS RODGERS, Mr. REICHERT, Mr. JONES, Mr. PETERS of California, Mr. FLEISCHMANN, Mr. KINGSTON, Ms. EDWARDS, and Mr. FORBES.

H.R. 1242: Mr. BARR.

H.R. 1245: Ms. LORETTA SANCHEZ of California, Ms. JACKSON LEE, Ms. CLARKE, Mr. HIGGINS, Mr. KEATING, Mr. PAYNE, Ms. GABBARD, Mr. HORSFORD, Mr. SWALWELL of California, Mr. DINGELL, Mr. CONNOLLY, Ms. HAHN, and Mr. GALLEGO.

H.R. 1249: Mr. SMITH of Washington and Mr. POE of Texas.

H.R. 1250: Mr. GRAVES of Georgia.

H.R. 1252: Mr. RYAN of Ohio, Mr. COFFMAN, and Ms. SCHAKOWSKY.

H.R. 1276: Mr. BRALEY of Iowa, Mr. CICILLINE, Mr. COHEN, Mr. CRAWFORD, Mr. DOYLE, Mr. FITZPATRICK, Mr. GIBSON, Mr. GENE GREEN of Texas, Mr. GUTIERREZ, Ms. HANABUSA, Mr. LANGEVIN, Mr. LOEBSACK, Mr. MARINO, Mr. MARKEY, Ms. MCCOLLUM, Mr. ROGERS of Michigan, Ms. LORETTA SANCHEZ of California, Mr. SENSENBRENNER, Mr. TONKO, Mr. WITTMAN, and Mr. YARMUTH.

H.R. 1286: Mr. ANDREWS.

H.R. 1288: Mr. COHEN, Mr. FORBES, Mrs. CHRISTENSEN, and Mr. LATHAM.

H.R. 1354: Ms. WILSON of Florida and Ms. CASTOR of Florida.

H.R. 1355: Mr. AUSTIN SCOTT of Georgia, Mr. SCALISE, Mr. YOHO, Mr. MEADOWS, Mr. DESJARLAIS, Mr. FRANKS of Arizona, and Mr. BARTON.

H.R. 1362: Mr. OWENS.

H.R. 1406: Mr. STUTZMAN, Mr. WITTMAN, Mr. LABRADOR, Mr. HOLDING, Mr. BISHOP of Utah, Mr. DESANTIS, Mr. RIBBLE, Mr. JOHNSON of Ohio, Mr. GIBBS, Mr. BENTIVOLIO, Mr. HARRIS, Mr. REICHERT, Mr. VALADAO, Mr. COLLINS of New York, Mr. COFFMAN, Mr. THOMPSON of Pennsylvania, Mr. NUNES, Mr. CRAWFORD, Mr. MULVANEY, Mr. LATHAM, Mr. MEADOWS, and Mr. GARRETT.

H.R. 1416: Mrs. WALORSKI, Mrs. CAPITO, Mr. LANCE, Mrs. HARTZLER, Mr. CRAWFORD, Mrs. BLACK, Mr. KINZINGER of Illinois, Mrs. CHRISTENSEN, Mr. HIGGINS, Mr. MEADOWS, and Mr. YOUNG of Florida.

H.R. 1427: Ms. TITUS.

H.R. 1435: Mr. GRIJALVA.

H.R. 1466: Ms. BORDALLO, Ms. DELAURO, Ms. SCHAKOWSKY, Mr. POCAN, Ms. SLAUGHTER, Mr. RYAN of Ohio, Ms. TITUS, Ms. EDWARDS, and Mr. YARMUTH.

H.R. 1494: Mr. LATTA and Mrs. DAVIS of California.

H.R. 1496: Mr. COSTA.

H.R. 1502: Mr. GOHMERT and Mr. NEUGEBAUER

H.R. 1528: Mr. PETERSON and Mr. DUNCAN of Tennessee.

H.R. 1538: Mr. VELA.

H.R. 1549: Mrs. ELLMERS, Mr. WALDEN, Mr. CASSIDY, Mr. JOHNSON of Ohio, Mr. LONG, Mr. TERRY, and Mr. HALL.

H.R. 1551: Mr. WESTMORELAND, Mr. RIGELL, Mr. GRAVES of Missouri, Mr. SCHOCK, and Mr. BUTTERFIELD.

H.R. 1588: Ms. DEGETTE, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SARBANES, Mr. RANGEL, and Mr. ENGEL.

H. Con. Res. 4: Mr. LONG.

H. Con. Res. 23: Mr. ROSKAM.

H. Res. 36: Mrs. NOEM, Mr. ROONEY, and Mr. LUETKEMEYER.

H. Res. 76: Mr. LONG.

H. Res. 134: Mr. WOLF and Mr. TERRY.

H. Res. 144: Mr. LANCE.

H. Res. 154: Mr. RANGEL, Ms. BORDALLO, Ms. HAHN, Ms. LOFGREN, Mr. GEORGE MILLER of California, Mr. PETERS of California, Ms. LINDA T. SÁNCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Mr. THOMPSON of California, and Mr. HONDA.

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PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Lord God of Hosts, we found Your words, and they caused our hearts to rejoice. Thank You for Your abiding presence and for the illumination of Your wisdom. Inspire our lawmakers. Make their spirits great enough for these challenging days. Upon the frenetic pace of their day, drop the dew of Your kindness. Bless the members of the legislative staff who labor with diligence into the night.

Again, Lord, we ask You to sustain the victims of the Boston bombings. Bring healing to those who were injured and solace to those who mourn.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ 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:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 17, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ 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 leader remarks this morning the Senate will resume consideration of the gun safety legislation. Under an agreement reached yesterday, the debate time until 4 p.m. will be equally divided between the two leaders or their designees. At 4 p.m. there will be a series of up to nine votes in relation to amendments to the bill.

MEASURE PLACED ON THE CALENDAR—S. 743

Mr. REID. Mr. President, I am told that S. 743 is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The assistant legislative clerk read as follows:

A bill (S. 743) to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

Mr. REID. Mr. President, I would object to any further proceedings in regard to this bill.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

PREVENTING GUN VIOLENCE

Mr. REID. Mr. President, today this august body will honor the memory of 20 first grade children. Little babies were gunned down, most of them shot multiple times. But we will also honor the teachers and administrators who were killed that day in Newtown, CT. We are also going to honor with this legislation tens of thousands of others who are killed by guns each year in America. We are going to do that by voting on a number of measures to strengthen the laws to prevent gun violence in this Nation.

The families of the innocents killed in Newtown and Aurora, in Carson City and Blacksburg, in Oak Creek and Columbine, deserve these votes.

Where do I stand on these Democratic proposals?

This afternoon the Senate will vote on a compromise background check proposal crafted by Senators MANCHIN, TOOMEY, KIRK, and SCHUMER—all experienced legislators. I very much appreciate their principled stands on legislation supported by 90 percent of the American people.

The American people overwhelmingly support this commonsense proposal which would close gaping loopholes in the law and keep guns out of the hands of bad people—criminals—and people with severe mental illness.

What it would not do—what it would not do is create a national registry of guns or gun owners. In fact, that is specifically outlawed in the legislation. I refer everyone to page 27 of the Manchin-Toomey compromise legislation. It not only bans a registry, but it creates a 15-year felony sentence for any government official found storing these gun records. So please start talking about that, all the opponents of this bill. Because it is absolutely false, it is untrue, and it is unfair. Claims that this legislation would create a gun registry are nothing more than shameful scare tactics.

If any of my colleagues wish to vote against stronger background checks, go ahead and do it and oppose the will of the American people.

That is their right. But the American people have a very long memory. To

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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vote against something that 90 percent of the American people want, the American people are not going to forget about that. The opponents of the will of the American people should not spread misinformation or sow seeds of fear about this critical antiviolence legislation. But that is what they are doing, that is what they have done, and it is absolutely false and misleading.

Assault weapons, we are going to vote on Senator FEINSTEIN's proposal to ban assault weapons. She has been stalwart in her advocacy for this legislation.

I am a strong supporter of the Second Amendment, Americans' right to keep and bear arms. That is how I earned a B grade with the National Rifle Association.

When I was a 12-year-old little boy, in Searchlight, NV, my parents sent away for a Sears catalog and bought me a 12 gauge shotgun—a great big gun. That gun held five in the tube and you put one in the chamber—six 12 gauge shotgun shells.

I carried a handgun when I was a police officer and, frankly, on other occasions. From where I come from, people own guns as a matter of course—for self-defense and for hunting and for sportsman activities, target shooting.

I still go target shooting basically out in my backyard in Searchlight with my grandchildren, but I have always had trouble understanding why people need assault weapons to hunt or to protect their homes or to target shoot.

When the assault weapons ban came before the Senate for a vote 10 years ago, I called my friends—one in particular who was a real advocate on guns. He said to me: You know, you can't define an assault weapon. Why are you doing this? You just can't define an assault weapon.

He convinced me he was right, so I voted against that. That seemed reasonable to me, and I voted against the ban.

Just about a month ago, I called this same friend. I asked if his opinion had changed: Generally, no, but specifically, yes, it had changed. He still opposes a ban on assault weapons.

I said: Tell me why. I found his new reasoning absurd, and even though I care a great deal about my friend, he is headed in the wrong direction. So it caused me to reassess my position.

He said: Do police have assault weapons?

I said: Yes, some of them.

He said: If they have them, I want them.

Then he said: Does the military have assault weapons?

I said: Yes.

He said: If they have them, I want them.

I thought for some time about what that statement means. It was not a rash decision I made. But what it means is there should be no limits on the kinds of weapons private citizens are allowed to own.

I asked myself whether I believe that to be true. The police have riot gear and tear gas and battering rams and others things. Should civilians have them? Obviously, no.

The military has rocket-propelled grenades, other kinds of rockets, machine guns, tanks, fighter jets. Should civilians have those also? Please. It does not make sense.

So I decided the answer is no. In a civil society, where we have to balance individual rights with public safety, there should be limits—significant limits—on the kind of destructive weapons people are allowed to own.

I believe—I repeat for the second time today—in the right to own a gun to protect your home and your family, to hunt, to go target practicing. I will continue to defend that right as long as I am serving the people of Nevada.

But you do not need an assault weapon to defend yourself or your property. Assault weapons have one purpose and one purpose only: to kill a large number of people very quickly. This goes well beyond the purpose of self-defense.

The desire to arm ourselves against the young men and women who willingly risk their lives to defend our freedoms—soldiers, sailors, marines; the Navy, the Air Force—is not a reason to oppose an assault weapons ban.

The wish to arm ourselves against the police who keep our streets safe is not a reason to oppose an assault weapons ban.

I believe as Americans we have a right to arm ourselves against criminals, but we do not need the ability to arm ourselves against the Army or the police. The U.S. military is not out to get us. Federal law enforcement, local police departments, are not out to get us.

These conspiracy theories are dangerous and they should be put to rest. In the real world—not this conspiratorial world that some live in—in the real world, in addition to mowing down first graders, assault weapons are used to shoot down the very people who have sworn to protect us.

Here is one real-world example in Nevada: After serving 9 months in Afghanistan with his National Guard unit, SSG Ian Michael Deutch was eager to return to his day job as a police officer in Nye County, NV. He could not wait to get back to work. He survived Afghanistan—bombs, bullets, acts of terrorism. He survived.

His second day back on the job—second day back on the job—he was shot and killed by a man with an assault weapon with a 30-round clip.

Sergeant Deutch was responding to a domestic dispute in Pahrump, NV, when he was shot three times in the chest. One of the bullets even pierced his body armor. An assault weapon pierced the body armor the police officer was wearing.

He was airlifted to Las Vegas, rushed into emergency surgery, and he died within a few hours. He was 27 years old, had survived Afghanistan but not America. All 730 soldiers in Michael's squadron returned alive from their tour of duty in Afghanistan. They were so thankful and proud. It was a criminal on the streets of the United States of America, our country, armed with a weapon designed to kill who took Michael's life—his young life.

Here is what his mom said:

> He was finally safe. In our country. And somebody here kills him.

That is what she said. That is a tragedy, and it is one we could have prevented by keeping weapons of war off the streets. We can keep them off the streets. We should keep them off the streets.

In the 1920s, organized crime was committing murders with machine guns. We have seen them in the movies—the Valentine's Day Massacre. So Congress dramatically limited the sale and transfer of machine guns a long time ago. As a result, machine guns basically disappeared from the streets. They are in the movies, but private citizens do not have them.

We can and should take the same commonsense approach to safeguard Americans from modern weapons of war, assault weapons. That is why I will vote for DIANNE FEINSTEIN's assault weapons ban; we must strike a better balance between the right to defend ourselves and the right of every child in America to grow up safe from gun violence. I will vote for the ban because maintaining law and order is more important than satisfying conspiracy theorists who believe in black helicopters and false flags. I will vote for the ban because saving the lives of police officers, young and old, and innocent civilians, young and old, is more important than preventing imagined tyranny.

High-capacity magazines—clips is what I call them my reason for supporting a ban on large ammunition magazines is similar. These large clips are designed to kill—not to kill a deer or a duck or any other game, large or small, they are designed to kill humans, living, breathing human beings, people from Hawaii, people from Kentucky, people from Nevada—our citizens. They are designed to kill.

In fact, it is not even legal to load more than 3 shotgun shells—let alone 30—to hunt birds. I talked to the Presiding Officer earlier about my shotgun. I told him that it could hold six shells, but we had to plug that gun because that was the law. By law, we had to limit the amount of ammo in that shotgun, so we had to plug it so it could only shoot three—two in the magazine, one in the chamber. That way, when you went bird hunting, you gave birds a sporting chance. You could only fire three times. As Senator JOE MANCHIN of West Virginia—the courageous Senator from West Virginia—said, ''I do not know anybody that needs 30 rounds in a weapon to go hunting.'' Take 30 and reload. So why should we not limit the number of bullets in a clip? Don't people deserve as much protection as birds?

Limiting magazine size will force shooters bent on taking a life to reload more often. When this madman with the strange-colored hair walked into that Aurora, CO, movie theater with a semiautomatic weapon and a 100-round drum magazine, the only thing that spared many survivors was the fact that the shooter's gun jammed. Think of the carnage, in addition to what already was so bad, that would have taken place.

In Tucson, AZ—we met here in Washington yesterday with Gabby Giffords, a woman who was shot right in the head by a man who should have not had a gun. But he emptied a 33-round clip in less than 30 seconds, killing 6 and injuring many more, including Gabby Giffords.

In Carson City, NV, a mentally ill man went to an IHOP during breakfast time and killed four people. Three of them were National Guard personnel going to work. He shot 80 rounds in 80 seconds using 30-round clips.

Limiting the size of clips will not hurt hunters and sportsmen, but it will save lives. So I am going to vote in support of the Blumenthal-Lautenberg amendment.

In the case of Carson City, the example I just gave, let's talk a little bit about mental health. That incident at the IHOP restaurant reveals a tragedy, of course, but also the deficiencies in this Nation's mental health treatment system. That is another important part of our discussion about how to prevent gun violence. We simply have not done a good job of providing funding for and access to mental health services. This should be a bipartisan issue. Going back many years, it was bipartisan—Wellstone-Domenici.

While we have done a better job of doing certain things in mental health, we have done a poor job of removing the stigma that keeps Americans from seeking the treatment they need. We must do better. So the bill reported out of the HELP Committee, led my Chairman HARKIN, begins the work of improving access to critical services.

I hope to be able to have shortly—after we finish this list of amendments—the ability to move to Senator STABENOW's measure. She has worked with others on another bipartisan piece of legislation to go even further in doing something about the mental health problems so that we can alleviate, at least on occasion, these terrible tragedies.

As I have said many times, the efforts will not stop every criminal bent on violence, but last year's terrible tragedy in Newtown was a wake-up call that we are not doing enough to keep our citizens safe. It is hard to even comprehend the scope of the tragedy, let alone recover from it, but part of the healing process is this remarkable conversation about how to prevent violence in America. That conversation is taking place in America today because of Boston and because of the thousands of people killed with guns every year. Part of the healing process is examining what can be done to prevent more tragedies such as the ones in Newton, CT; Aurora, CO; Oak Creek, WI; Carson City, NV; and multiple other places. I believe that if we can save the life of a single American, we owe to it ourselves to try. That is going to take courage by some people.

President Monson, the president of the Mormon Church, said this about courage:

> Life's journey is not traveled on a freeway devoid of obstacles, pitfalls and snares. Rather, it is a pathway marked by forks and turnings. Decisions are constantly before us. To make them wisely, courage is needed: the courage to say, ''no,'' the courage to say, ''yes.''

The courage today to say yes. Decisions do determine destiny. Today our decision will determine the destiny of our country. Today I choose to vote my conscience not only as HARRY REID a Senator but also as a husband, a father, a grandfather, and I hope a friend to lots and lots of people. I choose to vote my conscience because if a tragedy strikes again—sorry to say it will—if innocents are gunned down in a classroom, theater, or restaurant, I would have trouble living with myself as a Senator, a husband, a father, a grandfather, and a friend knowing I did not do everything in my power to prevent that.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

TRIBUTE TO POSTAL AND LAW ENFORCEMENT WORKERS

Mr. MCCONNELL. Mr. President, the last few days have been trying ones for our Nation. Monday's attack in Boston reminded us that terrorism can still strike anywhere at any time. As yesterday's news of an attempt to send ricin to the Capitol reminds us, it is as important as ever to take the steps necessary to protect Americans from those who would do us harm.

This morning I would like to recognize the postal and law enforcement officials for their excellent work in detecting and preventing this threat before it even reached the Capitol. They proved that the proactive measures we put in place do, in fact, work.

We have faith that the men and women charged to protect the American people will find those responsible for the attack in Boston and for the letter here at the Capitol. The truth will eventually come out, and justice will be delivered.

GUN AMENDMENTS

Mr. MCCONNELL. Later today the Senate will begin to consider amendments to legislation that deals with one of our most fundamental constitutional rights as citizens. There are many different perspectives on this issue, and passions are high on all sides. That is why I would urge the majority to allow the full and open amendment process we were told the Senate would have. Today's votes are a very good start. The American people deserve the opportunity to be heard on this matter. We should respect that. So let's approach this debate in the spirit of transparency that the American people expect.

In my view, we should focus on keeping firearms out of the hands of the criminals and those with mental issues that could cause them to be a threat to our society. The government should not punish or harass law-abiding citizens in the exercise of their Second Amendment rights. It is that focus on protecting communities and preserving our constituents' constitutional rights that will be my guide as we begin to vote on amendments on this bill.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 649, which the clerk will report by title.

The assistant legislative clerk read as follows:

> A bill (S. 649) to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

Pending:

> Manchin amendment No. 715, to protect Second Amendment rights, ensure that all individuals who should be prohibited from buying a firearm are listed in the National Instant Criminal Background Check System, and provide a responsible and consistent background check process.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 4 p.m. will be equally divided and controlled between the two leaders or their designees.

The Senator from California.

AMENDMENT NO. 711

(Purpose: To regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes.)

Mrs. FEINSTEIN. Mr. President, I would like to call up and make pending

amendment No. 711 to the bill before us.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself, Mr. SCHUMER, Mr. DURBIN, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. LEVIN, Mr. HARKIN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mrs. BOXER, Mr. REED, Mr. CARPER, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. CARDIN, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. MURPHY, Ms. HIRONO, Ms. WARREN, Mr. COWAN, and Ms. Murray, proposes an amendment numbered 711.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mrs. FEINSTEIN. Mr. President, I happened to be on the floor and hear the remarks from the majority leader. I would like to thank him for his support of this legislation. It is extraordinarily important to me, to the people of my State, and, I believe, to a majority of Americans. I hope to make that clear during my remarks.

I would like to also thank the 23 cosponsors of this legislation. They are in alphabetical order: RICHARD BLUMENTHAL, Senators BOXER, CARDIN, CARPER, COWAN, DURBIN, FRANKEN, GILLIBRAND, HARKIN, HIRONO, KLOBUCHAR, LAUTENBERG, LEVIN, MENENDEZ, MIKULSKI, MURPHY, MURRAY, REED, ROCKEFELLER, SCHATZ, SCHUMER, WARREN, and WHITEHOUSE. I am very grateful for the willingness of the Presiding Officer and the others to step up, show courage, and do what is right for America.

There are all kinds of things we confront as Members of this great Senate. There are issues of national security, the economy, health care, immigration—all tough issues.

People often ask me why I care so much about assault weapons and why I stayed with this issue for more than 20 years.

The answer is this: In my view, the proliferation of this specific type of weapon goes to the heart of what kind of society in which we want to live. It goes to what kind of culture we are going to raise our children in, which brings us to the horrific massacre at Newtown, CT, 4 months ago.

Sandy Hook—and much has been said about it, but I can't forget—Sandy Hook was a safe school in a safe town. Candidly, it was inconceivable that such a tragedy could happen there, but it did. I can't exaggerate how this senseless murder of 20 beautiful young children and 6 incredibly brave adults affected me and millions around this country. I think it is fair to say that this event really shocked the conscience of America.

The pictures of these little victims still bring tears to the eyes of millions. I am very impressed with this one page of the New York Daily News. I carry it when I speak to people, trying to get their votes. Some say no, and I look at this picture of these smiling faces, and in the middle, ''Shame on U.S.'' This was the cover of the New York Daily News. I think it carries the message of what we are trying to do here, and I hope to demonstrate that during the time that I speak.

I think the despair that we all felt, for some of us, has changed to determination. I believe that this amendment over time will finally begin to address not only the wanton, brutal violence, but the weapon that is often used to carry out this wanton, brutal violence.

To have a chance at understanding these mass shootings, we need to understand how they are perpetrated and by whom.

It is impossible to know with any certainty what motivated Adam Lanza, the Newtown shooter. We know he exhibited clear signs of mental disturbance. We know he had an extreme aversion to normal social life, and he didn't like physical contact. He was in and out of school and spent time in special education classrooms and was homeschooled by his mother. He lived in a room with blacked-out curtains and played violent video games for hours on end.

We know his mother purchased assault weapons for him and kept an arsenal at home. We know that they went target shooting together at ranges and that both were certified in gun safety. Their home was a veritable weapons depot, with many firearms, more than 1,600 rounds of ammunition, samurai swords, and even a gun safe in this young man's room.

It has been reported that Adam compiled a spreadsheet documenting hundreds of victims of mass murders—something he may have used as a measuring stick for his own sadistic plot.

We know one more thing: None of this information would have been caught on a background check. I say this although I support background checks. But this shows what is out there, which needs to be stopped.

On that December morning, Adam Lanza started his rampage by killing his mother. He then drove to Sandy Hook and shot his way into the school. He was heavily armed. This is what he carried: a Bushmaster XM15 assault rifle, a Glock handgun, a SIG Sauer handgun, ten 30-round magazines, and a Saiga 12-gauge assault shotgun. In less than 5 minutes, he fired at least 154 rounds from the Bushmaster in 2 classrooms. He stopped only when first responders arrived. He then took his own life. He died with 139 more rounds available to fire.

I am sure background checks would stop many would-be murderers, but they would not have prevented Newtown. The weapons were legally purchased by his mother. While he was disturbed, he had no criminal record or record of mental illness and would not have been subject to a background check because his mother gave him these weapons.

Let me be clear: Universal background checks are very important. I strongly support them, but they would not have prevented the tragedy in Newtown.

I have watched these mass shootings escalate over the past 40 years—four decades of my public life. Twenty-nine have taken place in just the past decade, seven in the past year. Military-style assault weapons are often the weapon used in many of these shootings.

Just 3 days before Newtown, an AR–15 assault rifle was used to kill two people and seriously wound a third at a mall in Clackamas, OR.

Five months before Newtown, a gunman opened fire in a theater at a late-night performance of a brand new movie. He killed 12 and injured 58. The only reason he didn't continue was that this drum that he had in his weapon—a 100-round drum—jammed at approximately 50.

Although the Aurora shooter was being treated by mental health professionals, he owned a small arsenal of weapons, including a Smith & Wesson M&P15 assault rifle, a Remington 12-gauge shotgun, two Glock .40 caliber handguns, and a 100-round ammunition drum.

A number of weapons were used in the 1999 massacre at Columbine High School in Littleton, CO, where 13 were killed. The weapons were a TEC–DC9 assault pistol, a Hi-Point 9mm Carbine, a Savage pump-action shotgun, and a Savage 311–D 12-gauge shotgun.

High-capacity ammunition magazines also play a role in these mass shootings. In 2011, a gunman in Tucson used a semiautomatic Glock handgun equipped with a 33-round magazine to kill 6 and wound 12, including Congresswoman Gabby Giffords. In 2007, a Virginia Tech gunman used 2 handguns and at least 19 magazines to kill 32 and wound 17. Some of these magazines were 15-round versions. All told, he had nearly 400 rounds to fire.

Has this ended with Newtown? Was Newtown such a stirring event on the conscience of America that no one would try it again? What is the answer? The answer is no.

On March 18, just 3 months after Sandy Hook, a former student at the University of Central Florida planned to set off a fire alarm in his apartment and kill students as they fled. A roommate saw him with these weapons and called the police. The police came quickly and were able to prevent another massacre. Here is what he had: a .22 caliber assault rifle, known as German Sport Guns GSG–5; a .45 caliber handgun; two 110-round magazines; 4 homemade explosive devices; and a stockpile of approximately 1,000 rounds.

On March 31, an AR–15 assault rifle was used to assassinate a district attorney and his wife in Texas. The district attorney's wife innocently opened the door of their home. A gunman shot and killed her with a single bullet. As her husband turned to try to get to his weapon, he was killed in a burst of at least 20 rounds. This is the offensive nature of these weapons.

A shooting many years ago—because I came to know some of the victims who survived—encouraged me to submit the first bill in 1994. This was an attack by a man named Gian Luigi Ferri in a very high office building in San Francisco, CA, called 101 California Street. He came in and killed eight. He had two TEC–9s and magazines holding 50 rounds of ammunition.

He killed a young mother, Jody Sposato, 30, who had recently given birth to her first child. Her neighbor said, ''She just had that little, lovely baby 10 months ago.'' I came to know Jody's husband, Steve, who was a wonderful, tall man who used to come to see me with his baby in his arms. I am delighted to see that he remarried and made a new life for himself.

Ferri also killed Donald ''Mike'' Merrill, who had recently adopted two children, a son and a daughter, ages 4 and 2, with his wife Marilyn.

One of the wounded, a beautiful young woman, Michelle Scully, was saved because her husband John died while jumping on her body, shielding her from the gunfire.

This is how these events unfold. The tragedies they leave behind are actually never completely recoverable.

Over the years, as I have watched, I have come to see that these weapons are attractive to two groups of people. There are collectors, there is target practice, some hunt, and some think they offer a strong defense. This is one group. But death tolls show there is another group who covet these firearms more for their deadly firepower—most notably, grievance killers, gang members, and juveniles.

Let me mention the grievance killers. Their goal is to kill indiscriminately. These are weapons that are easy to fire quickly. They can fire many times without overheating, and they can carry ammunition-feeding devices that exceed 100 rounds. These are the weapons of choice of this group of people. The question is, Can this group of people, who will kill with these weapons, buy these weapons easily? The answer today is yes.

These weapons are attractive to gang members because pistol grips and folding stocks make them easy to conceal and maneuver. These weapons pack enough firepower to confront other gangs as well as the police.

I would like to tell you one other story from my home town that touched me deeply. In 2004, undercover police officers Isaac Espinoza and Barry Parker confronted a man at the corner of Newcomb Avenue and Newhall Street in San Francisco. As the officers approached, the shooter pulled out an AK–47 from beneath his coat and fired 14 rounds, killing Officer Espinoza and injuring Officer Parker, both of whom were armed.

Officer Espinoza was a real star in the San Francisco Police Department. Everyone liked him, and he had real credibility on the streets and in the community. He was very special. He had been a police officer for 8 years. During that time, he received four major service awards. Police Chief Greg Suhr, the current chief, said he wouldn't have been surprised if Officer Espinoza rose to be the chief himself one day. But he is gone. He left behind his wife of 7 years, Renata, and their daughter Isabella, who was 3 at the time of his murder.

Finally, assault weapons are attractive to juveniles because they are lightweight, have little recoil, and are easy to fire.

The takeaway is that nowhere seems safe from these acts of mass violence, made all the more deadly because of the military features of these particular weapons.

These mass killings aren't confined to dangerous areas. They happened in a mall in Clackamas. They happened in a movie theater in Aurora. They happened in a temple in Oak Creek. They happened in an office in San Francisco. Worst of all, they happen now in schools. Schools used to be safe places, but now we confront the legacy of Columbine, Virginia Tech, and Newtown.

President Obama relayed the story of a murdered child's mother. She said she hates when people say her son was ''in the wrong place at the wrong time.'' When are schools ever the wrong place? Schools should always be the right place for children and they should always be the right time. And that is why we must take action.

I am relieved we are finally debating the issue of gun violence, in particular the amendment I offer today to introduce the Assault Weapons Ban in the underlying bill. It has been 9 years since the first Federal Assault Weapons Ban expired in 2004, and far too many deaths. The Assault Weapons Ban I offer today as an amendment has one purpose: to begin to dry up the future supply of assault weapons and high-capacity ammunition magazines over time, which will save lives. It does not affect any legally owned weapon possessed now.

I fully support the bill to expand background checks, increase penalties on straw purchasers, and strengthen school security. But these provisions are only part of a solution. The weapons I talk about can fire hundreds of rounds a minute with velocities and energy far exceeding the standard handguns. They do not belong on the streets where they can be bought without questions asked.

This amendment bans the future manufacture, possession, sales, and importation of 157 semiautomatic assault weapons by make and model. Let me list some of the most infamous models. We have here a display. They include the AK–47, the AR–15, the Bushmaster XM15, the Smith & Wesson M&P15, the Hi-Point Carbine, the UZI Mini Carbine, and the Intratec TEC–9. They include the MAC–10, the Saiga-12, the Street Sweeper, and all 157 of them are explicitly, by make and model, delineated in the bill.

The bill also prospectively bans the manufacture, sale, and importation of all other assault weapons that can accept a detachable magazine and have at least one military characteristic, such as a pistol grip or barrel shroud.

Finally, the amendment bans the manufacture and importation—as well as the future sale or transfer—of large-capacity ammunition feeding devices capable of accepting more than 10 rounds. Here are some of these large magazines—and this is the drum that was used at Aurora. In many cases, such as the tragic shooting of Congresswoman Giffords, it is only when a shooter stops to switch magazines that police or others have the chance to take the shooter down, and he or she may well fumble in so doing.

Now what does the amendment not do? To clear up some misinformation, it is also important to know what the bill does not do. It does not take away any legally owned weapon. All weapons legally possessed on the date of enactment are exempted. The amendment does not require registration. If an assault weapon is legally owned before enactment and later transferred or sold, the recipient or purchaser must pass a background check as required in the underlying bill.

Finally, the amendment does not affect hunting or sporting firearms. Let me point that out. It protects legitimate hunters by excluding 2,258 specifically named firearms used for hunting and sporting purposes. It took 96 pages of legal bill language to list these hunting and sporting firearms by make and model so everyone can see clearly their hunting or sporting gun is excluded from the bill. It took my staff a long time and a lot of vetting to compile this list, but they have done it.

Some have argued that the legislation would violate the Second Amendment. Candidly, that is wrong. The original Federal Assault Weapons Ban I sponsored in 1994 was repeatedly challenged in Federal Court on a variety of grounds, including the Second Amendment, the Commerce Clause, the Due Process Clause, and the Equal Protection Clause. The Fourth, the Sixth, the Ninth, and the District of Columbia Circuit Courts all upheld the 1994 law, with three of them rejecting challenges based on the Second Amendment.

Since these rulings, the Supreme Court, in 2008, recognized an individual right under the Second Amendment in a 5-to-4 decision in the District of Columbia v. Heller. But Heller itself clearly rejects the claim that Second Amendment rights are absolute. In Heller, conservative Justice Antonin

Scalia stated: ''The right secured by the Second Amendment is not unlimited.''

And the Court said the Second Amendment does not protect ''a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purposes.'' Case made.

Also, just like other constitutional rights, the Second Amendment's right to keep and bear arms is subject to reasonable restrictions. An assault weapons ban is such a reasonable restriction, and no assault weapon ban has ever been overturned by a court of law.

Don't take my word for it. Look at the Supreme Court decisions. Justice Scalia's opinion in Heller specifically stated, ''Weapons most useful in military service—M–16 rifles and the like'' are weapons that ''may be banned.'' And there are weapons that are the like of the M–16 weapon on the street today that are covered by this bill.

Third, an assault weapons ban leaves available ample means for individuals to defend themselves and their families using firearms. This amendment imposes restrictions on one class of weapons—military-style weapons—that are highly dangerous and can kill large numbers of people quickly, with increasing velocity. It leaves open ample opportunities to possess and use numerous types of firearms for defense. I have no question this bill is constitutional.

A second false attack is that assault weapons covered by this ban contain only ''cosmetic features'' and are no more dangerous than any other firearm. Nonsense. Law enforcement officers and gun experts are the best ones to go to, and we have. And they have pointed out these features were designed to be added to military weapons to make them more deadly and they have the same effect on civilian versions.

Some examples: The pistol grip was first added to a rifle by the German army in World War II, when it was incorporated in the STG 44, which is called a ''Storm Gun.'' This feature allows a shooter to ''spray-fire'' a large number of rounds over a broad killing zone without having to aim at each individual target.

Folding stocks were added to the M1 Carbine by the U.S. Army in World War II so the weapon could be more easily transported by soldiers traveling in cramped aircraft and military vehicles. Similarly, UZI manufacturers started adding folding stocks to their weapons in the early 1950s at the request of Dutch and German military who found the traditional wooden stock to be too long for use while traveling in armored vehicles.

Every law enforcement officer who testified on the Assault Weapons Ban in our Judiciary hearing was emphatic that military characteristics add to a weapon's lethality. From Baltimore County Police Chief Jim Johnson: Assault weapons are ''meant for the battlefield.'' Milwaukee Chief of Police Edward Flynn: ''Military characteristics are not simply cosmetic in nature. These weapons are designed for combat.'' And John Walsh, the U.S. Attorney for Colorado, couldn't be more clear: These weapons, he said, are ''crafted to be as effective as possible at killing human beings.''

Now where are we today? Seven States and the District of Columbia banned assault weapons prior to the Newtown massacre. These are my own State, California, Connecticut, D.C., Hawaii, Maryland, Massachusetts, New York, and New Jersey.

Since Newtown, legislators in 20 States have introduced bills to either ban assault weapons or strengthen existing bans. Twenty States are now contemplating action.

Connecticut and New York passed laws to tighten their existing bans to prohibit assault weapons with one military characteristic, which is what we do in this bill.

Maryland expanded an existing ban on assault pistols to cover rifles and assault shotguns.

In Massachusetts and New Jersey, bills have been introduced to strengthen those States' assault weapons bans.

Efforts are also underway to prohibit these deadly weapons in States with no current assault weapon ban. In Florida, Illinois, Indiana, Minnesota, Missouri, Mississippi, North Dakota, New Mexico, Oregon, Pennsylvania, Vermont, and Virginia, bills have been introduced to impose an assault weapons ban for the first time.

All of these States have strong hunting or sporting traditions, but the sponsors of these bills recognize that no one needs an assault weapon to hunt or target shoot.

In other States, bills have been introduced to regulate assault weapons. An Arizona bill would require the sale of any assault weapon be done through a licensed gun dealer.

Bills in Kentucky and Texas would require one to obtain a license to purchase an assault weapon. The Kentucky bill would also require the registration of assault weapons and handguns. That is Kentucky.

Some bills have been introduced that would go even further than the amendment I have introduced today. California is seeking to strengthen its ban, going from a one-characteristic test to a zero-characteristic test. This bill would prohibit any semiautomatic rifle capable of accepting a detachable magazine.

A bill in South Carolina would require the government to seize any assault weapons used in certain crimes.

Even though more States are banning assault weapons, the need for a Federal ban has never been greater. If only California or New York bans assault weapons, nothing stops an individual from buying an assault weapon in a neighboring State, then crossing the border to commit violence. At a Judiciary Committee hearing, Senator DURBIN mentioned that guns are coming into the city of Chicago which are being traced to the State of Mississippi.

I believe if this legislation does not pass, we will see bills passed in a number of States. That will result in a confusing patchwork of laws with different standards in different States. If this bill goes down, States will, I believe, pass additional legislation. It is only a question of time.

Some suggest there may not be enough support in the Senate to pass the Assault Weapons Ban. But the support is there among the American people. In poll after poll, that support is there. In no poll—even with all the discussion, even with the mobilization of gun owners and the NRA, a majority in every single national poll done shows that the majority want controls over assault weapons. I know of no poll done this year that shows less than a majority to reinstate a Federal ban on assault weapons. We have more than 170 organizations covering a wide range of groups that have endorsed the bill. Here are a few:

Major Cities Chiefs; International Association of Chiefs of Police; American Medical Association; American Academy of Nursing; American Academy of Pediatrics; National Education Association; American Federation of Teachers; the Children's Defense Fund; the Sierra Club; the United States Conference of Catholic Bishops; the United States Conference of Mayors; the National League of Cities; more than 800 mayors from across the country; Tom Ridge, former Governor and Homeland Security Secretary; John Warner, former Republican Senator from Virginia.

Few bills ever have such broad support, and I ask unanimous consent to have printed in the RECORD a list of endorsements.

I have also received letters and calls from Americans across the country, from all walks of life, including gun owners, who demand that we stop these weapons of war from claiming more innocent victims. I even had a member of the NRA call me and say, ''I am a hunter and I have an AR–15 but I don't need it, and I am turning it in.''

I ask unanimous consent to have printed in the RECORD excerpts from these letters.

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

ENDORSEMENTS FOR THE ASSAULT WEAPONS BAN OF 2013

Law Enforcement: International Association of Campus Law Enforcement Administrators, International Association of Chiefs of Police, Major Cities Chiefs Association, National Association of Women Law Enforcement Executives, National Law Enforcement Partnership to Prevent Gun Violence, National Organization of Black Law Enforcement Executives, Police Executive Research Forum, Police Foundation, Women in Federal Law Enforcement, Chaska, Minn. Chief of Police Scott Knight (former chairman of the Firearms Committee, International Association of Chiefs of Police), Los

Angeles County Sheriff Lee Baca, Los Angeles Police Chief Charlie Beck, San Diego Police Chief Bill Lansdowne

Localities: U.S. Conference of Mayors, National League of Cities, Boston City Council, Los Angeles County Board of Supervisors, Oakland Unified School District Superintendent Anthony Smith, San Francisco Board of Supervisors, San Luis Obispo County Supervisor Bruce Gibson, Santa Cruz Board of Supervisors, Ventura County Board of Supervisors

California Mayors: Alameda Mayor Amanda Gilmore, Chula Vista Mayor Cheryl Cox, Long Beach Mayor Bob Foster, Los Angeles Mayor Antonio R. Villaraigosa, Malibu Mayor Lou La Monte, Martinez Mayor Rob Schroder, former Morro Bay Mayor Janice Peters, Oakland Mayor Jean Quan, Orange Cove Mayor Gabriel Jimenez, Petaluma Mayor David Glass, Pleasant Hill Mayor Michael Harris, Sacramento Mayor Kevin Johnson, San Diego Mayor Bob Filner, San Francisco Mayor Edwin M. Lee, San Jose Mayor Chuck Reed, San Luis Obispo Mayor Jan Marx, Santa Ana Mayor Miguel Pulido, Santa Barbara Mayor Helene Schneider, Santa Cruz Mayor Hilary Bryant, Saratoga Mayor Jill Hunter, Tiburon Mayor Emmett O'Donnell

California Cities: Beverly Hills, Calabasas, Chula Vista, Del Mar, Encinitas, Lemon Grove, Los Angeles, National City, Petaluma, San Francisco, Santa Rosa, Stockton, Ventura, West Hollywood

Gun Safety: Arizonans for Gun Safety, Arizona People Acting for a Safer Society, Brady Campaign to Prevent Gun Violence, Ceasefire Oregon, Coalition to Stop Gun Violence, Hoosiers Concerned About Gun Violence, Illinois Council Against Handgun Violence, Law Center to Prevent Gun Violence, Mayors Against Illegal Guns, Moms Demand Action for Gun Sense in America, Ohio Coalition Against Gun Violence, Protect Minnesota, StopOurShootings.org, Violence Policy Center, Washington Ceasefire, Wisconsin Anti-Violence Effort, Women Against Gun Violence

Education/Child Welfare: 20 Children, American Federation of Teachers, California PTA, California Teachers Association, Child Welfare League of America, Children's Defense Fund, Every Child Matters, Los Angeles Community College District, MomsRising, National Association of Social Workers, National PTA, National Education Association, NewSchools Venture Fund, San Diego Unified School District, Save the Children, United States Student Association

Religious: African Methodist Episcopal Church, Alliance of Baptists, American Baptist Churches of the South, American Baptist Home Mission Societies, American Friends Service Committee, Baptist Peace Fellowship of North America, Camp Brotherhood, Catholic Charities USA, Catholic Health Association, Catholic Health Initiatives, Catholics in Alliance for the Common Good, Catholics United, Church of the Brethren, Church Women United, Inc., Conference of Major Superiors of Men, Disciples Home Missions, Christian Church (Disciples of Christ), Dominican Sisters of Peace, Faiths United To Prevent Gun Violence, Franciscan Action Network, Friends Committee on National Legislation, Health Ministries Association, Heeding God's Call, Hindu American Foundation, Interfaith Alliance of Idaho, Islamic Society of North America, Jewish Council for Public Affairs, Jewish Reconstructionist Movement, Leadership Conference of Women Religious, Mennonite Central Committee, (Washington Office), National Advocacy Center of the Sisters of the Good Shepherd, National Council of Churches, National Episcopal Health Ministries, NETWORK (A National Catholic Social Justice Lobby), Pathways Faith Community, Pax Christi USA, PICO Network Lifelines to Healing, Presbyterian Church (U.S.A.) Office of Public Witness, Progressive National Baptist Convention, Rabbinical Assembly, Religious Action Center of Reform Judaism, San Francisco Interfaith Council, Sikh Council on Religion and Education, USA, Sisters of Mercy of the Americas, Sojourners, Unitarian Universalist Association of Congregations, United Church of Christ, United Methodist Church, United Methodist Women, United States Conference of Catholic Bishops Committee on Domestic Justice and Human Development, United Synagogue of Conservative Judaism, Washington National Cathedral, Women of Reform Judaism

Health care: American Academy of Nursing, American Academy of Pediatrics, American College of Surgeons, American Congress of Obstetricians and Gynecologists, American Medical Association, American Public Health Association, Association for Ambulatory Behavioral Healthcare, California Medical Association, Doctors for America, National Association of School Nurses, National Physicians Alliance, Physicians for Social Responsibility, San Francisco Mental Health Association, Society for the Advancement of Violence and Injury Research, Society of General Internal Medicine

Other: Alliance for Business Leadership, American Bar Association, Black American Political Association of California, Center For American Progress Action Fund, Grandmothers for Peace International, L.A. Gay & Lesbian Center, League of Women Voters of the United States, National Parks Conservation Association, NAACP, Precision Remotes, Sierra Club, TASH, VoteVets.org, Washington Office on Latin America

Former Elected Officials: Former California Governor Deukmejian, Former Secretary of the Department of Homeland Security Tom Ridge, Former U.S. Senator Richard Lugar, Former U.S. Senator John Warner

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CONSTITUENT LETTERS IN SUPPORT OF THE ASSAULT WEAPONS BAN OF 2013

PAUL D.—NEWTOWN, CT

. . . There is no practical distinction between the rate of fire produced by this weapon and that produced by a fully automatic machine gun. While one weapon is clearly illegal, the other is legal because the outdated words used to describe it suggest a distinction that no longer exists. This dangerous inconsistency has essentially undermined existing law, putting the practical equivalent of banned weapons back on our streets.

The result has been devastating for our community and too many like it across the country. Legally, logically, and morally, your obligation is clear: we need you to take action now. Please support S. 150. . . .

GINA M.—NEWTOWN, CT

. . . Six children at Sandy Hook School were able to squeeze past the gunman in a doorway because he had to stop to reload. How many more would have been spared had his magazines been smaller? Think of those children, who had to watch their teacher and classmates brutally murdered in front of their eyes, now think of your own children. Think of your grandchildren. Think about the parents and spouses who have to live with the horror of knowing their children spent their last few minutes in terror and in pain as the bullets shredded their flesh. Think about the survivors of that massacre, also victims, who will have to deal with their own mental health issues for decades to come. . . .

RICHARD A.—NEWTOWN, CT

. . . Our pediatric practice lost several patients. I held two of these babies in my arms in the delivery room when they were born. And I was at the firehouse that night with the older brother of one of our children.

This event has altered so many lives. One mother told me, having lost her daughter, that her sons saved her life.

These guns, these bullets blew open these children's heads, their bodies, their limbs. In what kind of society do we live, whereby these weapons are needed to defend and protect?

Do we need to splatter bodies and blood in order to defend? Do we need to shatter bones and decapitate our tyrannical governments? How can anyone justify these self proclaimed weapons of mass destruction . . .?

MICHELLE D.—NEWTOWN, CT

. . . No one should have to live in fear. No one should have to live looking over their shoulder while shopping in a mall, grocery store, taking in a movie, attending school or simply going about their lives. No one should have to put their kids on their school bus and fear that they may not come home. NO ONE. . . .

CHRISTINA D.—NEWTOWN, CT

. . . We have no more time to waste. We must change for those lost at Sandy Hook, for the town of Newtown, for our country, for our children. We must protect our nation's people. . . .

PO M.—NEWTOWN, CONNECTICUT

I am a mother of four children (who graduated from Sandy Hook Elementary School) and the shooter lived in my neighborhood. We lost our neighbors, educators, and principal on that dreadful morning on December 14, 2012. Our neighborhood is one of the safest places in this country. Sandy Hook Elementary School was one of the most nurturing environment for my four children therefore we were in a state of shock when we heard the horrific news on December 14th.

I believe stronger gun regulations would have saved lives on that tragic day. I also believe if millions of people in this nation demanded change after Columbine, Virginia Tech, Tucson and Aurora then maybe just maybe this type of massacre in our neighborhood elementary school could have been avoided. It is unacceptable for us to not take action. Too many Americans are dying every year. You acted swiftly and boldly to institute measures to improve public safety after September 11th and you must do the same after December 14th. We have the right to feel safe in our schools, malls, movie theaters, places of worship, work place, salons and on our city streets.

I made a promise on December 14th that I will no longer stay silent and do more to save lives by writing, e-mailing and calling the lawmakers. I traveled down to Washington DC with 40 Newtown teachers, clergy, parents, students, other members of Newtown Action Alliance and families of victims on February 26th and 27th to meet with congressional leaders and to attend Senator Feinstein's Assault Weapons Ban hearing. We shared our stories of tragic loss, our pain and we asked many of you to honor the 26 lives by helping us to turn our tragedy into meaningful action and change. Please have the political courage to save American lives by banning military-style assault weapons, prohibiting gun trafficking, requiring universal background check on all gun purchases and limiting high capacity magazines. You have the ability to save lives and I am asking for your leadership.

AIMEE P.—NEWTOWN, CT

. . . Over the past two months, I have brought meals to neighbors who have lost children, and wept with friends who have had to tell their six-year-olds that five of their young friends had died. I have seen surviving

Sandy Hook students cling desperately to their parents, to their dolls, to their dogs. I have watched parents of surviving Sandy Hook students withdraw from their support systems. I have seen my own son, who just turned three, develop a sudden fear of monsters. The effects of this shooting, even in a community as supportive and loving as Newtown, will be with all of us forever.

In the time it took Adam Lanza to reload, children were able to escape. While it is unrealistic to think that we can stop every incidence of gun violence in this country, we have a moral obligation to do what we can to reduce the unacceptably high rate of gun-related deaths every year. A weapon that can put eleven bullets in a six-year-old in a matter of seconds has no place on our streets or in our communities. . . .

MERLYN L.

. . . I have been a member of the NRA since 1979 and I am willing to state they have gone way too far. They are promoting anarchy and overthrowing the government. Why are we allowing people to shoot each other at the movies and in schools? This is sick, we don't need these weapons. We got rid of the Wild Wild West a long time ago. . . .

DOUGLAS M.

. . . End this madness with people believing they have some right to own any kind of gun they wish and that it can shoot as many bullets as possible without reloading. Guns today have turned into a kind of game in which many people who have never served in the military pretend to be at war. . . .

MARY L.

. . . I am a life-long Republican, but fully support the ban on assault weapons. I also support the universal background checks as proposed by President Obama. . . .

JIM S.

. . . As PAST NRA members, I fully support President Obama's gun control plan. The NRA has no business in our government. . . .

. . . I spent 22 years in the U.S. Army defending our country—two of those years in Viet Nam.

ROBERT A.

Please stand strong with President Obama regarding meaningful gun control legislation—specifically regarding assault rifles. I carried them in the army and in Viet Nam. They are made for two purposes and two purposes only—to kill as many people as you can in the shortest time possible and kill a person with as much damage to the person as possible!!! There is no need for civilians to have these weapons of mass destruction.

PAUL N.

I am a multiple gun owning hunter and target shooting enthusiast. I also support MUCH tougher gun control laws, far beyond just assault weapon bans. We need to have strict registration and control of all weaponry as well and closing the ease of purchase loopholes. . . .

GORDON S.—COTTONWOOD, CA

As a gun owner, I have given up membership in the NRA, whose solutions to gun violence seem outrageously stupid . . . I'm not a big Obama fan, but his stance, in light of mass gun violence on our ''babies'' seems reasonable. The NRA'S statement of position, it seems to me, leads us into a spiral of hate and destruction that may be violently braced from the ''other'' side; our lives do not have to become ones of revenge and fear. . . .

BARBARA C.—ARROYO GRANDE, CA

My mother was killed by a gun blast when I was 13 years old. I am now 76 and the pain and memory remains. . . . I accept individual that hunt and feel a need to protect themselves in isolated areas, however our gun culture has caused many like me to suffer beyond words and the loss of young and too many lives. . . .

UMA L.—VIRGINIA TECH

. . . Had there been a ban on high capacity magazines, I am confident the death toll, the injured toll would not be as high as it was. Had my father's murderer used an assault weapon that day, I know for certain that many who are alive now—many who have become my friends—would not be with me today. . . .

. . . The day my father went to teach—went to die, really—he was sick. He was running a fever, and even though it was April, he felt cold. My mother didn't want him to go in, but he went anyway. That was the type of man he was—he believed in his duty, and he always did it. He was right where he was supposed to be—the right place at the right time. And yet, he never came home. He never came home because he was dead, and that was how I saw him next. Though I tried to warm his hands, they were like ice. And when I said goodbye, his lips were cold and there was no laughter. For the first time ever, my father is somewhere I cannot follow . . . .

. . . Somehow, the impact of gun violence and what it means to lose someone is something that we don't talk about in this country. It's as if the subject is taboo, a dirty secret to be shoved under the carpet. . . .

. . . Here's what we *do* talk about: our right to the second amendment. We talk about the right to bear arms and the right to protect ourselves. We talk about the right to carry our weapons in the street, our right to have them on our person at all times. We talk about the right to arm our children, our parents, our country. We talk about our right to bear the arms we like and our right to shoot the bullets we like.

Since my father's passing, I've heard many things. Some of these comments include: ''I know you're grieving, but it [the loss of a parent] is part of the natural order.''

Or:

''If your father'd had an assault weapon that day, he'd still be alive.''

Or:

''It was a tragedy. A battlefield was created that day. If only someone'd had a gun.''

. . . I find each of these statements to be appalling . . .

. . . Death by gun is something that should never become normal. The idea of a battlefield becoming part of the common course of everyday life horrifies me . . .

. . . Your everyday life should not be a battlefield. It should be a place where you are safe, where you can go about your business without fear. No one should have to worry about facing down the barrel of a gun. Not when they are at home, far away from a theatre of war.

Assault weapons and high capacity magazines are both things that belong to theatres of war. . . . In Seung-Hui Cho's case, he fired more than 158 bullets in less than ten minutes at Virginia Tech. His gun never jammed, and there was no window of opportunity for someone to tackle him. Had he had lower capacity magazines, a window of opportunity might have opened, and the casualties would have been less. . . .

. . . While some claimed that high capacity magazines would be necessary in the hypothetical situation of five or six attackers, the fact remains that it is a hypothetical. The issues we are discussing now are not hypothetical—they are painfully real. The murder of my father is not a hypothetical. It is real, and it happened because a sick boy got his hands on a gun and high capacity magazines and used it to murder. If he had not had access to guns, much less high capacity magazines, I would not be writing this letter today. . . .

PATRICIA M.—TUCSON, AZ

. . . The shooter was stopped, not by another man with a gun, but by two ordinary citizens there that day to talk with our Representative, Gabrielle Giffords. If the shooter was forced to reload because the magazine only held ten or 15 bullets Roger and Bill might have been able to tackle him sooner—and fewer human beings might have been murdered or wounded, fewer families wrenching with the pain and sorrow of a loved one being murdered on a sidewalk.

That high capacity magazine coupled with a semi-automatic weapon gave horrific killing capability to the shooter. . . .

MELISSA L.

. . . In my 30 years as an RN working in Trauma centers, I have witnessed the destruction of guns—the useless senseless destruction of life. I am appalled that the NRA and other gun advocates do not believe in gun control and background checks. I support your efforts and the efforts of President Obama. . . .

CLIFF P.—HEMET, CA

. . . I understand that there are many fine people that are NRA members, but, at some point, they are going to see that their beliefs are being ignored by the money that is poured into the NRA by the gun makers.

As to my personal stance on this issue, I actually did a little hunting when young. I have friends that like to keep a gun in their home. I'm just a guy that cannot find any reason for assault weapons being in the hands of anyone outside of law enforcement.

GARY W.—LAKE FOREST, CA

. . . As a former marine and gun enthusiast, I support your bill completely. USMC boot camp was 12 weeks long, of which the combat school and rifle range portion was 5 weeks long. . . .

. . . I bet no more than 5% of the purchasers of assault weapons of all kinds know anything about the PROPER care and maintenance and use of the new toys they bought.

DORIS J.—SANTA ANA, CA

. . . I am a second generation native Californian and licensed gun owner who wholeheartedly supports your efforts to ban private ownership of assault weapons and multi-round clips. . . .

JEFF M.—WATSONVILLE, CA

I am writing to you as a gun owner. I FULLY SUPPORT your initiative to ban assault weapons and high capacity magazines. Thank you for standing up to those who say it will never happen. I say it can.

SARAH W.—SAN PEDRO, CA

. . . My six-year-old niece, Allison Wyatt, was a victim of the Sandy Hook Elementary School shooting. The pain felt by my family and the entire community is indescribable.

I am writing to offer my assistance and the assistance of my family members in securing support for gun control legislation. We are willing to help in any way we can. . . .

SHWETA N.—LOS ANGELES, CA

. . . renew the assault rifle ban in the United States. As a pediatrician, I have seen too many suicides, accidental deaths or injuries, and homicides resulting from laxities in gun safety and control.

I must advocate for my patients, who cannot speak with their own vote. Please stand for gun control. . . .

GARY V.—CLOVERDALE, CA

I am a gun owner, former Fresno California police officer, San Mateo County probation

officer, correctional counselor and court administrator. I spent 17 years of my Career dedicated to law enforcement and corrections mostly in California.

I support a complete ban on the possession of any . . . assault rifle or military weapon designed to fire more than 7 rounds of ammunition without reloading. . . .

. . . When your everyday citizen has access to such firearms it presents an enormous threat to police, fire and everyone else in the community. None of my fellow police officers, probation officers, etc. ever supported the possession of assault rifles or military weapons in the hands of the general public. We all knew it was a bad idea we had to deal with the danger it created daily.

It is time for the madness to stop and for meaningful legislation to be passed . . . The 2nd Amendment has been grossly interpreted by a group that plays on fear and generates enormous wealth for weapons manufacturers. . . .

STEPHEN R.—SACRAMENTO, CA

. . . I am 18 years old with plans for my life and I do not want to have to live in fear of dying young. I am absolutely sick of innocent people dying because of guns, and I am absolutely appalled that people are vehemently against banning firearms and other assault weapons. I fully support your move to ban assault weapons. I am young and I want to live my life in peace. I demand the right to live in a country free of the fear of gun violence.

THOMAS P.—SACRAMENTO, CA

. . . I grew up in Shasta County and was raised on a family cattle ranch. Guns were part of our everyday life and I have used them to hunt . . . I understand the concerns of rural gun owners and I do believe that their rights should be protected. But protecting those rights must not come at the cost of all of our safety. For too long, people have been able to buy dangerous (nearly-automatic) weapons in secret and amass dangerous arsenals of weapons that have no legitimate purpose. . . .

. . . The same people who claim that they will go bankrupt if taxes are raised one nickel, don't bat an eye at spending thousands of dollars on a new gun. . . .

. . . People in some parts of the state are now talking openly about how their second amendment rights are there to enable them to defend against government tyranny. This seditious talk is very frightening. I can't imagine what these people think would result from armed conflict with their own government . . . These people seem to think they are going to be heroes in some post-apocalyptic fantasy; they have lost their foothold on reality and they are very dangerous.

. . . Please let these delusional whackos know that they are not living in the state of Jefferson, they are living in America, and we are a country of laws. . . .

SUSAN E.—SAN DIEGO, CA

. . . I am a retired educator, who has experienced school violence first hand. I was the only administrator on campus when Andrew Williams killed two students and wounded 13 others at Santana High School . . . This senseless violence has to come to an end. The rights to life and safety have been forgotten in the rhetoric over 2nd amendment rights.

MINDY F.—SAN FRANCISCO, CA

. . . I was doing my job, I was protecting my kids and I was being a positive citizen in my community. I was exercising my right to the freedom of my religion and Buford O'Neal Furrow (a convicted felon out on parole who was deemed mentally unstable by authorities) tried to take all that away from me. And because of the easy accessibility of assault weapons and large capacity ammunition clips guns in this country he was able to do that without a second thought.

To me the idea of living in a free country is the ability to live my life to the fullest. To be allowed to celebrate my faith alongside others of many faiths and not be persecuted for it . . . To be allowed to walk through life without the fear of being gunned down on the job. . . .

. . . I hope that this letter reminds those voting on these bills that there are real people and faces that are dealing with these tragedies. We are not just stories and not just victims. We are survivors what want to make sure what we lived through can never happen to anyone else. . . .

To conclude, not every issue we vote on in the Senate is a life-or-death matter. I deeply believe this is. Since the original Federal Assault Weapons Ban expired in 2004, there have been more than 460 incidents involving assault weapons, and here they are listed, 460 of them.

The most important duty a government has is to protect its citizens' safety. When 20 beautiful first graders are slaughtered, our government has failed that duty. When 12 are killed and 58 are wounded in a movie theater—a safe place—our government has failed its duty. When people are gunned down in malls, parking lots, and their offices, our government has failed that duty.

I do not believe our values are stronger because we allowed individuals to own weapons designed for the sole purpose of killing as many people as possible. And we must not resign ourselves to these tragedies. They cannot become just another fact of American life. We have a duty, I deeply believe, to take steps to stop these mass murders that have one common element—the use of assault weapons and high-capacity magazines.

Through hearings and markups, we have heard no compelling reason not to pass this legislation. Not a single court decision has been cited that suggests a ban is unconstitutional. No one can credibly dispute law enforcement testimony that assault weapons are more lethal than other weapons. A majority of Americans support taking action.

I urge my colleagues to vote on this amendment based on its merits, not with an eye toward politics or ratings from gun lobbying groups. It is a time to stand tall. As Gabby Giffords said: You must act. Be bold. Be courageous.

So I ask you to stand with the thousands of police chiefs and law enforcement officers who support this bill. Stand with the doctors and other health professionals who support this bill. Stand with the religious leaders who support this bill. And stand with the victims of gun violence and their families who support this bill. The time has come to take these weapons of war off our streets, away from criminals, grievance killers, and the mentally deranged. I urge my colleagues to stand tall and support this amendment.

Mr. LEVIN. Madam President, I wish to add my voice to those who have called on this floor for actions that address the epidemic of gun violence in America. I strongly favor passage of legislation to address the loopholes that have allowed too many violent individuals to circumvent the background checks designed to keep them from committing horrific acts. I support the amendment offered by Senator FEINSTEIN to add to that legislation a ban on new military-style assault weapons and high-capacity ammunition magazines.

In May of 1999, I spoke to the Economic Club of Detroit in the aftermath of the Columbine shootings. I was surrounded by educators, clergy, law enforcement officials, and businesspeople who had dedicated their lives to protecting young people from an epidemic of gun violence in our city. I asked, ''Are we willing to say enough is enough?''

That was 14 years ago next month. Since then, I have placed hundreds of speeches on this issue in the CONGRESSIONAL RECORD. After all that time and all those speeches, the question remains: ''Are we willing to say enough is enough?'' After Columbine, after Aurora, after Newtown, after the deaths and injuries of thousands of innocent people, many of them children, can we now say enough is enough?

This is what the National Law Enforcement Partnership to Prevent Gun Violence says on this topic:

> Assault weapons were designed for the battlefield and have no place in our communities. These weapons were developed to enable a shooter to rapidly spray-fire multiple rounds at an enemy in combat, not to gun down small children, moviegoers, firefighters—or the law enforcement officers protecting them.

This coalition includes the International Association of Chiefs of Police, the Major Cities Chiefs Association, the International Association of Campus Law Enforcement Administrators, the National Association of Women Law Enforcement Executives, the National Organization of Black Law Enforcement Executives, the Police Executive Research Forum, and the Police Foundation. These groups—each of them dedicated to the safety of our people—tell us that the threat these weapons present to public safety, indeed, to the safety of those who keep us safe—is too great for us to allow it to continue.

Even in the aftermath of the Newtown shootings and other horrific tragedies, some have argued that the problem with our society is not too much weaponry but too little. What these folks want, essentially, is to send Americans into combat. This is particularly true of these assault weapons and high-capacity magazines, which are specifically designed for military combat.

Now, our local and State police forces spend billions of dollars every year providing countless hours of training to law enforcement officers on how to react in a situation where they might have to fire their weapon. The U.S. Marine Corps sends its recruits

through a 59-day course before they are considered ready for combat, and those marines train relentlessly to keep their combat skills sharp. Yet, as any experienced police officer or marine or soldier will tell you, for all their training and skill, combat is chaotic. Telling friend from foe is never easy. And now some voices call for bringing that same level of combat to our streets and schools.

We can no longer be frozen into passivity. We must instead respond to the majority of Americans who support a Federal assault weapons ban and a ban on high-capacity magazines. Their voices and the voices of anguished families and of deeply concerned law enforcement officials should carry the day. We should heed those voices, support the Feinstein amendment and the underlying bill, and finally take action against this plague of violence.

Madam President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HEITKAMP). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Madam President, I ask that all time be equally divided between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 719

Mr. CORNYN. Madam President, the Second Amendment of the U.S. Constitution is not merely about hunting, recreational shooting, or marksmanship, nor is it discretionary. This is one of the provisions of the Bill of Rights that the Founding Framers of our Constitution were so passionate about that they made sure it was included in our Constitution as part of the first 10 amendments to the Constitution. It is not a take-it-or-leave-it proposition. But its real significance is much greater. Indeed, the Second Amendment has long been viewed as a bulwark of individual liberty. It guarantees the most basic civil right in a free society, the right that allows responsible, patriotic, law-abiding citizens to defend themselves, to defend their families, and to defend their homes—all of this without having to rely on the government.

It is no mystery to any of us that the Federal Government—or State or local governments, including law enforcement—is not omnipresent. There are many parts of our country where law enforcement is a long way away or simply unavailable. So the Second Amendment preserves the right of responsible, law-abiding citizens to be able to protect themselves, their families, and their homes without having to rely upon an omnipresent law enforcement presence.

The Founding Fathers understood that the right of self-defense can become meaningless without the right to keep and bear arms. Some are pushing to curtail Second Amendment rights in the hope of preventing another mass shooting. I share the sorrow of the families who are grieving over their loved ones who were lost. I have had the privilege and honor of meeting some of the families. I wish it were as easy as some would suggest to solve the problem with the wave of a magic wand or to pass some bill. Here is the inconvenient fact that advocates of strict gun control ignore—one of the facts. Every mass shooting committed in the United States over the last 63 years, including the Newtown shooting, occurred in a gun-free zone. In other words, in each of these horrific instances the attacks took place in an area where law-abiding citizens had effectively been disarmed.

I listened to the remarks of the distinguished Senator from California who I know passionately believes there has to be some solution legislatively we could pass that would prevent the repetition of some of these terrible tragedies. But she conceded herself that no background bill would have prevented Adam Lanza from acquiring these weapons which he effectively stole from his mother and then murdered her with those same weapons before committing further atrocities at Sandy Hook Elementary School.

We do know that if the current law was enforced that the Virginia Tech shooter would have been prevented from acquiring guns legally because we know he had already been adjudicated mentally ill by the State of Virginia. But those records were never transmitted to the FBI to be included in a background check. We know the shooter in Tucson failed a drug test, a disqualifying fact for somebody to be able to legally purchase firearms, given a background check. But that information was never transmitted to the FBI, so the Tucson shooter was not prevented from buying weapons, even though he should have been disqualified if the background check system had been working the way it should.

I believe the most appropriate response to the recent mass shootings is to make sure that our current laws involving mental illness, drug use, mental health adjudications are enforced more aggressively and more efficiently. But at the same time, while we are trying to find a solution to these problems and not just engage in meaningless symbolism, we should not be making it harder for law-abiding citizens to exercise their constitutional rights under the Second Amendment.

We can and we should embrace realistic, effective solutions to the mental health problem because no one I know believes that a mentally ill person should be able to purchase a firearm. But we also should not erode the constitutional rights of law-abiding citizens in the process. I think we will have an opportunity to vote on such a bill during the course of these debates.

In order to bolster the freedom of law-abiding citizens to keep and bear arms, I am offering an amendment that would allow Americans with concealed handgun licenses issued by their own States to exercise those rights in other States whose State law authorizes the issuance of a concealed handgun license. This is not a national standard. This is respecting the rights of individual States to determine whether they will in fact issue a concealed handgun license and to allow those persons who have a concealed handgun license issued by their home State to have that firearm legally in another State.

This is an interesting chart. You will notice that only two places in the country—the red, the District of Columbia and the State of Illinois—are the only two places in the country that do not have a regime of concealed handgun license issuance—only two, the District of Columbia and Illinois.

This amendment would not allow for concealed carry in Illinois or the District of Columbia, both of which have banned that entirely. Nor would this amendment affect the right of every State to set its own laws with regard to concealed carry. It would not establish a national standard for concealed carry and it would not allow anyone to disobey the laws of his or her home State. What it would do is effectively treat concealed carry licenses as a driver's license. If you are driving from Virginia to Texas, you do not have to obtain a separate driver's license for each State you drive through, but you do have to obey the speed limits and other laws of the State in which you are driving. This legislation would create a similar system for concealed carry permits. If it becomes the law of the land, someone with a concealed carry permit in Texas would no longer have to worry about obtaining a separate one when he or she was traveling across the country. However, all Texans would still have to follow the concealed carry laws in the State in which they happen to be located, just as residents of other States still have to follow the traffic laws of the State, even if they have a Texas driver's license. If they are in New York they still have to obey the traffic laws of New York.

This bill is very similar to an amendment that won the support of 58 Senators back in 2009, including 13 Democrats who are still serving in this Chamber. I would add that, for those who argue about the effectiveness of background checks—and I certainly agree that for people in the business of selling guns that background checks

are and should be the standard—but a concealed handgun license is like a background check on steroids. It is far more intrusive into the privacy and the background of the person who applies for a handgun license, so this standard ought to be one that those who support a robust background check regime could also support.

It is also a bipartisan idea that would make it easier for law-abiding citizens to exercise their Second Amendment rights and it would avoid the ''gotcha'' and a prosecution that might otherwise occur. If concealed handgun licensees happen to be traveling across the country and possess a firearm, without this law they might otherwise be prosecuted for a criminal offense.

Just one final point. For more than two decades now, one of the biggest supporters of concealed carry has been a remarkable Texas woman by the name of Suzanna Hupp. In October 1991, Suzanna and her parents were finishing their lunch at a Luby's cafeteria in Killeen, TX, when a mentally ill man drove his truck into the restaurant, pulled out his gun, and began opening fire on customers.

When Suzanna realized what was happening, she reached into her purse to retrieve her handgun, but then she remembered her gun was not in her purse, it was in her car because Texas law at the time did not authorize a concealed handgun permit. As Suzanna told the Senate Judiciary Committee in chilling testimony a few months ago, ''I wanted to be a law-abiding citizen.''

Her father courageously tried to tackle the gunman but was shot in the chest. Her mother was also eventually killed too. Thankfully, Suzanna escaped and she quickly became a powerful champion of concealed carry, which Texas legalized in 1995. Suzanna later on ran for the Texas legislature, where she served for 10 years. I thank her for all she has done to bring this issue home in ways that all of us can understand, and to protect the Second Amendment rights of responsible, patriotic, law-abiding citizens. Suzanna understands very well that we must never ever criminalize law-abiding citizens exercising their Second Amendment rights by passing misguided legislation which encroaches on those rights and does not solve the real problem, which we can do and I hope we will take up in enforcing existing laws and dealing with the mental health component that is a common element in so much of this legislation.

Mr. CORNYN. Madam President, I ask unanimous consent to call up my amendment numbered 719.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Texas [Mr. CORNYN], for himself and Mr. VITTER, proposes an amendment numbered 719.

Mr. CORNYN. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To allow reciprocity for the carrying of certain concealed firearms)

At the appropriate place, insert the following:

SEC. _____. CONSTITUTIONAL CONCEALED CARRY RECIPROCITY ACT OF 2013.

(a) SHORT TITLE.—This section may be cited as the ''Constitutional Concealed Carry Reciprocity Act of 2013''.

(b) RECIPROCITY FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS.—

(1) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following:

''§ 926D. Reciprocity for the carrying of certain concealed firearms

''(a) IN GENERAL.—Notwithstanding any provision of the law of any State or political subdivision thereof to the contrary—

''(1) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and a valid license or permit which is issued pursuant to the law of a State and which permits the individual to carry a concealed firearm, may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

''(A) has a statue that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

''(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes; and

''(2) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and is entitled and not prohibited from carrying a concealed firearm in the State in which the individual resides otherwise than as described in paragraph (1), may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

''(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

''(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes.

''(b) CONDITIONS AND LIMITATIONS.—The possession or carrying of a concealed handgun in a State under this section shall be subject to the same conditions and limitations, except as to eligibility to possess or carry, imposed by or under Federal or State law or the law of a political subdivision of a State, that apply to the possession or carrying of a concealed handgun by residents of the State or political subdivision who are licensed by the State or political subdivision to do so, or not prohibited by the State from doing so.

''(c) UNRESTRICTED LICENSE OR PERMIT.—In a State that allows the issuing authority for licenses or permits to carry concealed firearms to impose restrictions on the carrying of firearms by individual holders of such licenses or permits, an individual carrying a concealed handgun under this section shall be permitted to carry a concealed handgun according to the same terms authorized by an unrestricted license of or permit issued to a resident of the State.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preempt any provision of State law with respect to the issuance of licenses or permits to carry concealed firearms.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 926C the following:

''926D. Reciprocity for the carrying of certain concealed firearms.''.

(3) SEVERABILITY.—Notwithstanding any other provision of this Act, if any provision of this section, or any amendment made by this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, this section and amendments made by this section and the application of such provision or amendment to other persons or circumstances shall not be affected thereby.

(4) EFFECTIVE DATE.—The amendments made by this section shall take effect 90 days after the date of enactment of this Act.

Mr. CORNYN. Madam President, I know this afternoon at 4 p.m. we will vote on a series of amendments. For all of us who were worried and concerned about these episodes of senseless gun violence, I think we can actually find a solution not by encroaching on the rights of law-abiding citizens who are exercising their constitutional rights but by focusing on the areas where we can make a difference.

We need to enforce current laws on the books better, more efficiently, and more uniformly. We also need to deal with the mental health component which is common to so many of these mass shooting atrocities.

Mr. LEAHY. Madam President, my home State of Vermont does not require its citizens to obtain a permit to carry a firearm in a concealed manner, and the people of Vermont have exercised these privileges carefully and respectfully. Citizens respect the wishes of private property owners and restrictions in government buildings, and this is a regulatory framework that has worked in Vermont, and it is a set of rules that have been considered and adopted by the people and elected officials of Vermont, without interference from those who do not know Vermont or its citizens.

These are judgments made by State elected officials with the advice of State law enforcement leaders. These are not judgments made for the States by Federal legislators who think they know better and want to second guess the best judgments of State and local officials.

In matters of State police power, the Congress has traditionally not meddled in State affairs. That is how it has always been and that is how it should remain. That is what the 10th Amendment provides. What might work in Vermont might not work in Chicago. And it is not up to me as a Senator from Vermont to tell the elected and law enforcement officials in Illinois what their public safety laws should be.

The amendment we now consider would nullify the laws of all 50 States

that govern who from out of State may or may not carry a concealed weapon in that State. In fact, this amendment would permit a citizen of a rural Western State to bring his guns to the District of Columbia or Boston or other urban cities and override their public safety determinations. This is not a well-considered approach, and it is an immense imposition on law enforcement officials in a host State who will be commandeered by the Federal Government to police the concealed carry laws of 49 other States. I voted against an early version of the Brady bill because it imposed unconstitutional burdens on State and local law enforcement. The Supreme Court agreed with my view and ruled that unconstitutional.

In addition, this amendment would force a jurisdiction that is located within a State that may issue concealed carry permits but which does not allow citizens to carry concealed firearms in that political jurisdiction to favor out-of-state residents by requiring that they be allowed to carry a gun even though the instate resident is prohibited from doing so. This amendment should offend everyone's sense of State sovereignty and self-government.

This amendment is not about correcting some existing restriction of the Second Amendment right. That right is secure. Nor can it be about acting where the States have refused to act. The States are doing an exceptional job of entering reciprocity agreements with each other, based upon discussions and agreements between State officials and without meddling by the Federal Government. Thirty-seven States have reciprocity agreements with at least one other State; some have agreements with many other States. This amendment would unnecessarily trample on the 10th Amendment to the Constitution. It places an ideology over the rights reserved to the sovereign States.

I would hope that those who claim to believe in the principles of federalism would recognize the dangers associated with legislating a one-size-fits-all approach in matters of public safety and local concern. And what of the practical concerns, which Philadelphia Police Chief Charles Ramsey laid out in testimony in the House Judiciary Committee in September of 2011?

The Federal preemption of State laws represents a serious encroachment on State sovereignty. It is a subject we have examined thoroughly in the Judiciary Committee during the years of the previous administration and in relation to efforts then to strip the citizens of Vermont and other States of their rights to seek justice in the courts.

In a case called Wyeth v. Levine, the Supreme Court rejected efforts by a pharmaceutical company to shield itself from accountability under State law with Federal bureaucratic regulations when it grievously harmed a Vermonter. The Federal preemption of State laws is a very serious matter and one that the Congress should not consider lightly.

Yet, despite the fact that the Judiciary Committee held three hearings and four executive business meetings to debate and consider legislative proposals, not once did the measure we now debate come up for discussion. Now, without having any regular order, the proponents demand that this amendment be made law.

This amendment, which would federalize the concealed carry laws of every State, is a slippery slope. If we vote to enact such precedent, then a future Congress with different views for a different era would have firm ground to preempt the laws of all 50 States to restrict or condition the ability of citizens to carry a concealed firearm.

We, as Senators, ought to be very careful about the path we are asked to take with this amendment.

This is not a measured approach. It is blanket preemption. It is not like the measured approach I took with the Law Enforcement Officers Safety Act, which permits highly qualified active and retired law enforcement officials to carry firearms across State lines. In that law, we have rigorous requirements. We have law enforcement officials who have training, who are sworn to uphold the law, and who have dedicated their careers to protecting the public. That is a measured approach, and it is far different from the amendment we debate now.

Many in this Chamber talk reverently about the importance of State sovereignty and the 10th Amendment. Many in this Chamber decry the presence of ''big government'' in the lives of Americans. Well, nothing reeks of big government like trampling the judgment of 50 State legislatures that are in a far better position than we are to set local public safety policy.

This amendment comes at the behest of special interests. As I have said repeatedly, we should not be taking orders from special interests. We are the Senators elected to represent the best interests of 314 million Americans.

I urge Senators to have the courage to oppose this amendment. It is unwise and unnecessary. For those who appreciate the ability of citizens to carry concealed firearms, opposing this amendment will help preserve those abilities.

Let's respect the virtues of federalism and let the States act in their own best judgment about who may or may not carry a concealed firearm in their State. Let's be cautious in our approach in matters of State police power and respect the values enshrined in the 10th Amendment to the Constitution.

Mrs. FEINSTEIN. Madam President, I wish to oppose amendment No. 719.

Amendment No. 719 would create a public safety crisis by forcing nearly every State to recognize the concealed carry permits issued by other States, even if the permit holder could not qualify for a permit in the State to which he is traveling.

Imagine this: A man convicted of a domestic violence crime against his former girlfriend obtains a concealed carry permit from his State. Under amendment 719, he could travel across State lines and confront his ex-girlfriend, even if she lives in California, where his conviction would have prevented him from obtaining a concealed carry permit.

In other words, States with the weakest conceal carry permitting standards will set the national standard regardless of existing State laws.

States vary widely on how to regulate concealed weapons. For example, California prohibits possession by individuals convicted of violent misdemeanors; requires completion of a firearm safety training course; gives law enforcement broad discretion to approve or deny a concealed carry permit application; and requires applicants to show that they have ''good moral character'' and ''good cause'' to carry a concealed weapon.

On the other hand, Mayors Against Illegal Guns found that at least 28 States grant concealed carry permits to individuals convicted of stalking; at least 7 States grant those permits to people convicted of misdemeanor assault and battery; at least 12 States grant permits to individuals with no firearms safety training; and at least 9 States grant concealed carry permits to teenagers.

Ignoring these differences, amendment No. 719 would allow nonresidents who cannot meet a State's permit standards to carry a concealed weapon into the State.

This amendment would also endanger law enforcement officers. According to the California Police Chiefs Association, there is currently no national data system that records legitimate concealed carry permits, so it is impossible for an officer on the street to determine whether a permit is valid during traffic stops or other high-risk situations.

The vast majority of States have either rejected reciprocity or limited it to States with equivalent or higher standards. In fact, several States—such as New Mexico, Nevada, Arkansas, and Wyoming—have rescinded reciprocity with other States that no longer meet the State's minimum standards.

Major national law enforcement organizations—including the International Association of Chiefs of Police and the Major Cities Chiefs Association—as well as the National Network to End Domestic Violence, the American Bar Association, and Faiths United, are also joining with Mayors Against Illegal Guns to oppose amendment No. 719.

Congress should not support a law that undermines State law protections, puts our police officers in greater danger, and allows unfit and dangerous individuals to carry concealed weapons in another State.

I urge my colleagues to join with me in rejecting amendment No. 719.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 715

Ms. COLLINS. Madam President, I rise to discuss the background check amendment proposed by our colleagues Senator MANCHIN and Senator TOOMEY.

I grew up in northern Maine where responsible gun ownership is part of the heritage of virtually every family. In fact, I cannot think of a family in my hometown of Caribou that did not have firearms in their homes when I was growing up, and that includes my own family. I strongly support our Second Amendment rights, and two recent Supreme Court decisions in District of Columbia v. Heller and McDonald v. Chicago make clear that those constitutional rights pertain to the individual.

As we have studied this important issue during the past several months, I have met with countless people who hold a wide range of views. They include the Sportsman's Alliance of Maine, known as SAM, Maine law enforcement officials, the NRA, victims of gun violence, licensed gun dealers, firearms manufacturers, mental health professionals, and school superintendents, among many others. These discussions have been so helpful to me as I seek to better understand the issues which confront us as we shape this bill.

We have discussed issues, including the inadequacy of mental health services, gaps in the reporting of data to the National Instant Background Check System, school safety, excessive violence in video games and movies, the lack of effective laws for gun trafficking, and straw purchases aimed at getting guns in the hands of criminals. Those are just some of the many issues I have had the benefit of discussing with my constituents.

As a result of these extensive discussions, I have decided to support the bipartisan compromise authored by Senators JOE MANCHIN and PAT TOOMEY. Their bipartisan effort would strengthen the background check system without in any way infringing on our Second Amendment rights. I would note their proposal represents a vast improvement over the provisions currently in the bill.

There were particular provisions of the legislation which was drafted by Senator SCHUMER that I oppose, such as the background check provisions which are in the bill. For example, if a father gives a gun as a gift to his son or daughter or a brother sells his hunting rifle to his brother, the provisions of the legislation would require that those individuals undergo background checks. I found that to be completely unnecessary and onerous.

In addition, the bill that is on the floor now has burdensome paperwork requirements that are unnecessary and that many believe are unworkable as well.

By contrast, the Manchin-Toomey compromise takes a much more commonsense approach by requiring background checks only for commercial transactions. Their approach clearly exempts family gifts and transfers and truly private sales. Their amendment protects private sellers from lawsuits if the weapon is cleared through the expanded background check and is subsequently used in a crime. That is the same kind of protection that licensed gun dealers receive now.

The compromise also authorizes the use of a State concealed carry permit instead of a background check when purchasing a firearm from a dealer, recognizing the rigorous background checks and approval process these concealed carry permits require. Their amendment also improves interstate travel laws for sportsmen and sportswomen who transport their firearms across State lines in a responsible way.

The term ''transport'' includes staying in temporary lodging overnight, stopping for food, buying fuel, vehicle maintenance, and medical treatment, which will improve the quality and completeness of the data in the NICS. Their amendment would also mandate improvements that would require States and the Federal Government to send relevant records on criminals and people who are dangerously mentally ill through State plans that are developed in conjunction with the Department of Justice, which is another important improvement made by the Manchin-Toomey amendment since we know there are gaps in the reporting that make the background instant check system less effective than it should be.

The bill also fixes an unjust situation, where veterans have been inappropriately reported to the database without due process. The amendment requires a veteran to receive extra due process prior to losing his or her right to buy a gun, and that is only fair. Specifically, it requires that the VA either establish or designate a board for the purpose of hearing appeals by veterans who are considered adjudicated as mentally ill and the veteran can appeal directly to this board or an outside court of jurisdiction.

It was critical to my support of the Manchin-Toomey amendment that it explicitly bans the Federal Government from creating a national firearms registry. I am completely and unalterably opposed to creating a national registry of gun owners that would be maintained in Washington by the Federal Government. The bill imposes serious criminal penalties on any individual who misuses or illegally retains firearms records.

I am also pleased that the Manchin-Toomey proposal would create a national commission on mass violence. This is a proposal I have long advocated and is very much needed. It would convene experts to study all aspects of these horrible attacks and mass murders that have plagued our country, caused so much anguish to the families left behind, and have caused unbearable anguish for the survivors as well.

Obviously, this debate is just beginning on the Senate floor, and the Manchin-Toomey amendment is just one of many that will be considered. I will support some amendments, others I will strongly oppose. It is impossible to predict, at this early point before we have cast a single vote on the many amendments that have been filed to this bill, what the bill will look like in the final analysis and whether I shall be able to support it. I do believe the Manchin-Toomey background check amendment is a reasonable, commonsense, thoughtful proposal that I can and will support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENT NO. 717

Mr. BARRASSO. Madam President, I ask unanimous consent to call up my amendment No. 717.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. BARRASSO] proposes an amendment numbered 717.

Mr. BARRASSO. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To withhold 5 percent of Community Oriented Policing Services program Federal funding from States and local governments that release sensitive and confidential information on law-abiding gun owners and victims of domestic violence)

At the appropriate place, insert the following:

SEC. _____. PROTECTING THE PRIVACY AND SAFETY OF LAW-ABIDING GUN OWNERS.

Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended by adding at the end the following:

''(1) PROTECTING THE PRIVACY OF LAW-ABIDING GUN OWNERS.—

''(1) DEFINITION.—In this subsection, the term 'private gun ownership data' means information held by a State or unit of local government that concerns—

''(A) a license or permit of an individual to purchase, possess, or carry a firearm;

''(B) a license or permit of an individual relating to ammunition; or

''(C) the location of an individual gun owner.

''(2) WITHHOLDING FUNDS FOR NONCOMPLIANCE.—

''(A) IN GENERAL.—Subject to subparagraph (B), and notwithstanding any other provision of this part, if a State or unit of local government receiving a grant under this part

publicly releases private gun ownership data during any fiscal year, the Attorney General shall withhold 5 percent of the amount that would otherwise be provided to the State or unit of local government under this part for that fiscal year.

''(B) EXCEPTION.—Subparagraph (A) shall not apply to any release of private gun ownership data that is necessary in the course of—

''(i) a bonafide criminal investigation; or

''(ii) a trial, hearing, or other proceeding of any court, board, commission, or agency.

''(3) REDISTRIBUTION OF WITHHELD FUNDS.—On the first day of the first fiscal year after a fiscal year in which amounts were withheld from a State or unit of local government under paragraph (2), such amounts shall be made available to States and units of local government that do not publicly release private gun ownership data.''.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I rise today to speak about this amendment which to me is very simple and very straightforward. This amendment is designed to protect the privacy and the safety of law-abiding gun owners.

If a State or local government releases private information on gun owners—which we know has happened—then that State or local government will lose part of its funding that comes from the Federal Government. This includes private information on individuals who have licenses to purchase, possess, or carry firearms.

Again and again we have seen the irresponsible release of gun ownership information. Most recently, a newspaper published an interactive map of data received by government officials of gun owners in various parts of New York. One may wonder how the publication got such a list. They obtained this sensitive list from county officials. The map included the names and addresses of individuals who have firearm permits in the counties involved.

These individuals—law-abiding gun owners, retired law enforcement officers, victims of domestic violence—all had this information about their private lives released. The release of this information by county government did nothing to increase public safety and, in fact, I believe the government compromised public safety. By releasing the names and addresses, I believe the government put these permitholders and their families at risk. It also put a mark on the backs of their neighbors who may not have any firearms. Eventually, this newspaper took the map down, but the damage was already done.

In January of this year, a criminal attempted to burglarize a home in White Plains, NY. The homeowner was in his seventies and his gun information was released on the Internet. Thankfully, the robber did not successfully steal the firearms. Less than a week later—also earlier this year, in January—another home in New City, NY, that was disclosed on the Internet was robbed. This time, the robber successfully stole two handguns and two firearm permits—legally obtained firearm permits now stolen.

The timing of the disclosure and the robberies clearly appears to be more than just a coincidence. These criminals had the names, addresses, and a map. That is all they needed. And where did they get it? Because of the release of the information by the government.

This, to me, was an irresponsible disclosure.

It goes beyond that. They have also released information that put a victim of domestic violence at risk. According to a New York State Senator, the county officials also disclosed the name and the location of a victim of domestic violence who had a legal gun permit.

Throughout my medical career I have treated victims of domestic violence. I have seen firsthand the importance of not disclosing the location of victims of domestic violence. Often they move among a network of safe houses. They start a new life in a new city. This individual was so threatened that she contacted her State Senator, for one. While I don't know the specifics of her case, I do know there was someone in her life who posed a threat that warranted a gun permit. Victims of domestic violence should never have their location disclosed by State or county officials—not under any circumstances I can think of. This, to me, is a perfect example of the unintended consequences of a government releasing sensitive information.

As we can see from these examples, there are many unintended consequences that put the public at risk. The county officials were responsible, in my opinion, and they certainly did not increase public safety. I believe they harmed it.

So now we have two handguns that were stolen in the hands of criminals because of the fact that the list was released and then made public in a broader way. We now have a victim of domestic violence whose identity and location have been disclosed. This release of private gun ownership information not only puts the lives of gun owners and law enforcement and victims of domestic violence at risk but also their unarmed neighbors.

I bring this amendment to the floor. While this information clearly involves gun owners, it is about privacy and our rights as individual citizens. It is about protecting the privacy of law-abiding citizens who are exercising their Second Amendment rights. So today I ask my colleagues to support this amendment.

AMENDMENT NO. 719

I also wish to say a word about another amendment proposed earlier that we will be voting on later today which has to do with the concealed carry issue. I have a Washington Post front-page story from this past Saturday, April 13, and the article quotes a Member of this body. It is a front-page article that carries over. It says: ''Somebody could come from Wyoming''—well, I am a Senator from Wyoming. ''Somebody could come from Wyoming to the big cities of New York or New Haven or Bridgeport and carry a concealed weapon.''

As a surgeon, I did some of my surgical training in New Haven and Bridgeport. So I am a Senator from Wyoming, and it mentions places where I did my surgical training, and I do have a concealed carry permit issued by the State of Wyoming.

I bring this to the attention of this body to say that I would, with this concealed carry permit, under the amendment I support, be able to carry concealed in Wyoming as well as if I returned to the place where I got some of my surgical training. What we need to have is this sort of reciprocity.

In Wyoming, we don't just hand out permits such as this. There is an entire regimen an individual must go through to obtain a concealed carry permit. First, a person has to prove they are proficient in handling a firearm by taking a course and getting signed off by a certified inspector, complete an application, pay a fee, and then of course submit fingerprints to the FBI for an evaluation. So a person has to go through all of those things. I will tell my colleagues, criminals do not apply for concealed carry permits. Criminals issue their own.

If an individual is currently prohibited by Federal law from carrying a firearm, they are going to continue to be prohibited under this amendment. This amendment allows law-abiding individuals to lawfully carry concealed firearms across State lines while following the laws of the host State. Just like a driver's license, this amendment is a license for self-defense across State lines in accordance with State laws.

I encourage my colleagues to vote in support of my amendment as well as the one we just heard about from Senator CORNYN about concealed carry.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I ask unanimous consent to speak for up to 45 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANCHIN. Madam President, first of all, I wish to thank all of my colleagues because I know it has been a difficult time and there are an awful lot of people who have different comments on this legislation. They have different feelings about it. There are an awful lot of facts and nonfacts, truths and untruths that have been out there, and I wish to set a few of those things straight.

I think the Presiding Officer knows I am a proud gun owner. I come from a tradition in West Virginia, the same as the Presiding Officer from North Dakota. I am an A-rated lifetime, card-carrying member of the National Rifle Association. I agree wholeheartedly with the mission of the NRA, which is to defend the Second Amendment rights of law-abiding, gun-owning

American citizens such as the Presiding Officer and myself, to promote firearms and hunting safety. As a matter of fact, as Governor, I promoted the Eddie Eagle Program in West Virginia along with our friends. The NRA's mission includes promoting marksmanship and educating the general public about firearms.

I carry my card with me. I have had this for quite some time. It is a lifetime membership. Ever since I became a member, I have read all the magazines, as have most of us when we get them, and I have gotten all the special notices about when there was something of concern. I have always read their material, and I have said, Oh, that is great; I am glad someone is saying this and speaking out.

I was surprised when the latest alerts from the NRA were filled with so much misinformation about the firearms background check legislation that Senator TOOMEY and I are trying to get in front of the Senate to be passed. They are telling their members that our legislation would—and I quote—I want to quote this—''criminalize the private transfer of firearms by honest citizens, requiring lifelong friends, neighbors and some family members to get Federal Government permission to exercise a fundamental right or face prosecution.''

Where I come from in West Virginia—I don't know how to put the words any plainer than this—that is a lie. That is simply a lie. Anybody who can read knows that is not factual. There is nothing in this bill—there is not a universal background check. There is nothing in this bill that says if a person is living in a neighborhood and they want to sell a neighbor their gun, they can't do it. No background checks are required. If a person comes from a State with the gun traditions we have in our State, the gun culture, that person can give it to their son, their grandson, any of their family members, and no background check is needed. Why they would say the private transfer of firearms by honest citizens—this bill protects honest gun-loving, law-abiding citizens more than any piece of legislation we have had in the last two to three decades, and I think people who have read the bill know that.

I remember when the NRA used to feel a lot differently about background checks and it wasn't all that long ago. Back in 1999, their executive vice president, Wayne LaPierre, testified before Congress that background checks were reasonable. In fact, he said it over and over and over. Let me quote Mr. LaPierre: ''We think it's reasonable to provide for instant checks at gun shows just like at gun stores and pawnshops.''

Because the law says if a person goes to a gun store now that is a licensed dealer, a person has to do the background check, and by law they have to keep the record, and by law they cannot use that as a registration. They cannot, by law. In our bill, we even make sure any type of information for registration cannot be used. We said if a person tries to do it—if a government agency or a person who works for the government tries to use any of these records, it is a felony with 15 years of imprisonment. That is how much this bill protects my rights as a law-abiding gun owner.

Mr. LaPierre: ''We think it's reasonable to provide mandatory instant criminal background checks for every gun sold at a gun show.'' We have talked about this before. The law today says that if I go to a gun show and there is a licensed dealer, that dealer still has to do a background check on me and keep the proper record. But I can go to a table or go outside in the parking lot and nothing is required of me—nothing. All we are doing is taking current law and making it uniform so everybody plays by the same set of rules. We think it helps tremendously.

We talked about criminals and people who have been adjudicated through a court of having mental illness and it has been determined they are incompetent. We don't think those people should be able to buy a gun at a gun show or online or at a gun store. We believe the law-abiding gun owners whom I know in West Virginia—and I am sure the Presiding Officer knows in North Dakota—would not sell their gun, even though they don't have to go through a background check, to someone they know is mentally insane or has a criminal intent. That is not how we transfer or sell our guns in West Virginia.

I will tell my colleagues this. I have talked to all my gun owners all over my State, and I am so proud of them. They have heard all of this hogwash out there and all the lies from people trying to misrepresent. When I talked to them, over 87 of them said, I agree with you; you are right. They have read the bill.

This is tough, I understand, but all I am asking is for people to take the time to read it and make sure they know what is being proposed.

I would be OK if the NRA just said, Listen, we have tried the background checks and guess what. The Federal Government didn't do its job the way it was supposed to. They are right. The Federal Government did not clamp down. They did not require the States to turn in all of their records and impose any type of a penalty.

Guess what. In our bill, we fix that. I have told people before, I have been in the legislative process for quite some time. I have been Governor of my State and I have been involved in so many different aspects of government. I have never seen a perfect bill. I really have not. I have never had a perfect bill that I have ever voted on that did not have to be worked on.

So I would say to my friends—whether it be the NRA or any gun organization—if you do not like the thing you supported 10 years ago, then work with me and let's fix it. If you believe they did not turn all their records in, I have got penalties. Also we have incentives for the States to do their job. We will fix that.

If you are saying there have been some of these agents who have been a little bit rogue, and they wanted to use these records, and you still, in your mind, believe they are going to take your records, we have said, now if they do it, it is a felony with 15 years imprisonment.

We are fixing everything you have told me. If you are saying as a law-abiding gun owner, I am looked upon as if something is wrong with me: Why would I want to own a gun? Why would I have a gun?

There are three types of gun ownership in America. You have a sportsman who likes to hunt, shoot, enjoy the family outings. You have one who buys it for the defense of themselves and their family. And you have a pure constitutionalist. I do not relate to this group here: that I am afraid my government is going to come after me and I have to defend myself against the U.S. Government or the military. I am not fearing that, so I am not in that category. I am in these two categories which most Americans are: either you are a sportsman or you want to defend your family and yourself and your property.

This bill protects that right more than any bill we have ever had before us. It will do it more than it has ever been done in the last two to three decades. I can stand at any crowd—and I have been going in front of some of the most ardent gun-support crowds—I have given them the bill and let them read the bill and I have taken every question they have asked me—every question. At the end, you might have one or two who say: I am sorry, I think you are overreaching. I think that basically I should have the right to buy, sell, do anything I want with a gun. This might be the same person who believes there should be no laws for anything, that you should not have to have a driver's license to drive a car, that you should not have to pay income taxes, that you should not have to abide by any laws we have on the books. I respectfully disagree, but I respect their position. That is a very small minority but, boy, can they talk. They are very loud, and I understand.

So the only thing I am saying is, if some of the friends I have known forever over at the NRA—if somebody made a mistake when they put this information out, please correct it because, I can tell you, in Washington or in West Virginia or as a human being, the only thing you have is your word and your credibility, and make sure when you tell someone something, you tell them the facts and the truth.

If that is your friend and it is someone you want to represent, honestly, say: Let me tell you both sides. You make your decision. I am going to defend you. I am an unconditional friend.

I am your friend no matter what, through thick or thin. Now we go on to the next thing, if you will, when things do not work out. I understand that. But I am just saying: Tell me everything. Tell me what I can expect of someone who might not agree with me and tell me what I can expect of the people who will agree with me. I can handle that.

I will tell my friends, if you lose your credibility in Washington, you have lost everything. I used to get all the magazines I received, all the special notices they wanted me to be alerted to. I start questioning, if you did not represent it accurately, how could I make an honest decision on how I should feel? That is all.

Madam President, I do not need to tell you. You know how relationships are built and how they are kept, and that is the most important thing here in this body. I say that with the utmost respect for everybody in this body. I understand some of our colleagues believe that supporting this piece of legislation is risky politics. I think there is a time in our life, a defining time in public service, a time when you have the ability to stand when you know the facts are on your side and walk into the lion's den and look that lion in the eye and tell that lion: Listen, not today; not today.

Even if politics are risky, remember the words of Andrew Jackson.

> The brave man inattentive to his duty is worth little more to his country than the coward who deserts in the hour of danger.

I am not saying any of that. Everybody has their purpose and reason. This piece of legislation, the longer people read it, the more they study it, the more it sells itself.

My good friend JON TESTER from Montana spoke right on this floor 2 days ago. I said: JON, if you want to come down and say something, please do. I did not know what JON was going to say. But I did encourage JON: Please read it. Well, flying to Montana and back, you have a little bit of time to read, and JON used that time to read the bill, frontwards and backwards. He spoke about the things in the bill it did and the things it did not do. That is what we have been talking about: that 90 percent of Americans—83 percent of West Virginians—support a criminal background check or a mental background check. They do not support infringing on an individual's right. If you are out in parts of my State—my beautiful State of West Virginia—where you know everybody, you know who is responsible or not, you know a family member you want to give a gun to. We know that. We did not infringe on that.

But they also believe that on the Internet you might never know somebody and that some background check should be required. If you read the New York Times today, you will see an article there that is very alarming and alerting. It allows us to see into the world of Internet transfers of guns—people who are known felons, people who are making a living selling guns on the Internet because no one is checking anything. This bill would prevent that from happening.

Old Hickory also said:

> One man with courage makes a majority.

One person, because, Madam President, you and the other ladies in this body have given us so much strength. You really do. You bring balance. As it is said in some of the movies, you complete us. You complete us as a body. You really do. I appreciate so much the grounding and the way you ground us, and I thank you for that.

As shown on this chart, this is an al-Qaida member too, and I want to speak about this. I was watching ''Morning Joe'' one morning, and they showed a clip. They showed a clip of this gentleman, who is an American, an al-Qaida terrorist who is an American. As you see there, if you ever click on this—this is very easy to pull up on your video—our gun laws are so outdated and so out of whack that even this person, who wants to do damage and harm to every American—even this person—has figured out how to exploit them, to arm themselves and people like him in our country. If you have not, you need to see this. His name is Adam Gadahn—Adam Gadahn is his name—telling sympathizers—telling sympathizers of al-Qaida—how to get their hands on guns in America with almost no questions asked—almost no questions. He says:

> America is absolutely awash with easily obtainable firearms. You can go down to a gun show at the local convention center and come away with a fully automatic assault rifle, without a background check and, most likely, without having to show an identification card.

And then he finishes:

> So what are you waiting for?

''So what are you waiting for?'' Those are his words. Well, I am not waiting. I am not waiting for him to get his hands on the guns. If you are a law-abiding American citizen, who can pass a background check, God bless you. I will fight to the nth degree to defend your Second Amendment rights. But if you are this guy, with the purpose this guy has for America and Americans, absolutely not. That is what we are asking. Our legislation shuts him down. It stops him cold in his tracks.

If al-Qaida's enthusiasm for gun show sales is not chilling enough, you have to read today's New York Times article about how easy it is for criminals to buy and sell guns on the Internet. Not only is it quick and easy, it is anonymous. You do not have any idea who you are dealing with. One of the people in the article describes these Internet sales as a ''gun show that never ends''—''a gun show that never ends''—and I would add: never closes because the Internet is 24/7.

The Internet is a vast marketplace for guns. In 2000, the Department of Justice estimated that 80 online firearm auction sites and approximately 4,000 other sites offered guns for sale.

That was more than a dozen years ago, and we all know how the Internet has expanded since then. The online market may now exceed gun shows in terms of sales volume. We all know how we are using our technology more and more every day for our personal lives and how we depend on it. For example, the National Shooting Sports Foundation surveyed owners of modern sporting rifles in 2010 and found that 10 percent of them—10 percent of all rifles sold—had purchased their firearms at gun shows whereas 25 percent had purchased them online—25 percent.

Believe me, I understand the political stakes for my colleagues—and I sympathize; I have been there; I understand—who come from States such as West Virginia. And no State has a higher regard for the Second Amendment right to bear arms than my State. In fact, on the Great Seal of the State of West Virginia, the preamble is: ''Montani semper liberi.'' In Latin that means: ''Mountaineers Are Always Free.'' So you know how we feel. We are one of the few States that became a State during the Civil War. We broke away from Virginia at that time.

But West Virginians are also guided by a little common sense. I have said this. In West Virginia we know what nonsense is, we know what common sense is, and now we know what gun sense is. That is all we are asking for.

I am proud of all of my West Virginians. When they read our legislation, they understand that all we are doing is using common sense to protect the safety of the public, especially our kids and at the same time protect the Second Amendment right to bear arms.

John Adams once said:

> Facts are stubborn things.

''Facts are stubborn things.'' It is hard. It is hard. And I am pretty stubborn myself, as I know, Madam President, you are, and all of our colleagues. If we were not, we would not be here.

So I am going to go through our legislation again and tell you what is the myth out there and what is the fact about our legislation.

Let's start with the myth that the NRA is repeating to their members. Let's start with that.

Here is the myth: This legislation will require background checks when a gun owner sells, loans, or gives a firearm to a relative, neighbor, or friend. It is going to prohibit that from happening. That is what they are saying this legislation does.

Here is the fact: Current law exempts such transfers from background checks, and our bill does nothing to change that—nothing to change that.

You can loan your hunting rifle to your buddy without any new restrictions or requirements or you can give or sell a gun to your brother or your sister, your cousin, your uncle, your coworker without a background check. You can post a gun for sale on the cork bulletin board at your workplace or on your church bulletin board without a background check.

We are not going to do anything to turn law-abiding gun owners into criminals, which is what they want you to believe any legislation and our legislation—mine and Senator TOOMEY's and Senators KIRK's and SCHUMER's—would do. It does not do that.

There is another myth: Nothing in this legislation would have prevented or will prevent any tragic mass shootings in the future.

Madam President, I know you were visited by the families, as most of our colleagues were, from Newtown—a most difficult time. Not one of them ever asked us to take the guns away. Not one of those families ever asked us to repeal the Second Amendment. They never infringed on any of that. And most of them to a ''T'' said: I know this would not have saved my baby. I know this law today that you are working on would not have saved my baby. They know that. They said: Maybe we can save somebody else's baby. That is all.

But let me tell you, this bill has a component called the Commission on Mass Violence because, as you go around and you talk to the children throughout the schools of your State, respectfully—I have been all over West Virginia—this generation has been desensitized to the violence that you and I grew up being scared to death of.

They have been desensitized. They can get on a video game and see things we can never imagine. This Commission on Mass Violence is put together by people of expertise who can tell us about guns. When a person says: Oh, I think that gun ought to be banned, wait a minute. That is my hunting rifle. It might look a little different, but it does not shoot any different. You might not know about it, so do not ban that gun until you know. So this Commission basically puts the expertise of guns on gun people who can explain it to us and then make an informed decision. This piece of legislation—the Commission on Mass Violence—puts together people with expertise in mental illness.

I go to grade schools, I go to the kindergartens since this happened at Newtown. Do you know what they tell me? They say: Senator, I can identify a child who has problems. I can identify a child who comes from a home with problems. They have mental challenges. They need help. I have nowhere to go. I have nowhere to send them. They have no insurance. They have no type of help or support.

We can fix that. But you have to listen to the people who understand mental illness.

Then, on top of that—this is a sad scenario because if we would have had the Commission on Mass Violence, and that Commission would have come back, and part of that Commission says, on school safety—as a Governor, and I know as an official in the Presiding Officer's State, we built a lot of schools, we modeled a lot of schools. Not one time did an architect ever come to me and say: Governor, we have to put bulletproof glass on all first floors of our schools. Bulletproof glass.

Now, think about this. Adam Lanza shot out the front door and stuck his arm through and opened the door to get into that school. It was locked down. Most of the schools now have looks on them. Most of the classrooms have locks. If you can shoot the glass out and stick your arm into the door, what good is it?

We would have never thought about that. If we could have done that, maybe, just maybe, we could have prevented this horrible tragedy. I do not know. But the families are not asking us to look back, they are just asking to look forward. They are saying there could be another child, that there could be another massacre; can we stop it?

I do not say this bill is a panacea. But if I can stop one crazy person, if I can stop one criminal who has nothing but hatred and harm to inflict on other people, if I can do that, I have done my job, I think I have, and I can go home.

As one of the Newtown parents, Francine Wheeler, said: Please help us do something before our tragedy becomes your tragedy. This is so compelling. It really is. Our bill will ensure that the States get their records up to speed. The NRA was correct. They said: Hey, you have not done your job. I agree with them. We did not. But we are going to.

I have often said: You can either throw the baby out with the bathwater or you can change the water. I intend to make a change. That is all I am asking.

Our bill is going to prevent felons—it is going to prevent this guy and people like this guy from just going to the gun shows like a supermarket and getting whatever they want to get to do harm to us. It will not stop them all. If we can slow them down, we might have saved an American's life.

A national registry. I have talked about this so many times. That cannot happen. Section 122 of this bill:

> Prohibition of a National Gun Registry. Section 923 of Title 18, United States Code, is amended by adding from our bill: The Attorney General may not consolidate or centralize the records of the acquisition or disposition of firearms, or any portion thereof, maintained by a person with a valid current license under this chapter; an unlicensed transferor under this section; possession of ownership of firearm, maintained by any medical or health insurance entity.

It goes on and on.

All I have asked for is for everyone to please read the bill. I do not know what the outcome will be. I know we are close. I know it is a tough decision. I know that. I feel good. I believe I am here for this purpose. I believe that and I am willing to walk anywhere that would allow me to speak the facts.

As I said, I have never seen a perfect bill. I am sure we can even improve on this legislation. But I will say, everybody was asked for input. No matter what side of the fence people were on on the gun issue, they were asked for input. Whether it came from an organization representing millions of people, I wanted their input. Whether it came from a person who wanted to ban everything, I wanted their input. Then they were able to come together and say: If I am a law-abiding citizen, then let me exercise my rights as a law-abiding citizen.

The Second Amendment is very cherished by us and very sacred in West Virginia as it is in North Dakota and everywhere else. We made sure the culture we grew up with was protected and enhanced. We made sure of that.

I can go to any group in America and show them. When they see the facts, they will agree. I have been there. I know it happens.

So I finally will say: If you are a law-abiding citizen, and you are a law-abiding gun owner, you want to be treated and looked upon as a respected law-abiding citizen and gun owner, this bill does it for you. If you believe we should be able to treat our veterans better than we have because veterans today, if they are just evaluated by a VA court, if you will, and determined that—that is just not right. They can be put on the NICS list immediately. We have a 30-day period that every veteran coming out who might have some challenges—and God only knows, those men and women have sacrificed so much, what it has done to their lives. We owe them everything. We owe them the right to be able to live as a law-abiding citizen and to get back into the mainstream of America without having to fight for rights.

This bill does that for veterans. This bill does that. We notify 150,000 veterans—we notify 150,000 veterans who might be on the NICS and do not even know they are on it and give them that 30-day repeal period. We do that in this bill.

So if you want to really honor a veteran, if you want to thank them for their services and make sure they are treated with the utmost respect, this bill does that. If you are a criminal, if you have been deemed to be mentally incompetent through a court, you are probably not going to like the bill. I am the first to tell you that. I am sorry. You are not going to like it. I am not going to make any excuses. I do not think you want guns for the right reasons anyway. So I hope I can keep them from you. That is what I would say. I hope I can keep them from you.

I hope you cannot go down with an al-Qaida person over here who is an American terrorist, go with him and buy a gun. I hope you cannot do it at a gun show. I hope you cannot get on the Internet, where they do not know who you are and what you look like or what your intentions are, and buy a gun.

I would like to maybe find out if I can stop you. So I plead guilty to that. If that is what it is, I would. But I am proud of the work we have done. I am proud of all of the Senators. I know all Senators have to make a decision. I respect that.

I do not think ever in our lives has a bill come together with so many pieces of it and so much involvement and input, that took into consideration law-abiding gun owners like myself and the Presiding Officer and so many of us in this body, and respected that and enforced it; and also the respect of our veterans; we fixed that; also that the government hasn't done its job but could do a better job, and may could do it; and the ability to keep a person who should not have a gun strictly at a commercial transaction.

I do not know of any bill that we have had before or that we might have again that will do it all.

With that, I would say that it has been a pleasure to work with all of my Senators. They have worked hard. I know it is not going to go away. Whatever happens today will happen. I believe we have done a good job. I just ask my colleagues to consider this before we vote sometime this afternoon and make sure they feel good and comfortable and can go home and defend their position. That is all. Everybody has to do that. We have to respect that. I do.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. GILLIBRAND. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

Mrs. GILLIBRAND. I rise to urge my colleagues on both sides of the aisle to join a strong bipartisan coalition which is taking real action to end senseless, deadly gun violence. This includes truly commonsense reforms which have nothing to do with infringing on our Second Amendment rights and the Second Amendment rights of our law-abiding citizens.

We have seen the Newtown parents here in Washington bravely telling their stories. They deserve better than this body turning their backs on them. The families of Aurora deserve better than this body turning their backs on them. The families of the more than 30 people who die every single day at the hands of gun violence deserve more from this body.

My friends, it is simply time to act. Today is the day for this body to show the American people their voices matter. When 90 percent of Americans demand us to expand background checks, we can deliver.

We should be able to agree we no longer need military-style weapons and ammunition clips on our streets. We should be able to agree it is time to crack down on the illegal handguns being trafficked on our streets into the hands of criminals.

Four years ago I met the parents of Nyasia Pryear-Yard. Nyasia was a beautiful 17-year-old honor student killed in the prime of her life by an illegal handgun when she was just spending time with her friends.

I vowed to Nyasia's parents and classmates I would stop the flow of illegal guns which make their way onto our streets and into the hands of criminals by finally making gun trafficking a Federal crime and holding offenders accountable with stiff penalties. We have the opportunity today to give law enforcement the tools and resources they need and have long asked for. This is not a Republican or a Democratic idea. It is a smart idea and the action Nyasia's parents deserve from us.

According to the New York City mayor's office, 85 percent of the guns used in crimes come from out of State. At least 90 percent of those guns are illegal. They are illegally trafficked into our cities and State. Of all the laws we have on the books today, effectively none are directly focused on preventing someone from driving from one State to another with stricter gun laws, parking their car in a parking lot, and selling hundreds of firearms directly into the hands of criminals. It is shocking to me as a mother and as a lawmaker.

Instead, prosecutors primarily rely on laws which prohibit making false statements in connection with the purchase of a firearm. These are paperwork violations with penalties too low to be effective law enforcement tools.

Over the past 3 fiscal years, more than 330,000 guns used in violent crimes show telltale signs of black market trafficking, 420,000 firearms were stolen, and thousands of guns with obliterated serial numbers were recovered by law enforcement. While law enforcement is working overtime to track down illegal guns and apprehend those who traffic these weapons, current law restricts their ability to investigate and prosecute these crimes.

We can all agree this simply makes no sense and leaves all our communities vulnerable. All across this country in small towns and big cities, families are saying enough is enough. It is time to get serious and do something to prevent the next tragedy.

Now we are able to do so. Our bipartisan Stop Illegal Trafficking in Firearms Act would empower law enforcement to investigate and prosecute illegal gun traffickers, straw purchasers, and their entire criminal networks. This bill is not everything I wanted when I set out on this mission in 2009, but it is a good bipartisan compromise. It is a compromise I urge my colleagues on both sides of the aisle to support. If you do, we can stop the illegal flow of guns which are coming into our city neighborhoods, reduce gun violence, and reduce senseless gun death.

Law enforcement officials across the country need this legislation to protect our communities from illegal weapons. If you are a responsible, law-abiding gun owner watching this, you should support this legislation too. My friends who are Second Amendment supporters, gun owners, and hunters support this commonsense legislation.

I am urging all my colleagues on both sides of the aisle to join us. Stand with families in our communities all across the country who are looking to us to take action. It is time to prevent the next senseless tragedy, prevent the next death, and the next Nyasia Pryear-Yard.

I urge you to stand with the brave men and women of our law enforcement at every level who are asking us to take these critical commonsense measures needed so they can do a better job for us and keep our families safer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, as we close this debate on this historic bill, I urge my colleagues to again heed and hear the families of Newtown. They are here talking about not only the horror and unspeakable and unimaginable tragedy that befell them on December 14, just 4 months ago, but to speak also for the 3,400 or more who have perished since as a result of gun violence, the thousands more who will die needlessly if we fail to take action, and the many others who have died tragically as a result of gun violence.

Newtown shook America. It shocked and changed our country. We owe it to the families and we owe it to ourselves to heed and hear their message. We need to do something about the guns. That is what they told me again and again in Newtown and Connecticut and across the country. And those families have come here, mustering their courage and strength, showing us what is great about America—the grit and greatness of our Nation.

Somewhere in that time period, there were many bracelets, and I was handed one I have worn since. It says, ''We choose love.'' ''We are Newtown. We choose love.'' And that is what we should do today.

Those 20 beautiful children and 6 great educators whose pictures have been before us day after day, whose images have been before America week after week during these 4 months, for them, we are all Newtown. Let's choose love.

They are not the first to have perished in a mass killing. Well known to America, the names are now engraved in our memories, so that we merely need to say them to evoke the grief and tears—Aurora, Tucson, Virginia Tech. All of those names and others are likely not to be the last, and nothing we are doing here will end entirely the plague of gun violence. We will not solve the whole problem because there is no single solution or even necessarily a set of solutions we are debating today that will end all the tragic bloodshed. But we can save lives. We can make a start. We can literally stop a major part of it with commonsense measures that evoke common ground.

With a background check system, we can stop criminals, felons, the dangerously mentally ill, domestic abusers, and others who should not have guns from buying firearms and using them as weapons of war.

With a ban on illegal trafficking, we can stop felons and other criminals from trading and transporting guns across State lines, making a mockery of strong State laws, such as Connecticut's, which protect its people, and stop them from making straw purchases.

With measures on school safety, we can secure those educational institutions that have proven vulnerable again and again. The Campus Safety Enhancements Act will help us do that, and we can make our children less vulnerable.

With an assault weapons ban, we can begin to reduce and eventually end the flow of these military-style assault weapons designed to kill and maim human beings.

With a ban on high-capacity magazines, which I will offer through amendment No. 714, we can make killers less lethal, stop them from killing their victims as rapidly and numerously. We can gain time in those situations of mass killings where a few seconds can actually save lives.

With these measures and others that will be offered here today on mental health, for example, we can choose love. We can choose to make something positive of that unspeakable and horrific tragedy which befell Newtown and which has befallen many others before and since. We can do something. We can take action.

On the universal background check, which my colleague Senator MANCHIN spoke about a short time ago and which he has authored with Senator TOOMEY, we can choose a bipartisan commonsense measure. It is not everything I would hope would be in a background check measure, but it is a genuinely important improvement on current law.

We know background checks have worked on the 60 percent of sales where they have been applied because they have stopped about 2 million felons and other dangerous people who are prohibited by law from buying weapons from actually going into stores and purchasing them.

I understand the argument that we need more prosecutions and that existing laws need to be enforced more vigorously. As a prosecutor, I am very sympathetic toward that argument, and I will support zealously more resources and even better management to result in more prosecutions. We need to enforce existing laws more effectively, but that goal should not stop us from improving those laws, especially when law enforcement itself—our police and prosecutors at every level: State, Federal, and local—urges us to improve those laws to enable them to prosecute more of the dangerous people who use guns for evil purposes.

We ought to listen to those law enforcement officers, as I did for decades as a U.S. attorney and the State attorney general for 20 years. I am listening to them now when they say to me that we need a universal background check system, we need to make our laws more effective against assault weapons and high-capacity magazines, as well as on school security and illegal trafficking.

Ninety percent of the public, 90 percent of everyone in this Nation supports this commonsense measure and 74 percent of the members of the NRA. This issue is not about the NRA or any special interests—although they have maintained a stranglehold over this type of legislation for over a decade, maybe a generation—it is about a bipartisan compromise forged out of a clear need for rational, sensible action that we now have an obligation to adopt.

Nobody wants to take away guns. Nobody wants to take away rights. The Second Amendment guarantees the right to possess firearms. But some firearms should not be possessed, and some people should not possess any firearms. That is what brings us to this point, this historic point in a debate that should evoke bipartisan support, and I hope Members on the other side of the aisle who are still in doubt will come to support this measure. We need only a few votes. We have the vast majority of Democrats.

I salute Senators MCCAIN, KIRK, COLLINS, and others on both sides of the aisle who have made difficult decisions. But if this decision has seemed difficult to them and to many others, think of how difficult it has been for the Newtown families to come here and share their grief and pain with us, and they support the ban on high-capacity magazines because they know from their experience how lethal high-capacity magazines make any firearm—even more lethal than they would be otherwise.

I salute my colleague FRANK LAUTENBERG, who has been a champion of this cause for some time, as well as Senator FEINSTEIN, who included a high-capacity magazine measure in her bill—it is in her amendment now—and my colleague Senator MURPHY, who has been a partner in this effort. He and I have listened to the families of Newtown when they have told us why they support a ban on high-capacity magazines, which is supported by 65 percent of all Americans and 55 percent of gun owners. It is supported by groups across the board, from law enforcement to health care, gun safety, education, child welfare, and religious groups.

Madam President, I ask unanimous consent to have printed in the RECORD a list of those groups supporting a ban on high-capacity magazines.

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

GROUPS THAT HAVE ENDORSED THIS HIGH CAPACITY MAGAZINE BAN

The groups that have endorsed the high capacity ammunition magazine ban we are debating today include:

LAW ENFORCEMENT

International Association of Campus Law Enforcement Administrators
International Association of Chiefs of Police
Major Cities Chiefs Association
National Association of Women Law Enforcement Executives
National Law Enforcement Partnership to Prevent Gun Violence
National Organization of Black Law Enforcement Executives
Police Executive Research Forum
Police Foundation
Women in Federal Law Enforcement

HEALTH CARE

American Academy of Nursing
American Academy of Pediatrics
American College of Surgeons
American Congress of Obstetricians and Gynecologists
American Medical Association
American Public Health Association
Association for Ambulatory Behavioral Healthcare
Doctors for America
National Association of School Nurses
National Physicians Alliance
Physicians for Social Responsibility

EDUCATION AND CHILD WELFARE

American Federation of Teachers
Child Welfare League of America
Children's Defense Fund
National Association of Social Workers
National PTA
National Education Association
Save the Children

GUN SAFETY

Arizonans for Gun Safety
Brady Campaign to Prevent Gun Violence
Coalition to Stop Gun Violence
Law Center to Prevent Gun Violence
Mayors Against Illegal Guns
Newtown Action Alliance
Sandy Hook Promise

RELIGIOUS

African Methodist Episcopal Church
Alliance of Baptists
American Friends Service Committee
Catholic Charities USA
Catholics United
Faiths United To Prevent Gun Violence
Jewish Council for Public Affairs
National Council of Churches
National Episcopal Health Ministries
Presbyterian Church (U.S.A.) Office of Public Witness
United Methodist Church

OTHER ORGANIZATIONS

American Bar Association
Grandmothers for Peace International
NAACP
Sierra Club

LOCALITIES

U.S. Conference of Mayors
National League of Cities

Mr. BLUMENTHAL. Madam President, we have listened to the families of Newtown talk about high-capacity magazines.

Bill Sherlach, for example, who was the husband of Mary Sherlach—we have seen her picture here—had this to say about high-capacity magazines:

It's just simple arithmetic. If you have to change magazines 15 times instead of five times, you have three times as many incidents as where something could jam. Something could be bobbled. You just increase the

time for intervention. You increase the timeframe where kids can get out. And there's 11 kids out there today that are still running around on the playground pretty much now at lunchtime.

And those 11 kids he talks about are alive because the shooter needed to change magazines.

Another Sandy Hook family member, Nicole Hockley, the mother of Dylan Hockley, said the following:

> We looked at the search warrants . . . and know that [the shooter] left the smaller capacity magazines at home, that was a choice the shooter made. He knew that the larger capacity magazine clips were more lethal.

David Wheeler, the father of Benjamin Andrew Wheeler, said the following:

> The more bullets you can get out the end of that gun in the least amount of time, that is the single area that I believe affects lethality. And the size of the magazine placed in that weapon is a direct contributor to that—a direct contributor to that factor. There is a place for 30-round magazines, in the military, on the battlefield.

The families of Newtown have spoken clearly and powerfully, but the facts of other shootings support the ban on high-capacity magazines again and again. In Tucson, AZ, for example, Jared Loughner emptied a 33-round magazine in 19 seconds, killing 6 and injuring 13 before stopping to replace his magazine. When he went to reload, a bystander tackled him. Others joined in, subduing and disarming him. Loughner was stopped because he had to pause to reload. His 13th round killed 9-year-old Christina-Taylor Green. If Loughner had been limited to a magazine with 10 rounds, that little girl very likely would still be alive today. If Lanza had been limited to a 10-round magazine, beautiful girls and boys might well be alive today.

Newtown and Tucson are only two instances in which a shooter was stopped when he had to reload or when his firearm ran out of ammunition.

In Queens, NY, in 1993, Colin Ferguson boarded the Long Island Railroad with a 9mm pistol with a 15-round magazine. He opened fire, killing 6 and injuring 19 others in 3 minutes. When he went to load another magazine, he was tackled and disarmed.

In Chapel Hill, NC, in 1995, Wendell Williamson walked the streets of Chapel Hill with an M–1 rifle. He opened fire, killing two. When he paused to reload, a bartender tackled him and disarmed him.

In Springfield, OR, in 1998, Kip Kinkel went to his high school with several firearms and 1,127 rounds of ammunition. He opened fire, shooting 50 rounds, killing 2 students and injuring 24 more.

As his firearm ran out of ammunition and he began to reload, several students tackled him and restrained him until the police arrived.

There are many others. In fact, half of the mass killings since 1982 involved high-capacity magazines. Half of all those mass slaughters were enabled by high-capacity magazines.

Facts are stubborn things, as Ronald Reagan used to say. Everyone is entitled to his own opinion but not to his own facts, as Daniel Moynihan reminded this Chamber many times.

The most tragic stories for me involve law enforcement officers killed in the line of duty. In Connecticut they include Officer Robert Fumiatti of the New Haven Police Department; Master Police Officer Peter J. Lavery of the Newington Police Department; Patrolman Brian A. Aselton of the East Hartford Police Department; Officer James V. Spignesi, Jr. of the Connecticut Department of Environmental Protection; Officer Walter T. Williams, III of the Waterbury Police Department; Officer Daniel Scott Wasson of the Milford Police Department; Patrolman Kenneth Bateman, Jr., of the Darien Police Department; Patrolman Gerald T. DiJoseph of the Bridgeport Police Department; and the first, whom I came to know, at least through his family—although I never knew him personally Trooper Russell Bagshaw. I have known many of these families and had the privilege of coming to know their children in many instances as well. I want to talk about Russell Bagshaw in closing for just a moment.

Russell Bagshaw of the Connecticut State Police was in his patrol car, driving the streets of northeastern Connecticut in North Windham on a summer night in 1991. He was 28 years old and a 4½-year veteran of the Connecticut State Police.

Each of these men I have mentioned died as a result of gunfire from criminals. Some of these shooters got a stolen weapon, perhaps illegally trafficked. None of them should have had access to any firearm. Russell Bagshaw surprised two robbers coming out of a local sporting goods store. One of the robbers shot him with a semiautomatic 9mm pistol that had a second handgrip under the barrel, and a 30-round magazine filled with hollow point bullets.

Before Trooper Bagshaw had even a chance to use his radio or exit his vehicle, the shooter unloaded 17 hollow point bullets at the cruiser that took 6.6 seconds from that 30-round, high-capacity clip. The shooter fired haphazardly, but he had enough to pierce the bulletproof vest Bagshaw was wearing above the left armhole and to kill him instantly.

I attended his funeral, with lines and lines of his fellow troopers and others from all around the country. I had the privilege of meeting these families—and most especially his family—brave and strong, just as the Newtown families are.

Neither Russell Bagshaw's training nor any of the other preparations could stop or protect from this carnage. In fact, the troopers I met after the horrific tragedy of December 14 in Newtown and Sandy Hook told me that their bulletproof armor could not have defended them against the assault weapons with the number of rounds that Adam Lanza had at that time.

There is no preparation, no bulletproof vest, no armor that can protect against these kinds of weapons shot at the range that many of them are. That is why we should listen to law enforcement—listen to the police and public officials and prosecutors who have told me since I began working on this cause in the early 1990s, when we passed the first assault weapon ban in Connecticut and I defended it in court, tried the case, and then went to State supreme court successfully defending our law against exactly the same constitutional arguments made now. They are equally without weight at this point.

So I urge my colleagues, whether they are wearing this wristband or not, to choose love. I know it will be difficult. It was difficult for many Connecticut legislators, and I carry with me the pen that our Connecticut Governor used to sign our law that significantly strengthened Connecticut's protection against these weapons, against criminals bearing them, against illegal sales, and against gun violence.

This cause is not going away whatever the outcome today. The vote will be close on many of these amendments. The Newtown families are not going away, the Connecticut effect is not going away, and we are not going away. Unfortunately, gun violence is not going away, and we need to redouble and reinvigorate our efforts. Whatever the outcome here today, we are not going away.

The world has watched Newtown exhibit the kind of strength and courage that we regard as uniquely American. Now the world is watching the Senate, and we will be held accountable for what happens here. History is watching. Let's be on the right side of history.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I rise as a parent, as a father, as an American who saw the horror of Newtown.

Too many times I have come to this Senate floor to say I offer my thoughts and prayers to the parents of the victims of an assault weapon attack. Too many times. Columbine, Aurora, Virginia Tech, Newtown. How many times will we have to offer our thoughts and prayers to the victims of gun violence?

I have two beautiful children, Alicia and Rob, and they are the most important and cherished people in my life. I don't know what I would do if anything happened to either one of them. So I am here for them and for the children they may have one day and for every child in Newtown and across America whose small voice has been silenced by a gun.

I don't think it is an exaggeration to say that each and every Member of the Senate felt a loss that day just 4 months ago. Here we are, 4 months later, trying to do something—but still not enough—for those children, for

those families, for all the families who have suffered the devastation of a shooter with the ability and the will to kill innocent people—as many as an assault weapon can kill as quickly as it can fire—a shooter with a desire to get off as many rounds in as short a time as possible.

In my view, we are already too armed. We are by far the most armed Nation in the world. There are more guns in America—almost 90 per 100 residents—than in any other nation. Do you know there are five federally licensed gun dealers in America for every McDonald's? Think about it. Think about how many times you see a McDonald's. Well, imagine five times as many gun dealers. There are about 310 million guns in America. But consider that those 310 million guns are owned by only about 40 percent of American households.

Now we are in the midst of a debate in which some are arguing that not only should we not ban assault weapons, but we should force every State to allow people to carry concealed weapons.

How does that help reduce gun violence? How are we reducing gun violence if we allow people to carry concealed weapons across State lines; if we allow someone in Florida or Virginia to carry their gun to New York City and Times Square or my home State of New Jersey? Is that the legacy we want to leave the children and families of Newtown?

I strongly oppose any amendment that would allow reciprocity for concealed weapons. Yet even as we skirt the real issues, banning the weapons and the ammunition devices that have caused our Nation so much heartbreak, we would have those who see this as an opportunity to weaken gun laws; those who see this as a way to push, from my view, a radical agenda and put more firearms into the hands of those who don't deserve them.

My home State of New Jersey has a gun control regime specifically tailored to a densely populated State. Our State requires affirmative permission to buy a firearm. But we leave that decision to those who know the State best in terms of its security—the State Police. They conduct a thorough background check, even more thorough than the Federal background check, and then the police sign off and give a purchaser a card to buy a firearm.

Of course we have commonsense safeguards to ensure the Second Amendment is not violated, including appeal rights. But under an amendment offered by one of my colleagues, soon New Jersey's carefully constructed firearms law, if this amendment were to be adopted, would be eviscerated. Soon New Jersey's law would only be as good as the least restrictive States. This amendment, in essence, is mandatory concealed carry reciprocity. Not the current type of concealed carry reciprocity where States might voluntarily enter into agreements to allow their permits to be used in another State. No. This amendment forces States to accept other States' concealed carry permits.

I guess so much for the States rights advocates that I have listened to here so many times.

At least 28 States grant concealed carry permits to those convicted of stalking, and at least 7 States grant concealed carry permits to those convicted of misdemeanor assault and battery. At least 12 do not require any firearms safety training before the issuance of a concealed carry permit. Florida and Utah do not even require residency for a concealed carry permit. Yet this amendment would force States such as New Jersey to accept these permits even if the out-of-State concealed carry permit owner would not be eligible to simply possess a gun under our laws, much less carry.

This amendment would turn our positive discussion on how to best protect our children into another feather in the cap of the NRA and its gun manufacturers, another example for it to show how it has a stranglehold on this national discussion. And, in my view, this is just asking for more gun violence, not ending it. Not banning assault weapons is asking for more gun violence. Allowing larger clips with more firepower does nothing to end the violence. It is not about hunting. If you need 100 rounds to hunt a deer, you are in sad shape.

Do we honestly think it makes sense to allow someone without a mandatory background check to buy an assault weapon that can fire up to 13 rounds a second with something called a bump fire stock? Should we not even be considering making weapons that can fire 13 rounds a second legal on the streets of America?

Bang. That is one round fired. It took me 4 seconds to say those five words. In those 4 seconds, if I had an assault weapon, I could have gotten 52 rounds—52 bullets—fired in the time it took me to say five words. There is no need for that kind of firepower on the streets of America. There is no need for the same weapons of that sort to be on the streets of Newark, NJ, or Newtown, CT, as they are in Baghdad, Kabul.

Any attempt that uses the Second Amendment as an excuse to allow that type of firepower on the streets without some common sense applied to it is not solving a problem, it is creating one.

I will support efforts during this debate to go even further in keeping mass slaughter weapons out of the hands of criminals. I do not believe assault weapons—some of them having names such as ''Street Sweeper''—are about anything other than mass killing. I strongly believe in banning assault weapons and high-capacity magazine clips that allow a deranged individual to kill dozens of people in a matter of seconds. There is simply no rationale for having these weapons on our streets—unless your intent is to inflict terror and destruction and mass casualties.

In a nation where there are already 310 million guns and far too few regulations as to who owns and carries them, I believe we have a responsibility to take these assault weapons off the street. I understand that not everyone shares that view, but the one thing I cannot understand is how someone can argue against something as simple and as basic as requiring a background check before putting a deadly weapon in a person's hand.

We owe it to the American people. We owe it to the children of Newtown, to the families who are still trying to pick up the pieces from that tragic day. We owe it to the family of the 6-year-old boy from Toms River who was shot recently by a 4-year-old neighbor with a .22 caliber rifle that was in the house. He did not survive the wounds. We owe it to every victim of gun violence to send a message that America will no longer be the most armed Nation in the world without at least having commonsense gun safety regulations.

Who among us would be content with the counsel of patience and delay when we lose a neighbor or lose a loved one to the type of violence we could have prevented by a vote in the Senate today? It is time for some profiles in courage, and I believe that in the men and women of the Senate there exists that opportunity and that moment for a profile in courage to stand up for what is right. That is the opportunity that is presented to us today.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. I ask unanimous consent that I be recorded as cosponsor on the Grassley amendment No. 725.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Madam President, I rise to speak on the issue the Senate is considering. It has been an interesting 3 or 4 weeks as we have considered and talked and thought about how we address what is best for our country and how we do that in a way that will protect the Constitution and protect individual rights and protect States rights. A lot of ideas have been thrown out, many of them with great infirmities in terms of either impacting Second Amendment rights, impacting 10th Amendment rights or the infirmity that they will not do anything to actually solve the problem.

I come from a State that is very pro-gun. I am very pro-gun. I own a multitude of weapons. I know how to handle them, I know how to fire them, and I know how to safely store them. The issue in front of us is, how do we protect this Second Amendment right and the Supreme Court's rulings that have affirmed our individual right to self-defense and our individual right to freedom? I believe I actually have an answer that the Senate could coalesce around.

As I talk to the most avid gun owners in Oklahoma, many of whom are opposing me trying to reach a compromise, the one question on which they agree with me is this: What if you could know as a gun owner or whoever you are—if you have a gun and you are going to sell it, what if you could know that you are not selling that gun to somebody on the ''do not buy'' list?

We have all these words going on now. Background check—there is no background check with the NICS list. It is a check against people who are prohibited from buying. It is not a very good list, by the way, because the States have not complied, the courts have not complied with people who have been convicted of felonies. We have a lot of problems in terms of a ''do not buy'' list.

We have to think of this list like the ''do not fly'' list that Homeland Security has. Nobody wants to get on an airplane with somebody who is on that ''do not fly'' list because they are on that list for a very good reason.

Most gun owners—as a matter of fact, I have not met one yet who wants to sell a gun to somebody who is on a ''do not buy'' list, which is called the NICS list. So how do we do that? How do we do that in such a way that we do not raise the cost, limit the freedom, or otherwise impede a free activity that is available, guaranteed under our Constitution?

The other thing I have learned is that the easier laws are to comply with, the more compliance you will get.

My proposal is very simple and straightforward. Let's create a way that whoever is selling a gun in this country can know they are not selling it to a criminal, they are not selling it to somebody who is prohibited, which is an illegal alien, a child sex abuser, a felon—those people. How do you know? And can we do that in a way that doesn't inhibit commerce, doesn't inhibit your rights as an individual under the Second Amendment, doesn't inhibit the rights of a State under the 10th Amendment? How do we do those things?

You know, it is not hard. With our rights come some responsibilities. What if I could tell you that you could take out your cell phone and go to a portal and you could get a certificate that says—on your cell phones or printed out on your printer—that you are not on the list, and with that would be a PIN number, so that whomever could be selling you a gun would say, ''I am going to check your PIN number to see that this is not bogus, now show me your ID,'' and you could actually confirm whether somebody was on the list? That is how we control it. We make it easy. We don't put up large hurdles.

I find myself caught between both extremes in this debate. I actually think it is smart policy to make sure we put in place something allowing law-abiding citizens to do the right thing, to actually make a difference. If we were to do that, a large percentage—not all of them—of the transfers of weapons and guns to people who should not have them would stop.

The emotion associated with all the violent events over the last 3 or 4 years tends to cause us to lose sight of some pretty commonsense principles. We are not going to stop all gun violence in this country. People who are going to do illegal things are still going to do them. We cannot stop it all, but we can do straightforward, simple things that can make a big difference in lessening the availability of weapons to people who should not have them.

The other thing we can do is we can make it so that veterans do not automatically lose their Second Amendment right because for a short period of time, due to their service, they were incapable of managing their financial affairs. That is the right thing to do. We can do this. That is in this proposal.

But what I fear is going to happen is nothing. So what we are going to be offering when there is a time to allow other amendments is my amendment No. 727, which does the following things:

It reauthorizes the ''no buy'' list at an appropriate level.

It creates reforms to the grant system so that States will comply with reporting those people who are dangerous to themselves or somebody else, so we incentivize States to do that.

We create a protection for the Second Amendment rights of veterans.

We require the courts to submit to the ''no buy'' list those who are convicted of violent felonies. We require some transparency in State reporting so we can know whether a State is actually complying by reporting those who are a danger to themselves and other people, those who are truly mentally infirm. That is because one of our big problems—if you take Virginia Tech, the individual who committed that crime was known by the State to be a danger to themselves or somebody else. Yet they did not report it to the ''do not buy'' list. We incentivize that.

We allow for exceptions for people who are already authorized in their State to purchase guns, whether it is a concealed carry permit or whether it is what the State may use to say: Here is your authorization to say you are not on it. In other words, we give States primacy protecting the 10th Amendment. If they want to go further, they can, but we also allow them to innovate, which is one of the things our forefathers wanted us to make sure we did when we did things in Washington.

We create a consumer portal that is easy. We also create penalties if you misuse that portal for some other purpose.

We enforce a destruction of those records into that portal so that the government cannot use that as a list to know who is purchasing guns. So we eliminate the concern over recordkeeping and its assault on the Second Amendment.

We also sunset this, so if it actually doesn't make a marked improvement—which I think it will—in 5 years, it goes away and we do something different.

The other thing is we limit the ATF's ability to grossly violate the intent of previous laws in terms of demand letters on federally licensed firearm dealers.

I daresay there is a difference in culture on guns in this country depending on where in the country you are, but there is a place to be found in the middle, in the Senate, for doing something that is common sense. What we are proposing is something that is simple, it doesn't cost any money to speak of, it is easily accessible, it is verifiable on both ends of the commercial transaction, it does nothing to eliminate the Second Amendment provisions in the Constitution or take away 10th Amendment rights of States, and it will actually decrease transfers of weapons to those who are on the ''do not buy'' list. Is it a comprehensive plan? No. Will it solve the problem? Yes. Will it work? Yes.

Some of the criticisms we heard—if there is no record, how do you know they did it? If 90 percent of the people in this country—which is what the media are all quoting—want us to do that, 90 percent of us think there ought to be an enhancement to the ''no buy'' list in terms of utilizing it, that same 90 percent of the people are the gun owners in America. So if 90 percent is the number, then you are going to have at least 90 percent compliance with this very simple, straightforward way that you can know you are complying with the law.

The other area that is confusing is that people want—and why they want—a record of a gun. It is for the investigation of a crime. Well, guess what. The best way to not ever have that crime is to have an effective check on the ''do not buy'' list. It will not eliminate all crime, but they say the infirmity with ours is that the weapon cannot be traced. That is right, it cannot be traced. The vast majority of used weapons are not sold through gun dealers or at gun shows. They are sold by average, everyday Americans to somebody else.

If we don't want the straw purchasers, felons, or illegal citizens buying them, then what we ought to do is set up something that 90 percent of Americans are going to comply with. It is not hard to do. It is easy to do the right thing. It doesn't please the gun control groups, and it doesn't please the hard Second Amendment rights groups.

If we think about it and actually make it easy for people to know that they could not sell a gun to somebody on the ''do not buy'' list, America would comply, and we would actually see a positive outcome of this debate.

I am amazed at the misinformation people have about guns when they

come to the Senate floor and talk about them when they have never fired some of those weapons, have never held them in their hands, and do not know what they are designed for.

I plan to come back tomorrow when I will bring up this amendment for consideration.

Our Founders had a Bill of Rights, and we have a Constitution. It was really designed for moral and good people. In that bill, as affirmed by the Supreme Court, was a Second Amendment right, and that is not going away. That right is not going to go away. Even if we were to take it away, the Supreme Court would probably bring it back.

We really ought to be leading and talking about what the real problems are in our country. What are our real problems? One of the real problems is that we are not a moral and great people anymore compared to what we were when our Founding Fathers drafted those documents. We are in some moral decline, and that is because of an absence of real leadership at a lot of levels and in a lot of areas in our country. We ought to recognize that we cannot legislate away the evilness about us. We cannot fix it all with a law. We fix it in the way we live our lives and the way we treat one another and how we reach out to give our lives for another person every day.

One of the crucial things is that we have become self-focused as Americans rather than Nation focused, and that is why we have seen this moral decline come upon us.

What I think our country is looking for is real leadership on the principles which matter, that change people's minds about what they do and how they do it. We are getting into a much larger debate than guns. Evil is out there. That criminal element is out there. That mental illness is out there. We are not going to address all of that with a few laws on guns. We are going to address that by character-based, morally led, morally affirmed leadership at all levels throughout our country.

As a physician, I am trained to fix the real disease, not treat the symptoms. This debate is about symptoms. It is an important debate. There are things we can do, but the real disease is our moral decline as a country.

The historians talk about it. John Taylor, the Scottish historian, talked about it. It is about the decline of all republics and what happens to them. America is built for a good, moral people. We have to have the leadership that calls us back to that.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BURR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 720

Mr. BURR. Madam President, I ask unanimous consent to call up my amendment numbered 720.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. BURR] for himself, Mr. WICKER, Mr. INHOFE, Mr. CRAPO, Mr. RISCH, Mr. COCHRAN, Mr. MORAN, Mr. THUNE, Mr. ROBERTS, and Mr. ENZI, proposes an amendment numbered 720.

Mr. BURR. Madam President, I ask that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To protect the Second Amendment rights of veterans and their families)

At the end of subtitle A of title I, insert the following:

SEC. 114. CONDITIONS FOR TREATMENT OF CERTAIN PERSONS AS ADJUDICATED MENTALLY INCOMPETENT FOR CERTAIN PURPOSES.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

''In any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is mentally incapacitated, deemed mentally incompetent, or experiencing an extended loss of consciousness shall not be considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18 without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such person is a danger to himself or herself or others.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by adding at the end the following new item:

''5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.''.

Mr. BURR. Madam President, I rise today in the middle of an important debate on gun control to talk about an issue that should have been at the forefront for years, and it deals with our Nation's veterans.

I am specifically talking about 129,000 of our Nation's war heroes. Due to a determination within the Veterans' Administration, these war heroes have been deprived of their Second Amendment rights to own firearms.

This is apparently a much tougher issue to understand than I thought because it makes common sense to me that we should hold all individuals to the same threshold before we take their constitutional rights away. If a person is a Social Security beneficiary and Social Security makes a determination that person has a hard time handling their finances, Social Security will assign a person to him or her who will help them to navigate the financial challenges that a senior runs into. They don't just send somebody to do that and then turn around and put their name on the NICS list, which is the instant background check that automatically deprives a person of their Second Amendment right.

The IRS doesn't equate the fact that because someone cannot handle their finances that they are mentally incapable or that they are a harm to themselves.

What we have is a Veterans' Administration that when they find the veteran needs help with their financial affairs, the VA sends their name to the FBI, and they go on a NICS list. All of a sudden that takes away their Second Amendment right to own a gun.

It says anybody who lives in that house—so it could be a spouse, a child, including an adult child—cannot own a firearm because the ruling says there cannot be a firearm in the residence. Clearly, after an appropriate determination, if a veteran, or any other American, is found to be a harm to themselves or has a mental disability, we would all agree that person should be disqualified from gun ownership.

Let me say for the purposes of my colleagues—and for the American people—this is not the standard we currently apply at the Veterans' Administration. We look at a veteran who served his country and we say: You cannot balance your checkbook, so we are going to assign a fiduciary to you to balance your checkbook. That person cannot own a firearm. Think about that. The fiduciary may be the spouse, and suddenly that name goes to the NICS list. Why? Because within the VA an examiner has determined that an individual could not handle their own finances.

The examiner is not a medical professional. I am talking about somebody who made a determination as to whether this veteran could handle the deposits of their VA checks and line up the payments which they need to make. If it has been determined they could not do that on their own, that would therefore automatically trigger that veteran's name. That name would be sent to the FBI and they would then be deprived of their Second Amendment rights in this country.

Let me suggest that the current process is arbitrary. It doesn't look at whether they represent a danger to themselves or to others. It is in no way relevant to whether the individual should have access to firearms. To the credit of those who have brought amendments to the floor for the gun bill, they have tried to address this issue.

I commend Senator MANCHIN, Senator TOOMEY, and Senator KIRK—who has been passionate about this—but what they have tried to do is say: We have to get an appeals process that is streamlined and easier.

What I am saying to my colleagues is, these are people who should have never had their Second Amendment right taken away. They should not be on the NICS list. There has been no judicial determination of mental incompetence and no judicial determination

that they are a threat to themselves or to others. There has been no medical determination of a mental disability that would cause them to be a threat to themselves or anybody else. We have simply made a financial decision that they were not capable of handling their own finances.

What I disagree with is that I don't want the Senate to focus on what should be the appropriate appeals process. What my legislation, amendment No. 720, does is get to the heart of it. It says what we are going to do is require the VA to go through a different process to make a determination before taking their Second Amendment right away.

Some will say the VA has an appellate process. We have 129,000 veterans today who currently have had their Second Amendment right taken away. Only 200 of those veterans have sought relief. Only 200 out of 129,000 veterans have sought relief. Here is the shocker: In less than a dozen cases the appeal has been reversed. The determination has been reversed in less than a dozen cases.

Why would only 200 people appeal this decision which was arbitrarily made by the Veterans' Administration? Well, the VA doesn't provide any help. As a matter of fact, the veteran is on his or her own. Even the cost for the appeal is absorbed by the veteran.

We have made it as difficult as we possibly can to deprive veterans of their Second Amendment, and then to say we are going to make it even harder for you by making it harder for us to reverse this because now veterans will be required to have financial skin in the game. Well, out of the 128,000 who haven't applied, having looked at only a half dozen being appealed, where is the incentive to invest money? A person might as well throw it down a rathole.

So what I am suggesting to my colleagues is that the standard shouldn't be, Can you take care of your finances; the standard should be and ought to be, Are you a harm to yourself or to others—a determination that everywhere else in society is made by the bench, by a judicial review.

My good friends who offered an amendment to fix the appellate process suggested we should internally, within the VA, set up this appeals process whereby we overcome some of the hurdles of the costs and whether a veteran has aid. Let me say to my colleagues: Are we confident we can set up a real appeals process within an agency that is so blind they put 129,000 people on the NICS list and deprived them of their Second Amendment right? Can we take the individuals who made this interpretation and believe they can go through a fair appellate review of an applicant's request to be taken off the list? I personally don't believe that can happen. For that reason I am offering an amendment to this bill to change the standard—not to eliminate whether a veteran is listed as a harm to themselves or others, and that, in itself, would take away one's Second Amendment ability to own a gun, but it is to say apply the same standard to veterans we apply to every other American.

Imagine what would happen if every Social Security beneficiary who got assigned somebody to help with their finances lost their Second Amendment right to have a gun. We would kill ourselves, 100 Members of the Senate, trying to get to the Senate floor to change the law because the pressure would be so great. The numbers may not be as big as we might see out of Social Security, but that is the entire population.

I suggest to my colleagues I can't think of a population in America that deserves their Second Amendment right protected more than those who laid their life on the line to protect this Republic we have.

In conclusion, I urge my colleagues to support amendment No. 720. I am not sure what the disposition of this piece of legislation will end up being, but I am convinced that with the addition of amendment No. 720—a vote in favor of this amendment makes whatever this bill looks like at the end of the day a better bill, one that fairly represents our Nation's veterans, and I think continues our commitment to people who have made the ultimate sacrifice to their country.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, they say when a person outlives their child, it is unnatural; it violates the laws of nature, and a person is never ever the same. We all wish we never have to experience that phenomenon.

But on Friday, December 14, 20 sets of moms and dads sent their first graders off to school at Sandy Hook Elementary in Newtown, CT, expecting, as every parent does, to see them come home on Friday and then go out and spend a wonderful weekend with their kids. It was going to be a great weekend because it was the Christmas season. As a parent of a little boy who is a little bit younger than the first graders who went into that classroom that day, I know how amazing the Christmas season can be with a little one. Whether they were going to be picking out their Christmas tree or putting up outdoor lights or visiting Santa Claus, it was going to be the kind of weekend parents live for.

Those parents sent their kids off to school that morning and a few hours later, one shockwave of violence later, 40 parents had outlived their children.

I have been so angry for months. I have been angry at Adam Lanza. I have been angry at his mother for giving him access to those guns. I have been angry at this place for 20 years of inaction. But, mostly, I have been angry at the people in this Chamber and outside of this Chamber who say what we are discussing here right now this week wouldn't have changed what happened in Newtown. I am angry for this first simple reason: They are wrong. Guns have become so much more powerful in this Nation over the past several decades—so powerful that the assault weapon, the military-style assault weapon that was brought into that school that day, was fired at 20 children and every single one of the kids who was hit died. None of them survived because of the power of that weapon. It got off over 150 bullets in a time period that was perhaps only 5 minutes long, from a weapon that could discharge 6 bullets a second. If there had been a weapon of lesser power in that school that day, there might be kids still alive.

Second, the shooter, to get 150 rounds off, only had to switch magazines 6 times. During at least one of those exchanges, a bunch of kids ran out of the room, and they are alive today. If we had a limitation on magazines that was closer to 10 rounds, Adam Lanza would have had to have changed clips 15 times, providing another 9 opportunities for some subset of those 20 kids to run out and rejoin their parents for the weekend.

In addition to passing laws that would have changed the reality in Sandy Hook, we have an obligation to make sure it doesn't happen again, and we have an obligation to do something about the routine, everyday gun violence plaguing this Nation. Twenty-eight people died in Newtown that day, including 26 at the school, the shooter, and his mother. But every single day the average is higher. Thirty people on average are dying across this country from gun violence. From a statistical point of view, December 14 was just an average day.

So what do we do? The amendments we are debating here today offered by my Democratic colleagues are a good step in the right direction. I suggest there are three rules that should guide our actions. Frankly, I think these are pretty simple rules that the vast majority of the American public in every single State we represent here would agree with.

First, I believe people should be able to own guns, to protect themselves, to shoot for sport, to hunt, but the criminals shouldn't be able to own guns. If someone opposes the Manchin-Toomey amendment, they cannot say with a straight face they oppose criminals getting guns. If a Member votes against Manchin-Toomey, they are basically saying they are OK with more criminals having guns.

Ninety percent of Americans want us to make this commonsense change. Ninety percent of Americans want us to crack down on the number of criminals who have weapons out there, because they know almost 40 percent of gun sales in this country are done without a background check.

For a while, I could only explain opposition to near universal background checks through the power of the gun

lobby, because I thought people must know in their heart that a simple, easy thing to do is to make sure criminals don't own guns, so there must be some external pressure that is forcing people to do the wrong thing. The longer I have spent in this place, the more I am convinced there are people who actually believe we should go back to the days of the wild, wild west; that we should usher in a new era of gun control Darwinism, in which the good guys have guns and the bad guys have guns and we hope the good guys shoot the bad guys. The gun lobby frankly tells us this. We should probably listen to them. They say the only way to stop a bad guy with a gun is to give a good guy a gun, that the government should get out of the way.

The second rule is this: Some guns are too dangerous to have on the streets. We have always accepted this premise. We have always said there are certain weapons that should be in the hands of law enforcement and the military only. Guns have changed over the years. Guns that used to be in the hands of the military now are available to the public and Adam Lanza had one of those weapons when he walked into that school. These are military weapons. These aren't weapons one needs to defend one's home. These are not weapons we need to go out and shoot at targets or hunt in our forests. These are weapons designed to kill as many people as quickly as possible, and they are finding their way into our schools and our movie theaters and our places of worship. Some guns are too dangerous to have on the street.

Third, some ammunition too easily allows for mass murder. The young man who walked into the movie theater in Aurora had a weapon and attached to it was a 100-round drum. Who on Earth needs a 100-round drum of ammunition to protect themselves, to go out and shoot for sport? Nobody does. It should be illegal. Thirty rounds is too much as well. Thirty-round clips, one-hundred-round drums, too easily lead to mass murder and it is being seen in this country over and over and over.

We can take a step forward to realizing those three basic principles today on the floor of the Senate. We can vote for the Manchin-Toomey amendment supported by 90 percent of the American public which will make sure less criminals have guns, something that everybody out there—except for a subset of people in this Chamber—agrees on. We can make the decision to take these dangerous assault weapons off the streets, allowing for thousands of weapons to still be legally purchasable, but to say the most dangerous ones should stay in the hands of the military and law enforcement, and we can say enough is enough when it comes to these high-capacity clips.

We know the shooting stopped in Aurora and Tucson when they exchanged magazines. We know kids escaped in Newtown when the shooter exchanged clips. Less bullets per magazine means more people survive these mass shootings. We can do that today as well.

When we vote today, I would suggest that of all of the victims we can think about—and I have been coming down to the floor for the last 2 weeks talking about victims; I probably told the story of 50 or 60 or 70 victims on the floor of this Senate—that we think of two specifically. I would end today by talking first about a woman from Chicago named Shirley Chambers. Shirley raised her four kids, three boys and one girl, in the infamous Cabrini-Green housing complex in Chicago. That is where ''Good Times'' supposedly took place. It was a tough life, but she remembers her kids riding tricycles throughout the neighborhood and she said they were all happy kids.

On January 26 of this year, seven people were killed from gun violence—seven people in 1 day were killed from gun violence in Chicago. One of them was her son Ronnie Chambers. His mother buried him soon after his death. Ronnie was one of the 3,300 people who had been killed by gun violence in our cities and in our suburbs since December 14 of last year. She had four kids, but after Ronnie died Shirley was childless, because all four of her children had been killed by guns on the streets of Chicago: Carlos, Jerome, LaToya, and now Ronnie, all gone. She said, ''My life will never ever be the same again.'' Isn't that the understatement of the decade.

Lastly, I want my colleagues to think of Mark and Jackie Barden. I have talked a lot about little Daniel on the floor of the Senate, so I will end my remarks in this debate with him. Mark and Jackie lost Daniel that morning. These parents from Newtown have been so generous. They have visited our offices. They have allowed myself and Senator BLUMENTHAL to come to this floor and to tell the story of who their kids were and who their kids would have been. Mark and Jackie said this of Daniel after he died:

> Everyone who has ever met Daniel remembers and loves him. Words cannot express what a special boy Daniel was. Such a light. Always smiling, unfailingly polite, incredibly affectionate, fair, and so thoughtful towards others, imaginative in play, both intelligent and articulate in conversation; in all, a constant source of laughter and joy. Daniel was fearless in his pursuit of happiness and life. He earned his ripped jeans and his missing two front teeth. Despite that, his mother said, he was just so good. He embodied everything that is wholesome and innocent in the world.

Every morning, the Bardens' kids would leave for school in succession. They all went to different schools. Daniel was the youngest, so he left the latest. Like most kids, he never got out of bed until he absolutely had to. So every morning, his older brother, whom he adored, left for school before Daniel had gotten up. But not on December 14. Every single morning that school year, Daniel had slept in as his brother went off to school. But on Friday morning, something different happened. Daniel got up early, and as his brother was walking down the driveway to the bus, for the first time that entire school year, Daniel ran after him in his pajamas and flip-flops, and he hugged his older brother, and he said goodbye.

Losing a child is unnatural, but what should be just as unnatural is a Senator's unwillingness to do something to change that reality. Occasionally, in truly exceptional moments, we hold the power here that is so big and so bold to change the reality of life and death. We cannot amend what happened to the Bardens. Their loss will sear forever. We cannot change the fact that Shirley Chambers lost her four children. She will bear that loss for the rest of her life. But we can reduce the likelihood that more kids will die of gun violence in Chicago. We can reduce the chances that another Sandy Hook will happen. These parents cannot understand the casual willingness of this body to turn our backs on a chance to make sure that kind of loss does not happen to more parents. To them, that would be truly unnatural.

I yield back.

The PRESIDING OFFICER. The Senator from Iowa.

AMENDMENT NO. 725

(Purpose: To address gun violence, improve the availability of records to the National Instant Criminal Background Check System, address mental illness in the criminal justice system, and end straw purchases and trafficking of illegal firearms, and for other purposes)

Mr. GRASSLEY. Madam President, I ask consent to set aside the pending amendment and call up my amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY] for himself, Mr. CRUZ, Mr. GRAHAM, Mr. THUNE, Ms. AYOTTE, Mr. HOEVEN, Mr. HATCH, Mr. FLAKE, Mr. COATS, Mr. CORNYN, Mr. ROBERTS, Mr. WICKER, Mr. JOHNSON of Wisconsin, Mr. INHOFE, Mr. RISCH, Mr. RUBIO, Ms. MURKOWSKI, Mr. BOOZMAN, Mr. JOHANNS, Mr. PORTMAN, Mr. MCCONNELL, Mr. BLUNT, Mr. VITTER, and Mr. COBURN, proposes an amendment numbered 725.

Mr. GRASSLEY. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. GRASSLEY. Madam President, the Senate will vote today on an amendment that I am offering for myself, Senator CRUZ, Senator GRAHAM, and many others, as a substitute.

I believe that the underlying bill infringes on the Second Amendment rights of law-abiding gun owners and it does not provide for adequate measures against criminals who commit gun violence.

My approach is much better than the Manchin-Toomey amendment.

The current background check database, called NICS, is broken. Not enough accurate information on prohibited persons is making its way into the database. This is particularly true for mental health records.

Checking firearms purchasers against an incomplete database will not be effective in stopping prohibited persons from gaining access to guns.

Additionally, we should not further strain the existing, broken system by expanding the use of an incomplete database to more transactions, as Manchin-Toomey would. We should fix the existing system. And that is what my amendment does.

First, we should reauthorize NICS. So the Grassley-Cruz amendment reauthorizes NICS Improvement Act grants to States for providing mental health records.

The amendment codifies one of President Obama's Executive orders that requires the Attorney General to issue guidance to federal agencies about which records they must submit to NICS.

It improves NICS as well by clarifying the definition of ''adjudicated mentally incompetent,'' so that it includes only actual adjudications, not a single psychiatrist's diagnosis.

Manchin-Toomey does not.

Mental health records would also be improved by requiring the Federal courts to make available to NICS information concerning such situations as defendants who plead guilty to a crime by reason of insanity.

This approach is consistent with what Washington Post columnist Courtland Milloy writes today. He says:

> [T]he national gun-control legislation set for debate in Congress would rely on a bureaucratic dragnet of ''background checks'' so extensive that anybody's hands could end up being the wrong ones. Including mine.

He thinks that gun control supporters are ''bent on harassing [him] into giving'' up his gun.

He also offers a prescription for the actual problems:

> Go after the criminal. Take his illegal gun. Leave everybody else alone.

My amendment reflects that view. It enhances criminal prosecutions of those who use guns.

The real way to fight gun crime is to pursue criminals, not law-abiding citizens.

Under my amendment, Federal gun crime prosecutions are to be increased. This will happen because the very successful Project Exile will be expanded nationally. This initiative requires Federal and State officials to develop agreements on enforcing gun laws. It requires the U.S. Attorney to designate at least one assistant to prosecute firearms cases. Project Exile will be expanded to 18 jurisdictions, including three tribal jurisdictions, with high violent crime rates.

The Grassley-Cruz amendment authorizes $15 million per year for Project Exile, which will cover more Federal prosecutors and ATF agents.

Manchin-Toomey does not.

The amendment also establishes a task force for prosecuting felons and fugitives who fail NICS background checks.

Right now, thousands of people who are prohibited from owning guns fail background checks. Yet, the Justice Department prosecutes less than 1 percent of them. More of these criminals need to be prosecuted.

Manchin-Toomey does not address the issue.

The amendment also increases the maximum sentence from 5 years to 10 for those who lie and buy on the form that needs to be filled out when purchasing a gun from a licensed dealer.

We also need to think hard before the Justice Department asks gun dealers to sell guns to felons and then doesn't track them. That is why Operation Fast and Furious was such a disaster. It led to the death of a brave Border Patrol agent, Brian Terry.

To avoid such an ill-considered operation in the future, the amendment requires the Attorney General, the Deputy, or the head of the Criminal Division to personally approve any programs for selling guns to criminals.

The Leahy amendment's similar provision would allow the Director of ATF to make this determination. But the ATF Director did not object during Fast and Furious. So that defeats the whole point of requiring high-level approval.

Oversight work on Fast and Furious showed the need for Federal statutes against straw purchasing and gun trafficking. The amendment contains such offenses, but in a more targeted way than does the Leahy amendment.

And now that there is a trafficking offense, the amendment strikes ATF's unnecessary ability to issue demand letters collecting information on purchasers of certain rifles along the southwest border.

The way to target gun violence is to direct efforts against criminals, not law-abiding citizens. So the amendment increases the maximum penalty from 10 to 15 years for transferring a firearm to a prohibited user, as well as the penalty for illegally possessing a firearm.

It creates a 15-year maximum sentence for transferring a firearm to someone knowing that it will be used for a crime of violence, drug trafficking crime, foreign narcotics kingpin crime, or terrorism.

Contrary to what the majority would have the American people believe, mass shootings are not only about guns and mental illness. They are also about what has happened to us as a society.

So the amendment authorizes a study by the National Institute of Justice and National Academy of Sciences on the causes of mass shootings.

There are other proposals on that subject before us. But they are careful not to look at the entire problem. I don't want to single out any possible cause. But I also don't want to exempt any potential cause.

So some of the mass shooters, for instance, watched and used disturbing video games. The possible influence of violent video games should be part of what is examined.

The amendment also expands the rights of law-abiding gun owners.

It allows interstate firearms sales by permitting out-of-State dealers to sell in a State if they comply with all State laws in which they are selling.

It permits members of the armed services to buy a gun in their State of residence or where they are stationed.

The amendment allows firearms dealers to access NICS to run background checks on their prospective employees. But unlike Manchin-Toomey, the amendment requires that the rights of the prospective employee be respected. The employee would have to be provided notice and have to give their consent before such a check could be run.

Also unlike Manchin-Toomey, the amendment would expand the rights of lawful gun owners to travel through other States without fear of prosecution. Manchin-Toomey, whatever its intent, would make it more likely that law-abiding gun owners would be arrested and prosecuted as they traveled through other States.

Title II of the amendment addresses mental health.

It reauthorizes the bipartisan Mentally Ill Offender Treatment and Crime Reduction Act.

These funds are used for mental health courts, crisis intervention teams, veteran treatment courts, police academy efforts, and prison services.

The amendment allows Byrne grants to be used for mental health programs and operations by law enforcement or corrections.

It allows COPS grants to be used for training law enforcement to deal with mental illness.

To restore the gun owning rights of our veterans, a judicial determination would be necessary to determine that a person is a danger to himself or others to be considered to have been adjudicated mentally defective.

Title III is focused on school safety.

It reauthorizes the Secure our School grants at the prior funding level of $30 million per year for 10 years.

To safeguard taxpayer money, it would require that different offices that award grants at the Justice Department consult with each other before these grants are awarded.

We want to help as many different schools as possible.

Finally, we should understand that Manchin-Toomey would not have stopped Newtown.

People who steal guns do not submit to background checks.

We heard testimony in the Judiciary Committee that background checks will be effective only if they are universal and accompanied by gun registration.

We should not start down the path to gun registration, as history shows where that leads.

Manchin-Toomey creates, not closes, loopholes by requiring background checks for some private sales but not others.

We have heard from gun control groups that were it to pass, they would immediately seek to expand background checks even further.

This would be a running start on a slippery slope.

The way Manchin-Toomey works, if someone takes out an ad for a gun in their church bulletin or farm bureau newsletter, they would have to proceed with a background check.

Manchin-Toomey's exception for family member transfers provides cold comfort.

If the family member transfers the gun to another family member he does not know, but is found later that he had reasonable cause to believe is prohibited, they could face 5 years in jail.

Even worse, for the first time, a violation of Federal law would be based on a violation of State or local law.

A family member may not know the firearms laws in the place where the other family member resides.

Those laws are published.

Ignorance of the law is no excuse.

A person would have reasonable cause to believe that a family member was in violation of them even if the person did not actually know those State or local laws.

If they transferred the gun to a family member, and they did not know the permitting rules in another state, under Manchin-Toomey, that family member could face up to 5 years in jail.

That is unacceptable.

We cannot have the fate of law-abiding citizens turn on assurances of prosecutorial discretion.

Finally, my amendment, and not Manchin-Toomey, protects the rights of law-abiding gun owners to travel through other States if their guns are unloaded and ammunition is secured.

Manchin-Toomey seems to do this but it does not.

It cuts back on existing protections.

It provides that the criminal immunity does not apply if the transportation does not violate any gun felony.

But some State laws say that not having a State permit for a gun is a felony.

So a law-abiding gun owner who did not have a permit would commit a State felony.

Under Manchin-Toomey, they could be arrested and prosecuted.

Other States that make gun transportation crimes misdemeanors could change those to felonies and eliminate the force of the Gun Owners Protection Act.

My amendment contains commonsense measures to fight gun violence in our communities and protect the 2nd Amendment rights of law-abiding gun owners.

This is the better way to go.

Mr. LEAHY. Madam President, today the Senate is scheduled to vote on an amendment proposed as a partisan Republican alternative to the bipartisan legislation that was reported by the Judiciary Committee and that has been the business before the Senate for the last 2 weeks. The committee held three hearings and four markups starting in January and concluding in the middle of March. Republican members of the Committee participated but did not offer this substitute at any juncture. When Majority Leader REID introduced the Safe Communities, Safe Schools bill on March 21 and then was forced to end a filibuster to proceed to it last week, the sponsors of this measure were among those filibustering. They justified their filibuster on the fiction that the bill before the Senate somehow violated the Second Amendment. Of course it does not. If further proof were needed, the fact that they have now reversed themselves to offer a substitute that steals large portions of the bipartisan underlying bill provisions would be it.

The amendment the Senate is now being forced to vote on contains 81 pages of legislative text, and was filed just this morning, so I am not even sure of the amendment number. This last-minute alternative is apparently being offered so that Republicans who fear crossing the Washington gun lobby can go home and say that they voted for something. I invited all members of the Judiciary Committee to work with us and to bring forward their best ideas to reduce gun violence in our society and to have them be fully heard in the Judiciary Committee, in regular order. When Senator GRASSLEY and others came forward, we worked with them to incorporate changes in the Leahy-Collins gun trafficking bill and the Boxer school safety bill to accommodate them. This is our reward. No good deed goes unpunished apparently. I am disappointed that after the tremendous effort so many Senators on the Judiciary Committee made to carefully consider and debate legislation, to reach across the aisle to build consensus, and to work with a seriousness of purpose that would honor the victims of Newtown, Connecticut and all of those whose lives have been affected by gun violence, that this is their response.

The Republican amendment was never proposed during the months of Judiciary Committee consideration. It has not been the subject of hearings. No Senator who supports this effort will have any standing to demand regular order on any other matter, least of all on consideration of comprehensive immigration reform legislation that will next be considered by the Judiciary Committee.

I oppose the Republican alternative and encourage other Senators who are serious about making progress in the effort to reduce gun violence to do the same. This amendment is not a serious effort to fulfill the extraordinarily important obligation we took on as Senators after the tragedy in Connecticut.

The Senators from Connecticut have spoken eloquently over hours and days on the Senate floor. Senators KAINE and WARNER from Virginia gave moving remarks on the anniversary of the tragedy at Virginia Tech. They have helped to celebrate the memory of those who lost their lives in Connecticut, in Virginia, and in other terrible events. They have carried to the Senate the voices of millions of Americans who are demanding that we take meaningful action. I commend them for their work. There are measures on which we will vote today that will carry out our responsibility. The alternative that Republicans put forward for a cover vote is, in my view, not one of them.

I am especially disappointed that after working so closely with the Ranking Member on the legislation to combat straw purchasing and firearms trafficking that Senator COLLINS, Senator GILLIBRAND, Senator KIRK and I introduced, and after earning his support on that measure in the Judiciary Committee, that his amendment contains a proposal that will take us backward, not forward, when it comes to dealing with these serious problems. Anyone serious about the problems on the Southwest border involving straw purchasing and gun trafficking should be determined to give law enforcement the tools they desperately need. The Leahy-Collins bill does that. The watered-down version shoehorned into this Republican alternative does not.

The legislation that Senator COLLINS and I introduced was drafted with input from law enforcement. It provides the tools law enforcement needs to combat straw purchasing and gun trafficking, and it has the support of numerous major law enforcement organizations. We did not just work with law enforcement, however. We consulted with other Senators from both sides of the aisle, including Senator GRASSLEY, and incorporated their suggestions. We even worked with the National Rifle Association to address all of its substantive concerns.

In contrast, the junior Senator from Texas, a self-proclaimed leader of the filibuster against considering any gun violence legislation, introduced his watered-down version of our bill on straw purchasing and gun trafficking just this week. He did not offer amendments when the Judiciary Committee, a Committee on which he is a member, met to consider and report the Leahy-Collins-Gillibrand bill. His bill takes the serious proposal Senator COLLINS, Senator GILLIBRAND and I developed and strips out almost all of the important tools that law enforcement requested and needs. As far as I can tell, his bill has not been endorsed by any law enforcement groups. Ours is endorsed by the National Fraternal Order of Police, the Federal Law Enforcement Officers Association, the FBI Agents Association, the National District Attorney's Association, and all nine of the members of the National

Law Enforcement Partnership to Prevent Gun Violence, including the International Association of Chiefs of Police, the Major Cities Chiefs Association, the Police Executive Research Forum, and others.

There is no wonder as to why. The trafficking provisions suggested by the Republican alternative essentially give straw purchasers a road map to avoid prosecution. As long as straw purchasers ask no questions and bury their heads in the sand, they cannot be held accountable. The Republican substitute requires prosecutors to prove beyond a reasonable doubt that a straw purchaser knew for certain that he was buying for a prohibited person. A straw purchaser could have every suspicion in the world that the actual buyer is a dangerous criminal, but as long as he deliberately shields himself from getting confirmation of that fact, he is untouchable. Willful ignorance will be their shield.

The substitute also gives gun traffickers the same road map. The bill Senator COLLINS and I have proposed prohibits an individual from buying a gun and giving it to someone you know will then give it to a criminal. The Republican proposal inexplicably removes this provision. So as long as the organizer of a firearms trafficking ring uses a middle-man between the straw purchaser and the ultimate recipient, it is simple to avoid prosecution for providing guns to dangerous criminals.

The proposal from the junior Senator from Texas also takes out the provision in the Leahy-Collins bill that allows law enforcement to use wire taps to investigate straw purchasers and gun traffickers. And it also takes away the ability to prosecute gun traffickers for money laundering and racketeering and to seize their ill-gotten proceeds. How does this make us safer? What is the rationale for weakening these law enforcement tools?

Not content to undermine the straw purchasing and gun trafficking measures Senator COLLINS and I have proposed, the Republican substitute aids the Mexican drug cartels by eliminating an existing tool that the Justice Department needs to combat violence on the Southwest border. The ability of cartels to purchase firearms in the Southwest has led to terrible violence. In order to investigate and stem the flow of dangerous weapons to the cartels, the Justice Department requires licensed gun dealers in that area to report sales of multiple long guns such as assault rifles to the ATF. This practice has provided law enforcement with major investigative leads, yet the Republican proposal prohibits it.

The Republican substitute also interferes with state prosecutions of gun crimes. Under existing law, a person who is traveling through a state with a gun he is not allowed to possess in that state can assert as a defense that he was merely traveling between two states in which his possession would be legal. This is fair. But the Republican proposal takes this defense and places the burden on the state prosecutor to disprove the defendant's claim beyond a reasonable doubt in all cases, even if the defendant has offered no evidence at all to support his claim. If the state prosecutor fails to meet this high burden, the Republican proposal requires the state to pay the defendant's attorney's fees. This is a clear intrusion on the longstanding police powers of states.

I previously have spoken about the amendment proposed by Senators MANCHIN and TOOMEY. That amendment contains a number of important provisions. One aspect of the amendment that has not received enough attention is the additional due process it affords to veterans who have been deemed mentally incompetent by the Department of Veterans Affairs. The amendment provides that before veterans who have been adjudicated mentally incompetent lose their right to a firearm, they can go before a board or a court to evaluate whether they can safely use a firearm. The amendment requires that veterans be notified of this opportunity. This adds to existing law that allows veterans who are no longer mentally incompetent to regain their right to a firearm. These laws are important and I support them.

I cannot support the Republican proposal, however, because it rolls back the existing laws that prohibit mentally ill people from possessing and using guns. It rolls back these laws not only for veterans, but for many civilians deemed mentally incompetent. It would force the FBI to purge existing records from the background check system for those mentally incompetent people. This is dangerous. It is unwise, and it makes us less safe.

What this Republican alternative proposes is weak and unworkable and will be of little use to law enforcement. I urge all Senators to reject this proposal. We have heard much criticism and blame directed at the Justice Department for not adequately enforcing existing laws. But when Congress passes toothless laws it is Congress and not law enforcement that is to blame. The Republican alternative is not a serious solution to the plague of gun violence.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ENZI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Madam President, I want to speak today about the series of votes that are going to be taking place this afternoon on gun rights. I wanted to start off by telling a little story and explain why there are some difficulties with some of those amendments that are here.

I had a person in Cheyenne come to me and say: I advertised a gun I wanted to sell. The guy was from southern Colorado, so he had to drive about 300 miles. But he was former FBI and had a concealed carry permit. He was willing to drive up to Cheyenne and wanted to do it the right way—both of them wanted to do it the right way.

The person from Colorado was willing to pay the fee for doing a gun check. The person in Cheyenne arranged for a federally licensed dealer to do that. So they met at the gun store with the gun. Of course, credentials as a former FBI agent is probably good enough to get through a gun check. Concealed carry permit, there is reciprocity in Wyoming for that. They did not think there would be any problem. They looked at it and put it into the system and got word back that he would know in 5 days. Well, it is a long trip to get a gun. The person had a gun that was just like it. He was convinced of the credentials, so they went to his house and finished the transaction. The fellow from Colorado went home. The fellow from Cheyenne went down to retrieve his other gun. He found out that it is now in the Federal system. So he can have a background check done on himself to get his own gun back.

So there are difficulties with the gun check. They are not immediate. There is not a computer that immediately says: This person is not in there so go ahead and sell them a gun. It can be a 5-day process, which, for a 3-day gun show can be a bit of a problem, or even a shorter one than that.

I want to talk a little more broadly about gun rights because the Senate will be voting on proposals today that affect rights not created by the law but, rather, were created by the Constitution that last a lot longer than anything we do in this body. Wyoming is a State of gun owners. A large number of Wyoming residents grow up learning to respect and lawfully use firearms.

As a matter of fact, many schools and youth organizations build hunter safety and gun safety into their curriculums so that young people become familiar with the responsibilities of gun ownership at an early age. Therefore, it should be no surprise that a majority of Wyoming residents have called on me to oppose any legislation that puts additional restrictions on the freedoms they enjoy and use daily.

I have been saying for some time that the bill before the Senate does not focus on the problem. There is no doubt that we need to do more to curb the senseless acts of violence which continue to occur in this country.

One of the things we need is parents to be more careful and more repetitive at telling their kids it is not right to kill people, it is not even right to bully them, and it is definitely not right for them to kill themselves. Until we can get that message across to our kids, I hope that we do not rely on a few votes by this body to make everybody feel

comfortable that all of the problems are taken care of. They will not be.

The Senate should focus on making sure current laws are enforced; they are not. Finally, our Nation and its communities should be doing more to foster the idea that life has to be respected. However, the problem with several of the proposals we will vote on today is that they add to programs with track records of failure.

Additionally, I oppose limiting the rights of gun owners to transfer their firearms to their neighbor or loan hunting rifles to their family members. The underlying bill the Senate is debating would restrict that right in many areas and would only make gun ownership more burdensome on lawful citizens.

My colleagues in other States may not realize this, but in Wyoming guns are not used just for self-defense and recreation. They are a tool. Ask the rancher who uses a rifle to defend his livestock from predation or the outfitter who uses a gun to protect clients in the back country.

Firearms do have everyday uses in Wyoming. Sometimes it is necessary to transfer or loan a gun to a nephew, a niece, or an employee. But under what is being considered, that right may be severely infringed. I do not condone acts of gun violence. I am a father and a grandfather and will do everything I can to keep guns out of the wrong hands. However, I am not willing to infringe on the constitutional right of lawful gun owners when the laws already designed to protect us are being unenforced.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REED. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HEINRICH). Without objection, it is so ordered.

Mr. REED. Mr. President, since 1968, more Americans have been killed by gun violence in the United States than have died in all the wars in American history combined. This is a heavy toll on public safety and public health. As a body, this Senate can do more and should do more to make our communities safer.

It has been too many years, too little action, too much tragedy and heartbreak since the last debate on guns. I know all my colleagues share my utter horror at the mass shootings at Sandy Hook Elementary School in Connecticut last December. Yet our responses to this and other tragedies are vastly different. I am motivated by them to demand passage of serious, concrete, and comprehensive measures to try to safeguard innocent and precious lives, to prevent the next Newtown, the next Aurora, the next Tucson, and countless other devastating examples of senseless gun violence.

Unfortunately, it seems we are on the verge of throwing up our hands and saying there is nothing we can do. But there is something we can do.

We will take a series of votes this afternoon to reinstate the assault weapons ban and prohibit high-capacity magazines, amendments I am cosponsoring, and a compromise effort to close the gun show loophole and require better background checks. These measures balance protection for responsible gun ownership with protection for public safety.

As someone who has served in the U.S. military, I believe carrying a gun is a serious responsibility. However, today it is far too easy for criminals, domestic abusers, gang members, and terrorists to buy weapons.

Today's New York Times describes just how easy it is. One South Carolina man is noted as:

> a fugitive from the Rhode Island police who has two outstanding felony warrants as well as a misdemeanor warrant. His legal status bars him from owning guns, but he was recently seeking to buy an AK–47 assault rifle on [the website] Armslist and was also trying to trade a Marlin rifle. He posted photos to his Facebook account of an AK–47 he had already purchased, along with a variety of other guns.

Clearly, the system is broken, and there is room for common sense reform. Indeed, we need to close gaping loopholes in current law which allow the sale of firearms at gun shows or online without accountability or background checks to determine whether the buyer has a criminal record.

The Manchin-Toomey compromise, while not perfect and not my ideal solution, would go a long way toward closing these loopholes. I wish to personally commend both Senator MANCHIN and Senator TOOMEY for their bipartisan, and, indeed in many respects, courageous steps to try to make this legislation possible for all of us.

In March of 2004, during the 108th Congress, when Democrats were in the minority, Senator MCCAIN and I worked together on bipartisan legislation to close the gun show loophole. With his great leadership, we passed an amendment 53 to 46, which was one of several successful gun safety amendments. Ultimately, the gun lobby defeated the underlying bill, a bill it originally supported and identified as a top priority. This was because we had managed to pass sensible gun safety measures, at least in the amendments to the legislation.

This is proof that passing sensible legislation to keep guns out of the hands of dangerous individuals is possible with bipartisan cooperation. We have done it.

Gun ownership is a fundamental right in this country, but reasonable limitations on military-style assault weapons and high-capacity ammunition clips are fully consistent with the Second Amendment.

Indeed, in the 2008 majority opinion in the Heller decision, Justice Scalia made clear that the Second Amendment is ''not unlimited'' and is not ''a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.''

Limiting access to military-style weapons and strengthening background checks would help save lives and make our communities safer. We also need to improve access to mental and behavioral health care. One of the ironies is that more often an individual with mental illness is the victim of gun violence or other types of violence than the perpetrator of violence. However, it is still important to take any opportunity to help strengthen our mental health system.

This is why I support the Harkin-Alexander amendment which, among its many provisions, would include my bipartisan youth suicide prevention measure, the Garrett Lee Smith Memorial Act reauthorization, legislation which was led very courageously and successfully by our former colleague, Senator Gordon Smith. I urge my colleagues to support these amendments and to muster the same kind of bipartisan cooperation Senator MCCAIN, I, and several others had years ago.

It is my wish we can reach a sensible consensus. Indeed, an overwhelming majority of Americans are demanding this. There is no question what the American people want. The question we will settle is are we responding to the American people or are we responding to a very narrow self-interest. I hope we will respond to the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, this afternoon I, rise to defend the Second Amendment to our Constitution. Recent mass killings, such as those in Connecticut and Colorado, are the impetus for the gun control legislation we are discussing before the Senate now.

I mourn the victims of these senseless acts of violence carried out by serious and disturbed individuals. Unfortunately, this legislation, I believe, would do nothing to prevent such tragedies going forward.

The harsh but unavoidable fact is no amount of government intervention can prevent irrational people from doing terrible things. Therefore, we should not react to these tragedies in an irrational manner in the Senate which would erode a fundamental right of every citizen in the United States.

The Second Amendment states, as you well know, unambiguously, ''The right to keep and bear arms shall not be infringed.'' It makes plain to criminals their targets have the right to defend themselves, their families, and their property.

Since criminals do not follow the law and never will follow the law, new restrictions will hinder only the law-abiding among us, I am afraid. Make no mistake, this is only the first assault on the Second Amendment. More background checks today, gun registration

tomorrow, who knows what will follow after this. Congress should reject it all now.

My opposition to the legislation before the Senate is not abstract. Gun control laws have proven ineffective in reducing violent crime. As gun ownership in the United States has increased over recent years, nationwide crime rates have decreased. Nonpartisan studies, however, show no correlation between the now-expired assault weapons ban and the decrease in crime rates. Still, violence has spiked in certain parts of this country.

In Chicago, for example, murder rates are soaring. Yet Chicago has among the most Draconian and restrictive gun laws in the country. These trends have developed not because of gun control legislation but in spite of it.

Despite this failed record, the legislation before the Senate pushes more of the same. This so-called compromise amendment would do nothing but compromise our Second Amendment rights.

First, it would drastically expand background checks for gun purchases in an inconsistent and unenforceable manner. The legislation mandates background checks for all firearms purchases at gun shows between two nonlicensed parties. Yet it is unclear whether the same buyer and seller would have to run a background check if they meet at a gun show but wait until it is over to execute the sale.

The legislation also mandates background checks for any gun purchase pursuant to an advertisement by a buyer or seller. This would be extremely difficult to enforce under a narrow definition of what constitutes an advertisement. Under the extremely broad definition provided in this amendment, enforcement would be virtually impossible.

Will determined criminals not simply avoid gun shows and advertisements? We can bet they would. I believe we should not restrict transactions between law-abiding citizens, especially when we will not prevent such transactions between criminals.

This amendment would also allow health care providers to place a patient in the National Instant Criminal Background Check System database. I believe this would violate patients' privacy and remove their Second Amendment rights based on subjective judgments and without any clear guidelines or due process.

It is unclear whether a patient must be informed of the health care provider's decision to submit his or her private health information to authorities. This provision could very well discourage those who need mental health services from seeking them for fear their constitutional rights may be abrogated. We should not put doctors and patients in this position.

In addition, the FBI estimates enforcing these background checks would cost approximately $100 million annually. At the same time, this amendment would prohibit the FBI from charging federally licensed firearms dealers to run these background checks.

To carry this out if it were to become law, the money must come from someone. Will it be gun buyers or taxpayers? Either way, I oppose it.

Again, this legislation is just the first step. It would lay the groundwork for even more Draconian and ineffective gun control measures. As one of the Justice Department's leading crime researchers has stated, the government's ability to implement near-universal background checks would rely, at least in part, on ''requiring gun registration.'' I oppose that.

Mr. President, there are as many guns in this country perhaps as there are people, according to some estimates. That is more than 300 million people, and there are probably over 300 million guns. The bureaucracy we have today cannot track all of the people illegally residing in this country, why then would anyone believe the bureaucracy could track all of the guns illegally possessed in this country? And who would pay for that? Would gun owners again be subject to still more fees or taxes for exercising their Second Amendment rights?

Who would have access to this so-called registry? Would the public know who owns guns and who does not? Who would ensure this sensitive information is protected and not used for political purposes, and how?

We do not know the answers to these questions, but we do know that such restrictions will not prevent the next tragedy. We should not start down this dangerous road. What should we do instead? I have a few suggestions.

Instead of undermining the Second Amendment, Congress should focus its attention on three areas: First, I believe robust prosecution of violent criminals is the best deterrent to violent crime. Prosecutors should punish to the fullest extent of the law individuals who misuse guns, knives, or anything else to commit violent crimes. There should be no leniency whatsoever for the commission of such crimes.

Secondly, we should examine and address any deficiencies—and we have them—in our mental health system. Time and again we have seen a strong connection between mental illness and violent crime. We should not fall prey to the delusion government can prevent all bad things, nor should we assume simply throwing money at the problem will solve it. We should, instead, do a better job of helping those with mental illnesses before their problems spiral out of control.

Third, I would suggest we should weigh the impact of violence in the entertainment industry on violent crime in this Nation. Many video games, movies, television shows, and songs contain graphic depictions of violence. Common sense tells us that glorified violence can distort impressionable minds, particularly those afflicted with mental illnesses or mental challenges. Still, many in Hollywood defend the First Amendment to the Constitution with the same wild-eyed zeal they trash the Second Amendment to the Constitution.

I stand here to defend the Bill of Rights in its entirety.

In closing, let me mention that since January 1 of this year I have held public meetings in each of my State's 67 counties. Overall, my constituents are deeply concerned about any infringement upon their Second Amendment rights. They are concerned about their ability to protect themselves, they are concerned about their ability to protect their families, and they are concerned about their ability to protect their property.

They are concerned that the activities, traditions, and way of life they have long and peaceably enjoyed, and which are protected by the Constitution, could possibly be outlawed. They are concerned they may unknowingly run afoul of a new gun control law because the proposals before us are so illogical and inconsistent and contrary to common sense.

I believe this bill is an overall legislative misfire. I have outlined what I believe would constitute a clear-eyed response to the situation at hand. I will continue to vigorously oppose gun control legislation, and I will continue to stand firm in defense of the Second Amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Would the good Senator from Alabama yield?

Mr. SHELBY. I will be glad to yield for a question, but my time is up.

Mr. MANCHIN. Mr. President, I respect the Senator's views. He is a true friend. But on the bill Senator TOOMEY and I have been working on, if I could point out and ask the Senator's concerns and consideration about that, if he would, especially relating to the Second Amendment. I am a defender, I think Senator TOOMEY is, as is the Senator, a defender of the Second Amendment.

In our amendment we basically strengthen and enforce and promote it. Here is what we have: We allow dealers to sell guns at gun shows in different States, which they can't do now. We allow Active-Duty soldiers to buy guns in their home States, which they can't do now. We fix a legal discrepancy that will allow people in transit across the State to carry an unloaded and locked weapon. And we explicitly state the bill does not expand the authority of the ATF. Plus we make it a penalty by a felony and 15 years imprisonment by registration.

Mr. SHELBY. May I respond?

Mr. MANCHIN. Absolutely.

Mr. SHELBY. I would tell the distinguished Senator and my friend from West Virginia, for whom I have a lot of respect, that I totally disagree. This is the first step in the erosion of our

rights under the Second Amendment. That is why I oppose this legislation. I totally and fundamentally disagree with the author.

Mr. MANCHIN. I respect the Senator's position on this, and I thank him.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I ask unanimous consent to be recognized to talk about the pending amendments for about 8 minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. GRAHAM. Mr. President, this debate we are having about gun control legislation and how to solve a difficult problem is a good debate. Quite frankly, I never understood why we would not want to have this debate. This is an issue where most Americans very much would like to see something of substance accomplished. But the goal is to do something of substance that will address the underlying problem, not just pass legislation, quite frankly, in a more feel-good category.

Senators MANCHIN and TOOMEY are very sincere. I know they are trying to fix a problem that is seen by a lot of people to be a problem, and I understand where they are coming from. But I want to take my time to talk about two things.

The President has given a lot of speeches about this issue, very emotional in nature—that State of the Union Speech—and he has literally traveled all over the country to sort of gin up support for three things: a universal background check, the banning of assault weapons, assault rifles, and limiting magazine sizes. At the end of the day, the Senate will take up these measures individually and somewhat collectively, and here is what I think will happen.

I think when it comes to the magazine size limitation, that is not going to pass the Senate simply because there are thousands, if not millions, of magazines beyond 10 rounds out in the current marketplace. From a criminal point of view, this legislation wouldn't affect them one bit. They will get a magazine of whatever size they would like. It would affect law-abiding citizens and put them in a bad spot.

The best way to interrupt a shooter in a Newtown situation is not to limit the magazine size but to have a security officer in the school who can confront the shooter before they get to the kids. Don't kid yourself that having to reload is going to be the answer to interrupting a crazy person bent on destroying the lives of innocent people. In a school environment, in my view, the best way is to confront that shooter with a trained law enforcement officer. The Grassley-Cruz-Graham amendment has money put back into the system—money President Obama cut out of school safety, some $300 million, at a time when that was very unwise. So we would restore that money.

Two months ago, maybe a little longer, there was a young woman at home in the Atlanta suburbs with her twin daughters—I believe they were twin daughters—and there was a home invasion by someone who had just been released from jail. She took her children up on the second floor and hid in the closet. She got on the cell phone and called her husband asking what to do. She grabbed a .38 revolver. The guy broke into the closet, she fired six times, emptying the gun and hitting him five to six times. He was still able to get up and drive away.

Approximately one-third of the assaults in this country are committed by more than one person. In the hands of that mother, six shots were not enough. It wouldn't bother me one bit if she had 30 rounds. In the hands of a mentally unstable person or convicted felon, one bullet is too many. That is why I oppose the magazine size limit. It does not address the problem.

Now, as to the AR–15, there are 4 million of these rifles available. It is one of the most popular selling sportsman's rifles in the country. I have been in the military for almost 30 years. It is similar to the M16, but it is a semiautomatic, not a fully automatic rifle. The reason I own one is because I like to shoot. I am not going to bother anybody. I am not going to do anything wrong with the gun. I passed the background check to get the rifle.

Why an AR–15? Vice President BIDEN, who is a good friend, has suggested a double-barrel shotgun is the best way to defend a home in case you find a lawless environment. We have had hurricanes, earthquakes, or other natural disasters where law enforcement is not available to families because the system is broken. They can't call, they can't travel, there has been a catastrophic event, such as Sandy, Hugo or Katrina. These things happen in the real world where law and order breaks down.

The Vice President was talking to a young man who was worried about this, and he said: You don't need an AR–15, you need a double-barrel shotgun. That is the best way to defend your home.

To be honest with you, I disagree. If there is a roving gang in the community, and there are three homes, one without a gun, one with a double-barrel shotgun, and one with an AR–15, they are going to pick the AR–15 last. Now, you may not agree with me, but I think that makes sense as a self-defense weapon. So that is why the assault ban is not going to pass.

Less than 2 or 3 percent of all murders in this country are committed with a rifle of any kind. Most murders committed in this country, violent acts, with a gun, are committed with handguns.

At the end of the day, the magazine limitation is not going to pass because it doesn't address the problem. In the hands of a mother, six rounds is not enough; in the hands of a criminal, one is too many. The AR–15, 4 million guns available; the assault weapon is a very popular selling gun, and I think under Heller that type of weapon would be protected. It is not the gun you own, it is who owns it.

At the end of the day, the universal background check is not going to make it. Senators MANCHIN and TOOMEY are trying to find a solution in a smaller way. I appreciate that. But here is my concern about background checks.

Last year, 80,000 people failed a background check, and 9,000 of the people who failed the background check were convicted felons on the run from the law. Yet only 44 people were prosecuted out of 80,000. Of those 9,000, I can't find one case where the law enforcement community found out a criminal on the run from the law tried to buy a gun and they went and picked him up. We at least ought to be catching dumb criminals. If they are dumb enough to fill out a background check while they are on the run, the system ought to catch them.

Let me tell you of another problem we found. In 2005, there was a young lady named Alice Boland, who is a paranoid schizophrenic, a very troubled young lady with a history of mental illness, who pled not guilty by reason of insanity for trying to kill the President of the United States and a Secret Service agent. The threats were made at the Canadian border, and she eventually came to South Carolina with her family.

She was adjudicated by a Federal court, pled not guilt by reason of insanity, and the plea was accepted. She was confined to a mental health institution by the court. When she got out, she went home, and in February of this year she went to Walterboro, a small community near Charleston, and bought a .22 semiautomatic pistol. She filled out the background check, and her plea of not guilty by reason of insanity was not entered into the background check system. The fact she was confined to a mental health institution by a Federal court didn't make it into the background check system.

She bought the gun, went to a private school—Ashley Hall in Charleston—went to the office area where the staff was located, pulled out the gun, and the gun didn't fire. Thank God it didn't. But our background system doesn't catch people like her.

There are 14,000 people in South Carolina who have been adjudicated a danger to themselves and others by a competent court under due process who are not in the Federal background system. There may be up to 1 million people.

The Grassley-Cruz-Graham bill will fix that problem. It would make sure before you get a law enforcement grant from the Federal Government, the State that requests the grant has to enter into the Federal database people who have been held mentally a danger to themselves or others by a competent court. It looks like we could at least do that to get thousands, if not up to 1 million people, who have been deemed to be a danger to themselves or others

into the background check system before we expand it.

So I support Grassley-Cruz-Graham. I think it has a comprehensive approach. It has an antitrafficking component to it. It has a task force that will have $50 million available to the Federal law enforcement community to go after people who fail a background check or who are felons. I think it is a much better approach than the other legislation on the floor.

So I will be opposing Manchin-Toomey. I appreciate the spirit in which it has been offered, but I think defending the background check system is not the problem. Making the background check system capture mental health adjudications and doing something about a felon who fails a background check is a wiser approach rather than expanding a broken system.

When we only have 44 people out of 80,000 prosecuted, something is wrong. Why create more paperwork where nobody is going to do anything about it. Let's focus on the problem.

So I think this has been a good debate for the Senate. When it is all said and done, after a reasoned debate, the President's proposal—more emotional than practical—of a universal background check, which would have included a private sale, no matter what he said, is not going to carry the day in the Senate.

We should be going after the criminal, not the law-abiding citizen, and all of us should want to make sure that those who are a danger to themselves and others do not have access to a weapon. That is a commonsense approach to a hard problem.

I look forward to the votes today and the votes to come because this is an issue which should be debated. I am not afraid to voice the courage of my convictions. Everyone in this body is sincere about their approach to the problem, but I think at the end of the day what is going to prevail is common sense.

Mr. President, I yield the floor.

Mr. MANCHIN. Mr. President, would the Senator from South Carolina yield for just 1 second?

Mr. GRAHAM. Absolutely.

Mr. MANCHIN. I appreciate so much the Senator's sincere approach.

The only thing I would say is that my and Senator TOOMEY's approach and what we are doing is not a universal background check and would not touch the private sector.

Mr. GRAHAM. Absolutely. It is taking a more limited approach. I totally understand it.

Mr. MANCHIN. I thank the Senator, and I appreciate it.

The PRESIDING OFFICER. The Senator from Massachusetts.

BOSTON MARATHON BOMBING

Ms. WARREN. Mr. President, I rise today to give my first speech from the floor of the Senate. I rise with a heart heavy with mourning, but I also rise with the gratitude of a fearless people—gratitude for the Nation's prayers, strength, and resolve.

Two days ago there was a cowardly and despicable terrorist attack in the city of Boston. Two times blasts from hidden bombs rocked the streets of Copley Square. Two times courageous Bostonians ran toward danger to help their fellow citizens. Three were killed, more than 170 were wounded, and many remain in critical condition.

Two days ago was Patriots' Day in Massachusetts.

Patriots' Day is one of our most cherished holidays. We celebrate the lives of ordinary men and women who, in the hour of reckless darkness and peril and need, rose before dawn in Lexington and Concord and let the world know that liberty and freedom, a government of the people, would be established on this Earth. We celebrate Patriots' Day with reenactments and pancake breakfasts, with barbecues and baseball, and with the Boston Marathon.

The marathon is always the greatest of celebrations. We love the speed of the winners, we love the endurance of the participants, and we love the passion of the supporters, but, as the Scripture says, ''The race is not to the swift or the battle to the strong . . . but time and chance happen to them all.''

To all the families who lost their children; to all those who were injured and wear the scars of tragedy; to all the citizen heroes, the first responders, the healers who acted with courage in the midst of chaos; to all those who bore witness at Boylston Street; and to the people of Boston and Massachusetts: No one can replace what we have lost. No one can relieve the weight of our sorrow. But here today and in the days and weeks ahead, wherever we are, we will grieve together, hurt together, and pray together.

Today I rise to remember the lives of those we have lost, to support those who survived, and to honor those who served.

Today we remember Martin Richard, an 8-year-old who, like third graders everywhere, spent time drawing pictures, a little boy who loved to play soccer, hockey, and baseball in his neighborhood in Dorchester. We also pray for his sister and his mother to recover from their injuries.

We remember Krystle Campbell, who grew up in Medford and never missed the marathon. Lively and happy, Krystle was always there for others. When her grandmother was recovering from an operation, Krystle moved in to help her because that is the kind of young woman she was.

We remember Lu Lingzi, who came to the United States from China to study statistics. She loved Ben & Jerry's ice cream, and she posted to her friends that morning that she had a wonderful breakfast. Her passing ignites the world in our common humanity.

We will miss them.

To those of you who were injured on April 15, know that we are here for you. Every year during the marathon we are one family. We cheer for each other and we carry each other across finish lines. When tragedy strikes, we are also one family. We hurt together and we help together. In the weeks and months ahead your struggles will be our struggles, your pain our pain, your efforts our efforts. We will be together through sorrow and anger, rehabilitation and recovery. We will be together because we are one family.

To those who served, we honor you. In ancient times the heroes of myth and legend were part mortal, part god, for it was thought that no mortal man or woman could truly be great. This week the people of Boston and the people of this country prove the ancients wrong. Our heroes are our friends and our neighbors. They work in Copley and at Children's, and when they were called to act, they answered.

There was the man in a cowboy hat who came to Copley to hand out American flags in memory of his sons. When the bombs went off, he raced to help a young man who lost both his legs, applying a makeshift tourniquet, lifting the man into a wheelchair, and navigating him through the chaos so he could get medical attention.

There was the man who realized that spectators would be trapped by the barricades and started to remove them, only to be hit by the second blast. Bandaged and burned, he told me yesterday that he was glad and he celebrated not because he lived but because he helped.

There were the marathoners who ran past the finish line to Mass General, unconcerned with their own sweat and tears but resolved to donate their blood.

There were the brave firefighters, police officers, EMS, and guards, coordinating the first response and bringing protection in the wake of peril.

There were world-class hospitals, doctors, nurses, and support staff who refused to accept fatigue and worked through the night.

There were friends, strangers, neighbors, and shopkeepers who gave a home to everyone who was stranded, food to those who were hungry, and comfort to all who needed it.

Across this Nation, whether on Facebook or PeopleFinder, Monday, the whole country was connected to Boston. Our city, our Commonwealth, and our country have been through a grim ordeal. We have seen terror before, but we will not be afraid, and we will not let it change us. Bostonians are tough. We are fighters, and we will not be broken.

Yesterday I met a woman who is recovering in the hospital. Badly injured, clearly in pain, she focused on getting back to work. She said that people counted on her, so she would be back soon. That is the strength and resilience of Boston. Our spirit is indomitable, our will is unyielding. Our Governor and our mayor have demonstrated unwavering resolve.

The men and women of law enforcement are hard at work. In the coming

hours, days, and weeks, when we learn more from their investigations, we will identify who did this, and we will bring them to justice.

In times of calamity, in times such as these, we must remember the words of John Winthrop, who counseled the founders of Boston:

> [t]o do justly, to love mercy, to walk humbly with our God. For this end, we must be knit together, in this work, as one man. . . . We must delight in each other; make others' conditions our own; rejoice together, mourn together, labor and suffer together. . . . So shall we keep the unity of the spirit in the bond of peace.

May God bless those who have gone and leave them at peace. May He support those who survive and help them carry forward. May He protect those who serve their fellow man. And may He always watch over the people of Boston, of Massachusetts, and of these United States of America.

CONDEMNING THE HORRIFIC ATTACKS IN BOSTON, MASSACHUSETTS

Ms. WARREN. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 101, which was submitted earlier today.

The PRESIDING OFFICER.

The clerk will report the resolution by title.

The legislative clerk read as follows:

> A resolution (S. Res. 101) condemning the horrific attacks in Boston, Massachusetts, and expressing support, sympathy, and prayers for those impacted by this tragedy.

There being no objection, the Senate proceeded to consider the resolution.

Ms. WARREN. Mr. 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. 101) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolution.'')

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. COWAN. Mr. President, on Monday a great Boston tradition and a historic holiday in the Commonwealth of Massachusetts were marred by a cowardly and detestable act of violence. Dozens of innocent civilians, gathered to watch an iconic, peaceful athletic event, were injured by explosions and three lives were lost. I am honored today to join the senior Senator from the Commonwealth of Massachusetts, Ms. WARREN, in offering a resolution honoring the heroes and remembering the victims of that horrible day.

We continue to pray for the injured and hope they begin to heal, and we mourn those who were killed and the families who survive them.

As a community, our hearts ached on hearing about the youngest victim, Martin Richard, a vibrant 8-year-old boy from Dorchester—the same age as my son—who came to watch his father finish the marathon, who lost his life. We share in his family's grief and continue to send our prayers to his mother and sister, who are still in the hospital with very serious injuries.

Yesterday we struggled to watch Patty Campbell fight back tears as she talked about her beautiful and always smiling daughter Krystle. This 29-year-old woman from Arlington and Lingzi Lu, a Boston University graduate student who was from China's northeastern city of Shenyang, were also tragically taken from us by this heinous act.

Events such as those of Monday remind us that, yes, evil still exists in the world, but these events also remind us how unified and resilient the American people are. While the city of Boston witnessed terror, we also witnessed remarkable displays of bravery, support, kindness, and compassion.

The Nation and the world saw the best of the people in the Commonwealth during Monday's tragic events. Countless residents showed such strength and grace in the face of this terrible tragedy.

I am in awe of the bravery shown by our police, fire, and emergency personnel. I am so proud of the medical providers, volunteers, and spectators who rushed toward the noise and smoke to help the injured even as they themselves remained in imminent danger. They helped to evacuate the victims and worked into the night and following days to offer care and protection.

Doctors, nurses, residents, and volunteers worked and continue to work in some of the best hospitals in the Nation right there in Boston to save lives and help victims recover.

I am also grateful for the support the Commonwealth has received from the President, national law enforcement, and my colleagues here in the Congress. The people of the Commonwealth are comforted that the Federal resources needed to help care for the victims and bring to justice those responsible for this assault will be provided. We appreciate that these tangible actions by the Federal Government represent the intangible support given to us by citizens in every State across this Nation.

As we remember those lost and injured, we know that what is good about the human spirit will triumph over the cowards who attacked us. Make no mistake, we will find them and justice will be done. The city of Boston, the Commonwealth of Massachusetts, and the American people will come together and overcome this senseless tragedy. You may visit terror upon us, but we will never be terrorized.

The PRESIDING OFFICER. The Senator from Arizona.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013—Continued

AMENDMENT NO. 715

Mr. MCCAIN. Mr. President, given the importance of this debate, I believe it is important for me to explain why I am supporting amendment No. 715, offered by Senators MANCHIN and TOOMEY, to S. 649, the Safe Communities, Safe Schools Act of 2013.

Like all Americans, my heart goes out to the people of Newtown, Connecticut; Aurora, Colorado; Tucson, Arizona, and all other cities and towns impacted by senseless gun violence. These tragic events are impossible to fully comprehend unless you were there and extremely difficult to relate to unless you experience the effects personally. The rest of us are left with more questions than answers, and differing—albeit well-intentioned—solutions designed to preserve our way of life while doing our best to ensure these horrible events are less likely tomorrow.

As everyone is aware, in January of 2011, the citizens of my home State—as well as people around the country and world—were shocked and horrified by the senseless violence of a severely disturbed young man with a gun. Six people were killed and 13 injured. One of those victims was a bright young Congressional staffer named Gabe Zimmerman, who was highly regarded by his colleagues and had a future filled only with promise. Yesterday, here in the Capitol at a room dedication for Gabe Zimmerman, we were provided with a very real portrait of a man who was doing what he loved, serving the people of Arizona, when his life was tragically cut short. I think his father's comments are worth repeating today. Ross Zimmerman, Gabe's father, said:

> An echo of Gabriel will persist, perhaps for centuries. It isn't worth the loss, but the echo is good and true. . . . I ask that you and our descendents take inspiration from my son's echo as you conduct the affairs of this Congress and the affairs of this nation.

Another life impacted by those tragic events is that of Congresswoman Gabrielle Giffords. Her life, while still filled with great promise, was unalterably changed that fateful day. Congresswoman Giffords, and her loving husband Captain Mark Kelly—who are both with us here in Washington today to witness this debate—reflect the determination of the American spirit and are beautiful examples of how good really does triumph over evil.

Gabby, Mark and the countless other examples of heroism and resilience that America witnessed in Tucson, Aurora, Newtown and elsewhere around the Nation, are clear reminders of why we are all here serving, and the gravity of the issues we are asked to address. Their presence here today further reminds us that we are here to serve a cause greater than our own self-interest. There is nothing like looking in the eyes of a still-grieving parent who has just lost a young son or daughter to remind you of that fact.

For over three decades in Congress, I have built as strong a record as anyone in this body in defending the Second Amendment. I have consistently opposed the efforts of anti-gun activists to ban guns and ammunition, staunchly defending the Constitutional rights that Arizonans hold dear. I have voted against assault weapons bans because I believed they would not work and opposed efforts to cripple firearms manufacturers by making them liable for the acts of violent criminals. I have proudly lent my signature to Supreme Court briefs defending an individual's right to bear arms. In my view, the wisdom of our Framers' inclusion of the right to bear arms is self-evident. And as an Arizonan, I understand the significance of gun ownership to the people of the West, whether for self-defense, sport, or simple ownership.

Just as I have long defended the Second Amendment to the Constitution, I have also long believed that it is perfectly reasonable to use available tools to conduct limited background checks, as this amendment prescribes, to help ensure that felons and the mentally-ill do not obtain guns they should not possess. In my view, such background checks are not overly burdensome or unconstitutional.

Is this a perfect solution? No. Would it prevent all future acts of gun violence? Of course not. Would it have prevented the most recent acts of gun violence? In all likelihood, no. But, it is reasonable and it is constitutional.

I approach the issue of gun rights with profound respect for our Constitution, and the freedoms and rights that it bestows on each and every one of us. I am also guided by a firm commitment that we should do everything we can, within the bounds of the Constitution and the principles of individual rights and federalism on which it is based, to stem the rising tide of gun violence in this country. In this instance, neither the United States Supreme Court nor the lower Federal courts have held that restrictions on possession for certain classes of individuals violate the Second Amendment. In Heller v. District of Columbia, the Court held that the Second Amendment protects an individual right to a well-armed militia. In his Majority opinion, Justice Scalia observed:

> Nothing in our opinion should be taken to cast doubt on longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms.

In this instance, I agree with Justice Scalia that a background check system is not a restriction of the Second Amendment right to keep arms. The issue is plain to me because a background check system only seeks to ensure that sellers of firearms do not transfer guns to a prohibited class of owners. Restrictions on ownership by certain classes of people have existed in federal law for 45 years and have not been constitutionally invalidated by the courts.

In addition to Constitutional concerns, many have expressed concerns about the establishment of a national gun registry. If this amendment would establish such a registry, I would oppose it. But, it does not. In fact, the amendment reinforces the existing Federal ban of a national firearms registry. The amendment explicitly states, ''Nothing in this title, or any amendment made by this title, shall be construed to allow the establishment, directly or indirectly, of a Federal firearms registry.'' But, the amendment does not stop there. It would also provide for a harsh penalty of 15 years for any person who attempts to create a registry and re-affirms that any regulations issued by the Department of Justice to ensure criminals and the mentally ill do not obtain firearms cannot create a firearms registry.

Mr. President, every once in a while I have seen some acts of political courage and quite often we praise each other and ourselves, directly or indirectly, for the positions we take and the votes we pass. I wish to take a moment and express my appreciation to the two sponsors of this amendment, Senator MANCHIN and Senator TOOMEY. Both come from States where there are avid and dedicated and legitimate gun rights advocates. It would have been easier for both Senator MANCHIN and Senator TOOMEY to ignore this situation and not reach across the aisle to each other to see if we could come up with what I think most Americans—in fact, I have seen polls indicating that 80 percent of the American people—support, reasonable background checks that do not infringe on the constitutional rights of our citizens. I congratulate both Senator MANCHIN and Senator TOOMEY for taking this position.

You may not win today, I say to my two colleagues, but I will say that you did the right thing. You did the right thing. It has been my experience, as a Senator in this body for some years who has not always done the right thing, that doing the right thing is always a reward in itself.

Sooner or later this country will take up this issue and it will take up the mentally ill issue, and I hope it will take up Hollywood violence, and I hope it will take up those programs that may incite young people to go out and want to acquire a weapon and use it. But what they have tried to do today I think is an act that should be appreciated by those of us who, many times, avoid taking the tough decisions. I think they are an example to all of us.

I yield.

Mr. MANCHIN. Will the Senator yield?

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Will the Senator yield for a second? Let me say to Senator MCCAIN, I thank the Senator. I truly do. Because with the Senator's truly busy schedule—and everybody knows in how many directions you are pulled and how you are working—he took time to read it. He took time to see we did not invade anybody's private transactions. He took time to see that basically we had a Commission on Mass Violence that would look at the culture of violence in our country. I can only thank the Senator. For someone with the stature of the Senator in this body, to take the time to go through that bill word by word and know that it does protect our Second Amendment rights, it does the things we try to do in a comprehensive way, I want to say thank you.

Mr. MCCAIN. I thank my colleague.

AMENDMENT NO. 730

Mr. HARKIN. Mr. President, I call up my amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

> The Senator from Iowa [Mr. HARKIN], for himself, Mr. ALEXANDER, Mr. FRANKEN, Ms. MURKOWSKI, Mr. BENNET, Mr. ROBERTS, Ms. BALDWIN, Ms. AYOTTE, Mrs. HAGAN, Mr. MURPHY, and Mr. BLUMENTHAL proposes an amendment numbered 730.

Mr. HARKIN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under ''Text of Amendments.'')

Today, I offer this bipartisan amendment with my colleague Senator ALEXANDER and several other members from the Health, Education, Labor, and Pensions Committee to reauthorize and improve programs administered by both the Departments of Education and Health and Human Services related to awareness, prevention, and early identification of mental health conditions, and the promotion of linkages to appropriate services for children and youth.

The tragic shooting in Newtown, CT, in December brought the issue of mental health care to the forefront of public dialogue. Many people across the nation, including the President, have said that we need to take a long hard look at access to mental health services across the country. I was pleased to have the opportunity to start that dialogue with my colleagues on the HELP Committee in January when we held a hearing to examine the state of our Nation's mental health care system.

A starting point of any conversation about mental health is recognizing that one of the most insidious stereotypes about people with mental illness is that they are inherently violent. It is deeply regrettable that some of the discussion in the wake of the Newtown tragedy has sadly reinforced this stereotype. As my colleagues in the Senate know and as the President has emphasized, people with mental illness

are much more likely to be victims of violent crimes than they are to be perpetrators of acts of violence.

However, for too long, mental health care has not been at the forefront of public dialogue, despite the fact that mental illness affects one in four Americans every year, and serious mental illness affects 1 in 17. Unfortunately, there is still a stigma associated with mental illness, and that stigma results in too many people suffering in silence without access to the care that could significantly improve their lives.

Unlike many other chronic diseases, mental health problems often begin at a young age. Half of all mental illnesses manifest by age 14, with another quarter appearing by the age of 24. However, less than half of the children with an identified mental health illness receive treatment, and the average lag time from the first onset of symptoms to receiving treatment is almost a decade.

This lack of treatment has huge consequences. Some 30,000 Americans die by suicide each year, and it is a shocking fact that people with serious mental illness die 25 years earlier than Americans overall, often from treatable causes like diabetes and smoking-related chronic conditions.

The shame in this is that with access to the right treatments and supports, most people with mental illnesses can recover and lead productive, healthy lives. But we need to make the critical investments that will enable this to happen, and this amendment is about making those investments.

In the past several years, we have made two important steps forward in mental health care. First, in 2008 Congress passed the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act. This long-overdue law put an end to the absurd practice of treating mental and physical illness as two different things under health insurance. We followed this up with another important step forward in the Affordable Care Act, by requiring coverage for mental health and substance use disorders as an essential benefit in health insurance plans and extending Federal parity protections to 62 million Americans.

Building on these important insurance reforms, we started working in the HELP Committee a few months ago to put together a targeted package to address some of the most pressing mental health care challenges in schools and communities. And last week, the HELP Committee unanimously passed and reported out the Mental Health Awareness and Improvement Act, which is this amendment.

The first title of this amendment provides a number of strategies to make sure we are addressing the concerns of students with mental health needs, starting with prevention and early detection. According to the National Institutes of Mental Health, 20 percent of America's 75 million school-aged children have some mental health needs. This means that 15 million students in our K–12 schools have some sort of mental health need. A RAND Foundation study found that only a quarter of those students needing mental health support received any type of services to address their needs. That means over 11 million school-aged children may be struggling with mental health concerns and not receiving the support that will help them in school, in their home and in their communities.

I worked with Senators BENNET, ALEXANDER, and MURPHY on language in our amendment that encourages schools to develop and implement schoolwide prevention and early intervention programs such as Positive Behavior Interventions and Supports, PBIS. Such schoolwide programs reach every single student in a school; every grade; every classroom. And the programs provide students with both clear information about what the expectations are for positive behavior and interactions, and the support they need to be successful to meet those expectations.

Schoolwide programs such as Positive Behavior Interventions and Supports are important, but we also know that schools often lack sufficient mental health services for students who need more comprehensive services. We also need to help schools link to mental health services. An NIH study found that most mental health services for school-aged children were provided in schools. But schools do not always have the expertise to provide those services. I worked with Senator FRANKEN to direct the Department of Education to allow for grants that would link local schools to community-based mental health services, thereby expanding a school's ability to support children who have more complex mental health needs and allowing for the training of school personnel to meet students' mental health needs.

Finally, this title allows for the use of Elementary and Secondary Education Act title I funds to create or update school crisis management plans. These plans are key to ensuring the safety of all students and school personnel.

Because these programs are schoolwide and reach every student, this means students receive the support they need early—often before problems develop. It also means that students who need more comprehensive and complex services are identified early and can be linked to those services as soon as possible so that problems don't become worse.

This combination of prevention and early detection of needs, as well as expanding the services and supports available to schools, will help address the wide gap in mental health supports for school-age children.

The second title of this amendment focuses on programs at the Department of Health and Human Services. I worked with my colleagues Senator REED and MURKOWSKI to reauthorize the Garrett Lee Smith Memorial Act, which focuses on suicide prevention on college campuses and through grants to States. The bill authorizes ''Mental Health Awareness Training Grants,'' a commonsense idea introduced by Senators BEGICH, BLUMENTHAL, and AYOTTE to train school and emergency personnel, as well as other individuals, to recognize the signs and symptoms of mental illness, to become familiar with mental health resources in the community, and to safely de-escalate crisis situations.

I worked with Senator MURRAY to reauthorize and strengthen the National Child Traumatic Stress Initiative, which supports a national network of child trauma centers in order to coordinate the collection, analysis, and reporting of data concerning evidence-based treatments, interventions, and practices for children and their families who have experienced trauma.

I also worked with Senator SANDERS to authorize and improve the National Violent Death Reporting System at CDC which provides valuable information about violent deaths so we can look for ways to prevent them.

Finally, the amendment calls for additional information to be gathered on mental health services for children, integrating mental health and substance use disorder treatments with primary care and the implementation of recommendations made after the Virginia Tech tragedy in 2007.

Before I yield the floor, I wish to join my colleagues in expressing my appreciation to Senator MANCHIN and Senator TOOMEY. They have provided great leadership in bringing this legislation forward so that we can have background checks. We will be voting on that legislation later this afternoon.

I think it is another example around here—and maybe people will learn this too late—of how we can sit down and talk. We won't know what kind of agreement can be reached until we sit down and talk to people. A person may think he or she is miles apart on an issue, and in the beginning maybe they are, but by talking and working things out, we can reach good agreements. This is a good example of that.

The one element I would add to that is that the amendment I just called up is an important part of this bill in that it deals with mental health services both to children in school and out of school. Again, I believe this is a very important part of what we ought to be doing to reduce violence and respond to the mental health care needs of our young people.

Again, I thank Senator MANCHIN and Senator TOOMEY for their tremendous leadership on this important issue.

I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Vermont.

Mr. LEAHY. Mr. President, in watching this debate, at times I see a Senator who actually wants to stand up

and be the conscience of the Nation. Unfortunately, some quickly want to step back from that precipice and be the conscience of a lobby on one side or the other.

As far as being the conscience, we saw that last Thursday when the Senate rejected the ill-conceived filibuster against considering the Safe Communities, Safe Schools Act of 2013. The vast majority of American people did not want it filibustered. They wanted us to have the courage to stand up and vote yes or no, not vote maybe, which is what a filibuster is.

After considering the bipartisan efforts of Senator MANCHIN and Senator TOOMEY to plug loopholes in the background check system, the Senate will consider a partisan alternative offered by Senator GRASSLEY, and I will speak about that in a moment.

Before I do that, I would like to talk about what Senator COLLINS and I have done. I have a bipartisan amendment that will prevent criminals from circumventing the existing background check system.

AMENDMENT NO. 713

(Purpose: To increase public safety by punishing and deterring firearms trafficking)

Mr. President, I call up my amendment numbered 713, the Leahy-Collins amendment, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY] for himself, Ms. COLLINS, and Mr. KING, proposes an amendment numbered 713.

Mr. LEAHY. Mr. President, I ask unanimous consent that further reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. LEAHY. Mr. President, this amendment makes some minor changes to the Stop Illegal Trafficking in Firearms Act. Our act is designed to give law enforcement the necessary tools to combat the practices of straw purchasing and illegal trafficking in firearms. An example of that is when somebody legally buys a handgun for $500 and then turns around and sells it for $1,500 to a drug cartel or somebody who could not buy it themselves. Usually they buy a lot more than one weapon; they buy a whole lot. They will buy them legally and then sell them to people who could never legally buy them. We have seen what that has done in Mexico with its drug cartels. We have seen what it has done with the drug cartels and gangs in some of our major cities.

I commend Senator COLLINS for her work in developing this amendment and for her strong support of the law enforcement officials who requested this legislation to help them keep our communities safe.

Straw purchasers circumvent the purposes of the background check system. Straw purchasers put guns into the hands of someone who is legally prohibited from having one. And it was an ATF whistleblower who testified last Congress that the existing firearms laws are ''toothless.'' We can create better law enforcement tools and that is what we are doing with the Stop Illegal Trafficking in Firearms Act. We need to close this dangerous loophole in the law that Mexican drug cartels, gangs and other criminals have exploited for too long.

We know that many guns used in criminal activities are acquired through straw purchases. It was a straw purchaser who enabled the brutal murders of two brave firefighters in Webster, New York, this past Christmas Eve, and it was a straw purchaser who provided firearms to an individual who murdered a police officer in Plymouth Township, Pennsylvania, last September.

We need a meaningful solution to this serious problem. We also include suggestions from Senator GILLIBRAND to go after those who traffic in firearms by wrongfully obtaining two or more firearms. We worked hard to develop effective, targeted legislation that will help combat a serious problem and that will do no harm to the Second Amendment rights of law-abiding Americans.

This Stop Illegal Trafficking in Firearms Act—originally introduced as S. 54—will make important changes and better equip law enforcement officials to investigate and prosecute the all-too-common practices of straw purchasing and illegal trafficking of firearms. As I said, these are people who are not prohibited by Federal law from purchasing a gun. They purchase a firearm on behalf of a person or at the direction of a drug trafficker, criminal, or organization, and that is how these large criminal organizations are supported. That is how these illegally obtained guns are often sold and resold across State lines. Of course, this results in the proliferation of illegal firearms and gun violence in our communities.

Gun trafficking and straw purchasing make our communities less safe. We recently saw a case where a woman was arrested as a straw purchaser after she bought a weapon for a man who then, it appears from the evidence, used that weapon to kill the head of the Colorado prison system. That man was blocked from buying a weapon. Somebody else bought it for him.

Under current law, there is no specific statute that makes it illegal to act as a straw purchaser of firearms. Nor is there a law directly on point to address the illegal trafficking of firearms. As a result, prosecutors must cobble together charges against a straw purchaser using so-called ''paperwork'' violations such as misrepresentations on a Federal form. These laws are imperfect, and do not give prosecutors the leverage needed to encourage straw buyers, often the lowest rungs on a ladder in a criminal enterprise, to provide the information needed for investigators and prosecutors to go after those directing and profiting from such activity.

Our bill and this amendment would change that. They will add two new provisions to our Federal criminal code to specifically prohibit serving as a straw purchaser of firearms and trafficking in firearms. The bill establishes tough penalties for these offenses in an effort to punish and, importantly, deter this conduct. I was accused at the Committee markup on this bill of being too tough on these crimes. I believe we need a meaningful solution to these serious problems.

Another key provision of our bipartisan bill is that it complements existing law that makes it a crime to smuggle firearms into the United States by specifically prohibiting the smuggling of firearms out of the United States. In light of what we know is occurring, particularly on our Southwest border, this is an important improvement to current law and another tool that was needed but missing over the last few years.

The provisions in our legislation are focused, commonsense remedies to the very real problems of firearms trafficking and straw purchasing. Our bill does not affect lawful purchases from Federal firearms licensees, and in no way alters their rights and responsibilities as sellers of a lawful commodity. We listened to concerns about family members who give firearms as gifts and other transfers that are not designed to get around the existing background check system. As a result, the bill contains important exemptions for the innocent transfer of a firearm as a gift, or in relation to a legitimate raffle, auction or contest.

In an effort to encourage even broader support for our bill, Senator COLLINS and I have made changes to our bipartisan bill to emphasize that this legislation will have no adverse effect that would impact law-abiding gun owners. We have consulted a lot of people on this matter, including law enforcement officials, prosecutors, victims, and the National Rifle Association. We have consulted gun owners and others. We have brought together some very diverse views, which is what that legislation is supposed to do. We want to combat the destructive practices of straw purchasing and firearms trafficking. I am pleased that our discussions with all of these groups resulted in legislation that reflects diverse views yet is a focused approach to combat the destructive practices of straw purchasing and firearms trafficking, while protecting the Second Amendment rights of Americans.

The amendment has all of the important provisions of the measure that was debated and voted on by the Judiciary Committee and passed with a bipartisan majority. These include two new Federal criminal statutes that will help law enforcement go after straw purchasers and firearms traffickers.

After the bill was reported out of Committee, a Committee report was filed in relation to it that made our intent plain in the meaning of the bill. The clarifying language likewise ensures that lawful gun purchasers can buy firearms from licensed dealers as bona fide gifts or raffles or as contest prizes and so on. This amendment should also eliminate any concern about imposing potential liability on the original purchaser of a firearm for the criminal acts of the ultimate recipient of the firearm after it is conveyed by that purchaser and reconveyed a number of times. The amendment also includes other technical changes to conform the bill to existing law regarding the forfeiture of firearms and ammunition.

Throughout our committee process and discussions, no one was questioning the constitutionality of these provisions, and they have all accepted the fact that they will help law enforcement. In fact, the required nexus to interstate commerce in the bill is identical to that already in existing law. Our bill does not create a national firearms registry, nor does it place any additional burdens on law-abiding gun owners or purchasers.

I worked with Senator COLLINS, Senator DURBIN, Senator GILLIBRAND, and others to provide a real world, common sense solution to the problem of gun trafficking and straw purchasing. There is wide agreement that straw purchasing and illegal gun trafficking have to be stopped, and that is why law enforcement so strongly supports our amendment. In fact, this measure was introduced at the request of law enforcement officials who have said for years that they lack the legal tools necessary to combat illegal straw purchasing and firearms trafficking. It will provide needed tools to fight against the drug cartels and other criminals who threaten our communities.

Like our original bill, the amendment we now offer has the support of numerous law enforcement organizations, including the National Fraternal Order of Police; the Federal Law Enforcement Officers Association; the International Association of Chiefs of Police, the Major Cities Chiefs Association; the FBI Agents Association, the National District Attorneys Association—an organization on which I was privileged to serve as vice president; and all nine member organizations of the National Law Enforcement Partnership to Prevent Gun Violence.

I mention all these things because we took months doing this. We met with everybody. We worked. We listened to opposing views and supporting views. Then we had hearings and then we had a markup. But all of a sudden, late this morning, with no hearings, no markup, no chance to debate it, we have a partisan alternative led by some members of the Senate Judiciary Committee.

In contrast to the broad law enforcement support we have earned for our attempt to combat gun trafficking and strawpurchasing, there is suddenly a Republican alternative which would gut the protections and tools that our law enforcement community needs. That partisan alternative was released late this morning and surprisingly the effort is led by members of the Senate Judiciary Committee. None of their provisions was considered through regular order or even offered and debated in committee.

People always speak about regular order, but none of these provisions were considered through regular order. None of them were offered or debated in committee. All of a sudden, wait, wait. We can't have this thing that law enforcement wants. We can't have this thing that might actually stop drug cartels and organized crime from getting these guns. We have suddenly come up with a new idea this morning. Sorry we don't have time to talk about it. Sorry we don't have time to have hearings. Sorry we can't go through the committee. Sorry we can't have votes. Trust us.

As chairman of the Senate Judiciary Committee, I took my responsibility seriously when the committee considered gun violence legislation. We held three hearings. We had four lengthy markups. There were many amendments circulated and we debated them. The distinguished Presiding Officer is a member of that committee. He was there for all those hearings. He was there for all that debate. They went on sometimes for a long time, but we voted up or down, and we worked to broker bipartisan compromises.

The results: Some of those same members who serve on the Senate Judiciary Committee circulated this lengthy substitute—just hours before the scheduled vote on their half-baked alternative. It is a weak and counterproductive alternative. The substitute is a weak and counterproductive alternative, and this weak and counterproductive alternative, this partisan substitute, has not been the subject of one single hearing or any committee debate or vote.

The lengthy partisan substitute does several things to make our communities less safe. One of its provisions directly undermines what Senator COLLINS and I wish to accomplish. We want to stop trafficking. We want to stop drug cartels and organized crime and bank robbers and those who would murder government officials. We want to stop them from being able to get these guns through straw purchases. The Republican substitute requires prosecutors to prove beyond a reasonable doubt that a straw purchaser knew for certain that he was buying for a prohibited person. A straw purchaser could have every suspicion in the world that the actual buyer is a dangerous criminal, but as long as he deliberately shields himself from getting confirmation of that fact, he is untouchable. Willful ignorance will be their shield.

What this alternative Republican amendment does—the one that was suddenly sprung on us with no hearings, no votes late today—is it actually has a roadmap of how to avoid prosecution, how to do the things the drug cartels want and organized crime wants, and to make sure they will never be prosecuted. As long as straw purchasers ask no questions, bury their heads in the sand, they can't be held accountable. They can buy these guns. They can meet somebody in a back alley who is trying to hide his face and say: I could have bought this legally. Give it to me. Here is your money. Besides that, I will pay a 300-percent profit and then get away with it.

The Republican substitute will help the Mexican drug cartels by eliminating an existing tool that the Justice Department needs to combat violence on the Southwest border. The Republican substitute also interferes with state prosecutions of gun crimes. Under existing law, a person who is traveling through a state with a gun he is not allowed to possess in that state can assert as a defense that he was merely traveling between two states in which his possession would be legal. This is fair. But the Republican proposal takes this defense and places the burden on the state prosecutor to disprove the defendant's claim beyond a reasonable doubt in all cases, even if the defendant has offered no evidence at all to support his claim. If the state prosecutor fails to meet this high burden, the Republican proposal requires the state to pay the defendant's attorney's fees. This is a clear intrusion on the longstanding police powers of states.

I urge everyone who cares about helping law enforcement and keeping firearms out of the hands of criminals to oppose the Republican substitute, number 725, and to support the bipartisan, Leahy-Collins amendment, number 713.

The PRESIDING OFFICER. The Senator is notified the majority time has expired.

Mr. LEAHY. I appreciate that. I hope we will not pass this. I hope we will not strip State and Federal law enforcement in their effort of trying to protect us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 725

Mr. CRUZ. Mr. President, I rise to speak on the Grassley-Cruz substitute amendment. This amendment has come through the extended process of consideration of legislation and, indeed, I think this amendment has come to pass precisely the way the process should operate as a result of multiple hearings in the Judiciary Committee; taking witness testimony, examining what the evidence demonstrates is the problem, and then endeavoring to craft a solution that multiple Senators have contributed to. It has been a long collaborative process. At this point this amendment has over 20 cosponsors, and I am hopeful and believe that when it

comes to a vote, it will receive some significant bipartisan support.

In my view the approach of the Federal Government to violent crime should be very simple. It should be focused on stopping violent criminals, and we should devote every resource to stopping violent criminals from committing horrific acts of violence. Every one of us was horrified by the crime in Newtown, CT—at the senseless killing.

Mr. LEAHY. Would the Senator yield for a question?

Mr. CRUZ. I am happy to yield.

Mr. LEAHY. The Senator suggested this went through the process, went through the Judiciary Committee. I have been on the committee for 36 years. I have been chairman for a number of years. I don't recall when this happened. Would the Senator from Texas tell me when it was ever voted on. Did we ever have a markup? Did we ever have a hearing?

Mr. CRUZ. Mr. President, as the distinguished chairman is well aware, this amendment was not put before the committee, but it is as a result of the process in the committee; the testimony that was given in multiple hearings that I was honored to attend with the chairman and with the Presiding Officer, and it is in response to that testimony and that evidence that over 20 Senators have come together to craft legislation that actually addresses the problem.

Indeed, I would note, my biggest concern with the legislation—the Democratic legislation on the floor—is it doesn't address the problem. It doesn't target violent criminals. Instead, what it does is it targets law-abiding citizens. If we are to be effective in stopping violent crime—and I am confident every Member of this body wants to do everything we can to stop violent criminals from harming innocents among us—the approach that is effective, in my judgment, is targeting violent criminals while at the same time safeguarding the constitutional rights of law-abiding Americans. That is exactly what this substitute does. I wish to talk about several aspects of it, all of which are directed at targeting bad actors, at targeting violent criminals rather than law-abiding citizens.

One of the disturbing things we discovered in the course of these extended hearings in the Judiciary Committee is that the Obama Justice Department has not made it a priority to prosecute felons and fugitives who attempt to illegally purchase firearms. Indeed, we learned that in 2010, over 48,000 felons and fugitives attempted to illegally purchase firearms. Of those 48,000, the Obama Justice Department prosecuted only 44. That is 44 out of over 48,000. At the hearing, we heard from a police chief who yelled at a Senator and said he didn't have time to worry about paperwork violations. I would submit that if a convicted felon is trying to illegally buy a gun, that is not a paperwork violation, and that is a prime area for focusing law enforcement resources, to figure out why that felon wants a gun and to go and prosecute them.

If a fugitive fleeing from justice tries to illegally purchase a gun, we need to have the resources to prosecute it. So one of the things this bill does is to create a task force within the Department of Justice devoted to prosecuting felons and fugitives who attempt to illegally purchase guns. It provides $50 million—$10 million a year over 5 years—to provide the additional resources to make sure that when felons and fugitives try to illegally purchase guns, we go after them, we prosecute them, we put them away, and we prevent them from acquiring those guns and using them in horrific acts of violence.

A second aspect of this substitute focuses on gun crimes—instances where felons use a gun in the commission of a crime. In 1997, in Richmond, the U.S. attorney there pioneered a program called Project Exile, which was tremendously successful. I note that was the U.S. attorney under a Democratic President, Bill Clinton. Project Exile put serious Federal resources to prosecuting under Federal law anyone who uses a gun in the commission of a crime. As a result of that innovative plan, we saw tremendous success.

In 1997, before Project Exile had been implemented, Richmond had the third highest murder rate in the Nation. Yet, in 1998, after Project Exile was implemented, homicides dropped 33 percent. The next year, in 1999, homicides dropped an additional 21 percent. It was a program that worked.

When President George W. Bush was elected, he expanded the program with Project Safe Neighborhoods, focused the same, putting law enforcement resources and priorities and prosecuting the use of guns in a violent crime. Unfortunately, under the current administration, this has not been a priority. Indeed, in firearms cases, prosecutions have dropped 30 percent in the Obama Justice Department.

All of us are united in wanting to stop violent crime and, in particular, stopping violent crime with firearms. I would suggest the most effective way to do so is to ensure we are prosecuting violent criminals who use firearms. For that reason this amendment creates a national Project Exile that would, in particular, focus on the 15 jurisdictions with the highest violent crime rates and three tribal jurisdictions with the highest crime rates. It would devote $45 million—$15 million a year for 3 years—for more assistant U.S. attorneys and agents to prosecute violent gun crimes, to target exactly who we want to target—violent criminals. I would note as well that this legislation also includes new language criminalizing straw purchasing, criminalizing trafficking but doing so in a way that targets bad actors and doesn't sweep innocent, law-abiding citizens inadvertently into its reach.

A third area of focus is school safety. Unfortunately, the Obama administration, in the past several years, has reduced the funding for school safety by over $300 million. Indeed, next to me are detailed examples: The Secure Our Schools grants were cut $110 million in 2012; readiness and emergency management for schools was cut $20 million to 30 million annually in 2012; school safety initiative was cut $53 million in 2011; and the safe and drug-free school grants were cut $184 million in 2010. This substitute restores funding for school safety.

If the effort is to protect our kids—and I know all 100 Senators want to do everything we can to protect our kids—one of the most direct ways is to make sure there are resources on the ground protecting our kids. So this bill would provide $300 million in funding—$30 million a year for 10 years—to do exactly that, to provide funding for the secure our schools grants.

A fourth area is improving the existing background checks as it concerns mental illness. If we look for a common theme among these mass murders we have seen in recent years, one of the most disturbing themes is we have seen person after person with serious mental illness accessing firearms and using them to commit horrific acts of violence. One of the real problems with our existing background check system is some 18 States have essentially refused to comply with reporting mental health records. Some 18 States have reported fewer than 100 records to the background check system. If adjudications of someone as a danger to others—having a serious mental illness that makes them a danger to others—if those adjudications are not reported to the background check system, then the existing system cannot operate. I would note my home State of Texas has devoted considerable efforts to reporting those records and, indeed, over 200,000 mental health records have been reported from the State of Texas to ensure that those with serious mental illness who are a danger to others are prevented from accessing firearms.

If the objective is to stop violent crime, then it seems to me we should focus on criminals. I would note that quite intuitive statement is not one which I am alone in viewing in that way.

Recently, a survey was done of over 15,000 law enforcement professionals about what measures would be effective stopping violent crime. Mr. President, 79.7 percent of law enforcement professionals, in this survey done by police, said, one, expanded background checks would not be effective in stopping violent crime; 71 percent of law enforcement professionals said the assault weapons ban being considered by this body would not be effective in stopping violence crime; interestingly enough, 20.5 percent of law enforcement professionals said if the assault weapons ban were passed, it would actually make violent crime worse; and 95.7 percent of law enforcement professionals—virtually unanimous—said the

magazine restrictions that are being considered by this body would not be effective in stopping violent crime.

I would suggest we should listen to the men and women on the ground, to the police officers, who risk their lives defending us, defending our children, and we should trust their assessment.

I wish to make two final observations.

One, there has been considerable discussion about expanding background checks. Right now, background checks are required of any individual who purchases a firearm from a licensed Federal firearms dealer. That is the existing system, and the system that the amendment I am proposing would work to improve.

There is an amendment pending before this body to expand that system significantly and in particular to cross a threshold that has not previously been crossed: to require Federal Government background checks for purely private sales between private individuals. If an individual wants to sell, for example, his shotgun, and he puts an ad on Craigslist advertising that shotgun, under the pending bill, by putting that ad on Craigslist, that individual would be required to submit to a Federal background check, would be required to go to a Federal firearms dealer to do so, and would, of necessity, have to pay whatever fee was set.

I would note that fee could well be substantial. We do not know what that fee would be, but we do know the District of Columbia right now charges $150 to conduct a background check. If the fee turned out be anything in the order of what the District of Columbia charges, the effect of passing that bill would essentially be a Federal Government penalty, potentially as much as $150, on an individual who wanted to sell his or her shotgun or rifle to another law-abiding citizen in a purely private transaction.

I would suggest if the objective is to stop violent crime, in all of the hearings we had before the Judiciary Committee, there was no evidence submitted that purely private transactions between private citizens were a significant source of firearms used in crimes and that regulating them would help reduce violent crime. Indeed, as I said, one police chief told the committee he did not have time to prosecute felons and fugitives who were illegally trying to purchase guns.

If law enforcement does not have time to prosecute felons and fugitives, then I would suggest they especially do not have time to prosecute private citizens in a private consensual sale, when neither of those individuals have committed a crime; they are law-abiding citizens. That is not an effective use of law enforcement resources.

But even more problematic, extending background checks to private transactions between private individuals—if this body did that—I believe would put us inexorably on the path to a national gun registry. The reason is simple: Because by extending background checks to private transactions—the Department of Justice has been very candid about this. The Deputy Director of the National Institute of Justice explained that with respect to universal background checks, ''effectiveness depends on requiring gun registration.''

Mr. SCHUMER. Will my colleague yield for a question?

Mr. CRUZ. I am happy to yield.

Mr. SCHUMER. I appreciate my colleague's courtesy.

I would ask my colleague this: Isn't it the case that the very background check proposed in Manchin-Toomey is the same one that has been used for 17 years for FFLs, for Federal firearm licensees? Isn't it the exact same one?

Mr. CRUZ. What is not the exact same is extending it to a private individual selling to another private individual.

Mr. SCHUMER. But it is the same technique, it is the same entry into the book, and everything else.

Mr. CRUZ. But what is consequential is extending it to private sellers, not licensed dealers. Because the argument surely would be—if this bill passed, the argument would immediately become: Well, it cannot possibly be effective because we do not know who owns those firearms.

Mr. SCHUMER. Just one more question.

Has my colleague in the last 17 years detected any move out of Washington for a national registration, any specific substantive move by ATF, the Justice Department, or any other Federal agency to begin a campaign, a move to any kind of national registration?

Mr. CRUZ. In my opinion, adopting mandatory Federal Government background checks for purely private transactions between law-abiding citizens puts us inexorably on the path to a push for a Federal registry.

Mr. SCHUMER. But my colleague has not detected any move of that as of yet?

Mr. CRUZ. It is not currently proposed.

Mr. SCHUMER. OK.

Mr. CRUZ. But if the bill that is being considered were adopted, it would put us on that path, and I think that path would be profoundly unwise and would be inconsistent with the Second Amendment right to keep and bear arms.

Mr. SCHUMER. I thank my colleague for his courtesy.

Mr. MANCHIN. Mr. President, will my colleague yield for a question?

Mr. CRUZ. I am happy to yield to my friend from West Virginia.

Mr. MANCHIN. I thank my friend from Texas.

I am a little bit confused since it is my and Senator TOOMEY's amendment, working with Senator KIRK and Senator SCHUMER. We excluded all private transactions. We did not ever even go close to a private transaction. Ours is only at gun shows, gun stores, and Internet sales, which is controlled now.

Mr. CRUZ. With respect, the legislative language, as I understand it, is triggered whenever there is any form of advertising, be it on the Internet or on Craigslist or The Greensheet or anything else, and that sweeps in a whole category of new sellers, purely private sellers who are not commercial firearms dealers.

Commercial firearms dealers are already, as my friend is well aware, subject to significant regulation. Shifting to a new category of private law-abiding citizens is a major threshold and one that I think is unwise.

Mr. MANCHIN. On the Internet right now, as I understand the law as we have it, without changing anything—mine or yours—if I buy from you in Texas, and you send me that gun, it has to go by law through a licensed dealer for me to go get a background check to pick it up. We have not changed that, sir. All we do is say if you buy in State or out of State they are treated the same.

Mr. CRUZ. Well, except the bill also applies to any advertising. It is not limited to the Internet. I would apply to a listing on Craigslist, to a listing in the local newspaper. If an individual wanted to sell his or her firearm and advertised in any way, they would potentially be guilty of a felony for not going through the Federal background check.

What I would suggest—and I want to be respectful of my time because I think I am nearing the conclusion of it—what I would suggest is all of us want to stop violent crime. In drafting this substitute, what a number of Senators endeavored to do is look at the most effective proposals to do exactly that: to stop violent crime. My view is, if you have a violent criminal, we should come down on them like a ton of bricks. But at the same time we should be especially careful to safeguard the constitutional rights of law-abiding citizens.

The Second Amendment is a critical part of the Bill of Rights, and each of us has taken an oath to defend the Constitution—an oath that I know every Senator takes quite seriously.

I would suggest there is no evidence to support the claim that regulating millions of law-abiding citizens, who do not currently pose a threat, would be remotely effective to stop violent crime. What it would do is increase the pressure substantially for a national gun registry.

I would suggest, instead, the contrast between this substitute and the Democratic bill is striking. The Democratic bill includes no additional resources for prosecution at all. It does not focus on prosecuting criminals. I would suggest that omission is quite striking.

It is my hope that—we are going to have a vote on background checks; this body will decide its view in terms of whether to expand those to private citizens—but I am hopeful that after

that vote, when this substitute is considered, we will see some significant bipartisan agreement that says let's provide the resources to the men and women of law enforcement to go after violent criminals, to go after and to incapacitate those with serious mental illness. Let's do everything we can to stop violent crime and protect the most vulnerable among us.

Mr. MANCHIN. Will the Senator yield for one quick moment?

If I may ask the Senator, would he agree that a bill or an amendment should be posted for 48 hours prior to voting?

Mr. CRUZ. Is the Senator suggesting that the Senate should move these votes?

Mr. MANCHIN. No, no. I am saying, does the Senator believe we should have 48-hour postings?

Mr. CRUZ. I think that is ordinarily the right process to follow. In this case, this bill, this substitute took considerable time and was the result of extended negotiation among a great many Senators. And I know my friend from West Virginia has gone through those extended negotiations before and surely will again. This was filed as soon as there was agreement that brought people together in an area that is my hope we should be able to find consensus. We should be able to find consensus on targeting violent criminals. That is what this bill endeavors to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I ask unanimous consent to address the Senate for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Thank you, Mr. President.

First, I want to thank my colleague from Texas for his courtesy.

I wish to address two issues here: first, the bill that my good friend from West Virginia and my friend from Pennsylvania have worked on long and hard, that Senator KIRK and I are sponsors of as well; and, second, concealed carry.

I have always said that background checks are the sweet spot of this debate—the sweet spot because it will do the most good and has the best chance of passing. If this is the sweet spot, we should take advantage of it. Let us step to the plate and not make this a sour day for those in Newtown, for those whose families have been victims of gun violence, and for all Americans.

The bottom line is simple: The Brady law was passed in 1994. The NICS system came into effect in 1999. And the very system of background checks that we are proposing has stopped 1.7 million transactions of guns being sold to felons. It is certain that tens of thousands of people are walking God's green Earth because of the background checks required in the Brady law. But those who have criminal intent and wish to get guns, even though they would not be allowed to under Brady, find ways around it, and they have. The two leading ways around it are the gun shows and sales on the Internet.

This amendment is very simple. All it does is take the same method of background checks and the same method of recording those checks that we use now when you walk into a gun shop and apply it to gun shows and to sales on the Internet—no more, no less.

I have not seen any cry from the other side of the aisle to repeal the background checks mandated under the Brady law. I have not seen any cry saying, they do not work. We have simply seen that they do not cover 40 percent, approximately, of gun sales. The bill I originally introduced I guess is the gold standard. It covered them all. But in an effort to compromise, Senators MANCHIN and TOOMEY, with considerable courage, worked with us and now individual sales are not covered. But the sales on the Internet and sales at gun shows are.

I say to some of my colleagues who have been allies in the pro-gun control movement: Do not let the perfect be the enemy of the good. This is a strong, good bill. I say to my colleagues on the other side of the aisle, the only objection—the only objection we have heard to this bill, this proposal of Senators MANCHIN, TOOMEY, KIRK, and myself—is that it will lead to registration.

Well, then let me ask or let me refer to my colloquy with the Senator from Texas. Has there been a single step toward registration as this system has been in place since 1999, 14 years? Not one. So why is it all of a sudden that if we extend these to gun shows and Internet sales, registration will come down upon us like a plague within a matter of months? The argument, and it is the only argument made against background checks, that this will cause registration to occur, is a canard, plain and simply, an excuse. Because the opponents cannot argue against the substance, they come up with this fearmongering tactic that this will lead to registration. There is not one jot of evidence that the existing law, the same as the new law we are proposing, has led to that.

I would urge my colleagues to step to the plate. Pass this amendment. I understand the views on the assault weapons ban, which I so strongly support, and the limitation on clips, which I so believe in. They may not get a number of votes. But this one is close. This one is close. In my judgment, this one will save more lives than any other. Let us show the courage, let us show the wisdom, let us show the conviction that doing the right thing is the right political thing, and move it.

One more point. The arguments of reciprocal conceal carry would do devastation to the urban areas of New York. To treat the forests of Wyoming like Times Square or Yankee Stadium would be wrong. I would urge we reject that as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNS. Mr. President, I rise this afternoon to speak about the issue before us, gun violence and the Second Amendment to the Constitution. We have all been enormously saddened by the recent senseless acts of violence that have affected our Nation. In Congress, we have all been deeply moved, and we are all motivated by the tragedies.

However, unfortunately, the legislation currently before the Senate would do virtually nothing to address the causes of this violence. This legislation, in my judgment, would take us down what I would regard as a dangerous path. Rather than focusing on the underlying causes of gun violence, this legislation would place onerous restrictions on law-abiding Americans, who have a right and are exercising their Second Amendment rights.

It should trouble us that the first response to recent tragedies is to curtail the Bill of Rights. These rights were so incredibly vital to the birth of this great Nation. The Founders specifically limited the power of the government to restrict these rights. But this legislation, in my judgment, goes beyond and pushes beyond those constitutional limits. The bill before us would have a number of adverse effects.

For example, it would prevent a Nebraskan from using a neighbor's shotgun to go trap shooting on a nearby farm or an uncle from giving a niece a hunting rifle as a birthday gift without receiving FBI approval. As my colleague from Iowa has pointed out, the Deputy Director of the National Institute of Justice has written that universal background checks can only be enforced if coupled with national gun registration.

This legislation—I agree with the Senator from Texas—would be a first step on the path toward a national gun registry, a far cry from the vision of our Founders, who exercised this very fundamental right to secure our freedom.

The fact is, had this legislation been law, it would not have prevented any of the recent atrocities that have affected families in our Nation.

We will also have the opportunity to vote on a series of amendments. One such amendment we will consider is the so-called assault weapons ban, which would prohibit law-abiding citizens from possessing certain firearms based upon cosmetic characteristics. Once again, this ban would do little to prevent future gun violence.

Furthermore, I find it so incredibly ironic that its proponents think these weapons are a problem in the hands of law-abiding citizens but apparently see no problem with the same weapons being glorified in Hollywood movies and video games. Apparently we should ban these devices in rural Nebraska where we grow up around firearms but allow our children to idolize Hollywood

stars committing mass shootings on the big screen and then try it out for yourself in a graphic video game where the game is interactive, violent, and you are literally shooting at people.

At the end of the day, this legislation is so incredibly flawed that no amount of tweaks or changes can ever possibly improve it. That is why I am a cosponsor of the alternative of the Senator from Iowa, a complete substitute which seeks to address the root causes of gun violence and correctly balances the need to secure our Second Amendment rights.

This amendment focuses on adequate enforcement of the gun laws currently on the books, as well as the mental health needs of our country. We owe it to the victims of gun violence to pass legislation that will actually address the causes of these tragedies; otherwise, it will not stop. As Senators who took an oath to uphold the Constitution, we owe to it all Americans to protect this fundamental right, this right contained in the Bill of Rights that is so vital to the very freedom we enjoy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise to address this issue for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOOMEY. Mr. President, first, let me mention I am a gun owner. I have an A rating with the NRA. The Second Amendment is extremely important to me, my constituents, Pennsylvanians generally, to Americans generally.

Let me be very clear about this too. The Second Amendment does not apply equally to every single American. That is not even a controversial notion. The Second Amendment was never meant to apply to young children. Nobody disputes that. The Second Amendment does not apply to people who forfeit their Second Amendment rights by committing crimes for which they are convicted. It cannot apply and does not apply to people who have been adjudicated as mentally dangerous. These are the three classes of Americans for whom the Second Amendment does not apply, as it does and should and must for everyone else.

So the goal Senator MANCHIN and Senator SCHUMER and Senator KIRK and I set out on when we began this process—I want to thank my friend from West Virginia. He has worked harder than anybody on this. Senator SCHUMER has worked very hard as well; Senator KIRK, who from the beginning provided very important leadership on this. The goal was to see if we could find a way to make it a little bit more difficult for the people who have no legal right to have a gun to obtain one. That was the goal. Along the way, we thought that if we can find some ways to better secure the opportunities for law-abiding citizens to exercise their Second Amendment rights, that would be terrific to work into this. We did that as well.

How do we attempt to make it a little bit more difficult for criminals and the dangerously mentally ill to purchase handguns? We do it actually in two ways. One is to strengthen the existing background check system. By strengthening, what I mean is encouraging States to provide the information they already have, and that some do provide but some do not. In other words, the States have records about people who have been adjudicated as dangerously mentally ill, for instance, those people who plead not guilty to a crime by reason of insanity, those people who are deemed to be mentally incompetent to stand trial. We have records at the States of people who have been adjudicated as mentally unfit to have a firearm.

Then, of course, it is States that have the criminal records. So all we are doing is encouraging these States to provide this information so that when a criminal attempts to buy a handgun or a long gun or when someone who is dangerously mentally ill attempts to do so, the background check system can capture them.

That is the first big piece. It does not create a new system. It does not expand in any way the existing system except to encourage States to provide the information they already have.

The second thing we do is we ask to have a background check at gun shows. We already have background checks if you buy from a licensed dealer. In my State of Pennsylvania, anyone who buys a handgun anywhere at any time has a background check. What this would do in Pennsylvania is it would extend background checks for commercial sales which are conducted at gun shows, and for advertised sales over the Internet.

I have got to tell you, there is absolutely no way that this can be construed as an infringement on Second Amendment rights. You do not have to take my word for this. But I would take Justice Scalia's word for this, in the Heller decision, where he quite rightly came to the conclusion, as did a majority of the Supreme Court, a conservative majority came to the correct conclusion in my view that the Second Amendment is an individual right. It is not contingent on membership in a militia, it is not a collective right of multiple people. The Founders did not acknowledge collective rights. It is an individual, personal right. They were correct.

But in that decision, Justice Scalia also observed there is nothing unconstitutional about legislation that would limit or restrict and try to prevent the purchase of firearms by people who do not enjoy this right. So that is what we do.

I know there has been a great deal of concern about a registry. No one would oppose a Federal registry of firearms more than I. There is no need for the government to have one. Only bad things could result. Fortunately, Senator MANCHIN and I are completely in agreement on this. So while it is already illegal, we further strengthen the prohibition against that by stating in our amendment that any Federal employee, not just those who are members of the ATF but any Federal employee who even begins the process of compiling the data that could lead to a registry would be committing a felony subject to 15 years imprisonment.

That is a pretty tough reality, that anyone thinking—even thinking about doing this, I think would weigh very seriously, and thereby, I believe strongly, we preclude the possibility, the danger of an inappropriate registry.

Finally, I mentioned we enhance the opportunity for law-abiding citizens to enjoy their Second Amendment rights. We do it in a variety of ways.

One is we clear up some risks people take, law-abiding citizens who are traveling across multiple States, such as a sportsman who packs a weapon quite properly but who is traveling into a State which has a different regime. We clarify that person is not committing any crimes or violating any laws.

We allow the purchase of handguns out of State. They are subject to background checks. Why not?

Current law prohibits Active-Duty military personnel from buying a weapon in their home States. We repeal that as well.

A similar measure to this—without the benefits to Second Amendment supporters and expansion of background checks—was on the House floor in 1999. That bill was endorsed by the NRA. I voted for it and a majority of Americans voted for it. We did so because it was common sense. This isn't gun control, this is common sense. This is a modest measure to increase the chances of keeping guns out of the hands of people who have no legal right to have a gun.

We are going to have a close vote today. I wish to thank all of my colleagues who considered this and have given us every opportunity to make our case. I wish to again thank Senators MANCHIN, SCHUMER, and KIRK for the very hard work they have done.

I urge my colleagues to support the Manchin-Toomey amendment.

Mr. LEAHY. Mr. President our thoughts and prayers are with the victims and their families of yesterday's cowardly attack. I appreciate the updates I have received from the FBI about the matter and await the outcome of their investigation. The President is right to emphasize that Americans will not be terrorized.

In the aftermath of the explosions in Boston we were reminded once again how Americans come to each other's aid in a crisis. We witnessed citizens and first responders selflessly helping others. Just as first responders in Newtown responded in minutes and went headlong into a situation without knowing what they would encounter, in Boston we saw similar heroism.

First responders risk their lives to protect the public. That is what they do over and over again across the country. I believe that as a result of the bravery and speedy response of first responders in Connecticut, lives may have been saved on December 14. And we remember today that 6 years ago the Nation was stunned by the rampage at Virginia Tech.

Our law enforcement officials deserve our respect and support. Law enforcement officers and first responders risk their lives to protect the public. That is why I find it so disappointing to hear some blame law enforcement for not preventing these tragedies.

The legislation before the Senate today to improve the Nation's background checks system and prosecute gun trafficking would significantly assist law enforcement in their efforts to keep the public safe. I spoke yesterday about the pending amendment, the bipartisan Manchin-Toomey amendment to close the gun show and other loopholes in the background check system while respecting and protecting the Second Amendment rights of responsible gun owners. The Senate has had this amendment before it since last Thursday. I trust the Senate will vote on it today, and I hope the Senate will adopt it.

We have had background checks for decades. These checks are an accepted part of the process of buying a gun. Like millions of other responsible gun owners, I understand that this check is necessary to help keep guns out of the hands of criminals and those who are dangerous to themselves and others due to mental illness.

Since 1998, more than 2 million sales to prohibited people have been prevented thanks to background checks. That is 2 million times a potentially dangerous person trying to get a gun was denied a gun. Is that a good thing, a positive thing, in the interest of safer communities? Of course it is. Who can credibly argue otherwise?

What we are now trying to do is improve the background check system. We all know there is a huge loophole in our background check system. Criminals and others prohibited from buying guns at gun stores can get around the background check requirement by going to gun shows. I know gun store owners in Vermont. They follow the law and conduct background checks. They wonder why others who sell guns do not have to follow these same rules. I agree with these responsible business owners. This loophole needs to be closed.

The Manchin-Toomey bipartisan amendment closes the loophole in a way that does not infringe upon Second Amendment rights. Sales at gun shows and sales using online or print advertising will now be governed by the same requirements as gun stores in Vermont and elsewhere. This will make us safer. It is focused on gun shows and commercial sales, not family gifts or transfers between friends and neighbors. The bill does not require background checks for temporary transfers of guns for hunting or target shooting. Instead, the bill requires background checks for the kind of sales that can be easily exploited by people who intend to do harm.

Why would we not try to plug the loopholes in the law that allow dangerous criminals to buy guns without background checks? This is a simple matter of common sense. The NRA testified in 1999 in favor of mandatory criminal background checks for ''every sale at every gun show.''

This is about plugging loopholes in background checks. No court has held that background checks, which have been with us for decades, violate the Second Amendment. Indeed, when the U.S. Supreme Court expressly held that the Second Amendment provide an individual right in the Heller case, it also said that ''longstanding prohibitions on the possession of firearms by felons and the mentally ill'' do not violate the Second Amendment. No one should oppose this amendment on Second Amendments grounds because it does not undermine the Second Amendment.

Some have expressed frustration about the level of prosecutions under existing gun laws, and some have suggested that instead of making sensible changes to our public safety laws to prevent gun violence, Federal law enforcement officials should focus exclusively on existing laws. I share some of that frustration, but I do not agree it is a valid excuse for Congress to do nothing. Improvements in the enforcement of existing laws and efforts to give law enforcement officials better tools to do their jobs are not mutually exclusive, those efforts complement each other.

I have noted that Americans are looking to us for solutions and for action, not filibustering or sloganeering. This is something we can come together to accomplish. No one can or will take our Second Amendment rights or our guns away. They are not at risk. But lives are at risk when responsible people fail to stand up for laws that will keep guns out of the hands of those who will use them to commit crimes of violence. This is something we can come together and do to make America safer and more secure.

I have also been encouraging the Senator from West Virginia in his efforts. He has shown great leadership, sensitivity, and perseverance. I commend Senator TOOMEY for his willingness to join in this legislative effort. Together, they have done the Senate and the country a great service.

Improving the background check system is a matter of common sense. Senators MANCHIN and TOOMEY have shown that it can be accomplished in a way that better protects our communities and fully respects our Second Amendment rights. I am pleased to support this bipartisan solution.

AMENDMENT NO. 714

Several opponents to the gun violence measure pending have tried to justify their opposition to legislation designed to keep guns out of the hands of criminals by claiming that these measures would not have prevented the tragedy in Newtown or any other mass killings. I think that argument makes no sense.

We should be responding to protect our communities with a broad approach to help law enforcement go after gun traffickers and straw purchasers who arm drug cartels and plug loopholes in our background check system.

In addition to those important steps, the pending amendment to limit ammunition clip size directly addresses some of our most recent gun violence tragedies. It is clear that several victims of gun violence would be alive today if the gunman had been required to pause momentarily to change his ammunition clip. When I decided to call for hearings on gun violence before the first Judiciary Committee several months ago, I wanted the public to hear directly from victims of gun violence. We began our first of three hearings with former Congresswoman Gabby Giffords. She called on us to act in the wake of too many American tragedies and her battle to recover from gun violence is an inspiration to all of us fighting for legislation today.

At that same hearing, her husband, CAPT Mark Kelly, testified about the day his wife was gunned down. He said:

> The shooter in Tucson showed up with two 33-round magazines, one of which was in his 9 millimeter. He unloaded the contents of that magazine in 15 seconds. Very quickly. It all happened very, very fast. The first bullet went into Gabby's head. Bullet number 13 went into a 9-year-old girl named Christina-Taylor Green, who was very interested in democracy and our Government and really deserved a full life committed to advancing those ideas. If he had a 10-round magazine—well, let me back up. When he tried to reload one 33-round magazine with another 33-round magazine, he dropped it. And a woman named Patricia Maisch grabbed it, and it gave bystanders a time to tackle him. I contend if that same thing happened when he was trying to reload one 10-round magazine with another 10-round magazine, meaning he did not have access to a high-capacity magazine, and the same thing happened, Christina-Taylor Green would be alive today.

That was a direct quote from CAPT Mark Kelly's testimony. It is chilling to think that something we could pass today could save the next Christina-Taylor Green.

The Judiciary Committee also heard from Neil Heslin, whose son was murdered at Sandy Hook. He testified in support of limiting high-capacity magazines. We cannot forget his son Jesse or the 19 other precious children who were gunned down in December or the brave educators who sacrificed their lives trying to protect children.

A reasonable limit on the size of ammunition clips is a modest step going forward. This amendment would not apply retroactively. No lawful gun owner will have to turn over anything.

It is a cruel irony that in some States we are more protective of the

deer being hunted than our children. In Vermont, we have very few laws affecting the right to bear arms, but we do limit the ammunition clips used in hunting. It is not a threat to the Second Amendment to limit clip size in hunting, so why is it a threat to limit them when the potential targets are people? The reality is that the Second Amendment is not under threat, but our children are.

I am a responsible gun owner. I have owned and shot weapons with many different styles of ammunition clips, so I understand the issue we are considering. Requiring a gun owner to change clips more often is not too much to ask when we see the human costs of high-capacity magazines in mass shootings. The law enforcement organizations that work on the frontlines in our cities and towns support this amendment. The grieving families are right to raise this issue because even if we save one or two lives with this change, it is worth it.

Just as I said in 1993 when I voted for the Feinstein-DeConcini bill, this amendment is not going to solve all violent crime, but it will make people safer. I believe that limiting the size of ammunition clips going forward could save lives in the next mass shooting. I do not want to wonder if we could have done more when another son or daughter is killed. I will support this amendment. It is the right thing to do for public safety and to honor the young lives lost in Newtown, in Aurora, and in Tucson.

Mr. WHITEHOUSE. Mr. President, I rise today in support of commonsense legislation to address the epidemic of gun violence in America.

In the aftermath of the Newtown tragedy, Americans across the country began a solemn discussion about gun violence, and an emerging consensus has formed around several much-needed reforms.

The Senate Judiciary Committee heard compelling testimony in support of these measures, we debated them, and we reported them to the full Senate. It is time now for the Senate to debate and pass this legislation. We can achieve greater safety in our schools, movie theaters, churches, and malls, and on our city streets, without infringing on anyone's constitutional right to bear arms.

A large majority of the public wants to keep dangerous weapons off the streets and out of the hands of criminals.

The legislation that we are voting on includes several important provisions. First, it would close loopholes that allow millions of gun purchasers each year to evade the background check system without scrutiny. Under current law, a convicted felon, a drug addict, a domestic abuser, or someone who has been determined by a court to be dangerously mentally ill, can easily evade background checks by purchasing firearms at a gun show or online.

The American people understand that allowing so many gun purchasers to evade background check laws does not make sense: Universal background checks are supported by over 90 percent of the public. As President Obama has said, ''How often do 90 percent of Americans agree on anything?''

Second, to stop people from subverting existing gun laws, this legislation clearly outlaws straw purchases, where an individual buys a firearm for someone who cannot legally buy one. It also clarifies and expands existing trafficking laws to give our law enforcement officials the tools they need to combat gun violence.

Third, the legislation includes a commonsense grant program to improve school and campus safety. No parent should have to worry, when they walk their son to the bus stop, or drop their daughter off at her dorm, whether they are safe. I hope we can all agree on the importance of protecting our children.

We will also be considering an assault weapons ban as an amendment. This proposal, which I cosponsor, helps restrict the sort of military-style assault weapons that have no place in a civilian setting.

I know that in the politics of this issue, the assault weapons ban has uphill sledding. But I would certainly hope we can agree on a ban on high-capacity magazines. The full assault weapons ban has the support of the majority of Americans; the ban on high-capacity magazines has even more overwhelming support from the public. In recent polling, 65 percent of Americans said that they support a ban on high-capacity magazines.

It is no wonder that the public overwhelmingly supports this ban. As we heard in testimony before the Judiciary Committee and in other venues, in almost every mass shooting in the past few years, high-capacity magazines led to additional deaths and injuries.

John Walsh, the U.S. Attorney for the District of Colorado, testified that in Aurora the shooter used a hundred-round drum and was able to murder 12 people and injure 58 in a matter of 90 seconds. The carnage only stopped when that ultra-large feeding device jammed.

Captain Mark Kelly testified that in Tucson, the shooter had a 33 round magazine and was able to kill 6 people and injure 12 in a matter of 15 seconds. He was only overwhelmed when he eventually had to change magazines. Nine-year-old Christina-Taylor Green was killed by the thirteenth bullet from that magazine. That little girl might well be alive today if her murderer had to stop to reload after 10 rounds.

We have heard no reasonable justification for why any civilian needs these deadly devices. They are not appropriate for hunting. A number of laws already restrict the number of rounds per magazine for hunting, and most sportsmen would not want to hunt with high-capacity magazines.

These magazines also are not necessary or appropriate for self-defense. Opponents of this legislation talk about the need for high-capacity magazines and assault weapons in nightmare scenarios: society breaking down following a terrorist attack, or natural disaster; or gangs of armed intruders breaking into homes.

But there is no evidence that anyone has been made safer by having access to these magazines, and law enforcement officials and experts have repeatedly pointed to the dangers of keeping them in the home. Even some gun clubs ban their use on the range, because they are so dangerous.

I have also cosponsored an amendment to close the so-called ''terror gap.'' Believe it or not, under the existing law, someone on a terrorist watch list would not be allowed to board an airplane, but there is nothing stopping him or her from buying a gun. This loophole is ridiculous and dangerous, and we should close it immediately.

These proposals are reasonable measures that would make our communities safer from gun violence. I urge the Senate to pass them.

AMENDMENT NO. 715

The VICE PRESIDENT. Under the previous order, there will now be 2 minutes of debate equally divided in the usual form prior to the vote on amendment No. 715, offered by Mr. MANCHIN.

The Senator from West Virginia.

Mr. MANCHIN. If you are committed to protecting Second Amendment rights, as I am, as well as the great citizens of this country, vote for this bill. If you desire for all of our veterans to be treated with dignity and due process when they return from battle, vote for this bill. If you wish to keep criminals and dangerously mentally ill people from purchasing guns at gun shows and on the Internet, you should vote for this bill.

To always remember those 20 babies, beautiful children, the six brave teachers, and to honor the most courageous family members I have ever met in my life, please vote for this bill.

The VICE PRESIDENT. The Senator from Iowa.

Mr. GRASSLEY. I strongly oppose this amendment.

Expanded background checks would not have prevented Newtown. Criminals do not submit to background checks now; they will not submit to expanded background checks.

The Deputy Director of the National Institute of Justice has written background checks will work only if they are universal and are combined with gun registration.

This amendment would start us down the road to registration. It would open, not close, loopholes.

It would require background checks when people advertise a gun for sale in their church bulletins or Farm Bureau newsletter. It subjects people to Federal criminal liability up to 5 years for violations of State or local law, which is unprecedented.

The pro-gun provisions would actually reduce existing protections for law-abiding gun owners.

I urge my colleagues to reject this dangerous and misguided approach.

I yield back the remainder of my time, and I yield the floor.

Mr. TOOMEY. I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 54, nays 46, as follows:

[Rollcall Vote No. 97 Leg.]

YEAS—54

Baldwin	Harkin	Murphy
Bennet	Heinrich	Murray
Blumenthal	Hirono	Nelson
Boxer	Johnson (SD)	Reed
Brown	Kaine	Rockefeller
Cantwell	King	Sanders
Cardin	Kirk	Schatz
Carper	Klobuchar	Schumer
Casey	Landrieu	Shaheen
Collins	Lautenberg	Stabenow
Coons	Leahy	Tester
Cowan	Levin	Toomey
Donnelly	Manchin	Udall (CO)
Durbin	McCain	Udall (NM)
Feinstein	McCaskill	Warner
Franken	Menendez	Warren
Gillibrand	Merkley	Whitehouse
Hagan	Mikulski	Wyden

NAYS—46

Alexander	Enzi	Murkowski
Ayotte	Fischer	Paul
Barrasso	Flake	Portman
Baucus	Graham	Pryor
Begich	Grassley	Reid
Blunt	Hatch	Risch
Boozman	Heitkamp	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Thune
Corker	Johnson (WI)	Vitter
Cornyn	Lee	Wicker
Crapo	McConnell	
Cruz	Moran	

The VICE PRESIDENT. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The majority leader.

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which the Manchin amendment No. 715 was not agreed to.

The VICE PRESIDENT. The motion is entered.

AMENDMENT NO. 725

There is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 725, offered by the Senator from Iowa, Mr. GRASSLEY.

Who yields time?

(Disturbance in Visitor's Gallery.)

The VICE PRESIDENT. There will be order in the Senate. The gallery will refrain from any demonstration or comment.

The Senator from Texas.

Mr. CRUZ. Mr. President, I rise to speak in favor of the Grassley-Cruz substitute.

Now that the previous vote has been taken, I would suggest this is a bill we all should be able to support. This is a bill that provides major resources to prosecuting violent criminals, to going after felons, to going after fugitives, to preventing them from getting guns. It provides resources for school safety. It provides additional resources to improve the background check system and to encourage States to provide more records on mental health illness.

This is a strong law enforcement bill. I know everyone in this body, regardless of party, wants to act decisively to stop violent crime, and it would be a shame if this amendment is subject to a partisan vote which would result in inaction rather than our standing together to put law enforcement resources toward stopping violent crime.

The VICE PRESIDENT. The Senator's time has expired.

The Senator from Vermont.

Mr. LEAHY. Mr. President, the argument we just heard is absolutely upside-down of what that amendment is. This amendment guts the bill, it guts the straw purchasing provisions, it guts the gun trafficking provisions. It totally undermines law enforcement.

Law enforcement strongly supports the next amendment we have—the Leahy-Collins—but all this does, this substitute amendment, is aid Mexican drug cartels, eliminates the tools being used to get law enforcement investigatory leads. It undermines rather than strengthens the current background check.

We talk about do we enforce our laws. If you want to gut our laws, which this one does, don't argue they are not being enforced. This handcuffs law enforcement, helps drug cartels, helps drug syndicates. It is a bad amendment.

The PRESIDING OFFICER (Mr. BROWN). The Senator's time has expired.

The question is on agreeing to the amendment.

Mr. BARRASSO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 98 Leg.]

YEAS—52

Alexander	Cruz	Landrieu
Ayotte	Donnelly	McCain
Barrasso	Enzi	McCaskill
Baucus	Fischer	McConnell
Begich	Flake	Moran
Blunt	Graham	Murkowski
Boozman	Grassley	Paul
Burr	Hagan	Portman
Chambliss	Hatch	Pryor
Coats	Heitkamp	Risch
Coburn	Heller	Roberts
Cochran	Hoeven	Rubio
Collins	Inhofe	Scott
Corker	Isakson	Sessions
Cornyn	Johanns	
Crapo	Johnson (WI)	
Shelby	Thune	Vitter
Tester	Toomey	Wicker

NAYS—48

Baldwin	Heinrich	Murray
Bennet	Hirono	Nelson
Blumenthal	Johnson (SD)	Reed
Boxer	Kaine	Reid
Brown	King	Rockefeller
Cantwell	Kirk	Sanders
Cardin	Klobuchar	Schatz
Carper	Lautenberg	Schumer
Casey	Leahy	Shaheen
Coons	Lee	Stabenow
Cowan	Levin	Udall (CO)
Durbin	Manchin	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Harkin	Murphy	Wyden

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of the amendment, this amendment is rejected.

Mr. LEAHY. I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 713

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 713, offered by the Senator from Vermont, Mr. LEAHY.

Mr. LEAHY. Mr. President, Senator COLLINS and I, as well as other Senators in both parties, worked with law enforcement, worked with the NRA, worked with a whole lot of others to craft this amendment. It gives law enforcement officials the tools they need to stop the all-too-common practices of straw purchasing and illegal trafficking of firearms. This gives us the tools to go after drug cartels that use straw purchasers to get their guns and gangs in big cities that use straw purchasers to get their guns.

It is an important law enforcement measure. Across the political spectrum, law enforcement supports it. Let's stand with law enforcement and vote aye.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Texas is recognized.

Mr. CRUZ. Mr. President, I rise to speak against this amendment. It is worthwhile to strengthen the protections against straw purchasing and trafficking, but unfortunately this language, in my judgment, is overbroad and in particular has a real risk of criminalizing innocent conduct. For example, if your father asks you to purchase a firearm for him and your father pays you, under this bill both you and your father become felons because it bans any purchase for another person if that individual pays for it. In my judgment, that is overbroad, and that is the reason why in the prior amendment we changed the language to target bad actors and to exclude innocent conduct, to avoid ensnaring those law-abiding citizens with no ill will and inadvertently making law-abiding gun owners into felons.

I urge my colleagues to vote no on this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. CRUZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 58, nays 42, as follows:

[Rollcall Vote No. 99 Leg.]

YEAS—58

Baldwin	Harkin	Murray
Baucus	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Cantwell	Kirk	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Lautenberg	Stabenow
Collins	Leahy	Tester
Coons	Levin	Udall (CO)
Cowan	Manchin	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murkowski	
Hagan	Murphy	

NAYS—42

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Paul
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Corker	Johanns	Thune
Cornyn	Johnson (WI)	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker

The PRESIDING OFFICER (Mr. SCHATZ). Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay the motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 719

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 719 offered by the Senator from Texas, Mr. CORNYN.

The Senator from Texas.

Mr. CORNYN. My amendment is called the Constitutional Concealed Carry Act because it is designed to protect the fundamental Second Amendment rights of American citizens who are traveling or temporarily away from home while they hold a concealed handgun license.

There is only one State and the District of Columbia that do not recognize some form of concealed gun carry law. In other words, it is part of the public policy of 49 States that concealed handgun licenses may be obtained by lawful owners.

Our amendment would allow persons with concealed handgun permits be allowed to carry those weapons as they travel between jurisdictions and avoid any sort of prosecution. This does not create a national standard. It does not apply to jurisdictions that don't otherwise recognize the right to the conceal carry law. In effect, it would act like a driver's license so the gun owner doesn't have to get a separate license in each State they travel through. For those who believe background checks are important, this is a background check on steroids.

I ask my colleagues to support the amendment.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. This amendment would wreak havoc in large portions of America—suburban and urban areas. The bottom line is very simple: In Wyoming maybe the conceal carry law works. Every police officer in America, all of them, will say that the conceal carry law would be a disaster in Times Square, the L.A. Coliseum, or in the Dallas, TX, stadium. It would be a disgrace. Police officers would not know who is carrying and who is not carrying a weapon. Because there are no residency requirements, criminals from our States could go to States such as Florida, get a conceal carry permit, and criminals and felons could legally conceal and carry weapons in other States.

We hear a lot of talk about States rights. This is a classic States rights vote. Let Wyoming do what it wants to do with conceal carry, but don't impose that on New York and vice versa.

I strongly, strongly urge that this amendment—which takes one way of life in America and imposes it on all ways of life—be defeated.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CORNYN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the Cornyn amendment.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 57, nays 43, as follows:

[Rollcall Vote No. 100 Leg.]

YEAS—57

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Baucus	Grassley	Portman
Begich	Hagan	Pryor
Blunt	Hatch	Risch
Boozman	Heinrich	Roberts
Burr	Heitkamp	Rubio
Chambliss	Heller	Scott
Coats	Hoeven	Sessions
Coburn	Inhofe	Shelby
Cochran	Isakson	Tester
Collins	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Landrieu	Udall (CO)
Crapo	Lee	Udall (NM)
Cruz	Manchin	Vitter
Donnelly	McCain	Warner
Enzi	McConnell	Wicker

NAYS—43

Baldwin	Harkin	Murray
Bennet	Hirono	Nelson
Blumenthal	Johnson (SD)	Reed
Boxer	Kaine	Reid
Brown	King	Rockefeller
Cantwell	Kirk	Sanders
Cardin	Klobuchar	Schatz
Carper	Lautenberg	Schumer
Casey	Leahy	Shaheen
Coons	Levin	Stabenow
Cowan	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Murphy	

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, if I could have order, we are going to have three more votes tonight, and we are going to finish a number of things that have already been scheduled on this legislation tomorrow. Senator MCCONNELL and I will meet in the meantime to decide our path forward.

So three more votes tonight and then we will finish sometime in the morning.

AMENDMENT NO. 711

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 711 offered by the Senator from California, Mrs. FEINSTEIN.

The Senator from California.

Mrs. FEINSTEIN. Mr. President, I have watched these votes and I must say I view them with substantial dismay at the lack of courage in this Chamber—courage to stand and say: We have had enough of these killings. We have had enough of the development of highly militarized weapons—easy to shoot, big clips, 100-plus bullets in each, large velocity guns—falling into the hands of grievous killers, juveniles, people who are mentally disturbed. There will be no background checks, apparently, and we have a proliferation of these weapons.

I have a hard time understanding it. We are here on 6-year terms for a reason: to take votes on difficult issues. Everything needs 60 votes today. This is supposed to be a majority body. We have crafted an assault weapons bill to truly represent the people of America. Every single poll has shown support for this.

The PRESIDING OFFICER. The time of the Senator has expired.

Mrs. FEINSTEIN. Let me conclude by saying this: I know how this is going to end, and the despair and the dismay of families standing out there whose safety we need to protect, and we don't do it—I am very chagrined and concerned. If anybody cares, vote at least to prospectively ban the manufacture, the sale, the importation of military-style assault weapons. Show some guts. Thank you.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I strongly oppose this amendment. This would result in the largest ban of guns in the history of our Republic.

Three studies that the Justice Department sponsored during the previous ban found no evidence it was effective in reducing multiple victim shootings or wounds per victim. It did not stop Columbine. It would not stop Newtown. The ban does not apply to existing weapons such as those used at Newtown, and criminals who would steal such guns would not care the least if they were banned.

We never received an opinion from the Justice Department that such a ban would satisfy the Second Amendment. I surmise they are not able to conclude it is constitutional. A ban on guns based on their looks when more powerful guns are exempt would not satisfy any standard of review. These guns are commonly used, in the words of the Supreme Court, for self-defense. They cannot be constitutionally banned.

This is a slippery slope of compromising the Second Amendment, and if we go down that road, we are going to find it easier to compromise other things in the Bill of Rights.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The result was announced—yeas 40, nays 60, as follows:

[Rollcall Vote No. 101 Leg.]

YEAS—40

Baldwin	Harkin	Nelson
Blumenthal	Hirono	Reed
Boxer	Kaine	Reid
Brown	Kirk	Rockefeller
Cantwell	Klobuchar	Sanders
Cardin	Lautenberg	Schatz
Carper	Leahy	Schumer
Casey	Levin	Shaheen
Coons	McCaskill	Stabenow
Cowan	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murphy	
Gillibrand	Murray	

NAYS—60

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Murkowski
Baucus	Grassley	Paul
Begich	Hagan	Portman
Bennet	Hatch	Pryor
Blunt	Heinrich	Risch
Boozman	Heitkamp	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Tester
Collins	Johnson (SD)	Thune
Corker	Johnson (WI)	Toomey
Cornyn	King	Udall (CO)
Crapo	Landrieu	Udall (NM)
Cruz	Lee	Vitter
Donnelly	Manchin	Warner
Enzi	McCain	Wicker

The PRESIDING OFFICER (Ms. HIRONO). Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. DURBIN. Madam President, I move to reconsider the vote.

Mr. CARDIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 720

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 720, offered by the Senator from North Carolina, Mr. BURR.

The Senator from North Carolina.

Mr. BURR. Madam President, I am going to be brief because I do want my colleagues to listen. This is an important amendment.

Today, the VA determination is that if a veteran cannot handle their own finances, then their name is referred to the FBI and they are put on the NICS list. Today, 129,000 veterans are on the NICS list. Yes, there is an appellate process to get off, but the VA provides no help to the veteran. The cost is all incurred by the veteran. Only 200 veterans have applied for that reversal in the decision, and only 6 have been granted. They should never be put on it. A determination that they cannot handle their own finances is not a determination that they are a threat to themselves or to the public.

This bill is very simple. It says that if the VA makes a determination, there has to be a judicial decision to put them on NICS lists. That is the standard everywhere else in the Federal Government.

I urge my colleagues to support this very important piece of legislation.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, when we began this debate, we talked about strengthening the NICS system, we talked about how people who have mental illness should be added to the list so they might not get guns. And here, in one amendment, in one fell swoop, we will take 165,000 people off that list.

Does my colleague, my dear friend from North Carolina, believe every single one of those people should be allowed to carry a gun? Of course not. If there are injustices to some of those folks, then let's have a system that deals with it. But you do not—you do not—in one fell swoop take 165,000 people, all of whom have some degree of incompetence, off the list.

It is unbelievable that at a time when we are supposed to be strengthening the NICS system with people who are adjudicated or judged otherwise mentally ill, we are considering tonight taking a giant step backward and reducing the list. What is America going to think is going on in this body?

I strongly urge a ''no'' vote.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

The result was announced—yeas 56, nays 44, as follows:

[Rollcall Vote No. 102 Leg.]

YEAS—56

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Murkowski
Baucus	Grassley	Paul
Begich	Hagan	Portman
Blunt	Hatch	Pryor
Boozman	Heitkamp	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Sanders
Coburn	Isakson	Scott
Cochran	Johanns	Sessions
Collins	Johnson (WI)	Shelby
Corker	King	Tester
Cornyn	Kirk	Thune
Crapo	Landrieu	Toomey
Cruz	Lee	Vitter
Donnelly	McCain	Wicker
Enzi	McCaskill	

NAYS—44

Baldwin	Harkin	Nelson
Bennet	Heinrich	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Lautenberg	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Cowan	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

The PRESIDING OFFICER (Mr. DONNELLY). Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. CARDIN. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 714

Mr. BLUMENTHAL. Mr. President, on behalf of myself, my friend, and a great champion, Senator FRANK LAUTENBERG with us today, and others, including my colleague Senator CHRISTOPHER MURPHY, I call up amendment No. 714.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. BLUMENTHAL], for himself, Mr. LAUTENBERG, Mrs. FEINSTEIN, Mr. MURPHY, Mr. WHITEHOUSE, Mr. Cowan, Ms. HIRONO, Mr. KAINE, Mr. ROCKEFELLER, Mr. MERKLEY, Mrs. BOXER, Mr. CARPER, Ms. WARREN, Mr. LEVIN, Mr. DURBIN, Ms. KLOBUCHAR, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. CARDIN, Mr. SCHUMER, and Mr. HARKIN, proposes an amendment numbered 714.

Mr. BLUMENTHAL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To regulate large capacity ammunition feeding devices)

At the end, add the following:

TITLE IV—LARGE CAPACITY AMMUNITION FEEDING DEVICES

SEC. 401. DEFINITIONS.

Section 921(a) of title 18, United States Code, is amended by inserting after paragraph (29) the following:

''(30) The term 'large capacity ammunition feeding device'—

''(A) means a magazine, belt, drum, feed strip, or similar device, including any such device joined or coupled with another in any manner, that has an overall capacity of, or that can be readily restored, changed, or converted to accept, more than 10 rounds of ammunition; and

''(B) does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

''(31) The term 'qualified law enforcement officer' has the meaning given the term in section 926B.''.

SEC. 402. RESTRICTIONS ON LARGE CAPACITY AMMUNITION FEEDING DEVICES.

(a) IN GENERAL.—Section 922 of title 18, United States Code, as amended by this Act, is amended by inserting after subsection (u) the following:

''(v)(1) It shall be unlawful for a person to import, sell, manufacture, transfer, or possess, in or affecting interstate or foreign commerce, a large capacity ammunition feeding device.

''(2) Paragraph (1) shall not apply to the possession of any large capacity ammunition feeding device otherwise lawfully possessed on or before the date of enactment of the Safe Communities, Safe Schools Act of 2013.

''(3) Paragraph (1) shall not apply to—

''(A) the importation for, manufacture for, sale to, transfer to, or possession by the United States or a department or agency of the United States or a State or a department, agency, or political subdivision of a State, or a sale or transfer to or possession by a qualified law enforcement officer employed by the United States or a department or agency of the United States or a State or a department, agency, or political subdivision of a State for purposes of law enforcement (whether on or off duty), or a sale or transfer to or possession by a campus law enforcement officer for purposes of law enforcement (whether on or off duty);

''(B) the importation for, or sale or transfer to a licensee under title I of the Atomic Energy Act of 1954 for purposes of establishing and maintaining an on-site physical protection system and security organization required by Federal law, or possession by an employee or contractor of such licensee on-site for such purposes or off-site for purposes of licensee-authorized training or transportation of nuclear materials;

''(C) the possession, by an individual who is retired in good standing from service with a law enforcement agency and is not otherwise prohibited from receiving ammunition, of a large capacity ammunition feeding device—

''(i) sold or transferred to the individual by the agency upon such retirement; or

''(ii) that the individual purchased, or otherwise obtained, for official use before such retirement; or

''(D) the importation, sale, manufacture, transfer, or possession of any large capacity ammunition feeding device by a licensed manufacturer or licensed importer for the purposes of testing or experimentation authorized by the Attorney General.

''(4) For purposes of paragraph (3)(A), the term 'campus law enforcement officer' means an individual who is—

''(A) employed by a private institution of higher education that is eligible for funding under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

''(B) responsible for the prevention or investigation of crime involving injury to persons or property, including apprehension or detention of persons for such crimes;

''(C) authorized by Federal, State, or local law to carry a firearm, execute search warrants, and make arrests; and

''(D) recognized, commissioned, or certified by a government entity as a law enforcement officer.''.

(b) IDENTIFICATION MARKINGS FOR LARGE CAPACITY AMMUNITION FEEDING DEVICES.—Section 923(i) of title 18, United States Code, is amended by adding at the end the following: ''A large capacity ammunition feeding device manufactured after the date of enactment of the Safe Communities, Safe Schools Act of 2013 shall be identified by a serial number and the date on which the device was manufactured or made, legibly and conspicuously engraved or cast on the device, and such other identification as the Attorney General shall by regulations prescribe.''.

(c) SEIZURE AND FORFEITURE OF LARGE CAPACITY AMMUNITION FEEDING DEVICES.—Section 924(d) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting ''or large capacity ammunition feeding device'' after ''firearm or ammunition'' each place the term appears;

(B) by inserting ''or large capacity ammunition feeding device'' after ''firearms or ammunition'' each place the term appears; and

(C) by striking ''or (k)'' and inserting ''(k), or (v)'';

(2) in paragraph (2)(C), by inserting ''or large capacity ammunition feeding devices'' after ''firearms or quantities of ammunition''; and

(3) in paragraph (3)(E), by inserting ''922(v),'' after ''922(n),''.

SEC. 403. PENALTIES.

Section 924(a)(1)(B) of title 18, United States Code, as amended by this Act, is amended by inserting ''(v),'' after ''(q),''.

SEC. 404. USE OF BYRNE GRANTS FOR BUY-BACK PROGRAMS FOR LARGE CAPACITY AMMUNITION FEEDING DEVICES.

Section 501(a)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(a)(1)), as amended by this Act, is amended by adding at the end the following:

''(I) Compensation for surrendered large capacity ammunition feeding devices, as that term is defined in section 921 of title 18, United States Code, under buy-back programs for large capacity ammunition feeding devices.''.

SEC. 405. SEVERABILITY.

If any provision of this title, an amendment made by this title, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this title, the amendments made by this title, and the application of such provision or amendment to any person or circumstance shall not be affected thereby.

The PRESIDING OFFICER. Under the previous order, there is 2 minutes of debate equally divided.

Mr. BLUMENTHAL. This amendment, very simply, would ban high-capacity magazines of more than 10 rounds which are used to kill more people more quickly and, in fact, have been used in more than half the mass shootings since 1982.

I ask my colleagues to listen to law enforcement, their police, prosecutors who are outgunned by criminals who use these high-capacity magazines. I ask that my colleagues also listen to the families, to Nicole Hockley, whose son, Dylan Hockley, was killed by a man who used a high-capacity magazine. She said of the man who killed her son, he left the smaller capacity magazines at home. He knew the larger capacity magazines were more lethal.

I ask my colleagues to listen to Bill Sherlach whose wife Mary Sherlach was killed on December 14.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BLUMENTHAL. I ask my colleagues to support this amendment.

I yield the floor.

PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I oppose the amendment. In 2004, we had a study by the Department of Justice, which is the last time we had the large-capacity magazine banned. It found no evidence banning such magazines has led to a reduction in gun violence. The study also concluded it is not clear how often the outcomes of the gun attack depend on the ability of offenders to fire more than 10 shots without reloading.

The report found no evidence more people would be alive if a magazine over 10 rounds was banned.

Secondly, there is no evidence banning these magazines has reduced the deaths from gun crimes. In fact, when the previous ban was in effect, a higher percentage of gun crime victims were killed or wounded than before it was adopted.

Additionally, tens of millions of these magazines have been lawfully owned in this country for decades. They are in common use, not unusually dangerous, and used by law-abiding citizens in self-defense, as in the case of law enforcement.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GRASSLEY. I urge its defeat.

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 46, nays 54, as follows:

[Rollcall Vote No. 103 Leg.]

YEAS—46

Baldwin	Feinstein	Leahy
Bennet	Franken	Levin
Blumenthal	Gillibrand	McCaskill
Boxer	Harkin	Menendez
Brown	Heinrich	Merkley
Cantwell	Hirono	Mikulski
Cardin	Johnson (SD)	Murphy
Carper	Kaine	Murray
Casey	King	Nelson
Coons	Kirk	Reed
Cowan	Klobuchar	Reid
Durbin	Lautenberg	Rockefeller

Sanders	Stabenow	Whitehouse
Schatz	Udall (CO)	Wyden
Schumer	Udall (NM)	
Shaheen	Warren	

NAYS—54

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Baucus	Graham	Paul
Begich	Grassley	Portman
Blunt	Hagan	Pryor
Boozman	Hatch	Risch
Burr	Heitkamp	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Tester
Corker	Johnson (WI)	Thune
Cornyn	Landrieu	Toomey
Crapo	Lee	Vitter
Cruz	Manchin	Warner
Donnelly	McCain	Wicker

The PRESIDING OFFICER (Mr. HEINRICH). Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that following leader remarks tomorrow, Thursday, April 18, the Senate resume consideration of S. 649; that the time until noon be equally divided and controlled between the two leaders or their designees for debate on the Barrasso and Harkin amendments; that at noon the Senate proceed to votes in relation to the Barrasso and Harkin amendments, in that order, with all other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. I ask unanimous consent the Senate proceed to a period of morning business until 7:30 p.m. tonight with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa.

IMMIGRATION REFORM

Mr. GRASSLEY. Mr. President, at 2:24 a.m. this morning, the Group of 8 finally unveiled their immigration reform bill. Since they began their meetings about 4 months ago, I have complimented them on their commitment to reforming our broken immigration system. I have sought their cooperation to ensure the bill goes through the committee process, and I have argued the bill must be open to amendment during consideration in committee and on the Senate floor. Every Member of the Senate must have an opportunity to read, analyze, and improve the bill.

The bill we received is just under 900 pages, and it tackles some very important issues, including measures on border security, E-Verify and the entry-exit system. It includes the legalization program for people here unlawfully, including DREAM Act eligible students and undocumented workers in the agricultural sector. It attempts to move our system to a merit-based and point system. It revises asylum procedures and the court structure governing immigration appeals. It includes reforms to the highly skilled visa program and seasonal worker guest worker program. It changes the way we implement the visa waiver program, and it includes a brandnew, low-skilled temporary worker program that allows willing workers to enter the country without being sponsored by an employer.

So you can see there is a lot covered in this bill. There are some new concepts. Yet the majority seems to want us to push this bill through the committee process and are intent on getting it to the floor by June. The sponsor of the bill, the senior Senator from New York, said he hopes the bill will be done in 8 weeks.

On Friday, Secretary Napolitano is scheduled to appear before the Judiciary Committee. It is my intent to dig into the details of the bill with her to understand the mechanics and how the bureaucracy will handle these changes. The Secretary had better have answers, especially since this may be the only time we hear about how the administration will implement the major overhaul.

The committee will then have a hearing on Monday to discuss the bill. However, the topics will be broad and all encompassing, I have been told. We have experts who need to be heard on this bill. Most importantly, because cost is a big factor around here, we need to hear from the Congressional Budget Office. Knowing how much this bill costs taxpayers and whether it will actually be budget neutral is a critically important matter.

Let me reiterate my desire to work on this bill. I think we need changes to our immigration system and to approve legal avenues for people to enter and remain in the United States, but this is not something to be rushed. We have to get this right; otherwise, the goal of the bipartisan group to solve the problem once and for all will not end. We have a long road ahead of us in order to pass this legislation to reform our immigration system. We cannot tolerate anything less than a transparent and deliberative process to improve the bill.

So let me get back to the point I made just a few seconds ago. This is something that cannot be rushed. We have to get it right. Let me say why I emphasize that.

There are only a few of us in the Senate who voted on the 1986 immigration bill. We thought we did it right. We thought by making it illegal, for the first time, for employers to hire undocumented workers—and have a $10,000 fine if they did—would take away the magnet that would bring people across the border so readily. Obviously, they come for a better life for themselves, and who can find fault with people who have good spiritual values, good family values, and good work ethics wanting to improve themselves. That is what America is all about. But entering the country illegally is not something a country based upon the rule of law can tolerate.

Anyway, we made it illegal in 1986, and then added that fine. We didn't anticipate a whole industry of fraudulent documents, so that if someone goes to an employer and says they are here lawfully and shows them a passport that looks like it is the real thing, the employer cannot then be fined $10,000 for hiring them. So we thought we took away that magnet at the time and that we might as well legalize the 3 million people who were here. We did that based on the proposition we were fixing this thing once and for all. But we know what happens when we make it legitimate to violate the rule of law. Instead of 3 million people, there are now 12 million people here in the country undocumented.

So when I read the preamble of the document put out by the Group of 8—and I am not finding fault with this—they make it very clear: We intend to—and I am paraphrasing it—fix this system once and for all so it never has to be revisited.

That is exactly what we thought in 1986. Well, we were wrong. So that is why I come to the floor tonight to plead, as I did, about a 900-page bill that just came out at 2:24 this morning, and presumably the Secretary of Homeland Security is coming before our committee in less than 48 hours to answer our questions. I wonder if she can fully understand it so she can answer our questions.

I think it is a legitimate question when the Group of 8 comes up with a proposition that we are going to fix this thing once and for all. Well, I hope they have a pattern to do that, and I hope they don't make the same mistake we did. But rushing this along has a tendency to be an environment for a screw-up like we had in 1986. We spent weeks and weeks on legislation to get it right, and we didn't get it right.

I yield the floor.

REMEMBERING ANTHONY LEWIS

Mr. LEAHY. Mr. President, Today I would like to pay tribute to Anthony Lewis who passed away on March 25. As a reporter covering the Supreme Court and through his books, including ''Gideon's Trumpet,'' Mr. Lewis shaped the way millions of Americans understand the role of the judiciary in safeguarding our democracy. He was truly an iconic figure in American journalism and he will be greatly missed.

Reading Anthony Lewis changed the way so many of us thought about justice in this country. He brought legal decisions to life and made clear the impact the law has on our lives. He made us aware of the humanity behind the technical legal arguments. Nowhere did he do this better than in ''Gideon's

Trumpet,'' his 1964 book about the Supreme Court decision in Gideon v. Wainwright. That landmark case affirmed a fundamental principle of our democratic society: that no person, regardless of economic status, should face prosecution without the assistance of a lawyer.

I have spoken countless times over the years about the importance of that decision. And each time, whether it was here on the floor of the Senate, in the Judiciary Committee questioning nominees to the Supreme Court, or in conversations with young law students, I have thought about ''Gideon's Trumpet'' and the powerful impact that book had on me.

In fact, on the 50th anniversary of the Gideon decision, which was just days before Mr. Lewis's death, I introduced the Gideon's Promise Act, a bill intended to breathe new life into that seminal case and ensure the fairness of our criminal justice system for all participants. Much of what I said about the anniversary of Gideon, and the work that remains, finds its roots in my days as a young attorney when I read ''Gideon's Trumpet'' and was moved both by the unfairness it revealed of a system that allowed poor people to be jailed without a lawyer, and the powerful equalizing impact a courageous Supreme Court can have when it is willing to stand up for those who are marginalized.

When I was a young law student, my wife and I had an opportunity to have lunch with Justice Hugo Black shortly after he wrote the majority decision in that case. It was a powerful experience. He recognized that the Sixth Amendment's guarantee to counsel in a criminal case was fundamental to a fair trial. He called it an obvious truth. And I know from my days as a prosecutor how right he was.

Now, as we pause to remember Anthony Lewis and his contributions to our understanding of the right to counsel and so many other fundamental principles of American democracy, it is also fitting that we acknowledge that the promise made in Gideon remains unfulfilled. In too many courtrooms it is better to be rich and guilty than poor and innocent. The rich will have competent counsel, but those who have little often find their lives placed in the hands of woefully overburdened public defenders or underpaid court-appointed lawyers who are inexperienced, overworked, inept, uninterested, or worse.

And now our Federal public defender system, long held out as the gold standard of indigent defense, is being hobbled by sequestration. In New York, the Federal Defenders Office is being forced to furlough each of its 30 lawyers for 5½ weeks by the end of September, resulting in delays in even the most significant terrorism cases. Chief Judge Loretta Preska of the Southern District of New York called these cuts ''devastating.'' The head of the Federal Defenders Office stated: ''On a good day, we're stretched thin. . . . Sequestration takes us well beyond the breaking point. You simply can't sequester the Sixth Amendment.'' He is right.

I am hardly alone in my concern over this fundamental American right. Last month, four leading advocates for fairness in the criminal justice system, including former Vice President Walter Mondale, sent a letter to President Obama urging him to create a bipartisan commission on the fair administration of justice for the indigent accused. I applaud their efforts and I believe Anthony Lewis would have too.

Through his reporting on the Supreme Court and our Nation's civil rights challenges, Anthony Lewis opened the eyes of millions of Americans to the power of law and judges to change lives. He helped shape my thinking as a young lawyer, and I hope his work will continue to be an inspiration for the generations to come. Our democracy will be stronger for it.

I ask that a copy of an article dated April 8 be printed in the RECORD at the conclusion of my statement.

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

[From the New York Times, Apr. 8, 2013]

CITING CUTS, LAWYERS SEEK RELIEF IN TERRORISM CASE

(By Benjamin Weiser)

Federal public defenders who are representing a son-in-law of Osama bin Laden on terrorism charges urged a judge on Monday not to hold an early trial because automatic government budget cuts were requiring furloughs of lawyers in their office.

The request, which seemed to take the judge, Lewis A. Kaplan, by surprise, follows requests that five or six federal judges in Manhattan have received from public defenders to be relieved from cases in the wake of the automatic cuts, known as sequestration, said Loretta A. Preska, the chief judge of the Federal District Court in Manhattan.

''It's devastating,'' Judge Preska said late Monday. She praised the work of the federal defenders and said their replacement in cases with publicly paid court-appointed lawyers would probably lead to delays and higher costs.

Judge Kaplan said in court on Monday that he was considering holding the trial of bin Laden's son-in-law, Sulaiman Abu Ghaith—a onetime Al Qaeda spokesman charged with conspiring to kill Americans—in September. After the defense requested a later date, he said: ''It's extremely troublesome to contemplate the possibility of a case of this nature being delayed because of sequestration. Let me say only that—stunning.''

The judge did not set a trial date, saying he would consider the request, but the exchange shows how the forced budget cuts are beginning to have an effect on the administration of justice in federal courts in New York.

About 30 trial lawyers with the federal defenders office handle around 2,000 criminal cases a year in federal courts in Manhattan, Brooklyn and other locations, according to David E. Patton, who heads the office.

The forced cuts, he said, will mean each lawyer in the office will be furloughed for five and a half weeks through the end of September, when the fiscal year ends.

''On a good day, we're stretched thin,'' Mr. Patton said. ''Sequestration takes us well beyond the breaking point. You simply can't sequester the Sixth Amendment.''

''Investigations have to be conducted,'' Mr. Patton added. ''Evidence must be reviewed. Law must be researched. Those things don't just happen by themselves.''

In seeking the delay, lawyers for Mr. Abu Ghaith, who was arraigned in March, cited the need for overseas investigation, the translation of voluminous materials and other issues. ''We would urge the court to find a later date,'' one lawyer, Martin Cohen, said.

Judge Preska said that lawyers had been allowed to leave one of the cases in which the furlough problem had been cited; the issue is pending in the others.

Newly appointed lawyers would have to ''get up to speed'' on their cases, and because they are paid by the hour (federal defenders are salaried), the public would probably end up paying more, Judge Preska said. ''There's no resolution,'' she said. ''Time is of the essence, and we're very, very concerned.''

NATIONAL COALITION FOR THE HOMELESS 30TH ANNIVERSARY

Mr. CARDIN. Mr. President, I would like to recognize the National Coalition for the Homeless, an outstanding organization of activists, advocates, and community and faith-based service providers working to end homelessness in America. This year, the coalition celebrates its 30th anniversary, marking three decades of triumphs and challenges in defense of our Nation's most vulnerable individuals and families.

During the 1970s and 1980s, homelessness was thrust into the national spotlight as a growing problem. Structural changes in the economy, exacerbated by some tough economic downturns, thrust thousands of men, women, and children onto the streets, living without shelter. Out of concern for the rights of this vulnerable population, a group of State and local homeless coalitions gathered together and established the National Coalition for the Homeless in 1982. In these last 30 years, the National Coalition for the Homeless has been at the forefront of the fight against homelessness. The coalition's advocacy and passion have helped define housing policy for the disenfranchised in America.

Through creative initiatives and outspoken advocacy, the coalition played an instrumental role in passage of the McKinney-Vento Homeless Assistance Act, the first comprehensive legislation to address the issue of homelessness in our country. Most recently, the coalition has spearheaded advocacy for the Hate Crimes Against the Homeless Statistics Act, a bill that would include crimes against the homeless in the crime data the Department of Justice collects. I was a member of the Senate Judiciary Committee during the 111th Congress and I was a proud sponsor of this bill. Homeless people are particularly vulnerable targets for acts of humiliation and violence. I believe more needs to be done to protect those who can't protect themselves. I am proud to report Maryland was a pioneer in extending hate crime protections to homeless people.

I have been concerned about homelessness for a long time. I believe having adequate shelter is a human right.

A home provides safety from the elements and random acts of violence. It is a place where possessions and items as fundamental as medications can be kept safely. Yet, homelessness persists as one of our Nation's most pressing social problems and has grown more challenging in the wake of the housing market collapse and the return of veterans from the wars in Iraq and Afghanistan. As we continue to recover from the economic downturn, it is imperative that the Nation not lose ground in the struggle against homelessness, especially among Americans who have lost jobs through no fault of their own, those homeowners and families who are struggling due to the ongoing foreclosure crisis, and our veterans.

I applaud the courage of the members and volunteers of the National Coalition for the Homeless. Their selfless striving to end homelessness in America has changed the lives of thousands and thousands of our fellow Americans, even when so many others have averted their gaze. I hope my colleagues will join me in congratulating the National Coalition for the Homeless on 30 years of service to our communities and in rededicating ourselves to work with the coalition on ending the tragedy and scourge of homelessness in the richest nation on Earth.

TRIBUTE TO JOYE KADING

Mr. BARRASSO. Mr. President, I would like to take a moment to tell my colleagues about a remarkable lady, Joye Kading. Joye is being honored this week with the dedication of the Joye Kading Gallery at the Wyoming Veterans Memorial Museum.

Joye Kading is the founder of the Wyoming Veterans Memorial Museum. Located at the former Casper Army Air Base, a training facility for bomber pilots from 1942–1945, the museum is housed in the original tar paper building that served as the enlisted men's club.

Joye saw the Casper Army Air Base through its entire lifetime. She was there when the area was nothing but open Wyoming prairie, and watched it develop into an operational air base. She saw it through its heyday, and she was there when the base shut down at the end of World War II. In March 1942, when Lt. Col. Carl T. Nordstrom came to visit Casper to see if it was a viable spot for an air base, he hired Joye to serve as his secretary. Her tenacity, ingenuity, and initiative was so highly regarded that she continued to serve as a secretary for many of the Casper Army Air Base's top officials. Around the air base and in the community, she was a confidant, a big sister, and always willing to give a word of advice or just take the time to listen.

During her work with the officers and personnel at the base, Joye collected photographs, letters, programs and other memorabilia. Her collection became a central part of the historical records she preserved through the Wyoming Veterans Memorial Museum. Many of the men in Joye's photographs did not return from war. Joye's passion for preserving this unique part of Wyoming's history has ensured that stories of the servicemembers stationed in Casper will not fade away with time.

In 2006, Kading was awarded the Daughters of the American Revolution National History Award for her dedication and commitment to honoring veterans and preserving their history. Throughout her life, Joye Kading has embodied the spirit of service to country and responsibility of community. The newly dedicated gallery will serve as a permanent memorial for Joye's important contribution to preserving Wyoming's rich military history. She is a true American patriot and a cornerstone of Wyoming's unique heritage. I am honored to call Joye Kading my neighbor, a former patient, and my friend.

ADDITIONAL STATEMENTS

REMEMBERING JEAN CLARK ROGERS

• Mr. BEGICH. Mr. President, today I wish to honor and remember Mrs. Jean Clark Rogers. Mrs. Rogers died on February 20 at the age of 93 in the home designed by her beloved late husband George. Her daughter, Sidney, was by her side.

Jean became an Alaska treasure who enriched the territory and State for over 65 years. Mother to six adopted children, she was also a celebrated children's book author, an educator, a volunteer, and a passionate friend of the arts.

With savings from her first job as a fifth-grade teacher, Jean Clark enrolled at the University of California at Berkeley. There she met and married the love of her life, George Rogers. In 1945, after completing their degrees, they set sail for Juneau where George had a job with the U.S. Office of Price Administration.

From the time she arrived in Juneau, Jean Clark Rogers made an impact. An avid reader, she was also a talented writer who authored children's books that appealed to both children and adults. Her best known work is ''A King Island Christmas,'' on which she collaborated with a close friend and well-known Alaskan artist, Rie Muñoz. The inspirational book describes an extraordinary effort by a small and isolated island community to celebrate Christmas in the midst of a winter storm. Adapted into a libretto for an oratorio by playwright Deborah Brevoort, the work premiered at Juneau's Perseverance Theater in 1997 and is still performed throughout the United States. This August it will be presented by a Juneau cast at the Fringe Festival in Edinburgh, Scotland.

Literature was so important to Jean that she regularly provided animated readings at schools and public libraries. Recognized endearingly by children as ''the lady who pushes books,'' she was awarded an honorary doctorate of human letters by the University of Alaska Southeast in recognition of her contributions to children's literacy and literature.

Jean was a busy author and mother, but she always found time to contribute to her State and her community. She served on boards for the Alaska Public Offices Commission, the Alaska Public Broadcasting Commission, and Juneau's Capital City Broadcasting, Inc.—the KTOO family of public stations.

Jean was an avid supporter of local performing arts groups. She loved to sing and added her voice to the St. Paul Singers and the Juneau Lyric Opera. Rarely did she miss a performance of the Juneau Symphony, Perseverance Theater or Opera to Go. In oversized glasses and colorful attire, she stood out in the crowd.

Most recently, Jean Rogers became a visual artist. At age 87, her intricate collages of cut paper were exhibited at the Canvas studio in Juneau, where note cards featuring her designs enjoyed brisk sales.

Despite physical frailties near life's end, Jean found joy outside her challenges. She would comment on the beauty of the day or how much she enjoyed a game of cribbage or dominoes.

While we mourn the loss of Jean's presence, all things shared by this remarkable woman live on.•

TRIBUTE TO CHIEF JUDGE ROBERT BELL

• Ms. MIKULSKI. Mr. President, today I rise to honor the career of an outstanding individual, Chief Judge Robert Bell. Judge Bell is a trailblazer, a stellar legal mind, and a mentor to so many. We are truly blessed to have had him at the helm of our State judiciary here in Maryland for 17 years. We honor him today for his unwavering commitment to justice and for his service to the people of Maryland.

I often speak on the importance of our judges understanding and being connected to the public they serve and the communities in which they serve. Judge Bell reached the highest levels of the judiciary, yet he never forgot where he came from. He was raised in Baltimore and attended Dunbar High School, where he served as student body president and ran on a ticket with Reginald Lewis. He attended college at Morgan State University and then went on to Harvard Law.

Judge Bell has left an enduring legacy that has been shaped by his life events. When he was 16 years old, he was arrested at Hooper's Restaurant in Baltimore because he refused to give up his seat. Judge Bell became the plaintiff in a landmark civil rights case that helped lead to the end of segregation in public accommodations in Maryland.

Judge Bell learned firsthand the power of our judicial system to achieve justice and has committed his career to the improvement of the justice system. Judge Bell has served on Maryland's bench for over 37 years and has served at each level of our State's judicial system—the only judge to have done so for 4 years at each level. Judge Bell started his legal career in 1975 as a judge of the district court for Baltimore City. In 1980 he moved on to the circuit court and was appointed to the court of special appeals in 1984. In 1991 he was appointed to the court of appeals, and in 1996 he was designated by then-Governor Glendening as chief judge of the court—the first African American to hold the position.

As chief judge, Judge Bell has been committed to the education and continued development of our State's bench and bar. He has made it his priority to make sure that Maryland's legal professionals are prepared to tackle an ever-evolving criminal justice system and are suited to better serve the public. Having personally worked with him for years on the Advanced Science and Technology Adjudication Resource, ASTAR, Program a program established by the Maryland judiciary under Judge Bell's leadership to help adequately prepare judges presiding over cases involving advanced science and medical issues I can personally attest to his commitment in ensuring the continued education and proper training of Maryland's judges. This is just one example of many like it that illustrate Judge Bell's commitment to the improvement from the Maryland judicial system. From spearheading initiatives to increase pro bono work in the State to implementing programs to help aid struggling homeowners, Judge Bell has truly been an indispensable leader in not only the legal community but also in the entire State of Maryland.

Judge Bell's life and resume are a display of civic engagement, and his experience and service are unparalleled in the legal community and beyond. I am honored to recognize the extraordinary life and remarkable achievements of Judge Bell today.●

REMEMBERING GEORGE PAUL HORSE CAPTURE SR.

● Mr. TESTER. Mr. President, today I wish to honor the life and legacy of George Paul Horse Capture Sr., who passed away yesterday in Great Falls, MT.

George was a member of the A'aninin—Gros Ventre—tribe. He was born in 1937 in the Little Chicago neighborhood on the Fort Belknap Indian Reservation.

George had a remarkable life filled with service to his people and to our country.

Early in life, he served in the U.S. Navy, became the only minority person serving as a California State Steel inspector at the time and was educated at the University of California—Berkeley.

When he was hired as the Curator of the Plains Indian Museum at the Buffalo Bill Historical Center in Cody, WY in 1979, George became one of the first Native American curators in the United States. During his time as curator, he worked closely with a number of Northern Plains Indian tribes to ensure they played a role in the museum exhibitions.

George spent a decade in our Nation's Capital, serving in various capacities at the National Museum of the American Indian at the Smithsonian Institution. He played a key role in the development and construction of the new museum facility that opened in 2004.

During his time at the National Museum of the American Indian, George led the charge to return many sacred objects to the appropriate tribes. The repatriation of those objects was part of George's lifelong mission to empower Indian people.

George's life and his commitment to his people and his community is a reminder of the power of each individual to make a difference.

Our thoughts and prayers are with George's widow, Kay Karol, and all of his family and many friends.●

MESSAGE FROM THE HOUSE

At 11:43 a.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. 756. An act to advance cybersecurity research, development, and technical standards, and for other purposes.

H.R. 967. An act to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes.

H.R. 1163. An act to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 756. An act to advance cybersecurity research, development, and technical standards, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 967. An act to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1163. An act to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 743. A bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

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–1154. A communication from the Acting Administrator of the General Services Administration, transmitting, pursuant to law, a report relative to the General Services Administration's Capital Investment and Leasing Program for fiscal year 2014; to the Committee on Environment and Public Works.

EC–1155. 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 ''Biodiesel and Alternative Fuels; Claims for 2012; Excise Tax'' (Notice 2013–26) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Finance.

EC–1156. 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 ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2013–28) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Finance.

EC–1157. 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 ''Appeals Settlement Guidelines—New York State QEZE Real Property Tax'' received in the Office of the President of the Senate on April 11, 2013; to the Committee on Finance.

EC–1158. 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 ''Section 911(d)(4)—2012 Update'' (RP–135515–12) received in the Office of the President of the Senate on April 11, 2013; to the Committee on Finance.

EC–1159. 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 ''Fringe Benefits Aircraft Valuation Formula'' (Notice 2013–8) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Finance.

EC–1160. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–051); to the Committee on Foreign Relations.

EC–1161. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–050); to the Committee on Foreign Relations.

EC–1162. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–046); to the Committee on Foreign Relations.

EC–1163. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to

law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–023); to the Committee on Foreign Relations.

EC–1164. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–037); to the Committee on Foreign Relations.

EC–1165. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–055); to the Committee on Foreign Relations.

EC–1166. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–011); to the Committee on Foreign Relations.

EC–1167. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 13–012); to the Committee on Foreign Relations.

EC–1168. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the International Traffic in Arms Regulations: Initial Implementation of Export Control Reform'' (RIN1400–AD37) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Foreign Relations.

EC–1169. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a financial report relative to the Animal Generic Drug User Fee Act for fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–1170. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a financial report relative to the Animal Drug User Fee Act for fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–1171. A communication from the Inspector General of the Railroad Retirement Board, transmitting, pursuant to law, the Inspector General's Budget Justification Report for fiscal year 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–1172. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, reports entitled ''Executive Summary of the 2012 Annual Report of the Director of the Administrative Office of the United States Courts'' and ''Judicial Business of the United States Courts''; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment and with a preamble:

S. Res. 65. A resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and an amendment to the title and with an amended preamble:

S. Res. 90. A resolution standing with the people of Kenya following their national and local elections on March 4, 2013, and urging a peaceful and credible resolution of electoral disputes in the courts.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Navy nomination of Capt. Adrian J. Jansen, to be Rear Admiral (lower half).

Air Force nomination of Lt. Gen. John W. Hesterman III, to be Lieutenant General.

Air Force nomination of Col. Richard M. Murphy, to be Brigadier General.

Air Force nomination of Colonel Dorothy A. Hogg, to be Major General.

Air Force nomination of Maj. Gen. James M. Holmes, to be Lieutenant General.

Air Force nomination of Maj. Gen. Michelle D. Johnson, to be Lieutenant General.

Air Force nomination of Lt. Gen. Susan J. Helms, to be Lieutenant General.

*Air Force nomination of Gen. Philip M. Breedlove, to be General.

Air Force nomination of Maj. Gen. Mark O. Schissler, to be Lieutenant General.

Air Force nomination of Maj. Gen. Robert P. Otto, to be Lieutenant General.

Air Force nomination of Brig. Gen. Scott W. Jansson, to be Major General.

Army nomination of Col. Erik C. Peterson, to be Brigadier General.

Army nomination of Col. Brently F. White, to be Brigadier General.

Army nomination of Col. Christie L. Nixon, to be Brigadier General.

Army nominations beginning with Brigadier General Jeffrey L. Bannister and ending with Brigadier General Michael E. Williamson, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013. (minus 1 nominee: Brigadier General Charles A. Flynn)

Army nomination of Lt. Gen. Daniel B. Allyn, to be General.

Army nomination of Lt. Gen. James L. Terry, to be Lieutenant General.

Army nomination of Maj. Gen. Perry L. Wiggins, to be Lieutenant General.

Marine Corps nomination of Lt. Gen. John E. Wissler, to be Lieutenant General.

Marine Corps nomination of Maj. Gen. Ronald L. Bailey, to be Lieutenant General.

Marine Corps nomination of Lt. Gen. Steven A. Hummer, to be Lieutenant General.

Marine Corps nomination of Lt. Gen. Kenneth J. Glueck, Jr., to be Lieutenant General.

Marine Corps nomination of Lt. Gen. Richard P. Mills, to be Lieutenant General.

Navy nomination of Capt. Bret J. Muilenburg, to be Rear Admiral (lower half).

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nomination of Lou Rose Malamug, to be Major.

Air Force nomination of Kelly A. Halligan, to be Major.

Air Force nominations beginning with Christopher E. Curtis and ending with Joseph P. Tomsic, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Air Force nominations beginning with Timothy A. Butler and ending with Gary J. Ziccardi, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Air Force nominations beginning with John T. Grivakis and ending with Sarah K. Tobin, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Air Force nominations beginning with Danny L. Blake and ending with Andrea C. Vinyard, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Air Force nominations beginning with Richard G. Anderson and ending with Mark J. Roberts, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Air Force nominations beginning with Jeffery R. Alder and ending with Kevin L. Wright, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Air Force nominations beginning with Ronnelle Armstrong and ending with Chad W. Zielinski, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Air Force nominations beginning with Maiya D. Anderson and ending with Jeffrey L. Wisneski, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Air Force nominations beginning with Matthew G. Adkins and ending with Norman Dale Zellers, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Army nomination of Jonathan F. Potter, to be Lieutenant Colonel.

Army nominations beginning with Hilario A. Pascua and ending with Gerardo C. Rivera, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nominations beginning with James D. Peake and ending with Ali K. Sonmez, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nominations beginning with John D. Pitcher and ending with Derek A. Woessner, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nominations beginning with Mark L. Allison and ending with Joseph J. Streff, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nominations beginning with Phillip E. Appleton and ending with Eric C. Rivers, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nomination of Andrew W. Beach, to be Major.

Army nomination of Donald V. Wood, to be Major.

Army nomination of Suzanne C. Nielsen, to be Colonel.

Army nomination of Ann M. Rudick, to be Major.

Army nomination of Matthew P. Weberg, to be Major.

Army nomination of Grady L. Gentry, to be Major.

Marine Corps nominations beginning with Christopher C. Abrams and ending with Joseph J. Zarba, Jr., which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Timothy L. Adams and ending with James R. Willsea, which nominations were received by the Senate and appeared in the Congressional Record on February 27, 2013.

Navy nomination of Joseph R. Primeaux, Jr., to be Commander.

Navy nomination of Gary S. Phillips, to be Captain.

Navy nomination of Genevieve Buenaflor, to be Lieutenant Commander.

Navy nomination of Freddie R. Harmon, to be Lieutenant Commander.

Navy nomination of Catherine W. Boehme, to be Lieutenant Commander.

Navy nominations beginning with Todd W. Mills and ending with Marvin W. Whiting, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Navy nomination of Richard J. Witt, to be Lieutenant Commander.

Navy nomination of Oleh Haluszka, to be Captain.

Navy nominations beginning with Stephen S. Cho and ending with James W. Winde, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Navy nominations beginning with Timothy R. Anderson and ending with Andrew J. Woolley, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

By Mr. CARPER for the Committee on Homeland Security and Governmental Affairs.

*Sylvia Mathews Burwell, of West Virginia, to be Director of the Office of Management and Budget.

By Mrs. MURRAY for the Committee on the Budget.

*Sylvia Mathews Burwell, of West Virginia, to be Director of the Office of Management and Budget.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BENNET (for himself, Mr. BAUCUS, Mr. WYDEN, and Mr. UDALL of Colorado):

S. 745. A bill to amend the Healthy Forests Restoration Act of 2003 to provide for the designation of treatment areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. COWAN:

S. 746. A bill to amend the Food, Conservation, and Energy Act of 2008 to establish a market-driven inventory system; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. VITTER:

S. 747. A bill to grant exclusive fishery management authority over the red snapper fish in the Gulf of Mexico to certain States; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself, Mr. BURR, Mr. TESTER, Mr. HELLER, Mr. BLUMENTHAL, and Mrs. MCCASKILL):

S. 748. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to consider the resources of individuals applying for pension that were recently disposed of by the individuals for less than fair market value when determining the eligibility of such individuals for such pension, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CASEY (for himself, Mr. CORNYN, Ms. STABENOW, Mr. CRAPO, Mr. MENENDEZ, Mr. BROWN, Mr. BEGICH, Ms. COLLINS, Mrs. HAGAN, Mr. INHOFE, Ms. KLOBUCHAR, Mr. RISCH, Mr. VITTER, and Mr. WICKER):

S. 749. A bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 750. A bill to authorize the Secretary of Education to make grants to support fire safety education programs on college campuses; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COATS (for himself and Mr. DONNELLY):

S. 751. A bill to amend the Food, Conservation, and Energy Act of 2008 to authorize producers on a farm to produce fruits and vegetables for processing on the base acres of the farm; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND:

S. 752. A bill to require the Secretary of Health and Human Services to promulgate regulations regarding the authorship, content, format and dissemination of Patient Medication Information to ensure patients receive consistent and high-quality information about their prescription medications and are aware of the potential risks and benefits of prescription medications; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HEINRICH (for himself, Mr. UDALL of New Mexico, and Mr. CORNYN):

S. 753. A bill to provide for national security benefits for White Sands Missile Range and Fort Bliss; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 754. A bill to amend the Specialty Crops Competitiveness Act of 2004 to include farmed shellfish as specialty crops; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. KLOBUCHAR (for herself and Ms. COLLINS):

S. 755. A bill to amend title XIX of the Social Security Act to apply the Medicaid primary care payment rate to additional physician providers of primary care services; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mr. BLUNT):

S. 756. A bill to allow funds under title II of the Elementary and Secondary Education Act of 1965 to be used to provide training to school personnel regarding how to recognize child sexual abuse; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HELLER:

S. 757. A bill to provide for the implementation of the multispecies habitat conservation plan for the Virgin River, Nevada, and Lincoln County, Nevada, to extend the authority to purchase certain parcels of public land, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

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

S. Res. 101. A resolution condemning the horrific attacks in Boston, Massachusetts, and expressing support, sympathy, and prayers for those impacted by this tragedy; considered and agreed to.

By Mr. CASEY (for himself, Ms. COLLINS, Mr. JOHNSON of South Dakota, Mr. BAUCUS, Mr. BEGICH, Mrs. MURRAY, Mr. LEAHY, and Mr. PRYOR):

S. Con. Res. 13. A concurrent resolution commending the Boys & Girls Clubs of America for its role in improving outcomes for millions of young people and thousands of communities; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 132

At the request of Mr. CARPER, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Maryland (Ms. MIKULSKI) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 132, a bill to provide for the admission of the State of New Columbia into the Union.

S. 138

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 138, a bill to prohibit discrimination against the unborn on the basis of sex or gender, and for other purposes.

S. 141

At the request of Mr. BAUCUS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 141, a bill to make supplemental agricultural disaster assistance available for fiscal years 2012 and 2013, and for other purposes.

S. 146

At the request of Mrs. BOXER, the name of the Senator from Vermont

(Mr. SANDERS) was added as a cosponsor of S. 146, a bill to enhance the safety of America's schools.

S. 186

At the request of Mr. SHELBY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 186, a bill to award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, in recognition of the 50th anniversary of the bombing of the Sixteenth Street Baptist Church, where the 4 little Black girls lost their lives, which served as a catalyst for the Civil Rights Movement.

S. 218

At the request of Mr. LEVIN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 218, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 232

At the request of Mr. HATCH, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 232, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 264

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 264, a bill to expand access to community mental health centers and improve the quality of mental health care for all Americans.

S. 294

At the request of Mr. NELSON, his name was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 367

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

S. 375

At the request of Mr. TESTER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 381

At the request of Mr. BOOZMAN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the ''Doolittle Tokyo Raiders'', for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 427

At the request of Mr. HOEVEN, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 427, a bill to amend the Richard B. Russell National School Lunch Act to provide flexibility to school food authorities in meeting certain nutritional requirements for the school lunch and breakfast programs, and for other purposes.

S. 457

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 457, a bill to posthumously award a Congressional gold medal to Alice Paul, in recognition of her role in the women's suffrage movement and in advancing equal rights for women.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 526

At the request of Mr. BAUCUS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 526, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 534

At the request of Mr. TESTER, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 534, a bill to reform the National Association of Registered Agents and Brokers, and for other purposes.

S. 541

At the request of Ms. LANDRIEU, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 541, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 579

At the request of Mr. MENENDEZ, the names of the Senator from Florida (Mr. RUBIO), the Senator from Idaho (Mr. CRAPO) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 610

At the request of Mr. JOHANNS, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 610, a bill to amend the Patient Protection and Affordable Care Act to repeal certain limitations on health care benefits.

S. 642

At the request of Mr. HARKIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 642, a bill to amend the Public Health Service Act and title XVIII of the Social Security Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 689

At the request of Mr. HARKIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 689, a bill to reauthorize and improve programs related to mental health and substance use disorders.

S. 695

At the request of Mr. BOOZMAN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 695, a bill to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc., and for other purposes.

S. 707

At the request of Mr. REED, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 707, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans.

S. 734

At the request of Mr. NELSON, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 741

At the request of Mr. VITTER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 741, a bill to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017.

S. 744

At the request of Mr. MCCAIN, his name was added as a cosponsor of S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 744, supra.

At the request of Mr. GRAHAM, his name was added as a cosponsor of S. 744, supra.

At the request of Mr. MENENDEZ, his name was added as a cosponsor of S. 744, supra.

At the request of Mr. RUBIO, his name was added as a cosponsor of S. 744, supra.

At the request of Mr. BENNET, his name was added as a cosponsor of S. 744, supra.

At the request of Mr. FLAKE, his name was added as a cosponsor of S. 744, supra.

S. RES. 65

At the request of Mr. GRAHAM, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from Tennessee (Mr. CORKER) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

AMENDMENT NO. 713

At the request of Mr. LEAHY, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Illinois (Mr. DURBIN) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of amendment No. 713 proposed to S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

AMENDMENT NO. 717

At the request of Mr. BARRASSO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 717 proposed to S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

AMENDMENT NO. 718

At the request of Mr. COBURN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 718 intended to be proposed to S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

AMENDMENT NO. 719

At the request of Mr. CORNYN, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Mississippi (Mr. WICKER), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of amendment No. 719 proposed to S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

AMENDMENT NO. 724

At the request of Mr. LAUTENBERG, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Maine (Mr. KING) were added as cosponsors of amendment No. 724 intended to be proposed to S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 101—CONDEMNING THE HORRIFIC ATTACKS IN BOSTON, MASSACHUSETTS, AND EXPRESSING SUPPORT, SYMPATHY, AND PRAYERS FOR THOSE IMPACTED BY THIS TRAGEDY

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

S. RES. 101

Whereas the two bombings that occurred on Patriots' Day, April 15, 2013, during the running of the 117th Boston Marathon, represent a terrible tragedy and horrific act of terrorism against the United States;

Whereas the people of the United States mourn those who lost their lives or were wounded;

Whereas police officers, firefighters, members of the National Guard, emergency medical personnel, and other first responders acted heroically in responding to the attacks, preventing additional loss of life;

Whereas the full resources of the Federal Government and State and local governments are being brought to bear to investigate this attack and bring the perpetrator or perpetrators to justice;

Whereas the residents of Massachusetts are a resilient people and will recover from this tragedy; and

Whereas the people of the United States will always remember the victims of the previous acts of terrorism that have occurred in the United States and will always stand together as one people: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the senseless attack in Boston, Massachusetts, on Monday, April 15, 2013;

(2) offers sympathy and condolences to the victims' families;

(3) sends thoughts and prayers for those who are recovering from injuries;

(4) honors the heroic efforts of the medical personnel who are tirelessly providing care for the victims of this horrific act of violence;

(5) admires the courage of the first responders and the many citizen heroes who aided the injured and tended to the community;

(6) commits to providing all necessary resources to law enforcement officials who are investigating the terrorist attacks;

(7) remains committed to working together as united Americans to bring those responsible for this attack to justice; and

(8) recognizes that the city of Boston, the people of Massachusetts, and all Americans will rise up from this tragedy and stand together as patriots.

SENATE CONCURRENT RESOLUTION 13—COMMENDING THE BOYS & GIRLS CLUBS OF AMERICA FOR ITS ROLE IN IMPROVING OUTCOMES FOR MILLIONS OF YOUNG PEOPLE AND THOUSANDS OF COMMUNITIES

Mr. CASEY (for himself, Ms. COLLINS, Mr. JOHNSON of South Dakota, Mr. BAUCUS, Mr. BEGICH, Mrs. MURRAY, Mr. LEAHY, and Mr. PRYOR) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 13

Whereas, in 1956, the Boys' Clubs of America celebrated its 50th anniversary and became a federally chartered incorporation;

Whereas, in 1991, the Federal charter of the Boys' Clubs of America was amended to reflect the change of the name of the organization to the Boys & Girls Clubs of America;

Whereas the Boys & Girls Clubs of America has significantly improved the quality of life for many young people and has helped to transform them into leaders and responsible citizens of the United States;

Whereas the Boys & Girls Clubs of America, through its efforts in communities throughout the United States, has a significant impact on the ability of young people to meet various challenges, including by helping them graduate from high school, gain proficiency in science, technology, engineering, and math, and develop skills for the 21st century;

Whereas evaluations of specific programs conducted by, and of the overall experience of participating in, the Boys & Girls Clubs of America demonstrate several positive outcomes linked to participation in the organization, including reduction in delinquent behaviors, increased academic achievement, increased access to and safe use of technology, broadened career goals, and improved attitudes toward school;

Whereas the Boys & Girls Clubs of America effectively leverages limited Federal investment to support Clubs in underfunded communities, while raising the majority of its funding privately;

Whereas the Boys & Girls Clubs of America serves diverse groups of young people in urban, suburban, and rural communities, as well as on military bases and Native American reservations;

Whereas the Boys & Girls Clubs of America provides stability, education, youth development, and prevention programs for children of military personnel, who frequently relocate due to station changes and deployments;

Whereas, as of February 2013, there are 3,985 chartered Clubs serving approximately 4,100,000 young people; and

Whereas, on April 28, 2012, the Boys & Girls Clubs of America signed an agreement with For Inspiration and Recognition of Science and Technology (commonly known as ''FIRST'') to bring competitive robotics programs to approximately 4,000,000 young people in the United States by 2015: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress—

(1) commends the Boys & Girls Clubs of America for its work serving the young people of the United States and strengthening thousands of communities;

(2) recognizes the importance of high-impact mentoring of young people in ensuring positive outcomes for young people of all backgrounds;

(3) supports mentoring of young people as a strategy to prepare young people for education, careers, and citizenship;

(4) encourages the Boys & Girls Clubs of America to continue and expand programs that expose young people to science, technology, engineering, and math; and

(5) commits to strengthening the partnership between the Boys & Girls Clubs of America and various Federal agencies and department in order to serve an even greater number of young people.

AMENDMENTS SUBMITTED AND PROPOSED

SA 725. Mr. GRASSLEY (for himself, Mr. CRUZ, Mr. GRAHAM, Mr. THUNE, Ms. AYOTTE, Mr. HOEVEN, Mr. HATCH, Mr. FLAKE, Mr. COATS, Mr. CORNYN, Mr. ROBERTS, Mr. WICKER, Mr. JOHNSON of Wisconsin, Mr. INHOFE, Mr. RISCH, Mr. RUBIO, Ms. MURKOWSKI, Mr. BOOZMAN, Mr. JOHANNS, Mr. PORTMAN, Mr. MCCONNELL, Mr. BLUNT, Mr. VITTER, Mr. COCHRAN, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

SA 726. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 727. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 728. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 729. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 730. Mr. HARKIN (for himself, Mr. ALEXANDER, Mr. FRANKEN, Ms. MURKOWSKI, Mr. BENNET, Mr. ROBERTS, Ms. BALDWIN, Ms. AYOTTE, Mrs. HAGAN, Mr. MURPHY, Mr. BLUMENTHAL, and Mr. JOHANNS) proposed an amendment to the bill S. 649, supra.

SA 731. Ms. KLOBUCHAR (for herself and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 649, supra; which was ordered to lie on the table.

SA 732. Mr. GRAHAM (for himself, Mr. BEGICH, Mr. FLAKE, Mr. PRYOR, Mr. HELLER, Mr. CORNYN, Mr. CHAMBLISS, Mr. PORTMAN, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 733. Ms. STABENOW (for herself, Mr. BLUNT, Mr. REED, Mr. RUBIO, Ms. COLLINS, Mr. BLUMENTHAL, Mr. UDALL of New Mexico, and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 649, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 725. Mr. GRASSLEY (for himself, Mr. CRUZ, Mr. GRAHAM, Mr. THUNE, Ms. AYOTTE, Mr. HOEVEN, Mr. HATCH, Mr. FLAKE, Mr. COATS, Mr. CORNYN, Mr. ROBERTS, Mr. WICKER, Mr. JOHNSON of Wisconsin, Mr. INHOFE, Mr. RISCH, Mr. RUBIO, Ms. MURKOWSKI, Mr. BOOZMAN, Mr. JOHANNS, Mr. PORTMAN, Mr. MCCONNELL, Mr. BLUNT, Mr. VITTER, Mr. COCHRAN, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; as follows:

On page 1, line 3, strike ''**short**'' and all that follows through page 42, line 15, and insert the following:

SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Protecting Communities and Preserving the Second Amendment Act of 2013''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
TITLE I—COMBATING GUN CRIME, NICS REAUTHORIZATION, AND NICS IMPROVEMENT
Sec. 101. Reauthorization and improvements to NICS.
Sec. 102. Availability of records to NICS.
Sec. 103. Definitions relating to mental health.
Sec. 104. Clarification that Federal court information is to be made available to the National Instant Criminal Background Check System.
Sec. 105. Reports and certifications to Congress.
Sec. 106. Increasing Federal prosecution of gun violence.
Sec. 107. Prosecution of felons and fugitives who attempt to illegally purchase firearms.
Sec. 108. Limitation on operations by the Department of Justice.
Sec. 109. Straw purchasing of firearms.
Sec. 110. Increased penalties for lying and buying.
Sec. 111. Amendments to section 924(a).
Sec. 112. Amendments to section 924(h).
Sec. 113. Amendments to section 924(k).
Sec. 114. Multiple sales reports for rifles and shotguns.
Sec. 115. Study by the National Institutes of Justice and National Academy of Sciences on the causes of mass shootings.
Sec. 116. Reports to Congress regarding ammunition purchases by Federal agencies.
Sec. 117. Reduction of Byrne JAG funds for State failure to provide mental health records to NICS.
Sec. 118. Firearm commerce modernization.
Sec. 119. Firearm dealer access to law enforcement information.
Sec. 120. Interstate transportation of firearms or ammunition.
TITLE II—MENTAL HEALTH
Sec. 201. Reauthorization and additional amendments to the Mentally Ill Offender Treatment and Crime Reduction Act.
Sec. 202. Additional purposes for Federal grants.
Sec. 203. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.
TITLE III—SCHOOL SAFETY
Sec. 301. Short title.
Sec. 302. Grant program for school security.
Sec. 303. Applications.
Sec. 304. Authorization of appropriations.
Sec. 305. Accountability.
Sec. 306. Preventing duplicative grants.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''agency'' has the meaning given the term in section 551 of title 5, United States Code;

(2) the term ''NICS'' means the National Instant Criminal Background Check System; and

(3) the term ''relevant Federal records'' means any record demonstrating that a person is prohibited from possessing or receiving a firearm under subsection (g) or (n) of section 922 of title 18, United States Code.

TITLE I—COMBATING GUN CRIME, NICS REAUTHORIZATION, AND NICS IMPROVEMENT

SEC. 101. REAUTHORIZATION AND IMPROVEMENTS TO NICS.

(a) IN GENERAL.—Section 103 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by redesignating subsection (e) as subsection (f) and amending such subsection to read as follows:

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2013 through 2017.''; and

(2) by inserting after subsection (d) the following:

''(e) ACCOUNTABILITY.—All grants awarded by the Attorney General under this section shall be subject to the following accountability provisions:

''(1) DEFINITION.—In this subsection, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

''(2) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this section to prevent waste, fraud, and abuse of funds by

grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(3) PRIORITY.—In awarding grants under this section, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this section.''.

(b) MODIFICATION OF ELIGIBILITY REQUIREMENTS.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) in section 102(b)(1)—

(A) in subparagraph (A), by striking ''subparagraph (C)'' and inserting ''subparagraph (B)'';

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B);

(2) in section 103(a)(1), by striking ''and subject to section 102(b)(1)(B)''; and

(3) in section 104(d), by striking ''section 102(b)(1)(C)'' and inserting ''section 102(b)(1)(B)''.

SEC. 102. AVAILABILITY OF RECORDS TO NICS.

(a) GUIDANCE.—Not later than 45 days after the date of enactment of this Act, the Attorney General shall issue guidance regarding—

(1) the identification and sharing of relevant Federal records; and

(2) submission of the relevant Federal records to NICS.

(b) PRIORITIZATION OF RECORDS.—Each agency that possesses relevant Federal records shall prioritize providing the relevant information contained in the relevant Federal records to NICS on a regular and ongoing basis in accordance with the guidance issued by the Attorney General under subsection (a).

(c) REPORTS.—Not later than 60 days after the Attorney General issues guidance under subsection (a), the head of each agency shall submit a report to the Attorney General that—

(1) advises whether the agency possesses relevant Federal records; and

(2) describes the implementation plan of the agency for making the relevant information contained in relevant Federal records available to NICS in a manner consistent with applicable law.

(d) DETERMINATION OF RELEVANCE.—The Attorney General shall resolve any dispute regarding whether—

(1) agency records are relevant Federal records; and

(2) the relevant Federal records of an agency should be made available to NICS.

SEC. 103. DEFINITIONS RELATING TO MENTAL HEALTH.

(a) TITLE 18 DEFINITIONS.—Chapter 44 of title 18, United States Code, is amended—

(1) in section 921(a), by adding at the end the following:

''(36)(A) Subject to subparagraph (B), the term 'has been adjudicated mentally incompetent or has been committed to a psychiatric hospital', with respect to a person—

''(i) means the person is the subject of an order or finding by a judicial officer, court, board, commission, or other adjudicative body—

''(I) that was issued after—

''(aa) a hearing—

''(AA) of which the person received actual notice; and

''(BB) at which the person had an opportunity to participate with counsel; or

''(bb) the person knowingly and intelligently waived the opportunity for a hearing—

''(AA) of which the person received actual notice; and

''(BB) at which the person would have had an opportunity to participate with counsel; and

''(II) that found that the person, as a result of marked subnormal intelligence, mental impairment, or mental illness—

''(aa) was a danger to himself or to others;

''(bb) was guilty but mentally ill in a criminal case;

''(cc) was not guilty in a criminal case by reason of insanity or mental disease or defect;

''(dd) was incompetent to stand trial in a criminal case;

''(ee) was not guilty only by reason of lack of mental responsibility under section 850a of title 10 (article 50a of the Uniform Code of Military Justice);

''(ff) required involuntary inpatient treatment by a psychiatric hospital;

''(gg) required involuntary outpatient treatment by a psychiatric hospital based on a finding that the person is a danger to himself or to others; or

''(hh) required involuntary commitment to a psychiatric hospital for any reason, including drug use; and

''(ii) does not include—

''(I) a person who is in a psychiatric hospital for observation; or

''(II) a voluntary admission to a psychiatric hospital.

''(B) In this paragraph, the term 'order or finding' does not include—

''(i) an order or finding that has expired or has been set aside or expunged;

''(ii) an order or finding that is no longer applicable because a judicial officer, court, board, commission, or other adjudicative body has found that the person who is the subject of the order or finding—

''(I) does not present a danger to himself or to others;

''(II) has been restored to sanity or cured of mental disease or defect;

''(III) has been restored to competency; or

''(IV) no longer requires involuntary inpatient or outpatient treatment by, or involuntary commitment to, a psychiatric hospital; or

''(iii) an order or finding with respect to which the person who is subject to the order or finding has been granted relief from disabilities under section 925(c) or under a program described in section 101(c)(2)(A) or 105 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note).

''(37) The term 'psychiatric hospital' includes a mental health facility, a mental hospital, a sanitarium, a psychiatric facility, and any other facility that provides diagnoses by licensed professionals of mental retardation or mental illness, including a psychiatric ward in a general hospital.''; and

(2) in section 922—

(A) in subsection (d)(4)—

(i) by striking ''as a mental defective'' and inserting ''mentally incompetent''; and

(ii) by striking ''any mental institution'' and inserting ''a psychiatric hospital''; and

(B) in subsection (g)(4)—

(i) by striking ''as a mental defective or who has'' and inserting ''mentally incompetent or has''; and

(ii) by striking ''mental institution'' and inserting ''psychiatric hospital''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking ''as a mental defective'' each place that term appears and inserting ''mentally incompetent'';

(2) by striking ''mental institution'' each place that term appears and inserting ''psychiatric hospital''; and

(3) in section 102(c)(3)—

(A) in the paragraph heading, by striking ''AS A MENTAL DEFECTIVE OR COMMITTED TO A MENTAL INSTITUTION'' and inserting ''MENTALLY INCOMPETENT OR COMMITTED TO A PSYCHIATRIC HOSPITAL''; and

(B) by striking ''mental institutions'' and inserting ''psychiatric hospitals''.

SEC. 104. CLARIFICATION THAT FEDERAL COURT INFORMATION IS TO BE MADE AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

Section 103(e)(1) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended by adding at the end the following:

''(F) APPLICATION TO FEDERAL COURTS.—In this paragraph—

''(i) the terms 'department or agency of the United States' and 'Federal department or agency' include a Federal court; and

''(ii) for purposes of any request, submission, or notification, the Director of the Administrative Office of the United States Courts shall perform the functions of the head of the department or agency.''.

SEC. 105. REPORTS AND CERTIFICATIONS TO CONGRESS.

(a) NICS REPORTS.—Not later than October 1, 2013, and every year thereafter, the head of each agency that possesses relevant Federal records shall submit a report to Congress that includes—

(1) a description of the relevant Federal records possessed by the agency that can be shared with NICS in a manner consistent with applicable law;

(2) the number of relevant Federal records the agency submitted to NICS during the reporting period;

(3) efforts made to increase the percentage of relevant Federal records possessed by the agency that are submitted to NICS;

(4) any obstacles to increasing the percentage of relevant Federal records possessed by the agency that are submitted to NICS;

(5) measures put in place to provide notice and programs for relief from disabilities as required under the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) if the agency makes qualifying adjudications relating to the mental health of an individual;

(6) measures put in place to correct, modify, or remove records available to NICS when the basis on which the records were made available no longer applies; and

(7) additional steps that will be taken during the 1-year period after the submission of the report to improve the processes by which relevant Federal records are—

(A) identified;

(B) made available to NICS; and

(C) corrected, modified, or removed from NICS.

(b) CERTIFICATIONS.—

(1) IN GENERAL.—The annual report requirement in subsection (a) shall not apply to an agency that, as part of a report required to be submitted under subsection (a), provides certification that the agency has—

(A) made available to NICS relevant Federal records that can be shared in a manner consistent with applicable law;

(B) a plan to make any relevant Federal records available to NICS and a description of that plan; and

(C) a plan to update, modify, or remove records electronically from NICS not less than quarterly as required by the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) and a description of that plan.

(2) FREQUENCY.—Each agency that is not required to submit annual reports under paragraph (1) shall submit an annual certification to Congress attesting that the agency continues to submit relevant Federal records to NICS and has corrected, modified, or removed records available to NICS when the basis on which the records were made available no longer applies.

(c) REPORTS TO CONGRESS ON FIREARMS PROSECUTIONS.—

(1) REPORT TO CONGRESS.—Beginning February 1, 2014, and on February 1 of each year thereafter through 2023, the Attorney General shall submit to the Committees on the Judiciary and Committees on Appropriations of the Senate and the House of Representatives a report of information gathered under this subsection during the fiscal year that ended on September 30 of the preceding year.

(2) SUBJECT OF ANNUAL REPORT.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall require each component of the Department of Justice, including each United States Attorney's Office, to furnish for the purposes of the report described in paragraph (1), information relating to any case presented to the Department of Justice for review or prosecution, in which the objective facts of the case provide probable cause to believe that there has been a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986.

(3) ELEMENTS OF ANNUAL REPORT.—With respect to each case described in paragraph (2), the report submitted under paragraph (1) shall include information indicating—

(A) whether in any such case, a decision has been made not to charge an individual with a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986, or any other violation of Federal criminal law;

(B) in any case described in subparagraph (A), a description of why no charge was filed under sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986;

(C) whether in any case described in paragraph (2), an indictment, information, or other charge has been brought against any person, or the matter is pending;

(D) whether, in the case of an indictment, information, or other charge described in subparagraph (C), the charging document contains a count or counts alleging a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986;

(E) in any case described in subparagraph (D) in which the charging document contains a count or counts alleging a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986, whether a plea agreement of any kind has been entered into with such charged individual;

(F) whether any plea agreement described in subparagraph (E) required that the individual plead guilty, to enter a plea of nolo contendere, or otherwise caused a court to enter a conviction against that individual for a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986;

(G) in any case described in subparagraph (F) in which the plea agreement did not require that the individual plead guilty, enter a plea of nolo contendere, or otherwise cause a court to enter a conviction against that individual for a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986, identification of the charges to which that individual did plead guilty;

(H) in the case of an indictment, information, or other charge described in subparagraph (C), in which the charging document contains a count or counts alleging a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986, the result of any trial of such charges (guilty, not guilty, mistrial);

(I) in the case of an indictment, information, or other charge described in subparagraph (C), in which the charging document did not contain a count or counts alleging a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986, the nature of the other charges brought and the result of any trial of such other charges as have been brought (guilty, not guilty, mistrial);

(J) the number of persons who attempted to purchase a firearm but were denied because of a background check conducted in accordance with section 922(t) of title 18, United States Code; and

(K) the number of prosecutions conducted in relation to persons described in subparagraph (J).

SEC. 106. INCREASING FEDERAL PROSECUTION OF GUN VIOLENCE.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall establish in jurisdictions specified in subsection (c) a program that meets the requirements of subsection (b), to be known as the ''Nationwide Project Exile Expansion''.

(b) PROGRAM ELEMENTS.—Each program established under subsection (a) shall, for the jurisdiction concerned—

(1) provide for coordination with State and local law enforcement officials in the identification of violations of Federal firearms laws;

(2) provide for the establishment of agreements with State and local law enforcement officials for the referral to the Bureau of Alcohol, Tobacco, Firearms, and Explosives and the United States Attorney for prosecution of persons arrested for violations of section 922 or section 924 of title 18, United States Code, or section 5861 of the Internal Revenue Code of 1986, relating to firearms;

(3) provide for the establishment of multi-jurisdictional task forces, coordinated by the Executive Office of the United States attorneys to investigate and prosecute illegal straw purchasing rings that purchase firearms in one jurisdiction and transfer them to another;

(4) require that the United States attorney designate not less than 1 assistant United States attorney to prosecute violations of Federal firearms laws;

(5) provide for the hiring of agents for the Bureau of Alcohol, Tobacco, Firearms, and Explosives to investigate violations of the provisions referred to in paragraph (2), United States Code, relating to firearms; and

(6) ensure that each person referred to the United States attorney under paragraph (2) be charged with a violation of the most serious Federal firearm offense consistent with the act committed.

(c) COVERED JURISDICTIONS.—

(1) IN GENERAL.—Subject to paragraph (2), the jurisdictions specified in this subsection are—

(A) the 10 jurisdictions with a population equal to or greater than 100,000 persons that had the highest total number of homicides according to the uniform crime report of the Federal Bureau of Investigation for the most recent year available;

(B) the 5 jurisdictions with such a population, other than the jurisdictions covered by paragraph (1), with the highest per capita rate of homicide according to the uniform crime report of the Federal Bureau of Investigation for the most recent year available; and

(C) the 3 tribal jurisdictions that have the highest homicide crime rates, as determined by the Attorney General.

(2) LIMITATION.—The 15 jurisdictions described in subparagraphs (A) and (B) shall not include any jurisdiction other than those within the 50 States.

(d) ANNUAL REPORTS.—Not later than 1 year after the date of enactment of this Act, an annually thereafter, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report containing the following information:

(1) The number of individuals indicted for such violations of Federal firearms laws during that year by reason of the program.

(2) The increase or decrease in the number of individuals indicted for such violations of Federal firearms laws during that year by reason of the program when compared with the year preceding that year.

(3) The number of individuals held without bond in anticipation of prosecution by reason of the program.

(4) To the extent the information is available, the average length of prison sentence of the individuals convicted of violations of Federal firearms laws by reason of the program.

(5) The number of multi-jurisdiction task forces established and the number of individuals arrested, indicted, convicted or acquitted of charges for violations of the specific crimes listed in subsection (b)(2).

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out the program under this section $15,000,000 for each of fiscal years 2014, 2015, and 2016, which shall be used for salaries and expenses of assistant United States attorneys and Bureau of Alcohol, Tobacco, Firearms, and Explosives agents.

(2) USE OF FUNDS.—

(A) ASSISTANT UNITED STATES ATTORNEYS.—The assistant United States attorneys hired using amounts authorized to be appropriated under paragraph (1) shall prosecute violations of Federal firearms laws in accordance with subsection (b)(2).

(B) ATF AGENTS.—The Bureau of Alcohol, Tobacco, Firearms, and Explosives agents hired using amounts authorized to be appropriated under paragraph (1) shall, to the maximum extent practicable, concentrate their investigations on violations of Federal firearms laws in accordance with subsection (b)(2).

SEC. 107. PROSECUTION OF FELONS AND FUGITIVES WHO ATTEMPT TO ILLEGALLY PURCHASE FIREARMS.

(a) TASKFORCE.—

(1) ESTABLISHMENT.—There is established a task force within the Department of Justice, which shall be known as the Felon and Fugitive Firearm Task Force (referred to in this section as the ''Task Force''), to strengthen the efforts of the Department of Justice to investigate and prosecute cases of convicted felons and fugitives from justice who illegally attempt to purchase a firearm.

(2) MEMBERSHIP.—The members of the Task Force shall be—

(A) the Deputy Attorney General, who shall serve as the Chairperson of the Task Force;

(B) the Assistant Attorney General for the Criminal Division;

(C) the Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives;

(D) the Director of the Federal Bureau of Investigation; and

(E) such other officers or employees of the Department of Justice as the Attorney General may designate.

(3) DUTIES.—The Task Force shall—

(A) provide direction for the investigation and prosecution of cases of convicted felons and fugitives from justice attempting to illegally purchase a firearm; and

(B) provide recommendations to the Attorney General relating to—

(i) the allocation and reallocation of resources of the Department of Justice for investigation and prosecution of cases of convicted felons and fugitives from justice attempting to illegally purchase a firearm;

(ii) enhancing cooperation among agencies and entities of the Federal Government in

the investigation and prosecution of cases of convicted felons and fugitives from justice attempting to illegally purchase a firearm;

(iii) enhancing cooperation among Federal, State, and local authorities responsible for the investigation and prosecution of cases of convicted felons and fugitives from justice attempting to illegally purchase a firearm; and

(iv) changes in rules, regulations, or policy to improve the effective investigation and prosecution of cases of convicted felons and fugitives from justice attempting to illegally purchase a firearm.

(4) MEETINGS.—The Task Force shall meet not less than once a year.

(5) TERMINATION.—The Task Force shall terminate on the date that is 5 years after the date of enactment of this Act.

(b) AUTHORIZATION FOR USE OF FUNDS.—Section 524(c)(1) of title 28, United States Code, is amended—

(1) in subparagraph (H), by striking ''and'' at the end;

(2) in subparagraph (I), by striking the period at the end and inserting ''; and''; and

(3) by inserting after subparagraph (I) the following:

''(J) the investigation and prosecution of cases of convicted felons and fugitives from justice who illegally attempt to purchase a firearm, in accordance with section 107 of the Protecting Communities and Preserving the Second Amendment Act of 2013, provided that—

''(i) not more than $10,000,000 shall be available to the Attorney General for each of fiscal years 2014 through 2018 under this subparagraph; and

''(ii) not more than 5 percent of the amounts made available under this subparagraph may be used for the administrative costs of the task force established under section 107 of the Protecting Communities and Preserving the Second Amendment Act of 2013.''.

SEC. 108. LIMITATION ON OPERATIONS BY THE DEPARTMENT OF JUSTICE.

The Department of Justice, and any of its law enforcement coordinate agencies, shall not conduct any operation where a Federal firearms licensee is directed, instructed, enticed, or otherwise encouraged by the Department of Justice to sell a firearm to an individual if the Department of Justice, or a coordinate agency, knows or has reasonable cause to believe that such an individual is purchasing on behalf of another for an illegal purpose unless the Attorney General, the Deputy Attorney General, or the Assistant Attorney General for the Criminal Division personally reviews and approves the operation, in writing, and determines that the agency has prepared an operational plan that includes sufficient safeguards to prevent firearms from being transferred to third parties without law enforcement taking reasonable steps to lawfully interdict those firearms.

SEC. 109. STRAW PURCHASING OF FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by adding at the end the following:

''§ 932. Straw purchasing of firearms

''(a) DEFINITIONS.—For purposes of this section—

''(1) the term 'crime of violence' has the meaning given that term in section 924(c)(3);

''(2) the term 'drug trafficking crime' has the meaning given that term in section 924(c)(2); and

''(3) the term 'Federal crime of terrorism' has the meaning given that term in section 2332b(g).

''(b) OFFENSE.—It shall be unlawful for any person to—

''(1) purchase or otherwise obtain a firearm, which has been shipped, transported, or received in interstate or foreign commerce, for or on behalf of any other person who the person purchasing or otherwise obtaining the firearm knows—

''(A) is prohibited from possessing or receiving a firearm under subsection (g) or (n) of section 922;

''(B) intends to use, carry, possess, or sell or otherwise dispose of the firearm in furtherance of a crime of violence, a drug trafficking crime, or a Federal crime of terrorism;

''(C) intends to engage in conduct that would constitute a crime of violence, a drug trafficking crime, or a Federal crime of terrorism if the conduct had occurred within the United States; or

''(D) is not a resident of any State and is not a citizen or lawful permanent resident of the United States; or

''(2) willfully procure another to engage in conduct described in paragraph (1).

''(c) PENALTY.—Any person who violates subsection (b) shall be fined under this title, imprisoned not more than 15 years, or both.

''§ 933. Trafficking in firearms

''(a) DEFINITIONS.—For purposes of this section—

''(1) the term 'crime of violence' has the meaning given that term in section 924(c)(3);

''(2) the term 'drug trafficking crime' has the meaning given that term in section 924(c)(2); and

''(3) the term 'Federal crime of terrorism' has the meaning given that term in section 2332b(g).

''(b) OFFENSE.—It shall be unlawful for any person to—

''(1) ship, transport, transfer, or otherwise dispose of 2 or more firearms to another person in or otherwise affecting interstate or foreign commerce, if the transferor knows that the use, carrying, or possession of a firearm by the transferee would violate subsection (g) or (n) of section 922, or constitute a crime of violence, a drug trafficking crime, or a Federal crime of terrorism;

''(2) receive from another person 2 or more firearms in or otherwise affecting interstate or foreign commerce, if the recipient—

''(A) knows that such receipt would violate subsection (g) or (n) of section 922; or

''(B) intends to use the firearm in furtherance of a crime of violence, a drug trafficking crime, or a Federal crime of terrorism; or

''(3) attempt or conspire to commit the conduct described in paragraph (1) or (2).

''(c) PENALTIES.—

''(1) IN GENERAL.—Any person who violates subsection (b) shall be fined under this title, imprisoned not more than 15 years, or both.

''(2) ORGANIZER.—If a violation of subsection (b) is committed by a person acting in concert with other persons as an organizer, leader, supervisor, or manager, the person shall be fined under this title, imprisoned not more than 20 years, or both.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 931 the following:

''932. Straw purchasing of firearms.
''933. Trafficking in firearms.''.

(c) DIRECTIVE TO THE SENTENCING COMMISSION.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and amend its guidelines and policy statements to ensure that persons convicted of an offense under section 932 or 933 of title 18, United States Code, and other offenses applicable to the straw purchases and firearms trafficking of firearms are subject to increased penalties in comparison to those currently provided by the guidelines and policy statements for such straw purchasing and firearms trafficking offenses. In its review, the Commission shall consider, in particular, an appropriate amendment to reflect the intent of Congress that straw purchasers without significant criminal histories receive sentences that are sufficient to deter participation in such activities. The Commission shall also review and amend its guidelines and policy statements to reflect the intent of Congress that a person convicted of an offense under section 932 or 933 of title 18, United States Code, who is affiliated with a gang, cartel, organized crime ring, or other such enterprise should be subject to higher penalties than an otherwise unaffiliated individual.

SEC. 110. INCREASED PENALTIES FOR LYING AND BUYING.

Section 924(a)(1) of title 18, United States Code, is amended in the undesignated matter following subparagraph (D) by striking ''five years'' and inserting the following: ''5 years (or, in the case of a violation under subparagraph (A), not more than 10 years)''.

SEC. 111. AMENDMENTS TO SECTION 924(a).

Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking ''(d), (g),''; and

(2) by adding at the end the following:

''(8) Whoever knowingly violates subsection (d), (g), or (n) of section 922 shall be fined under this title, imprisoned not more than 15 years, or both.''.

SEC. 112. AMENDMENTS TO SECTION 924(h).

Section 924 of title 18, United States Code, is amended by striking subsection (h) and inserting the following:

''(h) Whoever knowingly receives or transfers a firearm or ammunition, or attempts or conspires to do so, knowing that such firearm or ammunition will be used to commit a crime of violence (as defined in subsection (c)(3)), a drug trafficking crime (as defined in subsection (c)(2)), a Federal crime of terrorism (as defined in section 2332b(g)), or a crime under the Arms Export Control Act (22 U.S.C. 2751 et seq.), the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), or the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.), shall be imprisoned not more than 15 years, fined in accordance with this title, or both.''.

SEC. 113. AMENDMENTS TO SECTION 924(k).

Section 924 of title 18, United States Code, is amended by striking subsection (k) and inserting the following:

''(k)(1) A person who, with intent to engage in or promote conduct that—

''(A) is punishable under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46;

''(B) violates any law of a State relating to any controlled substance (as defined in section 102 of the Controlled Substances Act, 21 U.S.C. 802);

''(C) constitutes a crime of violence (as defined in subsection (c)(3)); or

''(D) constitutes a Federal crime of terrorism (as defined in section 2332b(g)),

smuggles or knowingly brings into the United States, a firearm or ammunition, or attempts or conspires to do so, shall be imprisoned not more than 15 years, fined under this title, or both.

''(2) A person who, with intent to engage in or to promote conduct that—

''(A) would be punishable under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46, if the conduct had occurred within the United States; or

''(B) would constitute a crime of violence (as defined in subsection (c)(3)) or a Federal crime of terrorism (as defined in section 2332b(g)) for which the person may be prosecuted in a court of the United States, if the conduct had occurred within the United States,

smuggles or knowingly takes out of the United States, a firearm or ammunition, or attempts or conspires to do so, shall be imprisoned not more than 15 years, fined under this title, or both.''.

SEC. 114. MULTIPLE SALES REPORTS FOR RIFLES AND SHOTGUNS.

Section 923(g)(5) of title 18, United States Code, is amended by adding at the end the following:

''(C) The Attorney General may not require a licensee to submit ongoing or periodic reporting of the sale or other disposition of 2 or more rifles or shotguns during a specified period of time.''.

SEC. 115. STUDY BY THE NATIONAL INSTITUTES OF JUSTICE AND NATIONAL ACADEMY OF SCIENCES ON THE CAUSES OF MASS SHOOTINGS.

(a) IN GENERAL.—

(1) STUDY.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall instruct the Director of the National Institutes of Justice, to conduct a peer-reviewed study to examine various sources and causes of mass shootings including psychological factors, the impact of violent video games, and other factors. The Director shall enter into a contract with the National Academy of Sciences to conduct this study jointly with an independent panel of 5 experts appointed by the Academy.

(2) REPORT.—Not later than 1 year after the date on which the study required under paragraph (1) begins, the Directors shall submit to Congress a report detailing the findings of the study.

(b) ISSUES EXAMINED.—The study conducted under subsection (a)(1) shall examine—

(1) mental illness;

(2) the availability of mental health and other resources and strategies to help families detect and counter tendencies toward violence;

(3) the availability of mental health and other resources at schools to help detect and counter tendencies of students towards violence;

(4) the extent to which perpetrators of mass shootings, either alleged, convicted, deceased, or otherwise, played violent or adult-themed video games and whether the perpetrators of mass shootings discussed, planned, or used violent or adult-themed video games in preparation of or to assist in carrying out their violent actions;

(5) familial relationships, including the level of involvement and awareness of parents;

(6) exposure to bullying; and

(7) the extent to which perpetrators of mass shootings were acting in a ''copycat'' manner based upon previous violent events.

SEC. 116. REPORTS TO CONGRESS REGARDING AMMUNITION PURCHASES BY FEDERAL AGENCIES.

Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget, shall report to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Chairmen and Ranking Members of the House and Senate Committee on Appropriations and the Committee on the Judiciary, the House Committee on Homeland Security, the Senate Committee on Homeland Security and Government Affairs, and the House Committee on Government Reform and Oversight, a report including—

(1) details of all purchases of ammunition by each Federal agency;

(2) a summary of all purchases, solicitations, and expenditures on ammunition by each Federal agency;

(3) a summary of all the rounds of ammunition expended by each Federal agency and a current listing of stockpiled ammunition for each Federal agency; and

(4) an estimate of future ammunition needs and purchases for each Federal agency for the next fiscal year.

SEC. 117. REDUCTION OF BYRNE JAG FUNDS FOR STATE FAILURE TO PROVIDE MENTAL HEALTH RECORDS TO NICS.

Section 104(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking paragraphs (1) and (2);

(2) by redesignating paragraph (3) as paragraph (2);

(3) in paragraph (2), as redesignated, by striking ''of paragraph (2)'' and inserting ''of paragraph (1)''; and

(4) by inserting before paragraph (2), as redesignated, the following:

''(1) REDUCTION FOR FAILURE TO PROVIDE MENTAL HEALTH RECORDS.—

''(A) IN GENERAL.—During the period beginning on the date that is 18 months after the date of enactment of the Protecting Communities and Preserving the Second Amendment Act of 2013 and ending on the day before the date described in subparagraph (B), the Attorney General shall withhold 5 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not—

''(i) provide not less than 90 percent of the records required to be provided under sections 102 and 103; or

''(ii) have in effect a statute that—

''(I) requires the State to provide the records required to be provided under sections 102 and 103; and

''(II) implements a relief from disabilities program in accordance with section 105.

''(B) FINAL IMPLEMENTATION DEADLINE.—Beginning on the date that is 5 years after the date of enactment of the Protecting Communities and Preserving the Second Amendment Act of 2013, the Attorney General shall withhold 10 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not have in effect a statute described in subparagraph (A)(ii) of this paragraph.''.

SEC. 118. FIREARM COMMERCE MODERNIZATION.

(a) FIREARMS DISPOSITIONS.—Section 922(b)(3) of title 18, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''located'' and inserting ''located or temporarily located''; and

(2) in subparagraph (A)—

(A) by striking ''rifle or shotgun'' and inserting ''firearm'';

(B) by striking ''located'' and inserting ''located or temporarily located''; and

(C) by striking ''both such States'' and inserting ''the State in which the transfer is conducted and the State of residence of the transferee''.

(b) DEALER LOCATION.—Section 923 of title 18, United States Code, is amended—

(1) in subsection (j)—

(A) in the first sentence, by striking '', and such location is in the State which is specified on the license''; and

(B) in the last sentence—

(i) by inserting ''transfer,'' after ''sell,''; and

(ii) by striking ''Act,'' and all that follows and inserting ''Act.''; and

(2) by adding at the end the following:

''(m) Nothing in this chapter shall be construed to prohibit the sale, transfer, delivery, or other disposition of a firearm or ammunition—

''(1) by a person licensed under this chapter to another person so licensed, at any location in any State; or

''(2) by a licensed importer, licensed manufacturer, or licensed dealer to a person not licensed under this chapter, at a temporary location described in subsection (j) in any State.''.

(c) RESIDENCE OF UNITED STATES OFFICERS.—Section 921 of title 18, United States Code, is amended by striking subsection (b) and inserting the following:

''(b) For purposes of this chapter:

''(1) A member of the Armed Forces on active duty, or a spouse of such a member, is a resident of—

''(A) the State in which the member or spouse maintains legal residence;

''(B) the State in which the permanent duty station of the member is located; and

''(C) the State in which the member maintains a place of abode from which the member commutes each day to the permanent duty station of the member.

''(2) An officer or employee of the United States (other than a member of the Armed Forces) who is stationed outside the United States for a period of more than 1 year, and a spouse of such an officer or employee, is a resident of the State in which the person maintains legal residence.''.

SEC. 119. FIREARM DEALER ACCESS TO LAW ENFORCEMENT INFORMATION.

(a) IN GENERAL.—Section 103(b) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), is amended—

(1) by striking ''Not later than'' and inserting the following:

''(1) IN GENERAL.—Not later than''; and

(2) by adding at the end the following:

''(2) VOLUNTARY BACKGROUND CHECKS.—

''(A) IN GENERAL.—Not later than 90 days after the date of enactment of the Protecting Communities and Preserving the Second Amendment Act of 2013, the Attorney General shall promulgate regulations allowing licensees to use the national instant criminal background check system established under this section for purposes of conducting voluntary, no fee employment background checks on current or prospective employees.

''(B) NOTICE.—Before conducting an employment background check relating to an individual under subparagraph (A), a licensee shall—

''(i) provide written notice to the individual that the licensee intends to conduct the background check; and

''(ii) obtain consent to conduct the background check from the individual in writing.

''(C) EXEMPTION.—An employment background check conducted by a licensee under subparagraph (A) shall not governed by the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.).

''(D) APPEAL.—Any individual who is the subject of an employment background check conducted by a licensee under subparagraph (A) the result of which indicates that the individual is a prohibited from possessing a firearm or ammunition pursuant to subsection (g) or (n) of section 922 of title 18, United States Code, may appeal the results of the background check in the same manner and to the same extent as if the individual had been the subject of a background check relating to the transfer of a firearm.''.

(b) ACQUISITION, PRESERVATION, AND EXCHANGE OF IDENTIFICATION RECORDS AND INFORMATION.—Section 534 of title 28, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''and'' at the end;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by inserting after paragraph (4) the following:

''(5) provide a person licensed as an importer, manufacturer, or dealer of firearms under chapter 44 of title 18 with information necessary to verify whether firearms offered for sale to such licensees have been stolen.''; and

(2) in subsection (b), by inserting '', except for dissemination authorized under subsection (a)(5) of this section'' before the period.

(c) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, and without regard to chapter 5 of title 5, United States Code, the Attorney General shall promulgate regulations allowing a person licensed as an importer, manufacturer, or dealer of firearms under chapter 44 of title 18, United States Code, to receive access to records of stolen firearms maintained by the National Crime Information Center operated by the Federal Bureau of Investigation, solely for the purpose of voluntarily verifying whether firearms offered for sale to such licensees have been stolen.

(d) STATUTORY CONSTRUCTION; EVIDENCE.—

(1) STATUTORY CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed—

(A) to create a cause of action against any person licensed as an importer, manufacturer, or dealer of firearms under chapter 44 of title 18, United States Code or any other person for any civil liability; or

(B) to establish any standard of care.

(2) EVIDENCE.—Notwithstanding any other provision of law, evidence regarding the use or non-use by a person licensed as an importer, manufacturer, or dealer of firearms under chapter 44 of title 18, United States Code of the systems, information, or records made available under this section or the amendments made by this section shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity.

SEC. 120. INTERSTATE TRANSPORTATION OF FIREARMS OR AMMUNITION.

(a) IN GENERAL.—Section 926A of title 18, United States Code, is amended to read as follows:

''§ 926A. Interstate transportation of firearms or ammunition

''(a) DEFINITION.—In this section, the term 'transport' includes staying in temporary lodging overnight, stopping for food, fuel, vehicle maintenance, an emergency, medical treatment, and any other activity incidental to the transport.

''(b) AUTHORIZATION.—Notwithstanding any provision of any law (including a rule or regulation) of a State or any political subdivision thereof, a person who is not prohibited by this chapter from possessing, transporting, shipping, or receiving a firearm or ammunition shall be entitled to—

''(1) transport a firearm for any lawful purpose from any place where the person may lawfully possess, carry, or transport the firearm to any other such place if, during the transportation—

''(A) the firearm is unloaded; and

''(B)(i) if the transportation is by motor vehicle—

''(I) the firearm is not directly accessible from the passenger compartment of the motor vehicle; or

''(II) if the motor vehicle is without a compartment separate from the passenger compartment, the firearm is—

''(aa) in a locked container other than the glove compartment or console; or

''(bb) secured by a secure gun storage or safety device; or

''(ii) if the transportation is by other means, the firearm is in a locked container or secured by a secure gun storage or safety device; and

''(2) transport ammunition for any lawful purpose from any place where the person may lawfully possess, carry, or transport the ammunition, to any other such place if, during the transportation—

''(A) the ammunition is not loaded into a firearm; and

''(B)(i) if the transportation is by motor vehicle—

''(I) the ammunition is not directly accessible from the passenger compartment of the motor vehicle; or

''(II) if the motor vehicle is without a compartment separate from the passenger compartment, the ammunition is in a locked container other than the glove compartment or console; or

''(ii) if the transportation is by other means, the ammunition is in a locked container.

''(c) STATE LAW.—

''(1) ARREST AUTHORITY.—A person who is transporting a firearm or ammunition may not be—

''(A) arrested for violation of any law or any rule or regulation of a State, or any political subdivision thereof, relating to the possession, transportation, or carrying of firearms or ammunition, unless there is probable cause to believe that the transportation is not in accordance with subsection (b); or

''(B) detained for violation of any law or any rule or regulation of a State, or any political subdivision thereof, relating to the possession, transportation, or carrying of firearms or ammunition, unless there is reasonable suspicion that the transportation is not in accordance with subsection (b).

''(2) PROSECUTION.—

''(A) BURDEN OF PROOF.—If a person asserts this section as a defense in a criminal proceeding, the government shall bear the burden of proving, beyond a reasonable doubt, that the conduct of the person was not in accordance with subsection (b).

''(B) PREVAILING DEFENDANT.—If a person successfully asserts this section as a defense in a criminal proceeding, the court shall award the prevailing defendant reasonable attorney's fees.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by striking the item relating to section 926A and inserting the following:

''926A. Interstate transportation of firearms or ammunition.''.

TITLE II—MENTAL HEALTH

SEC. 201. REAUTHORIZATION AND ADDITIONAL AMENDMENTS TO THE MENTALLY ILL OFFENDER TREATMENT AND CRIME REDUCTION ACT.

(a) SAFE COMMUNITIES.—

(1) IN GENERAL.—Section 2991(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(a)) is amended—

(A) in paragraph (7)—

(i) in the heading, by striking ''MENTAL ILLNESS'' and inserting ''MENTAL ILLNESS; MENTAL HEALTH DISORDER''; and

(ii) by striking ''term 'mental illness' means'' and inserting ''terms 'mental illness' and 'mental health disorder' mean''; and

(B) by striking paragraph (9) and inserting the following:

''(9) PRELIMINARILY QUALIFIED OFFENDER.—

''(A) IN GENERAL.—The term 'preliminarily qualified offender' means an adult or juvenile accused of an offense who—

''(i)(I) previously or currently has been diagnosed by a qualified mental health professional as having a mental illness or co-occurring mental illness and substance abuse disorders;

''(II) manifests obvious signs of mental illness or co-occurring mental illness and substance abuse disorders during arrest or confinement or before any court; or

''(III) in the case of a veterans treatment court provided under subsection (i), has been diagnosed with, or manifests obvious signs of, mental illness or a substance abuse disorder or co-occurring mental illness and substance abuse disorder; and

''(ii) has been unanimously approved for participation in a program funded under this section by, when appropriate, the relevant—

''(I) prosecuting attorney;

''(II) defense attorney;

''(III) probation or corrections official;

''(IV) judge; and

''(V) a representative from the relevant mental health agency described in subsection (b)(5)(B)(i).

''(B) DETERMINATION.—In determining whether to designate a defendant as a preliminarily qualified offender, the relevant prosecuting attorney, defense attorney, probation or corrections official, judge, and mental health or substance abuse agency representative shall take into account—

''(i) whether the participation of the defendant in the program would pose a substantial risk of violence to the community;

''(ii) the criminal history of the defendant and the nature and severity of the offense for which the defendant is charged;

''(iii) the views of any relevant victims to the offense;

''(iv) the extent to which the defendant would benefit from participation in the program;

''(v) the extent to which the community would realize cost savings because of the defendant's participation in the program; and

''(vi) whether the defendant satisfies the eligibility criteria for program participation unanimously established by the relevant prosecuting attorney, defense attorney, probation or corrections official, judge and mental health or substance abuse agency representative.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—Section 2927(2) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797s–6(2)) is amended by striking ''has the meaning given that term in section 2991(a).'' and inserting ''means an offense that—

''(A) does not have as an element the use, attempted use, or threatened use of physical force against the person or property of another; or

''(B) is not a felony that by its nature involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.''.

(b) EVIDENCE BASED PRACTICES.—Section 2991(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(c)) is amended—

(1) in paragraph (3), by striking ''or'' at the end;

(2) by redesignating paragraph (4) as paragraph (6); and

(3) by inserting after paragraph (3) the following:

''(4) propose interventions that have been shown by empirical evidence to reduce recidivism;

''(5) when appropriate, use validated assessment tools to target preliminarily qualified offenders with a moderate or high risk of recidivism and a need for treatment and services; or''.

(c) ACADEMY TRAINING.—Section 2991(h) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(h)) is amended—

(1) in paragraph (1), by adding at the end the following:

''(F) ACADEMY TRAINING.—To provide support for academy curricula, law enforcement

officer orientation programs, continuing education training, and other programs that teach law enforcement personnel how to identify and respond to incidents involving persons with mental health disorders or co-occurring mental health and substance abuse disorders.''; and

(2) by adding at the end the following:

''(4) PRIORITY CONSIDERATION.—The Attorney General, in awarding grants under this subsection, shall give priority to programs that law enforcement personnel and members of the mental health and substance abuse professions develop and administer cooperatively.''.

(d) ASSISTING VETERANS.—

Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended—

(A) by redesignating subsection (i) as subsection (n); and

(B) by inserting after subsection (h) the following:

''(i) ASSISTING VETERANS.—

''(1) DEFINITIONS.—In this subsection:

''(A) PEER TO PEER SERVICES OR PROGRAMS.—The term 'peer to peer services or programs' means services or programs that connect qualified veterans with other veterans for the purpose of providing support and mentorship to assist qualified veterans in obtaining treatment, recovery, stabilization, or rehabilitation.

''(B) QUALIFIED VETERAN.—The term 'qualified veteran' means a preliminarily qualified offender who—

''(i) has served on active duty in any branch of the Armed Forces, including the National Guard and reserve components; and

''(ii) was discharged or released from such service under conditions other than dishonorable.

''(C) VETERANS TREATMENT COURT PROGRAM.—The term 'veterans treatment court program' means a court program involving collaboration among criminal justice, veterans, and mental health and substance abuse agencies that provides qualified veterans with—

''(i) intensive judicial supervision and case management, which may include random and frequent drug testing where appropriate;

''(ii) a full continuum of treatment services, including mental health services, substance abuse services, medical services, and services to address trauma;

''(iii) alternatives to incarceration; and

''(iv) other appropriate services, including housing, transportation, mentoring, employment, job training, education, and assistance in applying for and obtaining available benefits.

''(2) VETERANS ASSISTANCE PROGRAM.—

''(A) IN GENERAL.—The Attorney General, in consultation with the Secretary of Veterans Affairs, may award grants under this subsection to applicants to establish or expand—

''(i) veterans treatment court programs;

''(ii) peer to peer services or programs for qualified veterans;

''(iii) practices that identify and provide treatment, rehabilitation, legal, transitional, and other appropriate services to qualified veterans who have been incarcerated; and

''(iv) training programs to teach criminal justice, law enforcement, corrections, mental health, and substance abuse personnel how to identify and appropriately respond to incidents involving qualified veterans.

''(B) PRIORITY.—In awarding grants under this subsection, the Attorney General shall give priority to applications that—

''(i) demonstrate collaboration between and joint investments by criminal justice, mental health, substance abuse, and veterans service agencies;

''(ii) promote effective strategies to identify and reduce the risk of harm to qualified veterans and public safety; and

''(iii) propose interventions with empirical support to improve outcomes for qualified veterans.''.

(e) CORRECTIONAL FACILITIES; HIGH UTILIZERS.—Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by inserting after subsection (i), as so added by subsection (d), the following:

''(j) CORRECTIONAL FACILITIES.—

''(1) DEFINITIONS.—

''(A) CORRECTIONAL FACILITY.—The term 'correctional facility' means a jail, prison, or other detention facility used to house people who have been arrested, detained, held, or convicted by a criminal justice agency or a court.

''(B) ELIGIBLE INMATE.—The term 'eligible inmate' means an individual who—

''(i) is being held, detained, or incarcerated in a correctional facility; and

''(ii) manifests obvious signs of a mental illness or has been diagnosed by a qualified mental health professional as having a mental illness.

''(2) CORRECTIONAL FACILITY GRANTS.—The Attorney General may award grants to applicants to enhance the capabilities of a correctional facility—

''(A) to identify and screen for eligible inmates;

''(B) to plan and provide—

''(i) initial and periodic assessments of the clinical, medical, and social needs of inmates; and

''(ii) appropriate treatment and services that address the mental health and substance abuse needs of inmates;

''(C) to develop, implement, and enhance—

''(i) post-release transition plans for eligible inmates that, in a comprehensive manner, coordinate health, housing, medical, employment, and other appropriate services and public benefits;

''(ii) the availability of mental health care services and substance abuse treatment services; and

''(iii) alternatives to solitary confinement and segregated housing and mental health screening and treatment for inmates placed in solitary confinement or segregated housing; and

''(D) to train each employee of the correctional facility to identify and appropriately respond to incidents involving inmates with mental health or co-occurring mental health and substance abuse disorders.

''(k) DEMONSTRATION GRANTS RESPONDING TO HIGH UTILIZERS.—

''(1) DEFINITION.—In this subsection, the term 'high utilizer' means an individual who—

''(A) manifests obvious signs of mental illness or has been diagnosed by a qualified mental health professional as having a mental illness; and

''(B) consumes a significantly disproportionate quantity of public resources, such as emergency, housing, judicial, corrections, and law enforcement services.

''(2) DEMONSTRATION GRANTS RESPONDING TO HIGH UTILIZERS.—

''(A) IN GENERAL.—The Attorney General may award not more than 6 grants per year under this subsection to applicants for the purpose of reducing the use of public services by high utilizers.

''(B) USE OF GRANTS.—A recipient of a grant awarded under this subsection may use the grant—

''(i) to develop or support multidisciplinary teams that coordinate, implement, and administer community-based crisis responses and long-term plans for high utilizers;

''(ii) to provide training on how to respond appropriately to the unique issues involving high utilizers for public service personnel, including criminal justice, mental health, substance abuse, emergency room, healthcare, law enforcement, corrections, and housing personnel;

''(iii) to develop or support alternatives to hospital and jail admissions for high utilizers that provide treatment, stabilization, and other appropriate supports in the least restrictive, yet appropriate, environment; or

''(iv) to develop protocols and systems among law enforcement, mental health, substance abuse, housing, corrections, and emergency medical service operations to provide coordinated assistance to high utilizers.

''(C) REPORT.—Not later than the last day of the first year following the fiscal year in which a grant is awarded under this subsection, the recipient of the grant shall submit to the Attorney General a report that—

''(i) measures the performance of the grant recipient in reducing the use of public services by high utilizers; and

''(ii) provides a model set of practices, systems, or procedures that other jurisdictions can adopt to reduce the use of public services by high utilizers.''.

(f) GRANT ACCOUNTABILITY.—Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by inserting after subsection (i), as so added by subsection (e), the following:

''(l) ACCOUNTABILITY.—All grants awarded by the Attorney General under this section shall be subject to the following accountability provisions:

''(1) AUDIT REQUIREMENT.—

''(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

''(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this section to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(C) MANDATORY EXCLUSION.—A recipient of grant funds under this section that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this section during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

''(D) PRIORITY.—In awarding grants under this section, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this section.

''(E) REIMBURSEMENT.—If an entity is awarded grant funds under this section during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

''(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph and the grant programs under this part, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(B) PROHIBITION.—The Attorney General may not award a grant under this part to a section organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this section and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

''(3) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this section may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this section, to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the Department of Justice, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host the conference.

''(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

''(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

''(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification—

''(A) indicating whether—

''(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

''(iii) all reimbursements required under paragraph (1)(E) have been made; and

''(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.''.

''(m) PREVENTING DUPLICATIVE GRANTS.—

''(1) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this section, the Attorney General shall compare potential grant awards with other grants awarded under this Act to determine if duplicate grant awards are awarded for the same purpose.

''(2) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

''(A) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

''(B) the reason the Attorney General awarded the duplicate grants.''.

(g) REAUTHORIZATION OF APPROPRIATIONS.—Section 2991(n) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as redesignated in subsection (d), is amended—

(1) in paragraph (1);

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(D) $40,000,000 for each of fiscal years 2015 through 2019.''; and

(2) by adding at the end the following:

''(3) LIMITATION.—Not more than 20 percent of the funds authorized to be appropriated under this section may be used for purposes described in subsection (i) (relating to veterans).''.

SEC. 202. ADDITIONAL PURPOSES FOR FEDERAL GRANTS.

(a) MODIFICATIONS TO THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM.—Section 501(a)(1) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(a)(1)) is amended by adding at the end the following:

''(H) Mental health programs and operations by law enforcement or corrections.''.

(b) MODIFICATIONS TO THE COMMUNITY ORIENTED POLICING SERVICES PROGRAM.—Section 1701(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)) is amended—

(1) in paragraph (16), by striking ''and'' at the end;

(2) by redesignating paragraph (17) as paragraph (19);

(3) by inserting after paragraph (16) the following:

''(17) to provide specialized training to law enforcement officers (including village public safety officers (as defined in section 247 of the Indian Arts and Crafts Amendments Act of 2010 (42 U.S.C. 3796dd note))) to recognize individuals who have mental illness and how to properly intervene with individuals with mental illness and to establish programs that enhance the ability of law enforcement agencies to address the mental health, behavioral, and substance abuse problems of individuals encountered in the line of duty;

''(18) to provide specialized training to corrections officers to recognize individuals who have mental illness and to enhance the ability of corrections officers to address the mental health or individuals under the care and custody of jails and prisons; and''; and

(4) in paragraph (19), as redesignated, by striking ''through (16)'' and inserting ''through (18)''.

SEC. 203. CONDITIONS FOR TREATMENT OF CERTAIN PERSONS AS ADJUDICATED MENTALLY INCOMPETENT FOR CERTAIN PURPOSES.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following:

''§ 5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

''In any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is mentally incapacitated, deemed mentally incompetent, or experiencing an extended loss of consciousness shall not be considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18 without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such person is a danger to himself or herself or others.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 55 of title 38, United States Code, is amended by adding at the end the following:

''5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.''.

TITLE III—SCHOOL SAFETY

SEC. 301. SHORT TITLE.

This title may be cited as the ''School Safety Enhancements Act of 2013''.

SEC. 302. GRANT PROGRAM FOR SCHOOL SECURITY.

Section 2701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''Placement'' and inserting ''Installation''; and

(ii) by inserting ''surveillance equipment,'' after ''detectors,'';

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following:

''(5) Establishment of hotlines or tiplines for the reporting of potentially dangerous students and situations.''; and

(2) by adding at the end the following:

''(g) INTERAGENCY TASK FORCE.—

''(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of the School Safety Enhancements Act of 2013, the Director and the Secretary of Education, or the designee of the Secretary, shall establish an interagency task force to develop and promulgate a set of advisory school safety guidelines.

''(2) PUBLICATION OF GUIDELINES.—Not later than 1 year after the date of enactment of the School Safety Enhancements Act of 2013, the advisory school safety guidelines promulgated by the interagency task force shall be published in the Federal Register.

''(3) REQUIRED CONSULTATION.—In developing the final advisory school safety guidelines under this subsection, the interagency task force shall consult with stakeholders and interested parties, including parents, teachers, and agencies.''.

SEC. 303. APPLICATIONS.

Section 2702(a)(2) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797b(a)(2)) is amended to read as follows:

''(2) be accompanied by a report—

''(A) signed by the heads of each law enforcement agency and school district with jurisdiction over the schools where the safety improvements will be implemented; and

''(B) demonstrating that each proposed use of the grant funds will be—

''(i) an effective means for improving the safety of 1 or more schools;

''(ii) consistent with a comprehensive approach to preventing school violence; and

''(iii) individualized to the needs of each school at which those improvements are to be made.''.

SEC. 304. AUTHORIZATION OF APPROPRIATIONS.

Section 2705 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797e) is amended by striking ''2001 through 2009'' and inserting ''2014 through 2023''.

SEC. 305. ACCOUNTABILITY.

Section 2701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a), as amended by section 202 of this title, is amended by adding at the end the following:

''(h) ACCOUNTABILITY.—All grants awarded by the Attorney General under this part shall be subject to the following accountability provisions:

''(1) AUDIT REQUIREMENT.—

''(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

''(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this part to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(C) MANDATORY EXCLUSION.—A recipient of grant funds under this part that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this part during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

''(D) PRIORITY.—In awarding grants under this part, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this part.

''(E) REIMBURSEMENT.—If an entity is awarded grant funds under this part during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

''(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph and the grant programs under this part, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(B) PROHIBITION.—The Attorney General may not award a grant under this part to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this part and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

''(3) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this part may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this part, to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the Department of Justice, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host the conference.

''(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

''(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

''(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification—

''(A) indicating whether—

''(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

''(iii) all reimbursements required under paragraph (1)(E) have been made; and

''(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.''.

SEC. 306. PREVENTING DUPLICATIVE GRANTS.

Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended by adding at the end the following:

''(l) PREVENTING DUPLICATIVE GRANTS.—

''(1) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this part, the Attorney General shall compare potential grant awards with grants awarded under parts A or T to determine if duplicate grant awards are awarded for the same purpose.

''(2) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

''(A) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

''(B) the reason the Attorney General awarded the duplicate grants.''.

SA 726. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 208. APPOINTMENT OF ASSISTANT UNITED STATES ATTORNEYS TO PROSECUTE FIREARMS OFFENSES.

(a) IN GENERAL.—The Attorney General shall—

(1) appoint 50 individuals to a position as an assistant United States attorney, which shall be in addition to the number of such positions on the date of enactment of this Act;

(2) assign each individual serving in a position described in paragraph (1) responsibility for prosecuting offenses under chapter 44 of title 18, United States Code, and any other offense under Federal law involving firearms or ammunition; and

(3) require each individual serving in a position described in paragraph (1) to give priority in the prosecution of offenses described in paragraph (2) to—

(A) crimes of violence (as defined in section 16 of title 18, United States Code) committed by individuals who have previously been convicted of such a crime;

(B) offenses by individuals who have previously been convicted of a crime punishable by imprisonment for more than 1 year; and

(C) offenses committed with the intent to transfer a firearm across an international border of the United States.

(b) ASSIGNMENT TO JUDICIAL DISTRICTS.—In determining in which judicial districts to appoint individuals to positions as assistant United States attorneys under subsection (a), the Attorney General shall give priority to judicial districts with the highest incidence of crimes and offenses described in subparagraphs (A), (B), and (C) of subsection (a)(3).

(c) AUTHORIZATION FOR USE OF FUNDS.—Section 524(c)(1) of title 28, United States Code, is amended—

(1) in subparagraph (H), by striking ''and'' at the end;

(2) in subparagraph (I), by striking the period at the end and inserting ''; and''; and

(3) by inserting after subparagraph (I) the following:

''(J) carrying out section 208 of the Safe Communities, Safe Schools Act of 2013, provided that not more than $12,500,000 shall be available to the Attorney General for each of fiscal years 2014 through 2017 under this subparagraph.''.

SA 727. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Gun Rights and Safety Act of 2013''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Rule of construction.
TITLE I—CONSOLIDATING FEDERAL PROGRAMS AND ENSURING THAT ALL INDIVIDUALS WHO SHOULD BE PROHIBITED FROM BUYING A GUN ARE LISTED IN THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM
Sec. 101. Reauthorization of the National Criminal History Records Improvement Program.

Sec. 102. Improvement of metrics and incentives.
Sec. 103. Grants to states for improvement of coordination and automation of nics record reporting.
Sec. 104. Relief from disabilities program.
Sec. 105. Protecting the Second Amendment rights of veterans.
Sec. 106. Clarification that federal court information is to be made available to the national instant criminal background check system.
Sec. 107. Publication of NICS Index Statistics.
Sec. 108. Effective date.

TITLE II—EXPANDING NICS CHECKS FOR THE SAFE TRANSFER OF FIREARMS

Sec. 201. Purpose.
Sec. 202. Firearms transfers.
Sec. 203. Prohibition on national gun registry; limitation on authorization to seize, copy, or reproduce records and documents.
Sec. 204. Authority to conduct interstate firearms transactions.
Sec. 205. Consolidating unnecessary duplicative and overlapping DOJ programs.
Sec. 206. Inspector General Report.
Sec. 207. Amendment to section 923(g)(5).
Sec. 208. Effective date.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Congress supports and respects the right to bear arms guaranteed by the Second Amendment to the Constitution of the United States.

(2) Congress supports the privacy rights of gun owners in the United States, including the existing prohibition on a national firearms registry.

(3) Congress supports longstanding Federal law that prohibits convicted felons and those with dangerous mental illnesses from purchasing or possessing a firearm, along with the national instant criminal background check system to help prevent these persons from procuring firearms in the primary market.

(4) Congress recognizes an inconsistency in Federal law, where a prohibited purchaser is prohibited from accessing firearms at a gun store, but can easily procure a firearm at a gun show, flea market, or through an Internet advertisement.

(5) Congress and the citizens of the United States agree that in order to promote safe and responsible gun ownership, violent criminals and the dangerously mentally ill should be prohibited from possessing firearms and therefore, it should be incumbent upon Congress to empower law abiding citizens to prevent the transfer of weapons to such people.

(6) There are deficits in the background check system in existence prior to the date of enactment of this Act and the Department of Justice should make it a top priority to work with States to swiftly input missing records, including mental health records.

SEC. 3. RULE OF CONSTRUCTION.

Nothing in this Act, or any amendment made by this Act, shall be construed to—

(1) expand in any way the enforcement authority or jurisdiction of the Bureau of Alcohol, Tobacco, Firearms, and Explosives;

(2) allow the establishment, directly or indirectly, of a Federal firearms registry; or

(3) infringe on the right of law-abiding citizens to keep and bear arms as explicitly guaranteed by the Second Amendment to the Constitution of the United States, which every Member of Congress has taken an oath to support and defend.

TITLE I—CONSOLIDATING FEDERAL PROGRAMS AND ENSURING THAT ALL INDIVIDUALS WHO SHOULD BE PROHIBITED FROM BUYING A GUN ARE LISTED IN THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM

SEC. 101. REAUTHORIZATION OF THE NATIONAL CRIMINAL HISTORY RECORDS IMPROVEMENT PROGRAM.

Section 106(b)(2) of Public Law 103–159 (18 U.S.C. 922 note) is amended by striking ''a total of $200,000,000 for fiscal year 1994 and all fiscal years thereafter'' and inserting ''$25,000,000 for each of fiscal years 2014 through 2017''.

SEC. 102. IMPROVEMENT OF METRICS AND INCENTIVES.

(a) IN GENERAL.—Section 102(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended to read as follows:

''(b) IMPLEMENTATION PLAN.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Gun Rights and Safety Act of 2013, States and Indian tribal government, in coordination with the Attorney General, may establish for each State or Indian tribal government desiring a grant under section 103 a 4-year implementation plan to ensure maximum coordination and automation of the reporting of records or making records available to the National Instant Criminal Background Check System.

''(2) BENCHMARK REQUIREMENTS.—Each 4-year plan established under paragraph (1) shall include annual benchmarks, including both qualitative goals and quantitative measures, to assess implementation of the 4-year plan.

''(3) PENALTIES FOR NON-COMPLIANCE.—

''(A) IN GENERAL.—During the 4-year period covered by a 4-year plan established under paragraph (1), the Attorney General shall withhold—

''(i) 10 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the first year in the 4-year period;

''(ii) 11 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the second year in the 4-year period;

''(iii) 13 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the third year in the 4-year period; and

''(iv) 15 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the fourth year in the 4-year period.

''(B) FAILURE TO ESTABLISH A PLAN.—If a State fails to establish a plan under paragraph (1)—

''(i) the Attorney General shall withhold 15 percent of the amount that would otherwise be allocated to the State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755); and

''(ii) the State shall be ineligible to receive any grant funds under section 106(b) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) or under section 103 of this Act.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 106(b)(1) of Public Law 103–159 (18 U.S.C. 922 note) is amended by inserting ''that has established an implementation plan under section 102(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note)'' after ''each State''.

SEC. 103. GRANTS TO STATES FOR IMPROVEMENT OF COORDINATION AND AUTOMATION OF NICS RECORD REPORTING.

(a) IN GENERAL.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking section 103 and inserting the following:

"SEC. 103. GRANTS TO STATES FOR IMPROVEMENT OF COORDINATION AND AUTOMATION OF NICS RECORD REPORTING.

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—From amounts made available to carry out this section, the Attorney General shall make grants to States, Indian Tribal governments, and State court systems, in a manner consistent with the National Criminal History Improvement Program and consistent with State plans for integration, automation , and accessibility of criminal history records, for use by the State, or units of local government of the State, Indian Tribal government, or State court system to improve the automation and transmittal of mental health records and criminal history dispositions, records relevant to determining whether a person has been convicted of a misdemeanor crime of domestic violence, court orders, and mental health adjudications or commitments to Federal and State record repositories in accordance with section 102 and the National Criminal History Improvement Program.

''(2) LIMITATION ON ELIGIBILITY.—A State may not be awarded a grant under paragraph (1) unless the State establishes an implementation plan under section 102(b).

''(b) USE OF GRANT AMOUNTS.—Grants awarded to States, Indian Tribal governments, or State court systems under this section may only be used to—

''(1) carry out, as necessary, assessments of the capabilities of the courts of the State or Indian Tribal government for the automation and transmission of arrest and conviction records, court orders, and mental health adjudications or commitments to Federal and State record repositories;

''(2) implement policies, systems, and procedures for the automation and transmission of arrest and conviction records, court orders, and mental health adjudications or commitments to Federal and State record repositories;

''(3) create electronic systems that provide accurate and up-to-do information which is directly related to checks under the National Instant Criminal Background Check System, including court disposition and corrections records;

''(4) assist States or Indian Tribal governments in establishing or enhancing their own capacities to perform background checks using the National Instant Criminal Background Check System; and

''(5) develop and maintain the relief from disabilities program in accordance with section 105.

''(c) ELIGIBILITY.—

''(1) IN GENERAL.—To be eligible for a grant under this section, a State, Indian Tribal government, or State court system shall certify, to the satisfaction of the Attorney General, that the State, Indian Tribal government, or State court system—

''(A) is not prohibited by State law or court order to submit mental health records to the National Instant Criminal Background Check System; and

''(B) subject to paragraph (2), has implemented a relief from disabilities program in accordance with section 105.

''(2) RELIEF FROM DISABILITIES PROGRAM.—For purposes of obtaining a grant under this section, a State, Indian Tribal government, or State court system shall not be required to meet the eligibility requirement described in paragraph (1)(B) until the date that is 2 years after the date of enactment of the Gun Rights and Safety Act of 2013.

''(d) FEDERAL SHARE.—

''(1) STUDIES, ASSESSMENTS, NON-MATERIAL ACTIVITIES.—The Federal share of a study, assessment, creation of a task force, or other non-material activity, as determined by the Attorney General, carried out with a grant under this section shall be not more than 25 percent.

''(2) INFRASTRUCTURE OR SYSTEM DEVELOPMENT.—The Federal share of an activity involving infrastructure or system development, including labor-related costs, for the purpose of improving State or Indian Tribal government record reporting to the National Instant Criminal Background Check System carried out with a grant under this section may amount to 100 percent of the cost of the activity.

''(e) GRANTS TO INDIAN TRIBES.—Up to 2 percent of the grant funding available under this section may be reserved for reservation-based Indian tribal governments for use by Indian tribal judicial systems.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $25,000,000 for each of fiscal years 2014 through 2017.'';

(2) by striking title III; and

(3) in section 401(b), by inserting after ''of this Act'' the following: ''and 18 months after the date of enactment of the Gun Rights and Safety Act of 2013''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections in section 1(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by striking the item relating to section 103 and inserting the following:

''Sec. 103. Grants to States for improvement of coordination and automation of NICS record reporting.''.

SEC. 104. RELIEF FROM DISABILITIES PROGRAM.

Section 105 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by adding at the end the following:

''(c) PENALTIES FOR NON-COMPLIANCE.—

''(1) 10 PERCENT REDUCTION.—During the 1-year period beginning 1 year after the date of enactment of the Gun Rights and Safety Act of 2013, the Attorney General shall withhold 10 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

''(2) 11 PERCENT REDUCTION.—During the 1-year period after the expiration of the period described in paragraph (1), the Attorney General shall withhold 11 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

''(3) 13 PERCENT REDUCTION.—During the 1-year period after the expiration of the period described in paragraph (2), the Attorney General shall withhold 13 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

''(4) 15 PERCENT REDUCTION.—After the expiration of the 1-year period described in paragraph (3), the Attorney General shall withhold 15 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.''.

SEC. 105. PROTECTING THE SECOND AMENDMENT RIGHTS OF VETERANS.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

''(a) IN GENERAL.—In any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is determined by the Secretary to be mentally incompetent shall not be considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18, until—

''(1) in the case in which the person does not request a review as described in subsection (c)(1), the end of the 30-day period beginning on the date on which the person receives notice submitted under subsection (b); or

''(2) in the case in which the person requests a review as described in paragraph (1) of subsection (c), upon an assessment by the board designated or established under paragraph (2) of such subsection or court of competent jurisdiction that a person cannot safely use, carry, possess, or store a firearm due to mental incompetency.

''(b) NOTICE.—Notice submitted under this subsection to a person described in subsection (a) is notice submitted by the Secretary that notifies the person of the following:

''(1) The determination made by the Secretary.

''(2) A description of the implications of being considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18.

''(3) The person's right to request a review under subsection (c)(1).

''(c) ADMINISTRATIVE REVIEW.—(1) Not later than 30 days after the date on which a person described in subsection (a) receives notice submitted under subsection (b), such person may request a review by the board designed or established under paragraph (2) or a court of competent jurisdiction to assess whether a person cannot safely use, carry, possess, or store a firearm due to mental incompetency. In such assessment, the board may consider the person's honorable discharge or decoration.

''(2) Not later than 180 days after the date of enactment of the Gun Rights and Safety Act of 2013, the Secretary shall designate or establish a board that shall, upon request of a person under paragraph (1), assess whether a person cannot safely use, carry, possess, or store a firearm due to mental incompetency.

''(d) JUDICIAL REVIEW.—A person may file a petition with a Federal court of competent jurisdiction for judicial review of an assessment of the person under subsection (c) by the board designated or established under paragraph (2).

''(e) PROTECTING RIGHTS OF VETERANS WITH EXISTING RECORDS.—Not later than 90 days after the date of enactment of the Gun Rights and Safety Act of 2013, the Secretary shall provide written notice of the opportunity for administrative review and appeal under subsection (c) to all persons who, on the date of enactment of the Gun Rights and Safety Act of 2013, are considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18 as a result of having been found by the Department of Veterans Affairs to be mentally incompetent.

''(f) FUTURE DETERMINATIONS.—

''(1) IN GENERAL.—Not later than 180 days after the enactment of the Gun Rights and Safety Act of 2013, the Secretary shall review the policies and procedures by which individuals are determined to be mentally incompetent, and shall revise such policies and procedures as necessary to ensure that any individual who is competent to manage his own financial affairs, including his receipt of Federal benefits, but who voluntarily turns over the management thereof to a fiduciary is not considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18.

''(2) REPORT.—Not later than 30 days after the Secretary has made the review and changes required under paragraph (1), the Secretary shall submit to Congress a report detailing the results of the review and any resulting policy and procedural changes.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by adding at the end the following new item:

''5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.''.

(c) APPLICABILITY.—Section 5511 of title 38, United States Code (as added by this section), shall apply only with respect to persons who are determined by the Secretary of Veterans Affairs, on or after the date of the enactment of this Act, to be mentally incompetent, except that those persons who are provided notice pursuant to section 5511(e) of such title shall be entitled to use the administrative review under section 5511(c) of such title and, as necessary, the subsequent judicial review under section 5511(d) of such title.

SEC. 106. CLARIFICATION THAT FEDERAL COURT INFORMATION IS TO BE MADE AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

Section 103(e)(1) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), is amended by adding at the end the following:

''(F) APPLICATION TO FEDERAL COURTS.—In this subsection—

''(i) the terms 'department or agency of the United States' and 'Federal department or agency' include a Federal court; and

''(ii) for purposes of any request, submission, or notification, the Director of the Administrative Office of the United States Courts shall perform the functions of the head of the department or agency.''.

SEC. 107. PUBLICATION OF NICS INDEX STATISTICS.

Not later than 180 days after the date of enactment of this Act, and biannually thereafter, the Attorney General shall make the National Instant Criminal Background Check System index statistics available on a publically accessible Internet website.

SEC. 108. EFFECTIVE DATE.

The amendments made by this title shall take effect 180 days after the date of enactment of this Act.

TITLE II—EXPANDING NICS CHECKS FOR THE SAFE TRANSFER OF FIREARMS

SEC. 201. PURPOSE.

The purpose of this title is to extend check procedures under the National Instant Criminal Background Check System to promote the safe transfer of firearms in the secondary market.

SEC. 202. FIREARMS TRANSFERS.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended—

(1) by repealing subsection (s);

(2) by redesignating subsection (t) as subsection (s);

(3) in subsection (s), as redesignated—

(A) in paragraph (3)(C)(ii), by striking ''(as defined in subsection (s)(8))''; and

(B) by adding at the end the following:

''(7) In this subsection, the term 'chief law enforcement officer' means the chief of police, the sheriff, or an equivalent officer or the designee of any such individual.

''(8) The Federal Bureau of Investigation shall not charge a user fee for a background check conducted pursuant to this subsection.''; and

(4) by inserting after subsection (s), as redesignated, the following:

''(t)(1) In this subsection, the term 'covered transfer'—

''(A) means a transfer that the transferor, the transferee, or both intends to be permanent, including a transfer by sale, pledge, trade, gift, or consignment; and

''(B) does not include—

''(i) a transfer between spouses, between parents or spouses of parents and their children or spouses of their children, between siblings or spouses of siblings, or between grandparents or spouses of grandparents and their grandchildren or spouses of their grandchildren, or between aunts or uncles or their spouses and their nieces or nephews or their spouses, or between first cousins, if the transferor does not know or have reasonable cause to believe that the transferee is prohibited from receiving or possessing a firearm under Federal, State, or local law;

''(ii) a transfer made from a decedent's estate by bequest, intestate succession, or by operation of law; or

''(iii) a temporary transfer of a firearm, unless the transferor knows or has reason to believe that the transferee is prohibited from receiving or possessing a firearm under Federal, State, or local law.

''(2) Beginning on the date that is 18 months after the date of enactment of the Gun Rights and Safety Act of 2013 or 30 days after the date on which the consumer portal established under paragraph (3) is operational, whichever is later, it shall be unlawful for any person who is not licensed under this chapter to make a covered transfer of a firearm to any other person who is not licensed under this chapter, unless—

''(A) the covered transfer is made after a licensed importer, licensed manufacturer, or licensed dealer has first taken possession of the firearm for the purpose of complying with subsection (s), if upon taking possession of the firearm, the licensee complies with all requirements of this chapter as if the licensee were transferring the firearm from the licensee's business inventory to the unlicensed transferee;

''(B) the covered transfer is made in accordance with regulations promulgated by the Attorney General under paragraph (3) and after the unlicensed transferee has undergone a background check;

''(C) the covered transfer is made—

''(i) after the transferee has presented to the transferor a permit for transfer of a firearm that—

''(I) allows the transferee to possess, acquire, or carry a firearm; and

''(II) was issued not more than 5 years earlier by the State, or political subdivision thereof, in which the transfer is to take place; and

''(ii) in a State in which the law of the State allows the transferee to possess, acquire, or carry a firearm, if the law of the State, or political subdivision of a State, that issued the permit requires that such permit is issued only after an authorized government official has verified that the information available to such official does not indicate that possession of a firearm by the unlicensed transferee would be in violation of Federal, State, or local law; or

''(D) if the State in which the covered transfer takes place has enacted legislation that requires an unlicensed transferor to comply with subsection (s) before the transfer takes place to assure the unlicensed transferee is not prohibited from receiving or possessing a firearm—

''(i) the covered transfer is made between an unlicensed transferor and an unlicensed transferee who reside in the same State, and takes place in such State; or

''(ii) if the unlicensed transferor and the unlicensed transferee reside in different States and the States have entered into a reciprocal agreement, the covered transfer takes place in either of such States.

''(3)(A) Not later than 2 years after the date of enactment of the Gun Rights and Safety Act of 2013, the Attorney General shall, using competitive bidding practices, authorize the establishment of an Internet-based, consumer portal that will allow a person who is not licensed under this chapter to run a self-background check using the National Instant Criminal Background Check System for the purpose of conducting a covered transfer under this subsection.

''(B) In authorizing the establishment of the consumer portal required under subparagraph (A), the Attorney General shall ensure that—

''(i) the consumer portal may be accessed through an Internet website, mobile application, or other means determined appropriate by the Attorney General;

''(ii) an unlicensed transferee who completes a background check using the consumer portal and would not be in violation of subsection (g) or (n) of section 922 or of State law by receiving a firearm shall be provided a temporary permit, valid for a 30-day period beginning on the date on which the background check is completed, that—

''(I) signifies that the unlicensed transferee is not prohibited from legally purchasing or possessing a firearm; and

''(II) may be used, during the 30-day period, by the unlicensed transferee for a covered transfer of a firearm under this subsection, in compliance with any applicable State or Federal law;

''(iii) the temporary permit described in clause (ii) shall—

''(I) be made available to the unlicensed transferee as an electronic printable document and be accessible through an Internet website, mobile application, or other means determined appropriate by the Attorney General; and

''(II) contain—

''(aa) the name of the unlicensed transferee;

''(bb) the date of expiration of the permit;

''(cc) a unique pin number that can be used to verify the validity of the permit by the unlicensed transferor of a firearm; and

''(dd) any other protections necessary to prevent fraud;

''(iv) the consumer portal be designed in a manner that allows for maximum privacy and security protections so that a user of the consumer portal may only run a self-background check and not run a background check on any other person;

''(v) any personally identifiable information obtained by the consumer portal from an individual, including names, physical locations, mailing addresses, Internet protocol addresses, and other unique identifiers, shall be destroyed within 24 hours from the time at which the information was obtained, except for—

''(I) information required for the unlicensed transferor to verify the validity of the permit, including—

''(aa) the unique serial number assigned to a temporary permit; and

''(bb) the date of birth associated with the unique serial number; and

''(II) any record of a person who—

''(aa) attempts to complete a background check; and

''(bb) would be in violation of subsection (g) or (n) of section 922 if the person received or possessed a firearm; and

''(vi) any information described in clause (v)(I) shall be destroyed at the end of the 30-day period described in clause (ii).

''(4)(A) Notwithstanding any other provision of this chapter, except for section 923(m), the Attorney General may implement this subsection with regulations.

''(B) Regulations promulgated under this paragraph may not include any provision requiring licensees to facilitate transfers in accordance with paragraph (2)(A).

''(C) Regulations promulgated under this paragraph may not include any provision requiring persons not licensed under this chapter to keep records of background checks or firearms transfers.

''(D) Regulations promulgated under this paragraph may not include any provision placing a cap on the fee licensees may charge to facilitate transfers in accordance with paragraphs (2)(A).

''(5) No department, agency, officer, or employee of the United States may—

''(A) require that any record or portion thereof generated by a consumer portal be recorded at or transferred to a facility owned, managed, or controlled by the United States or any State or political subdivision thereof; or

''(B) use a consumer portal to establish any system for the registration of firearms, firearm owners, or firearm transactions or dispositions, except with respect to persons, prohibited by section 922 (g) or (n) of title 18, United States Code or State law, from receiving a firearm.

''(6) The Attorney General shall establish, and make available to the public, a sample form, which may be used, on a voluntary basis, by a transferor to document information relating to each firearm transfer conducted by the transferor, for the purpose of assisting law enforcement officers during a criminal investigation.

''(7)(A) If the consumer portal established under this subsection is shut down for a period of more than 7 days, this subsection shall have no force or effect during the period for which the consumer portal is non-operational.

''(B) If the consumer portal established under this subsection is ever permanently shut down or defunded, this subsection shall have no force or effect beginning on the date on which the consumer portal is non-operational.

''(8)(A) Subject to subparagraph (B), paragraph (2) shall not apply to a covered transfer described in subparagraph (D) in a State that has enacted legislation that—

''(i) establishes requirements for background checks for covered transfers described in subparagraph (D) that are similar to the requirements described in this subsection; and

''(ii) allows for the State to have primary enforcement authority of covered transfers described in subparagraph (D) occurring within the State.

''(B) If the Attorney General determines that legislation enacted by a State does not establish requirements for background checks for covered transfers described in subparagraph (D) that are similar to the requirements described in this subsection—

''(i) the Attorney General shall notify the State of the determination; and

''(ii) beginning on the date that is 1 year after the date on which the Attorney General notifies the State under clause (i), paragraph (2) shall apply to a covered transfer in the State unless the State has enacted legislation that establishes requirements for background checks for covered transfers that are, in the determination of the Attorney General, similar to the requirements described in this subsection.

''(C) In establishing requirements that are similar to the requirements under this subsection, a State—

''(i) may allow for geographic or technological exemptions for rural areas within the State that are remote and lack the technological capabilities needed to access the consumer portal; and

''(ii) may impose penalties for violations of the requirements established by the State that are stronger than the penalties imposed under this chapter for violations of the requirements under this subsection.

''(D) A covered transfer described in this subparagraph is a covered transfer between an unlicensed transferor and an unlicensed transferee that occurs—

''(i) at any venue where firearms transactions take place or where firearms transferors or transferees are brought together, including at a gun show or event, or on the curtilage thereof; or

''(ii) pursuant to an advertisement, posting, display, or other public listing on the Internet, in a publication, at a forum, or in any manner accessible to the general public by the transferor of his intent to transfer, or the transferee of his intent to acquire, the firearm.''.

(b) ACCOUNTABILITY.—

(1) IN GENERAL.—

(A) AUDITS OF BACKGROUND CHECKS CONDUCTED FOR LICENSEE SALES.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until the date on which the Inspector General of the Department of Justice begins conducting audits under subparagraph (B), the Inspector General of the Department of Justice shall conduct an audit of the process of background checks conducted for the purposes of a transfer of a firearm under subsection (s) of section 922 of title 18, United States Code, as redesignated by subsection (a)(2) of this section, to—

(i) prevent waste, fraud, and abuse of the background check system; and

(ii) ensure compliance with the requirement to destroy certain information within 24 hours under section 511 of title V of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 922 note).

(B) AUDITS OF ALL BACKGROUND CHECKS.—Not later than 90 days after the date on which the prohibition under subsection (t)(2) of section 922 of title 18, United States Code, (as added by subsection (a)(4) of this section) takes effect, and every 90 days thereafter, the Inspector General of the Department of Justice shall conduct an audit of the process of background checks conducted for the purposes of a transfer of a firearm under subsection (s) or (t) of section 922 of title 18, United States Code, as amended by subsection (a) of this section, to—

(i) prevent waste, fraud, and abuse of the background check system; and

(ii) ensure compliance with the requirement to destroy certain information within 24 hours under—

(I) section 922(t)(3)(B)(v) of title 18, United States Code; and

(II) section 511 of title V of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 922 note).

(2) REPORT TO CONGRESS.—The Inspector General of the Department of Justice shall—

(A) submit a report describing the results of each audit conducted under this paragraph to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives; and

(B) publish each report submitted under subparagraph (A) on the homepage of the official public website of the Department of Justice.

(c) PENALTIES.—Section 924(a)(5) of title 18, United States Code, is amended—

(1) by inserting ''(A)'' after ''(5)'';

(2) by striking ''or (t)''; and

(3) by adding at the end the following:

''(B) Whoever knowingly violates subsection (t) of section 922—

''(i) shall be fined not more than $1,000; and

''(ii) in the case of a second or subsequent violation, shall be fined under this title, imprisoned not more than 3 years, or both.

''(C) Whoever knowingly uses the consumer portal established under paragraph (3) of section 922(t) for any purpose other than the purpose described in subparagraph (B)(iv) of such paragraph shall be fined under this title, imprisoned not more than 1 year, or both.''.

(d) TECHNICAL AND CONFORMING AMENDMENT.—

(1) SECTION 922.—Section 922(y)(2) of title 18, United States Code, is amended, in the matter preceding subparagraph (A), by striking '', (g)(5)(B), and (s)(3)(B)(v)(II)'' and inserting ''and (g)(5)(B)''.

(2) CONSOLIDATED AND FURTHER CONTINUING APPROPRIATIONS ACT, 2012.—Section 511 of title V of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 922 note) is amended by striking ''subsection 922(t)'' and inserting ''section 922(s)'' each place it appears.

(e) SUNSET.—Effective on the date that is 5 years after the effective date of the amendments made by this section—

(1) this section is repealed;

(2) each provision of law amended by this section is amended to read as such provision read on the day before the effective date of the amendments made by this section; and

(3) section 923(m) of title 18, United States Code, as added by section 203(a) of this Act, is amended to read as follows:

''(m) The Attorney General and any department or agency of the United States may not consolidate or centralize the records of the—

''(1) acquisition or disposition of firearms, or any portion thereof, maintained by a person licensed under this chapter; or

''(2) possession or ownership of a firearm, maintained by any medical or health insurance entity.''.

SEC. 203. PROHIBITION ON NATIONAL GUN REGISTRY; LIMITATION ON AUTHORIZATION TO SEIZE, COPY, OR REPRODUCE RECORDS AND DOCUMENTS.

(a) PROHIBITION OF NATIONAL GUN REGISTRY.—Section 923 of title 18, United States Code, is amended by adding at the end the following:

''(m) The Attorney General and any department or agency of the United States may not consolidate or centralize the records of the—

''(1) acquisition or disposition of firearms, or any portion thereof, maintained by—

''(A) a person licensed under this chapter;

''(B) an unlicensed transferor under section 922(t); or

''(2) possession or ownership of a firearm, maintained by any medical or health insurance entity.''.

(b) PENALTY.—Section 924 of title 18, United States Code, as amended by section 202(c) of this Act, is amended by adding at the end the following:

''(q) IMPROPER USE OF STORAGE OF RECORDS.—Any person who knowingly violates section 923(m) shall be fined under this title, imprisoned not more than 15 years, or both.''.

(c) LIMITATION ON AUTHORIZATION TO SEIZE, COPY, OR REPRODUCE RECORDS AND DOCUMENTS.—Section 923 of title 18, United States Code, as amended by section 202(b) of this Act, is amended by adding at the end the following:

''(n)(1) An officer of the Bureau of Alcohol, Tobacco, Firearms, and Explosive may only seize, copy, or reproduce a record or document of a person licensed under this chapter, an unlicensed transferor of a firearm, or an unlicensed transferee of a firearm if the record or document—

''(A) constitutes material evidence of a violation of law; or

''(B) is necessary in the conduct of a bona fide criminal investigation.

''(2) If any officer of the Bureau of Alcohol, Tobacco, Firearms, and Explosives violates paragraph (1), the Attorney General—

''(A) shall impose a civil penalty of $1,000 on the officer for a first violation; and

''(B) shall terminate the officer for a second violation.

''(3)(A) It shall be unlawful for any person who is an officer of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to violate paragraph (1).

''(B) Any person who violates subparagraph (A)—

''(i) for a first offense, shall be fined $1,000; and

''(ii) for a subsequent offense, shall be fined under this title, imprisoned for not less than 1 year, or both.''.

SEC. 204. AUTHORITY TO CONDUCT INTERSTATE FIREARMS TRANSACTIONS.

(a) FIREARMS DISPOSITIONS.—Section 922(b)(3) of title 18, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''located'' and inserting ''located or temporarily located''; and

(2) in subparagraph (A)—

(A) by striking ''rifle or shotgun'' and inserting ''firearm'';

(B) by striking ''located'' and inserting ''located or temporarily located''; and

(C) by striking ''both such States'' and inserting ''the State in which the transfer is conducted and the State of residence of the transferee''.

(b) DEALER LOCATION.—Section 923 of title 18, United States code, as amended by section 203(a) of this Act, is amended—

(1) in subsection (j)—

(A) in the first sentence, by striking '', and such location is in the State which is specified on the license''; and

(B) in the last sentence—

(i) by inserting ''transfer,'' after ''sell,''; and

(ii) by striking all that follows ''Act'' and inserting a period; and

(2) by adding at the end the following:

''(o) Nothing in this chapter shall be construed to prohibit the sale, transfer, delivery, or other disposition of a firearm or ammunition—

''(1) by a person licensed under this chapter to another person so licensed, at any location in any State; or

''(2) by a licensed importer, licensed manufacturer, or licensed dealer to a person not licensed under this chapter, at a temporary location described in subsection (j) in any State.''.

(c) RESIDENCE OF UNITED STATES OFFICERS.—Section 921 of title 18, United States Code, is amended by striking subsection (b) and inserting the following:

''(b) For purposes of this chapter:

''(1) A member of the Armed Forces on active duty, or a spouse of such member, is a resident of—

''(A) the State in which the person maintains legal residence;

''(B) the State in which the permanent duty station of the member is located; and

''(C) the State in which the member maintains a place of abode from which the member commutes each day to the permanent duty station.

''(2) An officer or employee of the United States (other than a member of the Armed Forces) stationed outside the United States for a period exceeding one year is a resident of the State in which the officer or employee maintains legal residence.''.

SEC. 205. CONSOLIDATING UNNECESSARY DUPLICATIVE AND OVERLAPPING DOJ PROGRAMS.

(a) IN GENERAL.—Notwithstanding any other provision of law, not later than 150 days after the date of enactment of this Act, the Director of the Office of Management and Budget and the Attorney General shall coordinate with the heads of the relevant offices of the Department of Justice to—

(1) use available administrative authority to eliminate, consolidate, or streamline the more than 250 grant programs with duplicative and overlapping missions identified in the July 2012 Government Accountability Office report to Congress entitled ''Justice Grant Programs: DOJ Should Do More to Reduce the Risk of Unnecessary Duplication and Enhance Program Assessment'' (GAO-12-517); and

(2) determine the total cost savings that shall result to each agency, office, and department from the actions described in paragraph (1).

(b) REPORT.—Notwithstanding any other provision of law, not later than 200 days after the date of enactment of this Act, the Director of the Office of Management and Budget and the Attorney General shall coordinate with the heads of the relevant offices of the Department of Justice, and submit a report to the Congress detailing—

(1) any actions taken under subsection (a)(1); and

(2) the findings determined under subsection (a)(2).

(c) RESCISSION OF FUNDS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, $200,000,000 is hereby rescinded from discretionary unobligated balances within the Department of Justice that are not designated as emergency or overseas contingency operations. The Director of the Office of Management and Budget shall determine and identify from which appropriation accounts the rescission shall apply and the amount of such rescission that shall apply to each such account.

(2) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to the Congress of the accounts and amounts determined and identified for rescission under paragraph (1).

SEC. 206. INSPECTOR GENERAL REPORT.

(a) INITIAL REPORT.—Not later than 1 year after the date on which the consumer portal established under section 922(t)(3) of title 18, United States Code, as amended by section 202 of this Act, becomes operational, the Inspector General for the Department of Justice shall submit to Congress a report on the effectiveness of the consumer portal, which shall—

(1) take into account feedback from transferors, transferees, and government officials; and

(2) include recommendations to improve—

(A) the effectiveness of the consumer portal; and

(B) the ease of using the consumer portal.

(b) UPDATED REPORT.—Not later than 1 year after the date on which the Inspector General of the Department of Justice submits the report required under subsection (a), the Inspector General shall submit to Congress an updated version of the report required in subsection (a), including any additional analysis or recommendations.

SEC. 207. AMENDMENT TO SECTION 923(g)(5).

Section 923(g)(5) of title 18, United States Code, is amended by adding at the end the following:

''(C) The Attorney General may not issue a letter pursuant to this paragraph unless the letter is issued—

''(i) during the course of a bona fide criminal investigation of a person other than the licensee;

''(ii) to determine the disposition of 1 or more particular firearms during the course of a bona fide criminal investigation; or

''(iii) to request the total number of rifles, shotguns, pistols, revolvers, and other firearms manufactured in, or exported from, the United States by the licensee.''.

SEC. 208. EFFECTIVE DATE.

The amendments made by this title shall take effect 180 days after the date of enactment of this Act.

SA 728. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. LIMITATION AND USE OF FUNDS BY THE SECRETARY OF HEALTH AND HUMAN SERVICES.

The Secretary of Health and Human Services—

(1) shall not use Federal funds to collect information on lawful gun owners for purposes of maintaining such information in any data base;

(2) shall not use Federal funds to conduct research on the demographic profile of lawful gun owners;

(3) shall not require vendors of the Department of Health and Human Services or health care providers to include in any electronic records maintained under the HITECH Act (Public Law 111-5), or any amendment made by that Act, data concerning whether a patient lawfully or safely owns or stores a gun or ammunition at home; and

(4) shall, not less than annually, publicly disclose to Congress to what degree any Federal funds may be used for data collection and analysis regarding the mental health characteristics of individuals guilty of the unlawful ownership, possession, or use of a firearm or ammunition.

SA 729. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—ADOPTION AND MEANINGFUL USE OF CERTIFIED EHR TECHNOLOGY BY MENTAL HEALTH PROVIDERS

SECTION 401. SHORT TITLE.

This title may be cited as the ''Integrating Mental Health Through Technology Act of 2013''.

SEC. 402. MEDICARE AND MEDICAID PILOT PROGRAMS FOR THE ADOPTION AND MEANINGFUL USE OF CERTIFIED EHR TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) CERTIFIED EHR TECHNOLOGY.—The term ''certified EHR technology'' has the meaning given that term in section 1848(o)(4) of the Social Security Act (42 U.S.C. 1395w–4(o)(4)).

(2) HIT POLICY COMMITTEE.—The term ''HIT Policy Committee'' means such Committee established under section 3002(a) of the Public Health Service Act (42 U.S.C. 300jj–12(a)).

(3) NATIONAL COORDINATOR.—The term ''National Coordinator'' means the head of the Office of the National Coordinator for Health Information Technology established under section 3001(a) of the Public Health Service Act (42 U.S.C. 300jj–11(a)).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services, acting through the Administrator of the Centers for Medicare & Medicaid Services.

(b) MEDICARE PILOT PROGRAM.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—The Secretary shall establish a pilot program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) under which incentive payments are made to eligible professionals and eligible hospitals for the adoption and meaningful use of certified EHR technology.

(B) DEFINITION OF ELIGIBLE HOSPITAL AND ELIGIBLE PROFESSIONAL.—In this subsection:

(i) ELIGIBLE HOSPITAL.—The term ''eligible hospital'' means a psychiatric hospital (as defined in section 1861(f) of the Social Security Act (42 U.S.C. 1395x(f))) that furnishes inpatient hospital services.

(ii) ELIGIBLE PROFESSIONAL.—The term ''eligible professional'' means a clinical psychologist providing qualified psychologist services (as defined in section 1861(ii) of such Act (42 U.S.C. 1395x(ii))).

(2) DURATION.—The pilot program under this subsection shall be conducted for a period of 3 years.

(3) REQUIREMENTS.—

(A) ADOPTION AND MEANINGFUL USE.—For purposes of making incentive payments to eligible professionals and eligible hospitals under the pilot program under this subsection, the Secretary shall establish standards for determining adoption and meaningful use that are comparable to the requirements under sections 1848(o)(2) and 1886(n)(3) of the Social Security Act (42 U.S.C. 1395w–4(o)(2), 1395ww(n)(3)).

(B) INCENTIVE PAYMENTS.—Any incentive payments made to eligible professionals and eligible hospitals under the pilot program under this subsection shall be comparable to payment amounts provided under sections 1848(o)(1) and 1886(n)(2) of the Social Security Act (42 U.S.C. 1395w-4(o)(1), 1395ww(n)(2)).

(4) IDENTIFYING PILOT PROGRAM PARTICIPANTS.—For purposes of selecting participants for the pilot program, the Secretary shall give priority to areas of the United States in which the Secretary determines eligible professionals under section 1848(o) of the Social Security Act (42 U.S.C. 1395w–4(o)) and eligible hospitals under section 1886(n) of such Act (42 U.S.C. 1395ww(n)) have already demonstrated high rates of adoption and meaningful use of certified EHR technology.

(5) NON-APPLICATION OF PAYMENT ADJUSTMENT.—For purposes of section 1848(a)(7) of the Social Security Act (42 U.S.C. 1395w-4(a)(7)), no payment adjustment may be made under such section in the case of any eligible professional or eligible hospital that receives an incentive payment under this subsection.

(6) WAIVER.—The Secretary may waive such provisions of titles XI and XVIII of the Social Security Act as may be necessary to

carry out the pilot program under this subsection.

(7) REPORT.—Not later than 6 months after conclusion of the pilot program, the National Coordinator shall submit to the Secretary, the HIT Policy Committee, and the relevant committees of Congress a report that includes—

(A) an evaluation of the effectiveness of the pilot program;

(B) a description of best practices for the adoption and meaningful use of certified EHR technology by participating professionals and hospitals;

(C) recommendations regarding whether the pilot program should be expanded; and

(D) recommendations for such legislation and administrative action as the National Coordinator determines appropriate.

(8) AUTHORIZATION.—There are authorized to be appropriated $40,000,000 for the period of fiscal years 2014 through 2016 to carry out the pilot program under this subsection, to remain available for the duration of the pilot program.

(c) MEDICAID PILOT PROGRAM.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—The Secretary shall establish a pilot program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) under which incentive payments are made to eligible Medicaid providers in participating States for the adoption and meaningful use of certified EHR technology.

(B) DEFINITION OF ELIGIBLE MEDICAID PROVIDER.—In this subsection, the term ''eligible Medicaid provider'' means any of the following:

(i) A clinical psychologist providing qualified psychologist services (as defined in section 1861(ii) of the Social Security Act (42 U.S.C. 1395x(ii)), if such clinical psychologist is practicing in an outpatient setting that—

(I) is not otherwise receiving payment under paragraph (1) of section 1903(t) of the Social Security Act (42 U.S.C. 1396b(t)) as a Medicaid provider described in paragraph (2)(B) of such section; and

(II) is described in clause (i), (ii), or (iii) of paragraph (2)(A) of such section.

(ii) A public hospital that is principally a psychiatric hospital (as defined in section 1861(f) of the Social Security Act).

(iii) A private hospital that is principally a psychiatric hospital (as defined in such section) and that has at least 10 percent of its patient volume (as estimated in accordance with a methodology established by the Secretary) attributable to individuals receiving medical assistance under title XIX of such Act.

(iv) A community mental health center (as described in section 1913(b)(2) of the Public Health Service Act (42 U.S.C. 300x–2(b)(2))).

(2) DURATION.—The pilot program under this subsection shall be conducted for a period of 3 years.

(3) REQUIREMENTS.—

(A) ADOPTION AND MEANINGFUL USE.—The Secretary shall establish standards for determining adoption and meaningful use for purposes of making incentive payments to eligible Medicaid providers under the pilot program under this subsection that are comparable to the standards for adoption and use of certified EHR technology under section 1903(t) of the Social Security Act (42 U.S.C. 1396b(t)).

(B) INCENTIVE PAYMENTS.—Any incentive payments made to eligible Medicaid providers under the pilot program under this subsection shall be comparable to payment amounts provided under section 1903(t) of the Social Security Act (42 U.S.C. 1396b(t)).

(4) IDENTIFYING PILOT PROGRAM PARTICIPANTS.—For purposes of selecting participants for the pilot program, the Secretary shall give priority to States in which the Secretary determines Medicaid providers under section 1903(t) of the Social Security Act (42 U.S.C. 1396b(t)) have already demonstrated high rates of adoption and meaningful use of certified EHR technology.

(5) WAIVER.—The Secretary may waive such provisions of titles XI and XIX of the Social Security Act as may be necessary to carry out the pilot program under this subsection.

(6) REPORT.—Not later than 6 months after conclusion of the pilot program, the National Coordinator shall submit to the Secretary, the HIT Policy Committee, and the relevant committees of Congress a report that includes—

(A) an evaluation of the effectiveness of the pilot program;

(B) a description of best practices for the adoption and meaningful use of certified EHR technology by participating professionals and hospitals;

(C) recommendations regarding whether the pilot program should be expanded; and

(D) recommendations for such legislation and administrative action as the National Coordinator determines appropriate.

(7) AUTHORIZATION.—There are authorized to be appropriated $40,000,000 for the period of fiscal years 2014 through 2016 to carry out the pilot program under this subsection, to remain available for the duration of the pilot program.

SA 730. Mr. HARKIN (for himself, Mr. ALEXANDER, Mr. FRANKEN, Ms. MURKOWSKI, Mr. BENNET, Mr. ROBERTS, Ms. BALDWIN, Ms. AYOTTE, Mrs. HAGAN, Mr. MURPHY, Mr. BLUMENTHAL, and Mr. JOHANNS) proposed an amendment to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; as follows:

At the appropriate place, insert the following:

TITLE ____—MENTAL HEALTH AND SUBSTANCE USE DISORDERS

SEC. __01. SHORT TITLE.

This title may be cited as the ''Mental Health Awareness and Improvement Act of 2013''.

Subtitle A—Education Programs

SEC. __11. SHORT TITLE.

This subtitle may be cited as the ''Achievement Through Prevention Act''.

SEC. __12. PURPOSE.

The purpose of this subtitle is to expand the use of positive behavioral interventions and supports and early intervening services in schools in order to improve student academic achievement, reduce overidentification of individuals with disabilities, and reduce disciplinary problems in schools.

SEC. __13. AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.

(a) TITLE I STATE PLANS.—Section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)) is amended by adding at the end the following:

''(11) POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS.—In the case of a State that proposes to use funds under this part to support positive behavioral interventions and supports, the State plan shall describe how the State educational agency will—

''(A) assist local educational agencies in implementing positive behavioral interventions and supports in schools served by the local educational agency on a whole-school basis;

''(B) provide technical assistance and training to local educational agencies to improve and support the development, implementation, and coordination of comprehensive positive behavioral interventions and supports carried out under this Act with activities carried out under the Individuals with Disabilities Education Act; and

''(C) evaluate the effects of providing positive behavioral interventions and supports for all students, including improvement of the learning environment, academic achievement, disciplinary problems such as incidents of suspensions, expulsions, referrals to law enforcement, and other actions that remove students from instruction, and any other effects the State chooses to evaluate.

''(12) EARLY INTERVENING SERVICES.—In the case of a State that proposes to use funds under this part to support early intervening services, the State plan shall describe how the State educational agency will—

''(A) assist local educational agencies in implementing early intervening services in schools served by the local educational agency to reduce the need to label children as children with disabilities in order to address the learning and behavioral needs of such children;

''(B) provide technical assistance and training to local educational agencies to improve coordination of early intervening services provided under this Act with early intervening services carried out under the Individuals with Disabilities Education Act; and

''(C) evaluate the effects of providing early intervening services.

''(13) CRISIS MANAGEMENT PLANS.—In the case of a State that proposes to use funds under this part to assist local educational agencies in the State in periodically updating the crisis management plans, as described in section 4114(d)(7)(D), of such local educational agencies, the State plan shall describe how the State educational agency will assist local educational agencies in updating such crisis management plans.''.

(b) TITLE I STATE REPORTS.—Section 1111(h)(1)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)) is amended—

(1) in clause (vii), by striking ''and'' after the semicolon;

(2) in clause (viii), by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

''(ix) the number of local educational agencies in the State that implement positive behavioral interventions and supports;

''(x) the number of students—

''(I) who are served through the use of early intervening services; and

''(II) who, in the preceding 2-year period, received early intervening services and who, after receiving such services, have been identified as eligible for, and receive, special education and related services under part B of the Individuals with Disabilities Education Act; and

''(xi) the number of local educational agencies in the State that implement school-based mental health programs.''.

(c) TITLE I LOCAL EDUCATIONAL AGENCY PLANS.—Section 1112(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6312(b)(1)) is amended—

(1) in subparagraph (P), by striking ''and'' after the semicolon;

(2) in subparagraph (Q), by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

''(R) if the local educational agency proposes to use subgrant funds under this part for positive behavioral interventions and supports, a description of the actions the local educational agency will take to provide positive behavioral interventions and supports and coordinate those activities with

activities carried out under the Individuals with Disabilities Education Act;

''(S) if the local educational agency proposes to use subgrant funds under this part for early intervening services, a description of the actions the local educational agency will take to provide early intervening services and coordinate those services with early intervening services carried out under the Individuals with Disabilities Education Act;

''(T) if the local educational agency proposes to use subgrant funds under this part for school-based mental health programs, a description of the actions the local educational agency will take to provide school-based mental health programs and coordinate those activities with activities carried out under the Individuals with Disabilities Education Act; and

''(U) if the local educational agency proposes to use subgrant funds under this part for periodically updating the crisis management plan of the local educational agency, as described in section 4114(d)(7)(D), a description of the actions the local educational agency will take to develop and implement an updated crisis management plan.''.

(d) TITLE I SCHOOLWIDE PROGRAMS.—

(1) SCHOOLWIDE PROGRAMS.—Section 1114(b)(1)(B)(iii)(I) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6314(b)(1)(B)(iii)(I)) is amended—

(A) in item (aa), by striking ''and mentoring services'' and inserting ''mentoring services, and school-based mental health programs'';

(B) by redesignating items (bb) and (cc) as items (dd) and (ee), respectively; and

(C) by inserting after item (aa) the following:

''(bb) implementation of schoolwide positive behavioral interventions and supports, including through coordination with activities carried out under the Individuals with Disabilities Education Act, in order to improve academic outcomes for students and reduce the need for suspensions, expulsions, and other actions that remove students from instruction;

''(cc) implementation of early intervening services, including through coordination with early intervening services carried out under the Individuals with Disabilities Education Act;''.

(2) TECHNICAL ASSISTANCE.—Section 1116(b)(4)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(b)(4)(B)) is amended—

(A) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively; and

(B) by inserting after clause (ii) the following:

''(iii) shall include assistance in the implementation of schoolwide positive behavioral interventions and supports, school-based mental health programs, and other approaches with evidence of effectiveness for improving the learning environment in the school and reducing the need for suspensions, expulsions, and other actions that remove students from instruction, including effective strategies for improving coordination of community resources;''.

(e) TITLE I ASSESSMENTS AND SCHOOL IMPROVEMENT.—

(1) SCHOOL IMPROVEMENT PLAN.—Section 1116(b)(3)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(b)(3)(A)) is amended—

(A) in clause (ix), by striking ''and'' after the semicolon;

(B) in clause (x), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

''(xi) specify whether the local educational agency or the school will adopt and implement policies or practices to implement or improve positive behavioral interventions and supports and enhance coordination with activities carried out under the Individuals with Disabilities Education Act;

''(xii) specify whether the local educational agency or the school will adopt and implement policies or practices to implement or improve early intervening services and coordinate with early intervening services carried out under such Act; and

''(xiii) specify whether the local educational agency or school will adopt and implement school-based mental health programs and coordinate with programs carried out under such Act.''.

(2) LOCAL EDUCATIONAL AGENCY IMPROVEMENT PLANS.—Section 1116(c)(10) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(c)(10)) is amended—

(A) in subparagraph (B), by striking ''subparagraph (E)'' and inserting ''subparagraph (F)'';

(B) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(C) by inserting after subparagraph (C) the following:

''(D) ADDITIONAL ACTIVITIES.—In addition to carrying out 1 or more of the corrective actions required under subparagraph (C) for a local educational agency, the State educational agency may also carry out 1 or more of the following activities:

''(i) Improving or expanding positive behavioral interventions and supports and enhancing coordination with activities under the Individuals with Disabilities Education Act.

''(ii) Improving or expanding early intervening services and coordinating such services with early intervening services carried out under the Individuals with Disabilities Education Act.''.

(f) TITLE I SCHOOL SUPPORT AND RECOGNITION.—

(1) REGIONAL CENTERS.—Section 1117(a)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6317(a)(3)) is amended—

(A) by striking ''of 2002 and comprehensive'' and inserting ''of 2002, comprehensive'';

(B) by striking ''and the comprehensive'' and inserting '', the comprehensive''; and

(C) by inserting ''and any technical assistance center on schoolwide positive behavioral interventions and supports funded under section 665(b) of the Individuals with Disabilities Education Act,'' after ''2002),''.

(2) STATEWIDE SYSTEMS FOR SUPPORT.—Section 1117(a)(5)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6317(a)(5)(B)) is amended—

(A) in clause (i), by striking the semicolon at the end and inserting the following: '', including by improving or expanding the use of positive behavioral interventions and supports aligned with activities carried out under the Individuals with Disabilities Education Act;'';

(B) in clause (iii), by striking ''and'' after the semicolon;

(C) in clause (iv), by striking the period and inserting a semicolon; and

(D) by adding at the end the following:

''(v) review and analyze the school's efforts to identify and assist students with poor academic achievement and students who are children with disabilities, and assist the school in developing or improving early intervening services that are coordinated with activities carried out under the Individuals with Disabilities Education Act;

''(vi) review and analyze the school's efforts to address behavioral or disciplinary problems, and assist the school in developing or improving schoolwide positive behavioral interventions and supports that are coordinated with activities carried out under the Individuals with Disabilities Education Act;

''(vii) review the number of discipline incidents in the school and use that information to assist the school to implement schoolwide positive behavioral interventions and supports or other early intervening services, or both; and

''(viii) review and analyze the school's efforts to address mental health needs among students and assist the school in developing or improving school-based mental health programs that are coordinated with activities carried out under the Individuals with Disabilities Education Act.''.

(g) TITLE I PARENTAL INVOLVEMENT.—Section 1118(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6318(e)) is amended—

(1) by redesignating paragraphs (6) through (14) as paragraphs (7) through (15), respectively; and

(2) by inserting after paragraph (5) the following:

''(6) shall provide information to school personnel, students, and parents about the school's use of positive behavioral interventions and supports, school-based mental health programs, and the expectations of school personnel, students, and parents in supporting a safe learning environment for all students;''.

(h) PREVENTION AND INTERVENTION PROGRAMS.—Section 1414(c)(8) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6434(c)(8)) is amended by inserting '', including coordinating the use of positive behavioral interventions and supports, early intervening services, and school-based mental health programs to improve academic achievement and reduce disciplinary actions'' before the semicolon at the end.

(i) TECHNICAL ASSISTANCE.—Section 1419 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6439) is amended—

(1) in paragraph (1), by striking ''and'' after the semicolon;

(2) in paragraph (2), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(3) to provide technical assistance in implementing positive behavioral interventions and supports, early intervening services, and school-based mental health programs in order to improve academic achievement and reduce disciplinary actions.''.

(j) TITLE II MENTAL HEALTH PROFESSIONAL DEVELOPMENT.—Section 2123 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6623) is amended—

(1) in subsection (a), by inserting after paragraph (8) the following:

''(9) Carrying out in-service training for school personnel in—

''(A) the techniques and supports needed to identify children with trauma histories, and children with, or at risk of, mental illness, early;

''(B) the use of referral mechanisms that effectively link such children to appropriate treatment and intervention services in the school and in the community where appropriate; and

''(C) forming partnerships between school-based mental health programs and public or private mental health organizations.'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b) LIABILITY PROTECTION FOR SCHOOL PERSONNEL.—Section 2366 shall apply to school personnel who received in-service training under subsection (a)(9), and who are carrying out activities related to such training, in the same manner as such section applies to teachers.''.

(k) SCHOOL-BASED MENTAL HEALTH SERVICES PARTNERSHIP PROGRAMS.—Section 4121 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7131) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ", health (including mental health)," after "promote safety";

(B) by redesignating paragraphs (3) through (8) and (9) as paragraphs (4) through (9) and (11), respectively;

(C) by inserting after paragraph (2) the following:

"(3) the development and implementation of school-based mental health services partnership programs under subsection (c);";

(D) by striking paragraph (7), as redesignated by subparagraph (B), and inserting the following:

"(7) assistance to school systems that have particularly severe drug and violence problems or assistance to support appropriate response efforts to crisis situations, including—

"(A) hiring drug prevention and school safety coordinators; and

"(B) making available to students mental health services, conflict resolution programs, and other school-based violence prevention strategies;";

(E) in paragraph (9), as redesignated by subparagraph (B), by striking "and" after the semicolon; and

(F) by inserting after such paragraph (9) the following:

"(10) assistance to States to help local educational agencies develop and implement comprehensive emergency management plans; and"; and

(2) by adding at the end the following:

"(c) SCHOOL-BASED MENTAL HEALTH SERVICES PARTNERSHIP PROGRAMS.—

"(1) IN GENERAL.—Each grant, contract, or cooperative agreement awarded or entered into under subsection (a)(3) shall meet the requirements of this subsection.

"(2) ELIGIBILITY.—

"(A) IN GENERAL.—To be eligible to receive a grant, contract, or cooperative agreement under this subsection, a local educational agency shall enter into a school-based mental health partnership that—

"(i) shall include a public or private mental health entity or health care entity; and

"(ii) may include a child welfare agency, family-based mental health entity, family organization, trauma network, or other community-based entity.

"(B) FLEXIBILITY FOR CERTAIN LOCAL EDUCATIONAL AGENCIES.—Notwithstanding subparagraph (A), a local educational agency that is eligible for services under subpart 1 or 2 of part B of title VI, as determined by the Secretary, and that is unable to partner with a public or private mental health entity or health care entity shall be eligible for a grant under this subsection if the local educational agency can demonstrate to the Secretary, in its application for a grant under this subsection, that the local educational agency can otherwise build the capacity to carry out the requirements of this subsection.

"(3) APPLICATION.—A local educational agency that desires a grant, contract, or cooperative agreement under this subsection shall include, in the application required by the Secretary, a description of how the local educational agency will—

"(A) assist schools served by the local educational agency to provide, through the school-based mental health services partnership program, comprehensive school-based mental health services and supports and comprehensive staff development for school and community service personnel working in the school;

"(B) provide technical assistance and training to improve and support the development, implementation, and coordination of school-based mental health programs and ensure such programs are coordinated with activities carried out under the Individuals with Disabilities Education Act; and

"(C) evaluate the effects of providing school-based mental health programs.

"(4) USE OF FUNDS.—A local educational agency receiving a grant, contract, or cooperative agreement under this subsection shall use funds provided under such grant, contract, or cooperative agreement to provide school-based mental health services and supports that—

"(A) may include—

"(i) the early identification of social, emotional, or behavioral problems, or substance use disorders, and the provision of early intervening services;

"(ii) not withstanding section 4154, the treatment or referral for treatment of students with social, emotional, or behavioral health problems, or substance use disorders;

"(iii) the development and implementation of programs to assist children in dealing with trauma and violence; and

"(iv) the development of mechanisms, based on best practices, for children to report incidents of violence or plans by other children or adults to commit violence;

"(B) are based on trauma-informed and evidence-based practices;

"(C) are coordinated, where appropriate, with early intervening services carried out under the Individuals with Disabilities Education Act; and

"(D) are provided by qualified mental and behavioral health professionals who are certified or licensed by the State involved and practicing within their area of expertise.

"(5) GENERAL REQUIREMENTS.—

"(A) PARENTAL CONSENT.—

"(i) IN GENERAL.—Each local educational agency receiving a grant, contract, or cooperative agreement under this subsection shall obtain prior written, informed consent from the parent of each child who is under 18 years of age to participate in any assessment service, program, activity, or treatment that is—

"(I) funded under this subsection; and

"(II) conducted in connection with an elementary school or secondary school under the grant, contract, or cooperative agreement.

"(ii) EXCEPTION.—Notwithstanding clause (i), the written, informed consent described in such clause shall not be required in—

"(I) an emergency, where it is necessary to protect the immediate health and safety of the student, other students, or school personnel; or

"(II) other instances where parental consent cannot reasonably be obtained, as defined by the Secretary.

"(B) PROHIBITION ON MANDATORY MEDICATION.—No child shall be required to obtain a prescription for a substance covered by the Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of receiving an evaluation under this subsection, receiving services under this subsection, or attending a school receiving assistance under this subsection.

"(C) PRIVACY.—Each local educational agency receiving a grant, contract, or cooperative agreement under this subsection shall ensure that student mental health records are accorded the privacy protections provided under the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 2033) and section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the 'Family Educational Rights and Privacy Act of 1974').

"(6) LIABILITY PROTECTION FOR SCHOOL PERSONNEL.—Section 2366 shall apply to school personnel providing services under a grant, contract, or cooperative agreement under this subsection in the same manner as such section applies to teachers.

"(7) PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL OR FEDERAL REGULATION.—In addition to the prohibition of Federal Government control of a State, local educational agency, or school's curriculum or program of instruction that is provided under section 9527(a), nothing in this subsection shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's specific instructional content or academic achievement standards and assessments.".

(1) DEFINITION.—Section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) is amended—

(1) by redesignating paragraphs (17) through (43) as paragraphs (18) through (44), respectively; and

(2) by inserting after paragraph (16) the following:

"(17) EARLY INTERVENING SERVICES.—The term 'early intervening services' means early intervening services described in section 613(f)(1) of the Individuals with Disabilities Education Act.".

SEC. __14. CONFORMING AMENDMENTS.

(a) AMERICA COMPETES REAUTHORIZATION ACT OF 2010.—Section 553(d)(6) of the America COMPETES Reauthorization Act of 2010 (20 U.S.C. 9903(d)(6)) is amended by striking "section 9101(23)" and inserting "section 9101(24)".

(b) HIGHER EDUCATION ACT OF 1965.—Section 255(k) of the Higher Education Act of 1965 is amended—

(1) in paragraph (1), by striking "section 9101(23)(B)(ii)" and inserting "section 9101(24)(B)(ii)"; and

(2) in paragraph (3), by striking "section 9101(23)" and inserting "section 9101(24)".

(c) INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—Section 602(10) of the Individuals with Disabilities Education Act (20 U.S.C. 1401(10)) is amended—

(1) in subparagraph (C)(ii), by striking "section 9101(23)" and inserting "section 9101(24)"; and

(2) in each of clauses (ii) and (iii) of subparagraph (D), by striking "section 9101(23)(C)(ii)" and inserting "section 9101(24)(C)(ii)".

Subtitle B—Health Programs

SEC. __21. GARRETT LEE SMITH MEMORIAL ACT REAUTHORIZATION.

(a) SUICIDE PREVENTION TECHNICAL ASSISTANCE CENTER.—Section 520C of the Public Health Service Act (42 U.S.C. 290bb–34) is amended—

(1) in the section heading, by striking the section heading and inserting "**SUICIDE PREVENTION TECHNICAL ASSISTANCE CENTER.**";

(2) in subsection (a), by striking "and in consultation with" and all that follows through the period at the end of paragraph (2) and inserting "shall establish a research, training, and technical assistance resource center to provide appropriate information, training, and technical assistance to States, political subdivisions of States, federally recognized Indian tribes, tribal organizations, institutions of higher education, public organizations, or private nonprofit organizations regarding the prevention of suicide among all ages, particularly among groups that are at high risk for suicide.";

(3) by striking subsections (b) and (c);

(4) by redesignating subsection (d) as subsection (b);

(5) in subsection (b), as so redesignated—

(A) by striking the subsection heading and inserting "RESPONSIBILITIES OF THE CENTER.";

(B) in the matter preceding paragraph (1), by striking "The additional research" and

all that follows through ''nonprofit organizations for'' and inserting ''The center established under subsection (a) shall conduct activities for the purpose of'';

(C) by striking ''youth suicide'' each place such term appears and inserting ''suicide'';

(D) in paragraph (1)—

(i) by striking ''the development or continuation of'' and inserting ''developing and continuing''; and

(ii) by inserting ''for all ages, particularly among groups that are at high risk for suicide'' before the semicolon at the end;

(E) in paragraph (2), by inserting ''for all ages, particularly among groups that are at high risk for suicide'' before the semicolon at the end;

(F) in paragraph (3), by inserting ''and tribal'' after ''statewide'';

(G) in paragraph (5), by inserting ''and prevention'' after ''intervention'';

(H) in paragraph (8), by striking ''in youth'';

(I) in paragraph (9), by striking ''and behavioral health'' and inserting ''health and substance use disorder''; and

(J) in paragraph (10), by inserting ''conducting'' before ''other''; and

(6) by striking subsection (e) and inserting the following:

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $4,948,000 for each of fiscal years 2014 through 2018.''.

(b) YOUTH SUICIDE EARLY INTERVENTION AND PREVENTION STRATEGIES.—Section 520E of the Public Health Service Act (42 U.S.C. 290bb–36) is amended—

(1) in paragraph (1) of subsection (a) and in subsection (c), by striking ''substance abuse'' each place such term appears and inserting ''substance use disorder'';

(2) in subsection (b)(2)—

(A) by striking ''each State is awarded only 1 grant or cooperative agreement under this section'' and inserting ''a State does not receive more than 1 grant or cooperative agreement under this section at any 1 time''; and

(B) by striking ''been awarded'' and inserting ''received''; and

(3) by striking subsection (m) and inserting the following:

''(m) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $29,682,000 for each of fiscal years 2014 through 2018.''.

(c) MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES.—Section 520E–2 of the Public Health Service Act (42 U.S.C. 290bb–36b) is amended—

(1) in the section heading, by striking ''**AND BEHAVIORAL HEALTH**'' and inserting ''**HEALTH AND SUBSTANCE USE DISORDER SERVICES**'';

(2) in subsection (a)—

(A) by striking ''Services,'' and inserting ''Services and'';

(B) by striking ''and behavioral health problems'' and inserting ''health or substance use disorders''; and

(C) by striking ''substance abuse'' and inserting ''substance use disorders'';

(3) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''for—'' and inserting ''for one or more of the following:''; and

(B) by striking paragraphs (1) through (6) and inserting the following:

''(1) Educating students, families, faculty, and staff to increase awareness of mental health and substance use disorders.

''(2) The operation of hotlines.

''(3) Preparing informational material.

''(4) Providing outreach services to notify students about available mental health and substance use disorder services.

''(5) Administering voluntary mental health and substance use disorder screenings and assessments.

''(6) Supporting the training of students, faculty, and staff to respond effectively to students with mental health and substance use disorders.

''(7) Creating a network infrastructure to link colleges and universities with health care providers who treat mental health and substance use disorders.'';

(4) in subsection (c)(5), by striking ''substance abuse'' and inserting ''substance use disorder'';

(5) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking ''An institution of higher education desiring a grant under this section'' and inserting ''To be eligible to receive a grant under this section, an institution of higher education'';

(B) in paragraph (1)—

(i) by striking ''and behavioral health'' and inserting ''health and substance use disorder''; and

(ii) by inserting '', including veterans whenever possible and appropriate,'' after ''students''; and

(C) in paragraph (2), by inserting '', which may include, as appropriate and in accordance with subsection (b)(7), a plan to seek input from relevant stakeholders in the community, including appropriate public and private entities, in order to carry out the program under the grant'' before the period at the end;

(6) in subsection (e)(1), by striking ''and behavioral health problems'' and inserting ''health and substance use disorders'';

(7) in subsection (f)(2)—

(A) by striking ''and behavioral health'' and inserting ''health and substance use disorder''; and

(B) by striking ''suicide and substance abuse'' and inserting ''suicide and substance use disorders''; and

(8) in subsection (h), by striking ''$5,000,000 for fiscal year 2005'' and all that follows through the period at the end and inserting ''$4,858,000 for each of fiscal years 2014 through 2018.''.

SEC. __22. MENTAL HEALTH AWARENESS TRAINING GRANTS.

Section 520J of the Public Health Service Act (42 U.S.C. 290bb–41) is amended—

(1) in the section heading, by inserting ''**MENTAL HEALTH AWARENESS**'' before ''**TRAINING**''; and

(2) in subsection (b)—

(A) in the subsection heading, by striking ''ILLNESS'' and inserting ''HEALTH'';

(B) in paragraph (1), by inserting ''and other categories of individuals, as determined by the Secretary,'' after ''emergency services personnel'';

(C) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking ''to'' and inserting ''for evidence-based programs for the purpose of''; and

(ii) by striking subparagraphs (A) through (C) and inserting the following:

''(A) recognizing the signs and symptoms of mental illness; and

''(B)(i) providing education to personnel regarding resources available in the community for individuals with a mental illness and other relevant resources; or

''(ii) the safe de-escalation of crisis situations involving individuals with a mental illness.''; and

(D) in paragraph (7), by striking '', $25,000,000'' and all that follows through the period at the end and inserting ''$20,000,000 for each of fiscal years 2014 through 2018''.

SEC. __23. CHILDREN'S RECOVERY FROM TRAUMA.

Section 582 of the Public Health Service Act (42 U.S.C. 290hh–1) is amended—

(1) in subsection (a), by striking ''developing programs'' and all that follows and inserting ''developing and maintaining programs that provide for—

''(1) the continued operation of the National Child Traumatic Stress Initiative (referred to in this section as the 'NCTSI'), which includes a coordinating center, that focuses on the mental, behavioral, and biological aspects of psychological trauma response; and

''(2) the development of knowledge with regard to evidence-based practices for identifying and treating mental, behavioral, and biological disorders of children and youth resulting from witnessing or experiencing a traumatic event.'';

(2) in subsection (b)—

(A) by striking ''subsection (a) related'' and inserting ''subsection (a)(2) (related'';

(B) by striking ''treating disorders associated with psychological trauma'' and inserting ''treating mental, behavioral, and biological disorders associated with psychological trauma)''; and

(C) by striking ''mental health agencies and programs that have established clinical and basic research'' and inserting ''universities, hospitals, mental health agencies, and other programs that have established clinical expertise and research'';

(3) by redesignating subsections (c) through (g) as subsections (g) through (k), respectively;

(4) by inserting after subsection (b), the following:

''(c) CHILD OUTCOME DATA.—The NCTSI coordinating center shall collect, analyze, and report NCTSI-wide child treatment process and outcome data regarding the early identification and delivery of evidence-based treatment and services for children and families served by the NCTSI grantees.

''(d) TRAINING.—The NCTSI coordinating center shall facilitate the coordination of training initiatives in evidence-based and trauma-informed treatments, interventions, and practices offered to NCTSI grantees, providers, and partners.

''(e) DISSEMINATION.—The NCTSI coordinating center shall, as appropriate, collaborate with the Secretary in the dissemination of evidence-based and trauma-informed interventions, treatments, products and other resources to appropriate stakeholders.

''(f) REVIEW.—The Secretary shall, consistent with the peer review process, ensure that NCTSI applications are reviewed by appropriate experts in the field as part of a consensus review process. The Secretary shall include review criteria related to expertise and experience in child trauma and evidence-based practices.'';

(5) in subsection (g) (as so redesignated), by striking ''with respect to centers of excellence are distributed equitably among the regions of the country'' and inserting ''are distributed equitably among the regions of the United States'';

(6) in subsection (i) (as so redesignated), by striking ''recipient may not exceed 5 years'' and inserting ''recipient shall not be less than 4 years, but shall not exceed 5 years''; and

(7) in subsection (j) (as so redesignated), by striking ''$50,000,000'' and all that follows through ''2006'' and inserting ''$45,713,000 for each of fiscal years 2014 through 2018''.

SEC. __24. ASSESSING BARRIERS TO BEHAVIORAL HEALTH INTEGRATION.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on

Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives concerning Federal requirements that impact access to treatment of mental health and substance use disorders related to integration with primary care, administrative and regulatory issues, quality measurement and accountability, and data sharing.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) An evaluation of the administrative or regulatory burden on behavioral healthcare providers.

(2) The identification of outcome and quality measures relevant to integrated health care, evaluation of the data collection burden on behavioral healthcare providers, and any alternative methods for evaluation.

(3) An analysis of the degree to which electronic data standards, including interoperability and meaningful use includes behavioral health measures, and an analysis of strategies to address barriers to health information exchange posed by part 2 of title 42, Code of Federal Regulations.

(4) An analysis of the degree to which Federal rules and regulations for behavioral and physical health care are aligned, including recommendations to address any identified barriers.

SEC. __25. INCREASING EDUCATION AND AWARENESS OF TREATMENTS FOR OPIOID USE DISORDERS.

(a) IN GENERAL.—In order to improve the quality of care delivery and treatment outcomes among patients with opioid use disorders, the Secretary of Health and Human Services (referred to in this section as the ''Secretary''), acting through the Administrator for the Substance Abuse and Mental Health Services Administration, may advance, through existing programs as appropriate, the education and awareness of providers, patients, and other appropriate stakeholders regarding all products approved by the Food and Drug Administration to treat opioid use disorders.

(b) ACTIVITIES.—The activities described in subsection (a) may include—

(1) disseminating evidence-based practices for the treatment of opioid use disorders;

(2) facilitating continuing education programs for health professionals involved in treating opioid use disorders;

(3) increasing awareness among relevant stakeholders of the treatment of opioid use disorders;

(4) assessing current barriers to the treatment of opioid use disorders for patients and providers and development and implementation of strategies to mitigate such barriers; and

(5) continuing innovative approaches to the treatment of opioid use disorders in various treatment settings, such as prisons, community mental health centers, primary care, and hospitals.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, if the Secretary carries out the activities under this section, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that examines—

(1) the activities the Substance Abuse and Mental Health Services Administration conducts under this section, including any potential impacts on health care costs associated with such activities;

(2) the role of adherence in the treatment of opioid use disorders and methods to reduce opioid use disorders; and

(3) recommendations on priorities and strategies to address co-occurring substance use disorders and mental illnesses.

SEC. __26. EXAMINING MENTAL HEALTH CARE FOR CHILDREN.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report concerning the utilization of mental health services for children, including the usage of psychotropic medications.

(b) CONTENT.—The report submitted under subsection (a) shall review and assess—

(1) the ways in which children access mental health care, including information on whether children are treated by primary care or specialty providers, what types of referrals for additional care are recommended, and any barriers to accessing this care;

(2) the extent to which children are prescribed psychotropic medications in the United States including the frequency of concurrent medication usage; and

(3) the tools, assessments, and medications that are available and used to diagnose and treat children with mental health disorders.

SEC. __27. EVIDENCE BASED PRACTICES FOR OLDER ADULTS.

Section 520A(e) of the Public Health Service Act (42 U.S.C. 290bb-32(e)) is amended by adding at the end the following:

''(3) GERIATRIC MENTAL HEALTH DISORDERS.—The Secretary shall, as appropriate, provide technical assistance to grantees regarding evidence-based practices for the prevention and treatment of geriatric mental health disorders and co-occurring mental health and substance use disorders among geriatric populations, as well as disseminate information about such evidence-based practices to States and nongrantees throughout the United States.''.

SEC. __28. NATIONAL VIOLENT DEATH REPORTING SYSTEM.

The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, is encouraged to improve, particularly through the inclusion of additional States, the National Violent Death Reporting System as authorized by title III of the Public Health Service Act. Participation in the system by the States shall be voluntary.

SEC. __29. GAO STUDY ON VIRGINIA TECH RECOMMENDATIONS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of Congress a report concerning the status of implementation of recommendations made in the report to the President, On Issues Raised by the Virginia Tech Tragedy, by the Secretaries of Health and Human Services and Education and the Attorney General of the United States, submitted to the President on June 13, 2007.

(b) CONTENT.—The report submitted to the committees of Congress under subsection (a) shall review and assess—

(1) the extent to which the recommendations in the report that include participation by the Department of Health and Human Services were implemented;

(2) whether there are any barriers to implementation of such recommendations; and

(3) identification of any additional actions the Federal government can take to support States and local communities and ensure that the Federal government and Federal law are not obstacles to addressing at the community level—

(A) school violence; and

(B) mental illness.

SA 731. Ms. KLOBUCHAR (for herself and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ADDITION OF DATING PARTNERS AND INDIVIDUALS SUBJECT TO RESTRAINING ORDERS.

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

(1) by striking paragraph (32) and inserting the following:

''(32) The term 'intimate partner'—

''(A) means with respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, and an individual who cohabitates or has cohabited with the person; and

''(B) includes—

''(i) a dating partner (as defined in section 2266); and

''(ii) any other person similarly situated to a spouse who is protected by the domestic or family violence laws of the State or tribal jurisdiction in which the injury occurred or where the victim resides.''; and

(2) in paragraph (33)(A)(ii)—

(A) by inserting ''intimate partner,'' after ''former spouse,''; and

(B) by inserting ''intimate partner,'' after ''a spouse,'' each place it appears.

(b) ADDITION OF STALKING.—Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (8)(ii), by striking ''or'' at the end;

(B) in paragraph (9), by striking the period at the end and inserting ''; or''; and

(C) by inserting after paragraph (9) the following:

''(10) has been convicted in any court of a misdemeanor crime of stalking.''; and

(2) in subsection (g)—

(A) in paragraph (8)(C)(ii), by striking ''or'' at the end;

(B) in paragraph (9), by striking the comma at the end and inserting ''; or''; and

(C) by inserting after paragraph (9) the following:

''(10) has been convicted in any court of a misdemeanor crime of stalking,''.

SA 732. Mr. GRAHAM (for himself, Mr. BEGICH, Mr. FLAKE, Mr. PRYOR, Mr. HELLER, Mr. CORNYN, Mr. CHAMBLISS, Mr. PORTMAN, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

Strike titles I and II and insert the following:

TITLE I—NICS REPORTING IMPROVEMENT ACT

SEC. 101. SHORT TITLE.

This title may be cited as the ''NICS Reporting Improvement Act of 2013''.

SEC. 102. DEFINITIONS RELATING TO MENTAL HEALTH.

(a) TITLE 18 DEFINITIONS.—Chapter 44 of title 18, United States Code, is amended—

(1) in section 921(a), by adding at the end the following:

''(36)(A) Subject to subparagraph (B), the term 'has been adjudicated mentally incompetent or has been committed to a psychiatric hospital', with respect to a person—

''(i) means the person is the subject of an order or finding by a judicial officer, court, board, commission, or other adjudicative body—

''(I) that was issued after—

''(aa) a hearing—

''(AA) of which the person received actual notice; and

''(BB) at which the person had an opportunity to participate with counsel; or

''(bb) the person knowingly and intelligently waived the opportunity for a hearing—

''(AA) of which the person received actual notice; and

''(BB) at which the person would have had an opportunity to participate with counsel; and

''(II) that found that the person, as a result of marked subnormal intelligence, mental impairment, or mental illness—

''(aa) was a danger to himself or to others;

''(bb) was guilty but mentally ill in a criminal case;

''(cc) was not guilty in a criminal case by reason of insanity or mental disease or defect;

''(dd) was incompetent to stand trial in a criminal case;

''(ee) was not guilty only by reason of lack of mental responsibility under section 850a of title 10 (article 50a of the Uniform Code of Military Justice);

''(ff) required involuntary inpatient treatment by a psychiatric hospital;

''(gg) required involuntary outpatient treatment by a psychiatric hospital based on a finding that the person is a danger to himself or to others; or

''(hh) required involuntary commitment to a psychiatric hospital for any reason, including drug use; and

''(ii) does not include—

''(I) a person who is in a psychiatric hospital for observation; or

''(II) a voluntary admission to a psychiatric hospital.

''(B) In this paragraph, the term 'order or finding' does not include—

''(i) an order or finding that has expired or has been set aside or expunged;

''(ii) an order or finding that is no longer applicable because a judicial officer, court, board, commission, or other adjudicative body has found that the person who is the subject of the order or finding—

''(I) does not present a danger to himself or to others;

''(II) has been restored to sanity or cured of mental disease or defect;

''(III) has been restored to competency; or

''(IV) no longer requires involuntary inpatient or outpatient treatment by, or involuntary commitment to, a psychiatric hospital; or

''(iii) an order or finding with respect to which the person who is subject to the order or finding has been granted relief from disabilities under section 925(c) or under a program described in section 101(c)(2)(A) or 105 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note).

''(37) The term 'psychiatric hospital' includes a mental health facility, a mental hospital, a sanitarium, a psychiatric facility, and any other facility that provides diagnoses by licensed professionals of mental retardation or mental illness, including a psychiatric ward in a general hospital.''; and

(2) in section 922—

(A) in subsection (d)(4)—

(i) by striking ''as a mental defective'' and inserting ''mentally incompetent''; and

(ii) by striking ''any mental institution'' and inserting ''a psychiatric hospital''; and

(B) in subsection (g)(4)—

(i) by striking ''as a mental defective or who has'' and inserting ''mentally incompetent or has''; and

(ii) by striking ''mental institution'' and inserting ''psychiatric hospital''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking ''as a mental defective'' each place that term appears and inserting ''mentally incompetent'';

(2) by striking ''mental institution'' each place that term appears and inserting ''psychiatric hospital''; and

(3) in section 102(c)(3)—

(A) in the paragraph heading, by striking ''AS A MENTAL DEFECTIVE OR COMMITTED TO A MENTAL INSTITUTION'' and inserting ''MENTALLY INCOMPETENT OR COMMITTED TO A PSYCHIATRIC HOSPITAL''; and

(B) by striking ''mental institutions'' and inserting ''psychiatric hospitals''.

SEC. 103. REDUCTION OF BYRNE JAG FUNDS FOR STATE FAILURE TO PROVIDE MENTAL HEALTH RECORDS TO NICS.

Section 104(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking paragraphs (1) and (2);

(2) by redesignating paragraph (3) as paragraph (2);

(3) in paragraph (2), as redesignated, by striking ''of paragraph (2)'' and inserting ''of paragraph (1)''; and

(4) by inserting before paragraph (2), as redesignated, the following:

''(1) REDUCTION FOR FAILURE TO PROVIDE MENTAL HEALTH RECORDS.—

''(A) IN GENERAL.—During the period beginning on the date that is 18 months after the date of enactment of the NICS Reporting Improvement Act of 2013 and ending on the day before the date described in subparagraph (B), the Attorney General shall withhold 5 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not—

''(i) provide not less than 90 percent of the records required to be provided under sections 102 and 103; or

''(ii) have in effect a statute that—

''(I) requires the State to provide the records required to be provided under sections 102 and 103; and

''(II) implements a relief from disabilities program in accordance with section 105.

''(B) FINAL IMPLEMENTATION DEADLINE.—Beginning on the date that is 5 years after the date of enactment of the NICS Reporting Improvement Act of 2013, the Attorney General shall withhold 10 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not have in effect a statute described in subparagraph (A)(ii) of this paragraph.''.

SA 733. Ms. STABENOW (for herself, Mr. BLUNT, Mr. REED, Mr. RUBIO, Ms. COLLINS, Mr. BLUMENTHAL, Mr. UDALL of New Mexico, and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—MENTAL HEALTH CARE

SEC. __01. SHORT TITLE.

This title may be cited as the ''Excellence in Mental Health Act''.

SEC. __02. ESTABLISHING CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS.

(a) IN GENERAL.—Section 1913 of the Public Health Service Act (42 U.S.C. 300x–2) is amended—

(1) in subsection (a)(2)(A), by striking ''community mental health services'' and inserting ''behavioral health services (of the type offered by certified community behavioral health clinics consistent with subsection (c)(3))'';

(2) in subsection (b)—

(A) by striking paragraph (1) and inserting the following:

''(1) services under the plan will be provided only through appropriate, qualified community programs (which may include certified community behavioral health clinics, child mental health programs, psychosocial rehabilitation programs, mental health peer-support programs, outpatient addiction treatment programs, acute detoxification services, and mental health primary consumer-directed programs); and''; and

(B) in paragraph (2), by striking ''community mental health centers'' and inserting ''certified community behavioral health clinics''; and

(3) by striking subsection (c) and inserting the following:

''(c) CRITERIA FOR CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS.—

''(1) IN GENERAL.—The Administrator shall certify, and recertify at least every 5 years, certified community behavioral health clinics as meeting the criteria specified in this subsection.

''(2) REGULATIONS.—Not later than 18 months after the date of the enactment of the Excellence in Mental Health Act—

''(A) the Administrator, in consultation with State Mental Health and Substance Abuse Authorities, shall issue final regulations for certifying non-profit and local government behavioral health authorities and Indian Health Service tribal facilities as clinics under paragraph (1); and

''(B) the Secretary, in determining eligible non-profit entities under this subsection, shall promulgate regulations specifying that an entity receiving payment under section 1902(bb) of the Social Security Act may not be owned , controlled, or operated by another entity.

''(3) CRITERIA.—The criteria referred to in subsection (b)(2) are that the clinic performs each of the following:

''(A) Provide services in locations that ensure services will be available and accessible promptly and in a manner which preserves human dignity and assures continuity of care.

''(B) Provide services in a mode of service delivery appropriate for the target population.

''(C) Provide individuals with a choice of service options, including developmentally appropriate evidence based interventions, where there is more than one efficacious treatment.

''(D) Employ a core clinical staff that is trained to provide evidence-based practices and is multidisciplinary and culturally and linguistically competent, including the availability of translation or similar services

and arrangements if the clinic is located in a geographic area of limited English-speaking ability.

''(E) Establish an emergency plan to support continuity of services for individuals during an emergency or disaster.

''(F) Demonstrate the capacity to comply with behavioral health and related health care quality measures promulgated by such entities as the National Quality Forum, the National Committee for Quality Assurance, or other nationally recognized accrediting bodies.

''(G) Provide services to any individual residing or employed in the service area of the clinic and ensure that no patient or consumer will be denied mental health or other health care services due to an individual's inability to pay for such services.

''(H) Ensure that any fees or payments required by the clinic for such services will be reduced or waived to enable the clinic to comply with subparagraph (G), including preparing a schedule of fees or payments for the provision of services that is consistent with locally prevailing rates or charges designed to cover the reasonable costs to the clinic of operation along with a corresponding schedule of discounts to be applied to the payment of such fees or payments, such discounts to be adjusted on the basis of the patient's ability to pay.

''(I) Provide, directly or through contract, to the extent covered for adults in the State Medicaid plan under title XIX of the Social Security Act and for children in accordance with section 1905(r) of such Act regarding early and periodic screening, diagnosis, and treatment, each of the following services:

''(i) Screening, assessment, and diagnosis, including risk assessment.

''(ii) Person-centered treatment planning or similar processes, including risk assessment and crisis planning.

''(iii) Outpatient mental health and substance use services, including screening, assessment, diagnosis, psychotherapy, cognitive behavioral therapy, applied behavioral analysis, medication management, and integrated treatment for trauma, mental illness, and substance abuse which shall be evidence-based (including cognitive behavioral therapy, long acting injectable medications, and other such therapies which are evidence-based).

''(iv) Outpatient clinic primary care screening and monitoring of key health indicators and health risk (including screening for diabetes, hypertension, and cardiovascular disease and monitoring of weight, height, body mass index (BMI), blood pressure, blood glucose or HbA1C, and lipid profile).

''(v) Crisis mental health services, including 24-hour mobile crisis teams, emergency crisis intervention services, and crisis stabilization.

''(vi) Targeted case management (services to assist individuals gaining access to needed medical, social, educational, and other services and applying for income security and other benefits to which they may be entitled).

''(vii) Psychiatric rehabilitation services including skills training, assertive community treatment, family psychoeducation, disability self-management, supported employment, supported housing services, therapeutic foster care services, and such other evidence-based practices as the Secretary may require.

''(viii) Peer support and counselor services and family supports.

''(J) Maintain linkages, and where possible enter into formal contracts, agreements, or partnerships with at least one federally qualified health center, unless there is no such center serving the service area, in order to ensure that the delivery of behavioral health care is integrated with primary and preventive care services, so long as such linkages, contract, agreement, or partnership meets requirements as prescribed by the Secretary;

''(K) Maintain additional linkages and where possible enter into formal contracts with the following:

''(i) Inpatient psychiatric facilities and substance use detoxification, post-detoxification step-down services, and residential programs.

''(ii) Adult and youth peer support and counselor services.

''(iii) Family support services for families of children with serious mental or substance use disorders.

''(iv) Other community or regional services, supports, and providers, including schools, child welfare agencies, juvenile and criminal justice agencies and facilities, Indian Health Service youth regional treatment centers, housing agencies and programs, employers, and other social and human services.

''(v) Onsite or offsite access to primary care services.

''(vi) Enabling services, including outreach, transportation, and translation.

''(vii) Health and wellness services, including services for tobacco cessation.

''(viii) Department of Veterans Affairs medical centers, independent outpatient clinics, drop-in centers, and other facilities of the Department as defined in section 1801 of title 38, United States Code.

''(L) Where feasible, provide outreach and engagement to encourage individuals who could benefit from mental health care to freely participate in receiving the administrative services described in this subsection.

''(M) Where feasible, provide intensive, community-based mental health care for members of the armed forces and veterans, particularly those members and veterans located in rural areas, such care to be consistent with minimum clinical mental health guidelines promulgated by the Veterans Health Administration including clinical guidelines contained in the Uniform Mental Health Services Handbook of such Administration.

''(N) Where feasible, require certified community behavioral health clinics to provide valid and reliable trauma screening and functional or developmental assessment to determine need, match services to needs, and to measure progress over time.

''(4) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed as prohibiting States receiving funds appropriated through the Community Mental Health Services Block Grant under subpart I of part B of this title from financing qualified community programs (whether such programs meet the definition of eligible programs prior to or after the date of enactment of this subsection).

''(5) LIMITATION.—

''(A) IN GENERAL.—For purposes of providing assistance under this section and reimbursement under section 1902(bb) of the Social Security Act—

''(i) for each of fiscal years 2016 through 2024, the Secretary shall certify 10 percent of the total number of entities who apply and are eligible to become certified community behavioral health clinics in each such fiscal year, in addition to the clinics certified in the previous fiscal years; and

''(ii) for fiscal year 2025, and each subsequent fiscal year, the Secretary shall certify all such community behavioral health clinics.

''(B) REQUIREMENTS.—In implementing this paragraph, the Secretary shall—

''(i) ensure the geographic diversity of such clinics;

''(ii) ensure that applications from clinics located in rural areas, as defined by the Secretary, and other mental health professional shortage areas are fairly and appropriately considered with the objective of facilitating access to mental health services in such areas; and

''(iii) take into account the ability of such clinics to provide required services, and the ability of such clinics to report required data as required under this title.

''(6) EXEMPTION.—Certified community behavioral health clinics receiving payments under section 1902(bb) of the Social Security Act which are located in rural areas, as defined by the Secretary, shall be exempt from the requirements contained in subparagraphs (A) and (I)(v) of paragraph (3).''.

(b) CONFORMING AMENDMENTS TO MEDICARE DEFINITION OF COMMUNITY MENTAL HEALTH CENTER.—Section 1861(ff)(3)(B) of the Social Security Act (42 U.S.C. 1395x(ff)(3)(B)) is amended—

(1) in clause (i)—

(A) in subclause (I), by inserting ''(as in effect on the day before the date of the enactment of the Excellence in Mental Health Act)'' after ''Service Act''; and

(B) in subclause (II), by inserting ''(as so in effect)'' after ''of such section''; and

(2) in clause (iv)(III), by striking ''1931(c)(1) of the Public Health Service Act'' and inserting ''1913(c)(1) of the Public Health Service Act (as so in effect)''.

SEC. __03. MEDICAID COVERAGE AND PAYMENT FOR COMMUNITY BEHAVIORAL HEALTH CLINIC SERVICES.

(a) PAYMENT FOR SERVICES PROVIDED BY CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS.—Section 1902(bb) of the Social Security Act (42 U.S.C. 1396a(bb)) is amended—

(1) in the heading, by striking ''AND RURAL HEALTH CLINICS'' and inserting '', CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS, AND RURAL HEALTH CLINICS'';

(2) in paragraph (1), by inserting ''(and beginning with fiscal year 2016 with respect to services furnished on or after January 1, 2016, and each succeeding fiscal year, for services described in section 1905(a)(2)(D) furnished by a certified community behavioral health clinic)'' after ''by a rural health clinic'';

(3) in paragraph (2)—

(A) by striking the heading and inserting ''INITIAL FISCAL YEAR'';

(B) by inserting ''(or, in the case of services described in section 1905(a)(2)(D) furnished by a certified community behavioral health clinic, for services furnished on and after January 1, 2016, during fiscal year 2016)'' after ''January 1, 2001, during fiscal year 2001'';

(C) by inserting ''(or, in the case of services described in section 1905(a)(2)(D) furnished by a certified community behavioral health clinic, during fiscal years 2014 and 2015)'' after ''1999 and 2000''; and

(D) by inserting ''(or, in the case of services described in section 1905(a)(2)(D) furnished by a certified community behavioral health clinic, during fiscal year 2016)'' before the period;

(4) in paragraph (3)—

(A) in the heading, by striking ''FISCAL YEAR 2002 AND SUCCEEDING'' and inserting ''SUCCEEDING''; and

(B) by inserting ''(or, in the case of services described in section 1905(a)(2)(D) furnished by a certified community behavioral health clinic, for services furnished during fiscal year 2017 or a succeeding fiscal year)'' after ''2002 or a succeeding fiscal year'';

(5) in paragraph (4)—

(A) by inserting ''(or as a certified community behavioral health clinic after fiscal year

2015)'' after ''or rural health clinic after fiscal year 2000'';

(B) by striking ''furnished by the center or'' and inserting ''furnished by the federally qualified health clinic, services described in section 1905(a)(2)(D) furnished by the certified community behavioral health clinic, or''; and

(C) in the second sentence, by striking ''or rural health clinic'' and inserting '', certified community behavioral health clinic, or rural health clinic'';

(6) in paragraph (5), in each of subparagraphs (A) and (B), by striking ''or rural health clinic'' and inserting '', certified community behavioral health clinic, or rural health clinic''; and

(7) in paragraph (6), by striking ''or to a rural health clinic'' and inserting '', to a certified community behavioral health clinic for services described in section 1905(a)(2)(D), or to a rural health clinic''.

(b) INCLUSION OF COMMUNITY BEHAVIORAL HEALTH CLINIC SERVICES IN THE TERM MEDICAL ASSISTANCE.—Section 1905(a)(2) of the Social Security Act (42 U.S.C. 1396d(a)(2)) is amended—

(1) by striking ''and'' before ''(C)''; and

(2) by inserting before the semicolon at the end the following: '', and (D) certified community behavioral health clinic services (as defined in subsection (l)(4))''.

(c) DEFINITION OF CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINIC SERVICES.—Section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)) is amended by adding at the end the following paragraph:

''(4)(A) The term 'community behavioral health clinic services' means services of the type described in subparagraphs (I), (L), (M), and (N) of section 1913(c)(3) of the Public Health Service Act furnished to an individual at a certified community behavioral health clinic (as defined by subparagraph (B)).

''(B) The term 'certified community behavioral health clinic' means an entity that is certified under section 1913(c) of the Public Health Service Act as meeting the criteria described in paragraph (3) of such section.''.

(d) EXCLUSION.—Section 1902(bb) of the Social Security Act (42 U.S.C. 1396a(bb)) is amended by adding at the end the following:

''(7) EXCLUSIONS.—

''(A) IN GENERAL.—Payments made to certified community behavioral health clinics under this subsection hall be limited to ambulatory behavioral health services of the type described in subparagraphs (I), (L), (M), and (N) of section 1913(c)(3) of the Public Health Service Act and shall specifically exclude reimbursement for inpatient care, residential treatment, room and board expenses, or any other non-ambulatory services, as determined by the Secretary.

''(B) EXISTING FACILITIES.—Payments under this subsection may not be made to satellite facilities of certified community behavioral health clinics if such facilities are established after the date of enactment of this paragraph.''.

(e) EFFECTIVE DATE.—The amendments made by this section take effect on January 1, 2016.

SEC. __04. MEDICAID DSH.

(a) REBASING OF ALLOTMENTS FOR FIRST, SECOND, AND THIRD QUARTERS OF FISCAL YEAR 2023.—Section 1923(f)(8) of the Social Security Act (42 U.S.C. 1396r–4(f)(8)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D);

(2) by inserting after subparagraph (B) the following new subparagraph:

''(C) FIRST 3 QUARTERS OF FISCAL YEAR 2023.—Only with respect to the period that begins on October 1, 2022, and ends on June 30, 2023, the DSH allotment for a State, in lieu of the amount determined under paragraph (3) for the State for that year, shall be equal to ¾ of the DSH allotment for the State for fiscal year 2022, as determined under subparagraph (B), increased, subject to subparagraphs (B) and (C) of paragraph (3), and paragraph (5), by the percentage change in the consumer price index for all urban consumers (all items; U.S. city average), for fiscal year 2022.''; and

(3) in subparagraph (D) (as redesignated by paragraph (1) of this section), by striking ''after fiscal year 2022'' and all that follows through the period and inserting ''(and portions of fiscal years) after June 30, 2023, shall be calculated under paragraph (3) without regard to this paragraph and paragraph (7), except that the amount of the DSH allotment available for a State for the fourth quarter of fiscal year 2023 (after such calculation) shall be equal to the sum of ¼ of the amount calculated under paragraph (3) for the State for fiscal year 2023.''.

(b) ELIMINATION OF REDUCTION FOR FISCAL YEAR 2014.—Section 1923(f)(7)(A) of the Social Security Act (42 U.S.C. 1396r–4(f)(7)(A)) is amended—

(1) in clause (i), by striking ''2014'' and inserting ''2015''; and

(2) in clause (ii)—

(A) by striking subclause (I); and

(B) by redesignating subclauses (II) through (VII) as subclauses (I) through (VI), respectively.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to hold a meeting during the session of the Senate on April 17, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 17, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled ''The Future of Passenger Rail: What's Next for the Northeast Corridor?''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 17, 2013, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The President's Budget for Fiscal Year 2014.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MENENDEZ. 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 April 17, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on April 17, 2013, at 10 a.m. in room 432 Russell Senate Office building to conduct a hearing entitled ''The Proposed FY2014 Small Business Administration Budget.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Housing, Transportation, and Community Development be authorized to meet during the session of the Senate on April 17, 2013, at 10 a.m. to conduct a hearing entitled ''Helping Homeowners Harmed by Foreclosures: Ensuring Accountability and Transparency in Foreclosure Reviews, Part II.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PERSONNEL

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on April 17, 2013, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on April 17, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Mike Lotus, Paul Casey, and Stephen Sewell, detailees on my Judiciary Committee staff, have floor privileges during the remainder of the 113th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

POSTHUMOUS PARDON FOR JOHN ARTHUR ''JACK'' JOHNSON

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Con. Res. 5, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 5) expressing the sense of Congress that John Arthur ''Jack'' Johnson should receive a posthumous pardon for the racially motivated

conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation.

There being no objection, the Senate proceeded to the resolution.

Mr. REID. I ask unanimous consent the concurrent 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. Con. Res. 5) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 5, 2013, under ''Submitted Resolutions.'')

Mr. REID. Mr. President, this is very important. This good man who was treated so poorly is now going to have his name cleared, to a certain extent, and I give most of the credit to Senator JOHN MCCAIN who has worked tirelessly on this for a long time. I am glad we finally are able to get it done. I am grateful to everyone for making this happen.

Jack Johnson, a great heavyweight champion, was a good person.

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Thursday, April 18, at 2 p.m., the Senate proceed to executive session to consider Calendar Nos. 22 and 23; that there be 15 minutes for debate, equally divided in the usual form prior to votes on the nominations in the order listed; the motions to reconsider be considered made and laid on 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 President Obama be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to the provisions of Section 3166 of Public Law 112–239, the appointment of the following individual to be a member of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise: Gregory B. Jaczko of the District of Columbia.

ORDERS FOR THURSDAY, APRIL 18, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., on Thursday, April 18, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use until later in the day; that following any leader remarks, the Senate resume consideration of S. 649, the gun safety legislation, under the previous order; further, that following the two votes in relation to the amendments to S. 649, the Senate recess until 2 p.m. to allow for caucus meetings, and finally that at 2 p.m. the Senate proceed to executive session, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. There will be two rollcall votes in relation to the Barrasso and Harkin amendments to the gun safety legislation. At approximately 2:15 p.m., there will be a rollcall vote on confirmation of the Torres nomination.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:45 p.m., adjourned until Thursday, April 18, 2013, at 9:30 a.m.

EXTENSIONS OF REMARKS

A TRIBUTE TO STEPHANIE VENDIG

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

Today, I proudly recognize the outstanding work and contributions of Stephanie Vendig of Silver Lake, California. Although retired, Stephanie continuously directs her efforts towards giving back to her community through her advocacy and exceptional leadership.

Ms. Vendig attended the University of California, Berkeley, where she graduated with a B.A. in 1959. In addition to credentials to teach the disabled and elementary school students, she continued her education and received a Master's degree in Early Childhood Education from the California State University, Northridge. Stephanie started her teaching career in San Francisco, and began teaching the disabled when she moved to Los Angeles. In addition, Stephanie became involved with the Los Angeles Unified School District's Division of Special Education as a consultant, where she trained special education teachers and developed programs serving young children with special needs. In 1980, Stephanie joined the Youth and Family Center which provides services for parenting and pregnant teens, and retired from the agency in 1996 as Interim Executive Director.

Stephanie has also served as President of the Silver Lake Senior Club, which is now the Griffith Park Adult Community Club, GPACC, and has been a steadfast advocate for senior citizens. Currently, Stephanie is involved in program development at GPACC, where she is chairing a committee to advocate for the expansion of their facility, since they are outgrowing their current facility. Furthermore, she is a columnist for the Los Feliz Ledger, and serves as a Board Member of the Silver Lake Improvement Association.

I ask all Members to join me today in honoring an outstanding woman of California's 28th Congressional District, Stephanie Vendig, for her exceptional, unwavering, and tireless support and service to the community.

HONORING THE MARTIN'S MILL LADY MUSTANGS

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. HENSARLING. Mr. Speaker, today I would like to honor the Martin's Mill Lady Mustangs basketball team, which won the Texas Class A Division I High School Basketball Championship on March 2, 2013. This victory marked the third time since 2006 the Lady Mustangs have captured the title.

I would like to especially recognize team members Alyssa Pate, Brianne Miller, Hannah Celsur, Cassidy McCoy, Taylor Munns, Haily Jenkins, Bailey Caldwell, Cheyenne Brown, Madison Daniel, Meagan Weatherford, and Hailey Hawes. I would also like to recognize Head Coach Doug Barncastle; Assistant Coaches Laura Jenkins and Don Tarrant; and Managers Hailey Celsur, Jacee Greenlee, Jillian Jones, Megan Lafleur, and Adrianna Weatherford.

On behalf of the Fifth District of Texas, I am honored to congratulate the Martin's Mill Lady Mustangs—both players and coaches—for their talent, dedication, and exceptional performance. I am confident that this is an accomplishment these young ladies will remember for the rest of their lives.

RECOGNIZING VIRGINIA REILLY McDEVITT

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Ms. FOXX. Mr. Speaker, I rise to recognize my constituent Virginia Reilly McDevitt and her classmates on the 50th anniversary of their graduation from the New York Methodist Hospital School of Nursing.

New York's Methodist Hospital, America's first Methodist hospital, opened in Brooklyn's Park Slope section in 1881. Its nursing school opened shortly thereafter in 1888. For years, nurses prepared at the Methodist Hospital to serve throughout the world, wherever the country might have need.

In 1963, Virgnia McDevitt joined the ranks of New York Methodist Hospital's esteemed graduates.

Today Virginia McDevitt puts her New York Methodist Hospital education to work serving as a home health and hospice nurse in Davie County, North Carolina. In the communities of Davie County she is well-regarded for the caliber of her care, the excellence of her work, and the pride she takes serving patients and their families even in life's most challenging times.

Congratulations are certainly due to Virginia McDevitt and the New York Methodist Hospital Nursing School class of 1963.

PERSONAL EXPLANATION

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. COURTNEY. Mr. Speaker, on Monday April 15, 2013, I was unable to be present for three recorded votes. Had I been present, I would have voted:

"Yes" on rollcall No. 103 (on passage of H.R. 1162);

"Yes" on rollcall No. 104 (on passage of H.R. 882); and

"No" on rollcall No. 105 (on passage of H.R. 249).

A TRIBUTE TO ROSIE BETANZOS

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

Today, I want to acknowledge and recognize the exemplary work of Rosie Betanzos, who is widely known as a vibrant member of the Echo Park community. Born and raised in Echo Park, Rosie is happily married to her husband, Ceasar Betanzos, and they have two children.

After Rosie's establishment of the Echo Park Improvement Association in 1988, which was the first crime prevention organization in Echo Park, crime was reduced by 80 percent as a result of community involvement. Rosie has served as a Top Peer Counselor for John Marshall High School and has been involved with the Los Angeles Police Stop–In–Location volunteer unit in Echo Park. In 2009, Rosie coordinated and directed the Echo Park Lotus Festival.

Currently, Rosie serves as a Board Member of the Los Angeles Police Department's Northeast Area Community Police Advisory Board. She also coordinates and directs an annual block party representing the Northeast Police Station, and serves as a Board Officer of the Echo Park Chamber of Commerce, where she coordinates the Taste of Echo Park fundraiser. Rosie is also the owner of the Echo Park Trading Post, and is influential as a coach and mentor in business consulting in business décor and customer service.

I ask all Members to join me today in honoring an outstanding woman of California's 28th Congressional District, Rosie Betanzos, for her exceptional service and continuous dedication to the community.

RECOGNIZING PETTY OFFICER 2ND CLASS JUAN TAIJERON ON RECEIVING COAST GUARD SECTOR GUAM'S RESERVE ENLISTED PERSON OF THE YEAR

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to commend Petty Officer 2nd Class Juan Taijeron on being named Coast Guard Sector Guam's Reserve Enlisted Person of the Year.

Petty Officer Taijeron is a boatswains mate currently assigned to Station Apra Harbor Guam, and was chosen as the Sector Guam's Reserve Enlisted Person of the Year by the U.S. Coast Guard. He serves as a tactical coxswain and engineer on the 45 ft. Response Boat—Medium (RB–M) and 25 ft. Response Boat—(RB–S). His duties include: boarding team member instructor, boat crew member instructor, and Weapons Petty Officer.

The U.S. Coast Guard awarded Officer Taijeron this distinguished honor for successfully achieving the highest underway hours for certified engineers, executing 385 hours underway, many of which were performed outside of his rating specialty as a boat engineer, through 141 missions.

Born and raised on Guam, Petty Officer Taijeron entered the U.S. Coast Guard Reserves in 2008. After graduating high school in 1997, he attended leadership and management school. He has been a civilian dive boat captain and dive master for 15 years. The knowledge he has of Guam is invaluable when training new members of Station Apra Harbor.

His major awards and decorations include: Coast Guard Commandant Letter of Commendation; Coast Guard Meritorious Team with Bronze Star; Coast Guard Special Operations Service Ribbon; Coast Guard Overseas Ribbon; Coast Guard Reserve Good Conduct; Armed Forces Reserve Medal with Device; National Defense Service Medal; and Coast Guard Pistol Expert Medal.

He is also an active member of our island community, as he volunteered more than 100 hours of liberty time to help set up 12 static displays to provide education to the public about the Coast Guard operations as well as volunteering at the Angel Tree Project for underprivileged children during the holiday season.

Petty Officer Taijeron embodies the Coast Guard's core values: honor, respect, and devotion to duty.

I congratulate Petty Officer 2nd Class Juan Taijeron on being named Coast Guard Sector Guam's Reserve Enlisted Person of the Year. I join the people of Guam in commending him and thanking him for his contributions to our community. I wish him the best of luck as he competes for national honors with his peers from other Coast Guard Districts across the nation.

FEDERAL EMPLOYEE TAX ACCOUNTABILITY ACT OF 2013

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Ms. MCCOLLUM. Mr. Speaker, I rise in opposition H.R. 249, the Federal Employee Tax Accountability Act.

Failure to pay taxes is a serious offense and should be treated as such. Unfortunately, this bill is not a serious attempt to address that very complicated issue. Instead of being a good faith effort, this bill is being used as a political stunt and appears to be an attack on public employees.

During Oversight and Government Reform Committee markup on this bill, a series of questions were raised about the Internal Revenue Service procedures related to tax delinquency. These questions include what steps may be taken to resolve a delinquency, when enforced collection action may be used, how repayment schedules are established, among others. Addressing these types of questions and concerns is what the Committee process is for. Chairman ISSA and Ranking Member CUMMINGS wrote a letter to Steven Miller, Acting Commissioner at the IRS, to better understand these processes. The majority pledged to consider these responses and to amend this measure accordingly. Instead of waiting even two weeks for a reply, H.R. 9 was brought to the floor without amendment. The Chairman refused to wait for the answer to his own letter.

I am also concerned that this bill does not make sufficient allowances for the dispute process to do its work. Americans have the right to appeal IRS collection actions. While exemptions are provided when a hearing has been scheduled under Collection Due Process, appeals to that ruling or under the Collection Appeals Program are not. Punishing anyone while they are still in the process of pursuing the normal IRS dispute process is wrong.

Americans around the country are paying their taxes today. None of them should be fired while pursuing their legal rights to appeal or dispute IRS action. I urge my colleagues to join me in opposing H.R. 249.

RECOGNIZING THE 23RD ANNUAL DC BLACK PRIDE CELEBRATION

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Ms. NORTON. Mr. Speaker, as the Supreme Court considers two historic marriage equality cases, I rise today to ask the House of Representatives to join me in recognizing the 23rd annual DC Black Pride celebration, to be held in Washington, DC on May 24–26, 2013.

The DC Black Pride celebration is a multi-day festival featuring a reception, films, a poetry slam, a church service, educational workshops, community town hall meetings, a basketball tournament, and a health and wellness expo, among other events. We in the District of Columbia are pleased and proud that the DC Black Pride celebration is widely considered to be one of the world's preeminent Black Pride celebrations, drawing more than 30,000 people to the nation's capital from across the United States as well as from Canada, the Caribbean, South Africa, Great Britain, France, Germany, and the Netherlands.

We are particularly proud that the DC Black Pride was the very first Black Pride celebration and fostered the beginning of the Center for Black Equity (formerly known as the International Federation of Black Prides, Inc. (IFBP)) and the ''Black Pride Movement,'' which now consists of 40 Black Prides on four continents.

Black Lesbian and Gay Pride Day, Inc., the celebration's organizing body, has chosen ''Step Up and Be Heard'' as the theme for this year's celebration. This theme reflects the connectedness of the Black Lesbian, Gay, Bisexual, and Transgender (LGBT) community and its commitment to fulfilling the mission of DC Black Pride, which is to increase awareness of and pride in the diversity of the Black LGBT community. Moreover, the theme expresses the resolve of the African-American LGBT community and its allies to come together to: fight for LGBT equality; celebrate its heritage and culture as members of both the Black and LGBT communities; and promote health and wellness for the community.

We congratulate the DC Black Pride board of directors, coordinator of the annual event and smaller events throughout the year: Andrea Woody-Macko; Derrick Dunning; Earl Fowlkes, Jr; June Spence; Kenneth Hopson; Kenya Hutton; Lauren Morris; Leandrea Gilliam; Marc Morgan; and Robert ''Harold'' Dinkins.

I ask the House of Representatives to join me in welcoming all attending the 23rd annual DC Black Pride celebration in Washington, D.C., and I take this opportunity to remind the celebrants that the American citizens who reside in Washington, D.C. are taxed without full voting representation in Congress.

A TRIBUTE TO NYLA ARSLANIAN

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

I would like to recognize an exceptional woman, Nyla Arslanian of Los Feliz, California, who is one of the strongest advocates for the arts in the city of Los Angeles, as well as a pioneer in the cultural tourism movement in the city.

Ms. Arslanian is the editor of Discover Hollywood Magazine, now in its 27th year, whose mission is to inform visitors and residents alike, about the unique culture and lore of Hollywood. Nyla is married to Oscar Arslanian, who is her partner in their entertainment management and publishing firm, Arslanian & Associates, Inc. In addition to publishing Discover Hollywood Magazine, they represent

performers Chris Montez, Fabian, Johnny Tillotson and Kathy Young.

Since 1984, Nyla has served as the President of the Hollywood Arts Council, creating several programs such as the Children's Festival of the Arts and the Charlie Awards Luncheon, which is held annually. Through her unparalleled leadership, the Council has brought the arts to more than 15,000 elementary school children, and over 70,000 people who have attended the Children's Festival, which is also an annual event.

Nyla has served on numerous boards including the Greater Griffith Park Neighborhood Council, the Hollywood Chamber of Commerce, and now serves on the board of the Los Feliz Improvement Association. She has received many well-deserved honors, including the Buddy Collette Award, the Award of Excellence by the Women's Club of Hollywood, and the Hollywood Star Award, which she received with her husband.

I ask all Members to join me today in honoring an outstanding woman of California's 28th Congressional District, Nyla Arslanian, for her exceptional service to the community.

HONORING THE LIFE OF R.D. ''DAN'' MUSSER

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. BENISHEK. Mr. Speaker, I would like to honor the life of R.D. ''Dan'' Musser, owner of the Grand Hotel on Mackinac Island, who passed on at the age of 80 on April 13, 2013.

Born in Circleville, Ohio in 1932, Mr. Musser graduated from Dartmouth College and served in the U.S. Army during the Korean War. After returning in 1951, Mr. Musser went to work at the Grand Hotel on Mackinac Island, Michigan, which was owned by his family. In order not to show favoritism, his uncle W. Stewart Woodfill, who was the hotel's owner, had Mr. Musser work twice the number of hours other employees did while learning about the operations of the hotel.

Mr. Musser became the manager of the hotel in 1960, when he doubled the number of rooms in the establishment and extended the hours of the hotel during the summer season. Mr. and Mrs. Musser purchased the hotel from W. Stewart Woodfill in 1979.

During the Musser's ownership of the hotel, Mr. Musser worked to run the large hotel with an impeccable attention to detail and a level of personal service found in much smaller establishments. Mr. Musser often wrote over 50 handwritten notes to employees of the Grand Hotel a day regarding items needing attention. During his tenure as owner, the Grand Hotel became a National Historical Landmark in 1989.

In addition to his work at the Grand Hotel, Mr. Musser served as Chairman of the Michigan Travel Commission, Chairman of the Mackinac Island Public Works Commission, and was remembered as a civic pillar. When not working to improve the Grand Hotel and Mackinac Island, Mr. and Mrs. Musser also enjoyed raising show dogs, his Scottish terrier, Sadie earned the prestigious ''Best in Show'' at the 2010 American Kennel Club Dog Show.

Survived by his wife, three children, and seven grandchildren, Musser's great legacy includes building the Grand Hotel into what it is today and working to share Northern Michigan hospitality and beautiful summers with all citizens. On behalf of all residents of the First Congressional District of Michigan, I wish to express my condolences to the Musser family and salute R.D. Musser's contribution to our state and country.

THE TAIWAN RELATIONS ACT

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. DUNCAN of Tennessee. Mr. Speaker, the Taiwan Relations Act, signed into law more than 34 years ago on April 10, 1979 by President Jimmy Carter, officially recognizes the unique relationship between Taiwan and the United States.

Taiwan acknowledges and represents the many liberties and freedoms the United States holds dear, and is a dependable ally and friend in the Western Pacific.

Our countries share a strategic partnership. The United States should continue to support the ideals of Democracy and strengthen our relationship with Taiwan, a reliable partner in a very strategic part of the world.

HONORING THE COLLEGE OF CENTRAL FLORIDA'S MEN'S BASKETBALL TEAM FOR WINNING THE NJCAA NATIONAL CHAMPIONSHIP

HON. RICHARD B. NUGENT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. NUGENT. Mr. Speaker, I rise today to honor College of Central Florida men's basketball team for their heroic win in the NJCAA National Championship.

On March 23, 2013, the College of Central Florida Patriots faced Northwest Florida State in the NJCAA national championship game. Early on, the Patriots built a 15-point lead and managed to fend off a late charge by their opponents to bring back the school's first ever national championship in men's basketball.

During the game, Eugene McCrory scored 23 points and earned the Most Valuable Player award. Rasham Suarez also earned all-tournament honors for the school and Central Florida Coach Tim Ryan won the award for the tournament's best coach.

The win makes the Patriots the third team from Florida to win the national championship and it is the first such win for a Florida team in almost twenty years.

This historic win is a testament to what can be accomplished when sound leadership and hard work combine to pursue a specific goal. The win is a true credit to Coach Ryan and the entire CF community who rallied around these young men and helped them through till the final whistle.

The team has made our community very proud and I know that it is a sign of more good things to come in the years ahead.

A TRIBUTE TO HEIDI SHINK

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

I would like to recognize an exceptional woman, Heidi Shink of West Hollywood, California, who for many years has been an avid community leader and political activist.

Heidi is an Advocacy Board Member for the National Council of Jewish Women, Vice President of Communications for the Stonewall Democratic Club, a Commissioner for Human Services in the City of West Hollywood, a liaison to West Hollywood's Women's Advisory Board, and Board Member of Liberty Hill's Community Funding Board, Victory Fund's Campaign Board, Democrats For Israel, and the Los Angeles Gay and Lesbian Chamber of Commerce. In 2013, Heidi ran as a candidate and was elected to the California Democratic Party's State Central Committee.

Heidi Shink has had a dynamic and multi dimensional professional career. After graduating from New York University, she landed a record deal with her band, Ceremony. She performed for audiences worldwide, as a co-lead singer, along with Chaz Bono. After working with the band for a decade, she became a Senior Producer at the E! Entertainment Network. Heidi has also co–authored a health book titled 3 Minutes to a Pain-Free Life (Simon & Schuster, 2006) and a wine guide titled Winecology (Globe Pequot Press, 2012). Heidi is a writer for the Huffington Post Gay Voices and hosts ''The Shink Tank: Politics for the People'' on CBS radio and LATALKLIVE.

I ask all Members to join me in honoring a truly remarkable woman of California's 28th Congressional District, Heidi Shink.

JANEICE LONGORIA—A SPECIAL ADVOCATE FOR OUR PORTS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. POE of Texas. Mr. Speaker, I would like to take this opportunity to recognize the newest Chairman of the Port of Houston Commission, the first woman ever appointed to the position, Janeice Longoria. In my role as the Co–Founder and Co–Chair of the Congressional PORTS Caucus, I have enjoyed working with the Port of Houston and was delighted to learn of Janeice's appointment back in January. Since she first joined the Port Commission in 2002, Janiece has been an effective advocate for the port. She has also been a strong voice for businesses along the ship channel and within port–related industries.

Just a few weeks ago, Chairman Longoria joined me and several Texas–based companies at a roundtable event that I hosted at the Port of Houston to help raise awareness about the need for Custom and Border Protection

agents to share certain identifying information regarding potential counterfeit goods with intellectual property rights–holders. The roundtable focused on economic impact that counterfeit goods have on the national and local economies, on U.S. jobs and on American ingenuity. Chairman Longoria's recognized the role that ports play in helping to limit counterfeit goods from entering the U.S. marketplace.

Chairman Longoria's Texas ties run deep and so does her Longhorn price. An honors graduate of the University of Texas for both her undergraduate and law degrees, she is also a former Vice Chairman of the University of Texas System Board of Regents and a Founder of both the Center for Women in Law and the Kay Bailey Hutchison Center for the Study of Latin American Law at the University of Texas School of Law. She is also on the Board of Directors of the University of Texas Law School Foundation.

In the Houston area, Chairman Longoria's contributions exceed far beyond the Port. She currently serves on the Board of Directors for the Texas Medical Center, MD Anderson Visitors Center, the Greater Houston Partnership, Center Point Energy, and the Galveston Bay Area Foundation. Her service to many great causes throughout the state earned her the Sandra Day O'Connor Award for Board Excellence in 2008.

Needless to say, her resume is impressive and her commitment to public service is admirable. I appreciate her dedication to the State of Texas and to the City of Houston and look forward to working with her to raise awareness of the importance of the Port of Houston to the entire nation. And that's just the way it is.

A PROCLAMATION DECLARING THE WEEK OF FEBRUARY 17–23, 2013 AS CHILDHOOD CANCER AWARENESS WEEK

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. LOWENTHAL. Mr. Speaker, I submit the following proclamation.

Whereas, the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among children in the United States. This tragic disease is detected in nearly 15,000 of our nation's young people each and every year; and

Whereas, founded nearly twenty years ago by Steven Firestein, a member of the philanthropic Max Factor family, the American Cancer Fund for Children, Inc. and sister organization, Kids Cancer Connection, Inc. are dedicated to helping these children and their families; and

Whereas, the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at the Los Angeles County-USC Medical Center, Mattel Children's Hospital at Ronald Reagan-UCLA Medical Center, Miller Children's Hospital-Long Beach, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

Whereas, through its uniquely sensitive and comforting Magical Caps for Kids program, the American Cancer Fund for Children and Kids Cancer Connection distributes thousands of beautifully hand made caps and decorated baseball caps to children who want to protect their heads following the trauma of chemotherapy, surgery and/or radiation treatments; and

Whereas, the American Cancer Fund for Children and Kids Cancer Connection also sponsor nationwide Courageous Kid recognition award ceremonies and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer.

Now therefore, U.S. Representative ALAN LOWENTHAL declares the week of February 17–23, 2013 as Childhood Cancer Awareness Week.

IN RECOGNITION OF ST. JAMES CHRISTIAN METHODIST EPISCOPAL CHURCH'S 155TH ANNIVERSARY

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor and pleasure to extend my sincere congratulations to the congregation of St. James Christian Methodist Episcopal Church in Columbus, Georgia as the church's membership and leadership celebrates 155 years. The congregation of St. James CME Church will celebrate this significant anniversary with a series of events including Revival and a musical extravaganza and culminating in a morning Worship Service and afternoon Anniversary Celebration on Sunday, April 21, 2013 in Columbus, Georgia.

This upcoming anniversary celebration will enable church members, local religious leaders, elected officials and other individuals throughout the Columbus, Georgia metropolitan area to pay tribute to the members of St. James CME Church who have positively contributed to the spiritual maturation and personal development of those in the Columbus, Georgia metropolitan area and beyond.

St. James CME Church traces its historical roots back to the 1800s when a group of dedicated Christian pioneers in Chattahoochee County, Georgia built with bushes and sticks a scant structure on land donated by white landowners. This structure was replaced by a log cabin built with wood also donated by the landowners. When the land was returned to the owners, the small congregation moved several times, ultimately settling on the present site where the first brick structure was built.

In 1858, St. James CME Church was organized as a Negro congregation of the Methodist Episcopal Church South. It became St. James Colored Methodist Episcopal Church in 1870 in Jackson, Tennessee before the name "Colored" was changed to "Christian" at the 1954 General Conference. St. James received a donation of property in Chattahoochee County and remained there until 1918 before moving to Muscogee County, where it has had several locations. The first cornerstone at the present location, 380 Dawson Drive, later renamed Northstar Drive, was laid in 1936 with the Reverend I.D. Mitchell as Pastor and the Reverend S.A. Thomas as Presiding Elder.

St. James Christian Methodist Episcopal Church, "God's Glowing Star on Northstar," has been under the pastorate of the Reverend Leon C. Moore, Jr. since July 2012. The story of St. James, which began during a dark and divided time in our nation's history, is a truly inspiring one of the dedication and perseverance of a faithful congregation of people who put all their love and trust in the Lord.

Mr. Speaker, today I ask my colleagues to join me in paying tribute to the St. James Christian Methodist Episcopal Church in Columbus, Georgia for their long history of coming together through the good and difficult times to praise and worship our Lord and Savior Jesus Christ.

A TRIBUTE TO GAIL SCHAPER-GORDON

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

I would like to recognize Dr. Gail Schaper-Gordon, of Pasadena, California, whose work in her private practice and in her community focuses on building leadership skills, teamwork and motivating people to reach their full potential.

Dr. Schaper-Gordon received her B.S. in Sociology from UC Irvine and her Ph.D. in Clinical Psychology from the California School of Professional Psychology. She is the CEO Group Chair of Vistage International, which provides executive coaching and group facilitation of peer advisory groups for business owners, President of Win-Win Workplace Solutions, an executive and management consulting company, and is a Business Psychologist.

A consummate volunteer, some of Gail's past volunteer activities include membership in Zonta International and the National Women's Political Caucus, and serving on the boards of the Valley Industry and Commerce Association (VICA), where she chaired various committees, and the Pasadena-Foothill Valley YWCA. Gail is a Leadership San Fernando Valley Graduate, and is a past Board Member of Leadership Pasadena. Dr. Schaper-Gordon has been involved in many professional organizations, such as the National Register of Health Service Providers, the California Psychological Association, where she served as Past Chair of the Statewide Governmental Affairs Committee, and the San Fernando Valley Psychological Association, where she served as Chapter President. Current volunteer activities include serving as Program Chair for the Kiwanis Club of Pasadena, and as a Board Member of the Pasadena Chamber of Commerce. In addition, Gail provides free services to local non-profit organizations each year.

Gail's passion for educating and motivating people is evident in the many workshops and presentations she's given, such as Working with Difficult People in Public Settings at the Valley Alliance of Neighborhood Councils, Motivating Employees at the VICA Business

Forecast Conference and Psychologists Meeting the Needs of the Business Community and National Health Care Reform, at the San Fernando Valley Psychological Association.

Gail and her husband of twenty years, Barry Gordon, live in Pasadena and have two children and one grandchild.

I ask all Members to join me in honoring a truly remarkable woman of California's 28th Congressional District, Dr. Gail Schaper-Gordon.

PERSONAL EXPLANATION

HON. MAC THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. THORNBERRY. Mr. Speaker, on Monday, April 15, 2013, I was unable to be in Washington and missed rollcall votes No. 103 "To amend title 31, United States Code, to make improvements in the Government Accountability Office," No. 104 "To prohibit the awarding of a contract or grant in excess of the simplified acquisition threshold unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has no seriously delinquent tax debts, and for other purposes," and No. 105 "To amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment." Had I been present, I would have voted "yes" on all three bills.

IN HONOR OF LYNDON STATE COLLEGE

HON. PETER WELCH

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. WELCH. Mr. Speaker, today, Vermonters across the state are donning the green and gold in honor of our own Lyndon State College. The Vermont State Legislature proclaimed Green and Gold Day in celebration of all this college means to our state: to the thousands of students who have gone there to learn and earn a degree, to the regional economy that depends on its graduates and its ideas, to the Lyndonville community that is enriched by its college neighbor. Lyndon State College, and its sister schools in the Vermont State College system, provide a lifeblood to our state and deserve this day of recognition and celebration.

Lyndon State is found on a hilltop in the small town of Lyndon in the heart of the Northeast Kingdom of Vermont. For over one hundred years, this college has symbolized the aspirations of Vermonters who believe that higher education is a means to better their lives. In fact, Lyndon State College is a leader in serving first generation students in this most rural area of our state.

This college delivers for Vermont: 90% of Lyndon State College graduates are employed or continuing their education at graduate school within six months of graduation. Its business incubator program is responsible for job creation and new businesses in the region.

The Northeast Kingdom is deeply rooted in tradition and community, and in the coming years economic development will bring significant changes to the entire area. We will depend on Lyndon State to be a key player in these changes. But we will also depend on Lyndon State to continue to help Vermont uphold all that is key to the Kingdom: the value of community, the environment, and lifelong learning.

Congratulations to Lyndon State College on the upcoming inaugural of its 15th president, Dr. Joseph Bertolino, and on the completion of another successful academic year. We join you in celebrating the Green and the Gold, and look forward to many years of your continued success.

PERSONAL EXPLANATION

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on the evening of Monday, April 15, 2013, I joined Bishop Thomas Paprocki and Father Alan Hunter to celebrate the sacrament of Confirmation of my daughter and her classmates from St. Mary's Parish in Taylorville, St. Rita's Parish in Kincaid, and Holy Trinity Parish in Stonington, Illinois.

Had I been present in Washington DC on Monday April 15, 2013, my votes would have been as follows:

For rollcall No. 103, on suspending the rules and passing H.R. 1162, the Government Accountability Office Improvement Act, which confirms that the GAO has the authority to go to court to force departments to hand over records, as well as generally assures that the GAO has the proper tools to monitor agencies, I would have voted "yes."

For rollcall No. 104 on suspending the rules and passing H.R. 882, the Contracting and Tax Accountability Act of 2013, which states that it is the policy of the United States that no government contracts or grants should be awarded to individuals or companies with seriously delinquent federal tax debts, I would have voted "yes."

For rollcall No. 105 on suspending the rules and passing H.R. 249, the Federal Employee Tax Accountability Act, which prohibits any person who has a serious delinquent tax debt from serving on an executive agency, working for the U.S. Postal Service, the Postal Regulatory Commission, and an employing authority in the legislative branch, I would have voted "yes."

It is an honor to serve the people of the 13th Congressional District of Illinois.

A TRIBUTE TO CINDY CLEGHORN

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our Nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

I would like to recognize Cindy Cleghorn of Tujunga, California, whose involvement in the Sunland-Tujunga community is truly remarkable.

Cindy began her volunteer career early. As a young girl in La Crescenta, California, she went door-to-door raising funds for the March of Dimes, and was a member of several organizations that promoted leadership development, including Job's Daughters, Eastern Star and Camp Fire Girls. This involvement gave her not only experience in giving back to her community, but also fostered her business and entrepreneurial skills.

In 1982, Ms. Cleghorn founded her company, C&M Printing, in Glendale, a small business that provides personalized service for nonprofits, businesses and organizations with their printing, copying and mailing needs, serving the greater Los Angeles area. She has been a leader in many business organizations, including the California Association of Business Printers, serving as President, the National Association of Women Business Owners-Los Angeles Chapter, where she received the Member of the Year Award in 1993, the Kiwanis Club of Glendale, where she served as Vice President, and Women Impacting Public Policy. In 1995, Cindy received the distinct honor of being elected to serve on the White House Conference on Small Business.

Cindy became active in the Sunland-Tujunga community when she moved her business to Tujunga. She helped to organize the certification of the Sunland-Tujunga Neighborhood Council, an advisory body to the city of Los Angeles, served as a member of the Board of Directors, served as President and Secretary and is currently serving as Vice President of Outreach. In addition, Ms. Cleghorn spearheaded the restoration of a business area in Tujunga which is now designated as Historic Olde Towne Tujunga. Selected by Los Angeles Mayor Antonio Villaraigosa, Cindy served as a City Commissioner on the Neighborhood Council Review Commission. Currently, she is on the executive committee of the Valley Alliance of Neighborhood Councils where she works with nearly 100 neighborhood councils in Los Angeles as Chair of the Congress of Neighborhoods, and the Sunland-Tujunga Chamber of Commerce, where she is President.

I ask all Members to join me in honoring a truly remarkable woman of California's 28th Congressional District, Cindy Cleghorn.

A TRIBUTE IN RECOGNITION OF NATIONAL CHEERLEADING SAFETY MONTH

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. FINCHER. Mr. Speaker, I rise today to recognize that March was National Cheerleading Safety Month. I would like to commend the leadership efforts of Varsity Brands, which is located in Memphis, Tennessee, in promoting safety in cheerleading. Varsity Brands employs 300 people in the Memphis area, and 5,000 people across the country.

I would also like to commend Varsity Brand's support for USA Cheer, the United States All Star Federation (USASF), and the American Association of Cheerleading Coaches and Administrators (AACCA). Through the CheerSafe initiative led by these organizations, the safety of more than 3 million cheerleaders is improved.

CheerSafe members work to ensure that every cheerleading team is trained under the direction of a knowledgeable coach. Members also ensure that every cheerleading team follows the established safety rules and has an emergency plan in place. To this end, the CheerSafe coalition provides training to more than 4,500 coaches and instructors each year.

In addition, AACCA and USA Cheer have partnered to distribute concussion information to coaches of over 400,000 cheerleaders. There are currently more than 20,000 coaches across the United States who have completed the AACCA Risk Management course and are in good standing. Through these efforts, the risk of participation in cheerleading has decreased since 2006 and the risk of serious injury is now lower than in many other school sports.

USA Cheer is the national governing body for sport cheering. It exists to help grow and develop interest and participation throughout the United States. The program is designed to promote safety education, while representing the United States in international competitions.

USASF's mission is to support and enrich the lives of All Star athletes and members. It provides consistent rules, strives for a safe environment, drives competitive excellence, and promotes a positive image for the sport.

AACCA was created to form a structured platform for cheerleading safety. The first set of standard safety rules were published in 1988 and the first Cheerleading Safety Manual in 1990.

Mr. Speaker, I ask my colleagues to please join me in recognizing the combined efforts of Varsity Brands, USA Cheer, the United States All Star Federation for Cheer and Dance Teams, and the American Association of Cheerleading Coaches and Administrators to prevent injuries and increase safety in cheerleader performance.

HONORING DR. SANGTAE KIM

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the accomplishments of Dr. Sangtae Kim, distinguished professor of mechanical and chemical engineering at Purdue University in West Lafayette, Indiana.

Dr. Kim was recently awarded the 2013 Ho-Am Engineering Prize from South Korea, the highest engineering research award issued by that nation. Dr. Kim, a Korean-American, was born in Seoul, South Korea, and his family immigrated to Canada when he was seven years-old.

While on leave from Purdue, Dr. Kim is a visiting professor of chemical engineering at the University of Wisconsin-Madison where he also previously served on the faculty as professor and department chair.

He is the founder and chairman of Pro WD Sciences Inc., a Wisconsin drug-discovery and drug-development company.

Dr. Kim came to Purdue in 2003 from Eli Lilly and Co. in Indianapolis, where he was the Lilly Research Laboratories' Vice President and Information Officer in research and development. Prior to this, Dr. Kim also served in leadership positions at Pfizer Inc. and Parke-Davis Pharmaceutical Research.

In addition, Dr. Kim served as inaugural director of the National Science Foundation's Shared Cyber-infrastructure Division from 2004–2005 and has led research projects funded by the National Science Foundation and the Office of Naval Research. Dr. Kim's research has included work in mathematical and computational methods for ''microhydrodynamics,'' including a book on the subject published in 1991.

I ask the 6th Congressional District and entire State of Indiana to join me in congratulating Dr. Kim for this great achievement.

COMPLEX TAX CODE PLACES BURDEN ON FAMILIES AND BUSINESSES

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. MARCHANT. Mr. Speaker, this week, American citizens and businesses across the country will be surprised by the amount of their annual tax bill.

This surprise is a direct result of a staggering 4 million-word tax code filled with confusing deductions and loopholes that make it difficult to understand and file tax returns.

The basic fact is that the tax code is overly complex and out of date. It places an enormous burden on families and businesses and needs to be reformed and simplified.

Families and businesses paying taxes throughout the year should not be burdened each April by an additional round of time-consuming and expensive tax filing headaches.

Americans deserve better.

A TRIBUTE TO CECI DOMINGUEZ

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the outstanding contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

I would like to recognize an exceptional woman, Ceci Dominguez. A resident of Elysian Valley for 41 years, Ms. Dominguez has been an advocate for clean air and creating green areas in our community. She has helped not only plan, but also establish the Jardin Del Rio Community Garden, the Marsh Street Park, and the Marsh Skate Park.

Currently, Ceci serves as President of the Elysian Valley Seniors, and serves on the boards of the Sotomayor Learning Academies ArtLab School Site Governing Council, and the Cornerstone Theater Company, where she received the Community Visionary Award. She also serves as the President of the Park Advisory Board at the Elysian Valley Recreation Center, where she co-organized the Health and Holiday Fair in 2010 and the first Mammogram Social for women in 2011, where health services were provided free of charge to the public. She is also involved with community organizations such as the Los Angeles County Bicycle Coalition, Friends of the Los Angeles River, and Elysian Valley Girl Scouts of America.

Previously, Ceci served as a Board Member of the Elysian Valley Riverside Neighborhood Council. She also co-founded the NorthEast Residents for Clean Air in 2011. Along with her late husband, Rey Dominguez, Ceci raised two wonderful children, Laura and Rey, and is the proud grandmother of Ricky.

I ask all Members to join me in honoring a truly extraordinary woman of California's 28th Congressional District, Ceci Dominguez.

HONORING LIEUTENANT COLONEL STEVEN M. DOTSON

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. FINCHER. Mr. Speaker, I rise today to honor the retirement of Lieutenant Colonel Steven M. Dotson. Lt. Col. Dotson will be retiring from active duty service in the United States Marine Corps after almost 28 years on September 30, 2013.

Lt. Col. Dotson's roots are in the Eighth District of Tennessee, as he was raised in the town of Sharon. He enlisted in the Marines on October 5th, 1985, in Union City, Tennessee. Currently, Lt. Col. Dotson serves as a Strategic Mobility Officer for the Marine Corps Installations & Logistics Department.

Lt. Col. Dotson proudly represents the United States, and I am proud to represent him as a Member of Congress. As we reflect on the career of this exemplary public servant, I express appreciation for his distinguished and selfless service on behalf of a grateful nation. It is his sacrifice, along with the sacrifices of those in uniform around the world, which helps to keep our Nation strong and secure.

HONORING THE LIFE OF LT. COL. DON C. FAITH

HON. LARRY BUCSHON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. BUCSHON. Mr. Speaker, I rise today to honor and respect an American hero. Today, the Korean War Medal of Honor winner from Washington, Indiana, Lt. Col. Don Faith, was finally put to rest at Arlington National Cemetery.

Forced to assume command of a small U.S. Army task force, due to his superior being killed in combat, Lt. Col. Faith put together a plan. Renowned as ''Task Force Faith,'' Lt. Col. Faith was responsible for maintaining a more defensible position.

Grossly outnumbered and surrounded by Chinese People's Volunteer Forces, Lt. Col. Faith continued to rally his troops, and personally led an assault on a CPVF position. Lt.

Col. Don C. Faith Jr. was awarded the highest U.S. military honor for valor, the Medal of Honor, during the battle of Chosin Reservoir in 1950 for his heroics and leadership.

I rise today to celebrate the life, honor, leadership and incredible sacrifice of a true American hero. An honor to which we all owe a debt of gratitude.

May God bless you, Lt. Col. Don C. Faith Jr.

IN RECOGNITION OF EDWARD VITTARDI

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. RENACCI. Mr. Speaker, I rise today to recognize Mr. Ed Vittardi who has proudly served 31 years in public education in the great State of Ohio. Mr. Vittardi's career began as a social studies teacher at Dodge Middle School in Twinsburg, Ohio. From there, he served in many other roles in Twinsburg, ultimately becoming principal of Dodge Middle School. He also served as principal of Claggett Middle School (Medina), Independence Middle School (Independence), and North Royalton Middle School (North Royalton). For the past four years, Mr. Vittardi has worked as the North Royalton City District Superintendent. Under his leadership the district has made incredible progress. The Strategic Plan, developed in 2010 with unprecedented community involvement, has become a true living document. Through Mr. Vittardi's direction, the North Royalton City School District has maintained its Excellent rating on the Ohio Department of Education's Local Report Card. He implemented a five-year strategic plan, engaging more than 800 community members. Mr. Vittardi was also instrumental in the development of the North Royalton Stadium Foundation which raised more than $1.3 million to build a new stadium complex, including field turf, without a tax increase. I would like to acknowledge his achievements throughout his long career of public service and thank him for his outstanding contribution to the 16th Congressional District and the community of North Royalton.

KENYA'S 2013 ELECTIONS: AN EFFECTIVE ASSISTANCE MODEL?

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SMITH of New Jersey. Mr. Speaker, yesterday, the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing that examined U.S. actions to support the March 2013 elections in Kenya, a critically important African ally. The United States has devoted more than $35 million since 2010 alone to prepare for and manage this year's election process.

After the massive violence following the closely contested December 2007 election, many precautions were taken to prevent a similar occurrence in 2013, and election-day and post-election violence have been greatly reduced. However, an effort to use new technology did not work as well as hoped. There were questions about the effectiveness of this election, which had promised to be a technological advancement. Given future important African elections, this hearing will look at what a responsible U.S. policy toward African elections should look like in an era of constrained development aid budgets.

The tragic election day deaths of 19 people, although attributed mostly to Islamic separatist elements and not to specifically election-related causes, cannot be overlooked and the perpetrators must be held to account. It is unacceptable that in the violence that followed the 2007 elections, an estimated 1,200 Kenyans were killed, and approximately 600,000 were displaced, according to media reports. Yet no one has thus far been held accountable.

Kenya this year conducted its first election under the 2010 constitution. In addition to voting for a president and members of the National Assembly, Kenyans selected members of the new Senate, as well as governors and local Assembly representatives in the 47 newly-created counties, each with a designated women's representative. More technology was brought into polling places to better ensure accuracy of voting and vote tabulation. Unfortunately, reported malfunctions of the equipment in some polling stations and at the national level, where a server broke down, for awhile stoked fears of vote rigging. If the court process had not been handled well as it was, we might now be looking at another wave of post-election violence.

Uhuru Kenyatta was elected President with 6,173,433 votes to 5,340,546 votes for Raila Odinga, and this was certified by the Kenyan Supreme Court. Nevertheless, violence was still a possibility until Odinga gave a magnanimous concession speech following the court ruling.

The amount of U.S support for the Kenya election was extraordinary. American and Kenyan civil society organizations were enabled to conduct civic education, including radio and television messages and programs aimed at youth to encourage participation in the election process and discourage violence. Youth organizations were created nationwide to give young people an enduring voice in their country's political system. Several innovative approaches were created, including a comic book called Shujazz with young characters involved in commenting on the Kenyan political scene.

The three organizations presenting testimony today all played major roles in creative preparations for the 2013 Kenyan election. The International Republican Institute printed nearly 1.2 million sample ballots and 400,000 election posters for the IEBC and also distributed 800,000 Shujazz posters. The National Democratic Institute conducted an important poll on voter attitudes heading into the election, covering such issues as whether the country was headed in the right direction, whether their lives would improve during the next five years, whether the election posed a security threat to them and their community and whether they felt others were being encouraged to do harm to their ethnic group because of the elections.

The International Foundation for Electoral Systems advised Kenya's electoral commission on the process to conduct an election where there were 1,882 different configurations of the ballot, depending on the local races being run. The cell phones necessary for reporting of vote totals from polling stations were so late in being procured that IFES went ahead and purchased 1,200 to send into the field in time for election day.

Despite the extraordinary efforts by NGOs in preparing for the Kenyan election, we must be selective in what lessons we take from this experience. We will not be able to devote such resources to what will be several important elections yet to be held in 2013.

The U.S. Government has pressed both the governments of Mali and Madagascar to hold elections at the earliest possible date in order to normalize relations after coups replaced elected leaders. Zimbabwe, which recently held a constitutional referendum, is scheduled to hold presidential and legislative elections that many in that country hope will break the long cycle of repression of the political opposition. Ethiopia's next election will replace the late Prime Minister Meles Zenawi and also will determine whether the political opposition will have more space to operate than in previous elections. Guinea's election also is being conducted in an atmosphere of uncertainty for the political opposition.

These elections are important to U.S. foreign policy as was the election in Kenya. So how do we ensure that they are successful and represent the will of the voters if we can't devote the resources we did in Kenya? That was the question we put to the witnesses, whose organizations have broad experience with African elections and have a unique viewpoint that we hope will allow Congress and the administration to agree on funding for a policy that is fiscally sound while being politically effective.

HONORING DANIEL B. HASTINGS, JR.

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. CUELLAR. Mr. Speaker, I rise today to honor the contributions of the late Daniel B. Hastings, Jr. of Laredo, Texas—a well-know, local businessman and philanthropist.

Daniel B. Hastings was born January 8, 1948 in Laredo, Texas to Daniel and Irma M. Hastings. Daniel Jr., and was the third child and only son among the couple's five daughters. Daniel graduated from Martin High School in 1965, and continued his education at Laredo Junior College and later received his B.S. degree in chemistry with minors in both math and physics from Texas State University (formerly then, Southwest Texas State University).

At the young age of 13, Mr. Hastings, Jr. began working in Laredo for the U.S. customs brokerage firm, Daniel B. Hastings, Inc. The company, established by his great-aunt, provided him and other members of the Hastings family a strong livelihood. It was not long until Daniel, Jr. moved up in ranks from running errands and performing warehouse duties to officially joining the firm as a partner in 1973. Seven years later, in 1980, he would follow his father's footsteps and assume ownership.

Mr. Hastings has been highly regarded for having a strong network of personal, business, and religious relationships. His dedication and work ethic have earned him numerous awards for his contributions to business and educational development including the Laredo Chamber of Commerce Small Businessman of the Year (1989), Junior Achievement Hall of Fame (2001), Alumni Achievement Award from Texas State University (2010) and the U.S. Department of Commerce Border Champion Award (2012). As a founding member of the Laredo Community College Education Foundation and endowment fund Mr. Hastings' mission will continue to touch the lives of many.

Mr. Hastings is survived by his wife of 36 years, Mrs. Gloria V. Montemayor Hasting; their loving children, Daniel B. Hastings III (Lucina), V. Nicole Hastings and David B. Hastings; and grandchildren Daniel B. Hastings IV and Dillon B. Hastings. A noble friend to the people of my district and hometown; there is no doubt that Mr. Hastings will be missed.

Mr. Speaker, I am honored to have had the opportunity to recognize the late Daniel B. Hastings, Jr. His hard work and generosity have truly impacted many lives and our community.

CELEBRATING THE 25TH ANNIVERSARY OF THE CLOSE UP FOUNDATION'S PROGRAM FOR NEW AMERICANS

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. HINOJOSA. Mr. Speaker, I rise today to recognize one of the nation's preeminent civic education organizations, the Close Up Foundation, on the occasion of the 25th anniversary of their Program for New Americans.

Close Up is a nonprofit nonpartisan organization that informs, inspires, and empowers young people to exercise the rights and accept the responsibilities of citizens in a democracy. Over the past forty years, Close Up has brought hundreds of thousands of students and teachers to Washington for week-long civic learning experiences. Close Up believes that a strong democracy requires active and informed participation by all citizens and seeks to reach participants of every race, creed, geographical community, socio-economic level, and academic standing. The Close Up Foundation partners with educators, schools, and youth organizations throughout the country to help young people develop the skills and attitudes to become informed and engaged citizens.

Today we celebrate the 25th anniversary of the Close Up Program for New Americans. This unique civic learning program has helped more than 20,000 recently immigrated and migrant high school and middle school students understand American democracy, government, and U.S. political traditions. Using experiential education methodologies, the Program for New Americans helps young people understand both the rights and responsibilities of democratic citizenship.

The program is comprised of three parts: service learning in preparation for the program; a week in Washington in which students use the city as a classroom to learn about the government and develop an action plan to address a community need; and implementation of the action plan at home. The goal of the Program for New Americans is to help these young people adjust to and become an active participant in the communities in which they live.

The Washington portion of the program focuses students on the founding documents of our nation—the Declaration of Independence and the Constitution—to provide them with an understanding of our nation's democratic principles and traditions. Through study, workshops, and visits to the memorials and monuments of the nation's capital, students examine the rights and responsibilities of citizenship in our society.

As Congress begins consideration of immigration legislation we should keep in mind the importance of innovative programs such as the Close Up Program for New Americans in providing young people with opportunities to engage with their government, its institutions and representatives and learn to apply those civic skills in their communities. It is essential that our nation's youth acquire the knowledge and the critical skills and attitudes necessary for active citizenship in our democracy.

I applaud the work of the Close Up Foundation and the outreach that they have done in the immigrant and migrant communities for a quarter century. I hope that Congress will continue to support these programs that build informed and active citizens and strengthen our communities.

HONORING WALTER SEGALOFF, FOUNDER OF AN ACHIEVABLE DREAM ACADEMY AND 2013'S VIRGINIAN OF THE YEAR

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to honor the life and career of a local community leader, businessman, and humanitarian from Newport News, Virginia—Walter Segaloff.

I have known Walter throughout my career in public service representing the citizens of Newport News. He has dedicated his life to improving the lives of his fellow citizens. When he owned Virginia Specialty Stores, he would often interview young people seeking jobs but noticed many lacked the needed skills, despite having graduated from high school. Walter knew these young people had great potential that was going to waste and he wanted to do everything he could to make sure they had access to the right opportunities.

Walter took matters into his own hands. He joined forces with other local business leaders, citizens, Newport News Public Schools, and the City of Newport News to help improve the lives and educational outcomes of our City's most at-risk young children. Out of this effort, An Achievable Dream was born in the summer of 1992 as a summer education and tennis program.

Due in large part to Walter's dedication and tenacity, An Achievable Dream quickly expanded since that first summer. In 1994, it became a full-time, extended day school serving 400 children in grades three through five. A year later, An Achievable Dream expanded the extended day program to students at Dunbar-Erwin Middle School. By 2000, An Achievable Dream Academy was founded as a year-round full time elementary school and by 2007 a separate full time middle and high school opened under the An Achievable Dream name.

An Achievable Dream provides a social, academic, and moral educational framework for its students and every day starts with a motivation rally where each student shakes the hand of an adult. The Achievable Dream program is structured to give young people the skills needed to succeed in life. Those skills are taught at An Achievable Dream on the tennis court, in the classroom, on field trips, and in sharing experiences with successful and caring adults in our community. Today, An Achievable Dream is educating more than 1,200 at-risk students in Newport News and is putting these students on the path to success.

Often, young people don't think too much about the future, and don't realize that choices made today may limit those in the future. Walter has worked to ensure that the students at An Achievable Dream have every opportunity to be successful in life.

As a public-private partnership with Newport News Public Schools, the City of Newport News, the Newport News Police Department, the Newport News Sheriff's Department, the U.S. Army, the Rotary Club, Riverside Health System and the College of William and Mary, An Achievable Dream has received national recognition as one of the most effective urban school programs in the country and has provided a model for integrating support from the business community to support quality educational opportunities for at-risk students.

On April 19th, the Virginia Press Association will honor Walter as its Virginian of the Year for 2013. Walter was nominated by our hometown newspaper, The Daily Press, in recognition of his decades of dedication to improving the educational opportunities of thousands of at-risk young people living in Newport News and the Association was unanimous in selecting Walter as this year's recipient.

Walter recently stepped down as CEO of An Achievable Dream, but he leaves behind a strong legacy. His vision is expected to expand to other localities in Hampton Roads, helping improve the lives of thousands of more at-risk young people in our community.

I commend Walter for being recognized as this year's Virginian of the Year and I thank him for his years of dedicated service to improving the lives of so many young people in Newport News.

NATIONAL DAY OF PRAYER AND REFLECTION

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mrs. BACHMANN. Mr. Speaker, for centuries America has been blessed by God. Americans today and in previous generations looked to God for guidance on both private and national designated days of prayer and fasting.

At this time of national mourning, as we search for comfort in the aftermath of this loss of innocent life, we would be wise to consider afresh II Chronicles 7:14: "If my people, who are called by my name, will humble themselves and pray and seek my face and turn from their wicked ways, then I will hear from heaven, and I will forgive their sin and will heal their land."

I join together with other Americans who have called for September 11, 2013 to be set aside as a day for personal prayer, reflection and fasting, for ourselves and for our Nation.

As we humble ourselves and pray and seek God's grace, we can take assurance from the Holy Scripture that God has promised to hear from heaven and will heal our land.

CONGRATULATING ANN BOCHLER OF ASHLAND, WISCONSIN, ON BEING NAMED THE 2013 PERSON OF THE YEAR BY THE ASHLAND AREA CHAMBER OF COMMERCE

HON. SEAN P, DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. DUFFY. Mr. Speaker, I rise today to recognize the community accomplishments of Ann Bochler of Ashland, Wisconsin, who has been named the 2013 Person of the Year, by the Ashland Area Chamber of Commerce.

Ann sits on the Ashland Youth Hockey Association Board of Directors, and is a past board member of several community organizations including the Ashland Area Chamber of Commerce, Big Top Chautauqua, Depot Restoration Committee, the Ashland Waterfront Commission and the Ashland Parks and Recreation Committee. Ann was the 2011 Recipient of the Badger of the Year Award presented by the UW-Madison Alumni Club of the Chequamegon Bay Area. She has also been instrumental in helping coordinate and plan events for the Ashland Chamber and for the Ashland and Bayfield County Relay for Life, for which she serves as Chairperson.

Ann is a true community leader, and through her own creativity comes up with great ideas. Her positive demeanor and strong, outgoing personality has allowed her to connect with the community to develop a great support network of volunteers who help her attain her goals for community fundraising and other events.

Thanks to the community contributions of outstanding citizens like Ann Bochler, Ashland is rightfully known by many as "Lake Superior's hometown." I ask that my colleagues join me today to express our appreciation for Ann's community spirit and our congratulations to her on receiving this well-deserved award.

HONORING THE GAY AND LESBIAN ACTIVISTS ALLIANCE OF WASHINGTON, DC (GLAA)

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Ms. NORTON. Mr. Speaker, every spring since 1991, when I became a member of Congress, I remind the House of Representatives I have the honor and pleasure of representing the oldest continually functioning lesbian, gay, bisexual and transgender (LGBT) organization in the United States, the Gay and Lesbian Activists Alliance of Washington, DC (GLAA). I rise today to ask the House of Representatives to join me in celebrating GLAA's 42nd anniversary and wishing it well as it continues in the struggle for equal rights for the LGBT community.

Since its founding in April 1971, GLAA has been a respected and tireless advocate for full and equal rights for the LGBT community in the District of Columbia, and has been at the forefront of efforts to strengthen enforcement of the landmark D.C. Human Rights Act of 1977. One of GLAA's most significant achievements, on which it worked with coalition partners, D.C. elected officials, and District residents, was enactment of the Religious Freedom and Civil Marriage Equality Amendment Act of 2009, which permits same-sex couples to marry in the District.

In addition to its leadership on LGBT rights in the District, GLAA has always provided leadership on a wide range of civil rights issues, such as family rights, police accountability, and access to condoms in prisons and D.C. public schools. GLAA also emphasizes effective public health strategies and accountability in the fight against HIV/AIDS in the District.

At GLAA's 42nd anniversary reception on April 25, 2013, the recipients of its 2013 Distinguished Service Awards will be recognized, including:

Diana Bruce is Director of Health and Wellness for the District of Columbia Public Schools (DCPS), and leads DCPS's school health office, developing policies, programs, systems and partnerships that enable local schools to provide school health services and supports for students. In this capacity, Diana initiated the development of DCPS's efforts to make its schools welcoming and inclusive of lesbian, gay, bisexual, transgender and questioning students, staff and families. She also leads the community engagement process to develop DCPS's framework and approach to preventing, identifying and responding to bullying.

Clarence J. Fluker is the editor of Substanceandstyledc.com, an art, culture, entertainment and lifestyle blog. Clarence's articles have been featured in SWERV and The Life magazines, and he has served as the Next Generation editor for Arise. He served as Program Manager of the D.C. Office of Gay, Lesbian, Bisexual and Transgender Affairs from 2008 to 2012, and previously served on its Advisory Committee. In 2002, he was elected the youngest member of the Board of Directors of Black Lesbian & Gay Pride Day, Inc., and served as its board president in 2006.

Brent Minor is executive director of Team DC, established in 2003 to educate the LGBT community on the benefits of individual and team sports. Brent chaired the Metropolitan Washington Gaymes bid committee for the 2014 Gay Games. He is a member of the Alexandria Commission on HIV/AIDS. He served on the President's Advisory Council on HIV/AIDS under Presidents Bill Clinton and George W. Bush. He also served as Director of Public Policy at the Whitman-Walker Clinic of Northern Virginia and as Director of Community Relations at Food & Friends.

Peter Rosenstein has been a tireless activist in politics, government affairs, and the arts for more than 30 years. He is president of the Campaign for All DC Families. He is founder and president of Arts in Action, and was Vice Chair of the Board of Trustees of the University of the District of Columbia. He served on Whitman-Walker Clinic's Health Development Committee, and chaired the host committee for the Food & Friends annual dinner for 9 years. He writes regularly for many publications, including the Washington Blade.

Jason A. Terry is a conflict resolution and human rights advocate dedicated to educating others about how to build a more peaceful world, locally and globally. He is training manager at the National Council for International Visitors, with responsibilities for regional and national meetings, webinars, and curriculum design. He is also an anti-violence organizer with the DC Trans Coalition, coordinating advocacy and educational campaigns to reduce anti-transgender violence, and serves as treasurer on the board of the Association for Gender Research, Education, Academia and Action.

I ask the House to join me in honoring the recipients of GLAA's 2013 Distinguished Service Award and in celebrating GLAA's 42nd anniversary of contributions to the LGBT community in the District of Columbia.

HONORING THE HEROISM AND EXTRAORDINARY SERVICE OF THE DOOLITTLE TOKYO RAIDERS ON THE OCCASION OF THEIR SEVENTY–FIRST ANNIVERSARY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. MILLER of Florida. Mr. Speaker, I am privileged to recognize the Doolittle Tokyo Raiders for their heroism and extraordinary service and sacrifice that lifted our Nation and helped propel the Allies to victory over Japan in World War Two.

On April 18, 1942, as a response to Japan's surprise attack on our Nation, eighty brave Americans from the 17th Bombardment Group (Medium) set out to execute a first-of-its-kind mission to bring the fight Japan started to their homeland. Led by then Lieutenant Colonel Jimmy Doolittle, these heroic men all volunteered for what they were told to be an extremely hazardous mission and were still willing to put their lives in harm's way to help defend our great Nation.

The mission, thought by many to be near impossible, required innovations and extensive training to include secret preparations conducted in March 1942 at Eglin Field in the First Congressional District of Florida. These intensive preparations included training for accomplishing short takeoffs and landings and techniques for fuel efficient flying. Eglin Field helped serve as the proving ground for the military's innovations and techniques required to ensure these brave American's were ready for their mission.

After months of Japanese military successes in the Pacific, these brave airmen set out on a mission that changed the tide of the Second World War and lifted the morale and spirits of a grateful Nation. On that day, they

planned to launch their sixteen modified B–25 bombers from the deck of the aircraft carrier USS *Hornet,* flying to Japan to drop their bombs and then fly on to land in a part of China that was still free from Japanese occupation.

However, despite their extensive preparations, the USS *Hornet* was discovered by the Japanese 170 miles further from their prearranged aircraft launching point. Still, these selfless and brave American's decided to continue with their mission despite the fact they were beyond the distance considered to be safe for launch. The Doolittle Tokyo Raiders deliberately accepted the risk that their B–25's might have only the fuel required to reach their targets but not enough to ensure their safe landing.

Despite the obstacles presented to these men, they successfully reached Japan, dropped their bombs and set on their journey to find a safe landing site. Because of their deliberate choice to launch early, they found themselves low on fuel navigating in increasingly deteriorating weather. None of the sixteen B–25's launched reached their pre–planned landing sites. Of the eighty Doolittle Raiders who conducted the raid, seven gave the ultimate sacrifice with the loss of their lives while defending the freedoms we all enjoy today.

The Doolittle Tokyo Raiders acts of heroism and extraordinary airmanship while facing unimaginable odds against their own safety and well–being is recognized as a turning point in the war in the Pacific. Their skill, valor, and selflessness boosted the morale of our Nation's military while causing the Japanese offensive pause as they moved resources to defend their own nation. This morale boost helped fuel the growing American offensive, ultimately leading to the United States victory in the Pacific.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to recognize the Doolittle Tokyo Raiders on their 71st anniversary of their remarkable bombing raid on Tokyo during World War II. My wife Vicki joins me in thanking all the Doolittle Tokyo Raiders and their families for their sacrifice to our Nation.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 18, 2013 may be found in the Daily Digest of today's record.

MEETINGS SCHEDULED

April 19

10 a.m.

Committee on the Judiciary

To hold hearings to examine comprehensive immigration reform legislation.

SH–216

April 22

10 a.m.

Committee on the Judiciary

To resume hearings to examine comprehensive immigration reform legislation.

SH–216

April 23

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Army in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SD–106

10 a.m.

Committee on Appropriations

Subcommittee on State, Foreign Operations, and Related Programs

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the United States Agency for International Development.

SD–192

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the Consumer Financial Protection Bureau's semi-annual report to Congress.

SD–538

Committee on Commerce, Science, and Transportation

Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

To hold hearings to examine the President's proposed budget request for fiscal year 2014 for the Coast Guard and the National Oceanic and Atmospheric Administration (NOAA).

SR–253

Committee on Energy and Natural Resources

To hold hearings to examine S. 306, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, S. 545, to improve hydropower, and an original bill to promote energy savings in residential and commercial buildings and industry.

SD–366

Committee on Finance

To hold hearings to examine the Antwone Fisher story as a case study for child welfare.

SD–215

Committee on Health, Education, Labor, and Pensions

Subcommittee on Primary Health and Aging

To hold hearings to examine successful primary care programs.

SD–430

Committee on the Judiciary

Subcommittee on the Constitution, Civil Rights and Human Rights

To hold hearings to examine drone wars, focusing on the constitutional and counterterrorism implications of targeted killing.

SD–226

10:30 a.m.

Committee on the Budget

To hold hearings to examine the President's proposed budget and revenue request for fiscal year 2014 for Veterans' program proposals.

SD–608

2:30 p.m.

Committee on Appropriations

Subcommittee on Department of Homeland Security

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Homeland Security.

SD–124

Committee on Armed Services

Subcommittee on Emerging Threats and Capabilities

To hold hearings to examine proliferation prevention programs at the Department of Energy and at the Department of Defense in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; to be immediately followed by a closed session in SVC–217.

SR–222

Committee on Commerce, Science, and Transportation

Subcommittee on Science and Space

To hold hearings to examine challenges and opportunities for human space exploration.

SR–253

Committee on Energy and Natural Resources

To hold hearings to examine S. 59, to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California, S. 155, to designate a mountain in the State of Alaska as Denali, S. 156, to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska, S. 219, to establish the Susquehanna Gateway National Heritage Area in the State of Pennsylvania, S. 225, to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, S. 228, to establish the Sacramento-San Joaquin Delta National Heritage Area, S. 285, to designate the Valles Caldera National Preserve as a unit of the National Park System, S. 305, to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National Military Park, S. 349, to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, S. 371, to establish the Blackstone River Valley National Historical Park, to dedicate the Park to John H. Chafee, S. 476, to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission, S. 486, to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, S. 507, to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and S. 615, to establish Coltsville National Historical Park in the State of Connecticut.

SD–366

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH–219

April 24

9:30 a.m.

Committee on Appropriations

Subcommittee on Department of the Interior, Environment, and Related Agencies

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Environmental Protection Agency.

SD–124

10 a.m.

Committee on Appropriations

Subcommittee on Department of Defense

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of the Navy.

SD–192

Committee on Appropriations

Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Health and Human Services.

SD–138

Committee on Armed Services

Subcommittee on Personnel

To resume hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR–222

Committee on Finance

To hold hearings to examine the Trans-Pacific partnership, focusing on opportunities and challenges.

SD–215

Committee on Foreign Relations

To hold hearings to examine international development priorities in the fiscal year 2014 budget.

SD–419

Committee on Homeland Security and Governmental Affairs

To hold an oversight hearing to examine business practices of durable medical equipment companies.

SD–342

Committee on Veterans' Affairs

To hold hearings to examine Veterans' Affairs outreach and community partnerships. SR–418

10:30 a.m.

Joint Economic Committee

To hold hearings to examine long-term unemployment, focusing on consequences and solutions.

TBA

2 p.m.

Special Committee on Aging

To hold hearings to examine the national plan to address Alzheimer's disease, focusing on if we are on track to 2025.

SD–106

2:30 p.m.

Committee on Appropriations

Subcommittee on Energy and Water Development

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the National Nuclear Security Administration.

SD–192

Committee on Armed Services

Subcommittee on Readiness and Management Support

To hold hearings to examine military construction, environmental, and base closure programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR–232A

Committee on Armed Services

Subcommittee on Strategic Forces

To hold hearings to examine military space programs and views on Department of Defense usage of the electromagnetic spectrum in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR–222

Committee on Commerce, Science, and Transportation

To hold hearings to examine a status update on the development of voluntary do-not-track standards.

SR–253

Committee on Health, Education, Labor, and Pensions

Subcommittee on Children and Families

To hold hearings to examine the economic importance of financial literacy education for students.

SD–430

Committee on Indian Affairs

To hold hearings to examine the President's proposed budget request for fiscal year 2014 for Tribal Programs.

SD–628

Committee on the Judiciary

To hold hearings to examine certain nominations.

SD–226

3 p.m.

Committee on Armed Services

Subcommittee on Airland

To hold hearings to examine tactical aircraft programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SD–G50

April 25

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Navy in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.

SD–106

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine drought and the effect on energy and water management decisions.

SD–366

10:30 a.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Communications, Technology, and the Internet

To hold hearings to examine the state of wireless communications.

SR–253

2:30 p.m.

Committee on Energy and Natural Resources

Subcommittee on Public Lands, Forests, and Mining

To hold hearings to examine S. 27, to clarify authority granted under the Act entitled ''An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah'', S. 28, to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, S. 159, to designate the Wovoka Wilderness and provide for certain land conveyances in Lyon County, Nevada, S. 241, to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico, S. 255, to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws, S. 256, to amend Public Law 93–435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa, S. 258, to amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing leases and permits, S. 312, to adjust the boundary of the Carson National Forest, New Mexico, S. 327, to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services, S. 340, to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, S. 341, to designate certain lands in San Miguel, Ouray, and San Juan Counties, Colorado, as wilderness, S. 342, to designate the Pine Forest Range Wilderness area in Humboldt County, Nevada, S. 353, to designate certain land in the State of Oregon as wilderness, to make additional wild and scenic river designations in the State of Oregon, S. 360, to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service, S. 366, to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, S. 368, to reauthorize the Federal Land Transaction Facilitation Act, S. 447, to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, and S. 609, to authorize the Secretary of the Interior to convey certain Federal land in San Juan County, New Mexico.

SD–366

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH–219

May 7

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SH–216

May 8

9:30 a.m.
Committee on Armed Services
Subcommittee on Airland
To hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.
SR–222

Committee on Armed Services
Subcommittee on SeaPower
To hold hearings to examine Navy shipbuilding programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.
SR–232A

May 16

10 a.m.
Committee on Health, Education, Labor, and Pensions
To hold hearings to examine certain nominations.
SD–430

June 11

9:30 a.m.
Committee on Armed Services
Subcommittee on Airland
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SD–G50

11 a.m.
Committee on Armed Services
Subcommittee on Readiness and Management Support
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SD–G50

2 p.m.
Committee on Armed Services
Subcommittee on Personnel
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SD–G50

3:30 p.m.
Committee on Armed Services
Subcommittee on Strategic Forces
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SR–232A

6 p.m.
Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SR–232A

June 12

9:30 a.m.
Committee on Armed Services
Subcommittee on SeaPower
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SR–222

2:30 p.m.
Committee on Armed Services
Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014.
SR–222

June 13

9:30 a.m.
Committee on Armed Services
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.
SR–222

June 14

9:30 a.m.
Committee on Armed Services
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.
SR–222

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2697–S2774

Measures Introduced: Thirteen bills and two resolutions were introduced, as follows: S. 745–757, S. Res. 101, and S. Con. Res. 13. **Page S2749**

Measures Reported:

S. Res. 65, strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation, with an amendment.

S. Res. 90, standing with the people of Kenya following their national and local elections on March 4, 2013, and urging a peaceful and credible resolution of electoral disputes in the courts, with an amendment in the nature of a substitute and with an amended preamble. **Page S2748**

Measures Passed:

Condemning the Attacks in Boston, Massachusetts: Senate agreed to S. Res. 101, condemning the horrific attacks in Boston, Massachusetts, and expressing support, sympathy, and prayers for those impacted by this tragedy. **Page S2729**

John Arthur "Jack" Johnson: Committee on the Judiciary was discharged from further consideration of S. Con. Res. 5, expressing the sense of Congress that John Arthur "Jack" Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation, and the resolution was then agreed to. **Pages S2773–74**

Measures Considered:

Safe Communities, Safe Schools Act—Agreement: Senate continued consideration of S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, taking action on the following amendments proposed thereto: **Pages S2699–S2729, S2729–44**

Rejected:

By 54 yeas to 46 nays (Vote No. 97), Manchin Amendment No. 715, to protect Second Amendment rights, ensure that all individuals who should be prohibited from buying a firearm are listed in the National Instant Criminal Background Check System, and provide a responsible and consistent background check process. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to. Subsequently, Senator Reid entered a motion to reconsider the vote by which Manchin Amendment No. 715, (listed above), was not agreed to.) **Pages S2699, S2709, S2729–30, S2739–40**

By 52 yeas to 48 nays (Vote No. 98), Grassley Amendment No. 725, to address gun violence, improve the availability of records to the National Instant Criminal Background Check System, address mental illness in the criminal justice system, and end straw purchases and trafficking of illegal firearms. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S2721–24, S2733–38, S2740**

By 58 yeas to 42 nays (Vote No. 99), Leahy Amendment No. 713, to increase public safety by punishing and deterring firearms trafficking. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S2732–33, S2740–41**

By 57 yeas to 43 nays (Vote No. 100), Cornyn/Vitter Amendment No. 719, to allow reciprocity for the carrying of certain concealed firearms. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S2706–09, S2710, S2741**

By 40 yeas to 60 nays (Vote No. 101), Feinstein Amendment No. 711, to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S2699–S2706, S2741–42**

By 56 yeas to 44 nays (Vote No. 102), Burr Amendment No. 720, to protect the Second Amendment rights of veterans and their families. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S2719–20, S2742**

By 46 yeas to 54 nays (Vote No. 103), Blumenthal (for Lautenberg) Amendment No. 714, to regulate large capacity ammunition feeding devices. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S2738–39, S2742–44**

Pending:

Barrasso Amendment No. 717, to withhold 5 percent of Community Oriented Policing Services program Federal funding from States and local governments that release sensitive and confidential information on law-abiding gun owners and victims of domestic violence. **Pages S2709–10**

Harkin Amendment No. 730, to reauthorize and improve programs related to mental health and substance use disorders. **Pages S2730–31**

A unanimous-consent agreement was reached providing that following Leader remarks at approximately 9:30 a.m., on Thursday, April 18, 2013, Senate continue consideration of the bill; that the time until 12 noon be equally divided between the two Leaders, or their designees, for debate on Barrasso Amendment No. 717 (listed above) and Harkin Amendment No. 730 (listed above); that at 12 noon, Senate vote on or in relation to Barrasso Amendment No. 717 and Harkin Amendment No. 730, in that order, with all other provisions of the previous order of Tuesday, April 16, 2013 remaining in effect. **Page S2744**

Appointments:

Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise: The Chair announced, on behalf of the Majority Leader, pursuant to the provisions of Section 3166 of Public Law 112–239, the appointment of the following individual to be a member of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise: Gregory B. Jaczko of the District of Columbia. **Page S2774**

Torres and Watson Nominations—Agreement: A unanimous-consent-time agreement was reached providing that at 2 p.m. on Thursday, April 18, 2013, Senate begin consideration of the nominations of Analisa Torres, to be United States District Judge for the Southern District of New York, and Derrick Kahala Watson, to be United States District Judge for the District of Hawaii, that there be 15 minutes for debate, equally divided in the usual form prior to votes on confirmation of the nominations in the order listed; and that no further motions be in order to the nominations. **Page S2774**

Messages from the House: **Page S2747**

Measures Referred: **Page S2747**

Measures Placed on the Calendar: **Page S2747**

Executive Communications: **Pages S2747–48**

Executive Reports of Committees: **Pages S2748–49**

Additional Cosponsors: **Pages S2749–51**

Statements on Introduced Bills/Resolutions: **Pages S2751–52**

Additional Statements: **Pages S2746–47**

Amendments Submitted: **Pages S2752–73**

Authorities for Committees to Meet: **Page S2773**

Privileges of the Floor: **Pages S2773**

Record Votes: Seven record votes were taken today. (Total—103) **Pages S2740–44**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:45 p.m., until 9:30 a.m. on Thursday, April 18, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2774.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: NATIONAL GUARD AND RESERVE

Committee on Appropriations: Subcommittee on Department of Defense concluded a hearing to examine proposed budget estimates for fiscal year 2014 for the National Guard and Reserve, after receiving testimony from General Frank J. Grass, Chief, National Guard Bureau, Lieutenant General William E. Ingram, Jr., Director, Army National Guard, Lieutenant General Stanley E. Clarke III, Director, Air National Guard, Lieutenant General Jeffrey W. Talley, Chief of the U.S. Army Reserve, Vice Admiral Robin R. Braun, U.S. Navy, Chief of Navy Reserve, Lieutenant General Steven A. Hummer, Commander, U.S. Marine Corps Forces Reserve, and Lieutenant General James F. Jackson, Chief of Air Force Reserve, all of the Department of Defense.

APPROPRIATIONS: DEPARTMENT OF EDUCATION

Committee on Appropriations: Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal

year 2014 for the Department of Education, after receiving testimony from Arne Duncan, Secretary, and Thomas Skelly, Budget Director, both of the Department of Education.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 549 nominations in the Army, Navy, Air Force, and Marine Corps.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Committee concluded a hearing to examine the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program, after receiving testimony from Chuck Hagel, Secretary, and General Martin E. Dempsey, USA, Chairman, Joint Chiefs of Staff, both of the Department of Defense.

SITUATION IN SYRIA

Committee on Armed Services: Committee received a briefing on the situation in Syria from Chuck Hagel, Secretary, and General Martin E. Dempsey, USA, Chairman, Joint Chiefs of Staff, both of the Department of Defense.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program, after receiving testimony from Jessica L. Wright, Acting Under Secretary for Personnel and Readiness, Jonathan Woodson, Assistant Secretary for Health Affairs and Director of TRICARE Management Activity, Frederick E. Vollrath, Acting Assistant Secretary for Readiness and Force Management, and Richard O. Wightman, Acting Assistant Secretary for Reserve Affairs, all of the Department of Defense; Master Chief Joseph L. Barnes, USN (Ret.), Fleet Reserve Association, Colonel Steven P. Strobridge, USAF (Ret.), Military Officers Association of America, and Kathleen B. Moakler, National Military Family Association, all of Alexandria, Virginia; and Captain Marshall Hanson, USN (Ret.), Reserve Officers Association, Washington, D.C.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on Strategic Forces concluded open and closed hearings to examine nuclear forces and policies in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program, after receiving testimony from Madelyn R. Creedon, Assistant Secretary for Global Strategic Affairs, Andrew C. Weber, Assistant Secretary for Nuclear, Chemical, and Biological Defense Programs, Lieutenant General James M. Kowalski, USAF, Commander, Air Force Global Strike Command, Major General Garrett Harencak, USAF, Assistant Chief of Staff, Strategic Deterrence and Nuclear Integration, Major General Robert E. Wheeler, USAF, Deputy Chief Information Officer for Command, Control, Communications and Computers and Information Infrastructure Capabilities, Rear Admiral Terry J. Benedict, USN, Director, Strategic Systems Programs, Brigadier General Thomas W. Bergeson, USAF, Director, Operational Capability Requirements, and Colonel Timothy A. Woods, USAF, Senior Material Leader, Long Range Strike Bomber, System Program Manager, Air Force Rapid Capabilities Office, all of the Department of Defense.

HOMEOWNERS HARMED BY FORECLOSURES

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing, Transportation and Community Development concluded a hearing to examine helping homeowners harmed by foreclosures, focusing on ensuring accountability and transparency in foreclosure reviews, including enhancing continuing reviews and activities under amended consent orders, after receiving testimony from Lawrence L. Evans, Jr., Director, Financial Markets and Community Investment, Government Accountability Office; Joseph A. Smith, Jr., Monitor of the National Mortgage Settlement, Raleigh, North Carolina; David C. Holland, Rust Consulting, Inc., Minneapolis, Minnesota; and Debby Goldberg, National Fair Housing Alliance, Silver Spring, Maryland.

BUSINESS MEETING

Committee on the Budget: Committee ordered favorably reported the nomination of Sylvia Mathews Burwell, of West Virginia, to be Director of the Office of Management and Budget.

FUTURE OF PASSENGER RAIL

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the future of passenger rail, focusing on what's next for the Northeast Corridor, after receiving testimony from Joseph H. Boardman, Amtrak, James P. Redeker, Connecticut Department of Transportation Commissioner, on behalf of the Northeast Corridor Infrastructure and Operations Advisory Commission, John Tolman, Brotherhood of Locomotive Engineers and Trainmen, and R. Richard Geddes, American Enterprise Institute, all of Washington, D.C.; and Jim

Steer, Steer Davies Gleave, London, United Kingdom.

BUDGET

Committee on Finance: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2014, after receiving testimony from Kathleen Sebelius, Secretary of Health and Human Services.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the nomination of Sylvia Mathews Burwell, of West Virginia, to be Director of the Office of Management and Budget.

DEPARTMENT OF HOMELAND SECURITY BUDGET

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2014 for the Department of Homeland Security, after receiving testimony from Janet Napolitano, Secretary of Homeland Security.

SMALL BUSINESS ADMINISTRATION BUDGET

Committee on Small Business and Entrepreneurship: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2014 for the Small Business Administration, after receiving testimony from Karen Mills, Administrator, Peggy E. Gustafson, Inspector General, and Winslow Sargeant, Chief Counsel for Advocacy, all of the Small Business Administration.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 23 public bills, H.R. 1590–1612; and 3 resolutions, H. Res. 166–168, were introduced. **Pages H2122–24**

Additional Cosponsors: **Page H2125**

Reports Filed: There were no reports filed today.

Recess: The House recessed at 10:37 a.m. and reconvened at 12 noon. **Page H2073**

Chaplain: The prayer was offered by the guest chaplain, Rabbi Robert Silvers, Congregation B'Nai Israel, Boca Raton, Florida. **Page H2073**

Board of Visitors to the United States Coast Guard Academy—Appointment: The Chair announced the Speaker's appointment of the following Members on the part of the House to the Board of Visitors to the United States Coast Guard Academy: Representatives Coble and Courtney. **Page H2088**

Cyber Intelligence Sharing and Protection Act: The House began consideration of H.R. 624, to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities. Consideration of the measure is expected to resume tomorrow. **Pages H2088–2103, H2103–05**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–7 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 Permanent Select Committee on Intelligence now printed in the bill. **Page H2097**

Agreed to:

Schneider amendment (No. 3 printed in H. Rept. 113–41) that clarifies that independent contractors are eligible for security clearances for purposes of employment to handle cyber threat intelligence and cyber threat information; **Pages H2101–02**

Rogers (MI) amendment (No. 1 printed in H. Rept. 113–41) that corrects reported language concerning a reference in subsection (c)(4) to the procedures created in (c)(7) (by a recorded vote of 418 ayes with none voting "no", Roll No. 110); **Pages H2100, H2103–04**

Connolly amendment (No. 2 printed in H. Rept. 113–41) that further defines how classified cyber threat intelligence may be shared and used, and adds an additional provision stipulating that classified threat intelligence may only be used, retained, or further disclosed by a certified entity only for cybersecurity purposes (by a recorded vote of 418 ayes with none voting "no", Roll No. 111); and **Pages H2100–01, H2104–05**

Langevin amendment (No. 4 printed in H. Rept. 113–41) that replaces the term "local" with "political subdivision", which allows the inclusion of utility "districts" that would not otherwise be covered

but that are intended to be covered in the bill (by a recorded vote of 411 ayes to 3 noes, Roll No. 112). **Pages H2102, H2105**

H. Res. 164, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 227 yeas to 192 nays, Roll No. 109. **Pages H2078–88**

Agreed to the Woodall amendment to the rule by voice vote, after the previous question was ordered without objection. **Pages H2086–87**

Recess: The House recessed at 4:01 p.m. and reconvened at 4:30 p.m. **Page H2103**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow. **Page H2105**

World War I Centennial Commission—Appointment: The Chair announced the Speaker's appointment of the following individual on the part of the House to the World War I Centennial Commission: Colonel Thomas N. Moe, Retired, Lancaster, OH. **Page H2105**

Quorum Calls—Votes: One yea-and-nay vote and three recorded votes developed during the proceedings of today and appear on pages H2087–88, H2103–04, H2104–05, and H2105. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:58 p.m.

Committee Meetings

APPROPRIATIONS—SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND RELATED AGENCIES, PUBLIC AND OUTSIDE WITNESS DAY

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing for public and outside witnesses. Testimony was heard from public and outside witnesses.

APPROPRIATIONS—USDA RESEARCH, EDUCATION, AND ECONOMIC BUDGET

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, FDA, and Related Agencies held a hearing on USDA Research, Education, and Economic Budget. Testimony was heard from the following Department of Agriculture officials: Catherine E. Woteki, Under Secretary, Research Education and Economics; Edward B. Knipling, Administrator, Agriculture Research Service; Sonny Ramaswamy, Director, National Institute of Food and Agriculture; Mary Bohman, Administrator, Economic Research Service; Cynthia Clark, Administrator, National Agriculture Statistics Service; and Michael Young, Budget Officer.

APPROPRIATIONS—CUSTOMS AND BORDER PROTECTION FISCAL YEAR 2014 BUDGET REQUEST

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Customs and Border Protection Fiscal Year 2014 Budget Request. Testimony was heard from the following Customs and Border Protection officials: Michael Fisher, Chief, Border Patrol; Randolph Alles, Assistant Commissioner, Air and Marine; Kevin McAleenan, Acting Deputy Commissioner.

APPROPRIATIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FISCAL YEAR 2014 BUDGET REQUEST

Committee on Appropriations: Subcommittee on Transportation, Housing, and Urban Development held a hearing on Department of Housing and Urban Development Fiscal Year 2014 Budget Request. Testimony was heard from Shaun Donovan, Secretary, Department of Housing and Urban Development.

APPROPRIATIONS—FEDERAL BUREAU OF PRISONS

Committee on Appropriations: Subcommittee on Commerce, Justice, and Science and Related Agencies held a hearing on Federal Bureau of Prisons. Testimony was heard from Charles E. Samuels, Jr., Director, Federal Bureau of Prisons.

APPROPRIATIONS—DEPARTMENT OF STATE FISCAL YEAR 2014 BUDGET

Committee on Appropriations: Subcommittee on State and Foreign Operations held a hearing on Department of State Fiscal Year 2014 Budget. Testimony was heard from John Kerry, Secretary, Department of State.

RECENT DEVELOPMENTS IN AFGHANISTAN

Committee on Armed Services: Full Committee held a hearing entitled "Recent Developments in Afghanistan". Testimony was heard from General Joseph Dunford, USMC, Commander, International Security and Assistance Force and United States Forces-Afghanistan.

FISCAL YEAR 2014 NAVY, MARINE CORPS, AND AIR FORCE COMBAT AVIATION PROGRAMS

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing entitled "Fiscal Year 2014 Navy, Marine Corps and Air Force Combat Aviation Programs". Testimony was heard from Lieutenant General Charles R. Davis, Military Deputy, Office of the Assistant Secretary of the Air Force for Acquisition; Lieutenant General Burt Field,

Deputy Chief of Staff, Operations, Plans and Requirements, U.S. Air Force; Rear Admiral Bill Moran, Director of the Air Warfare Division, U.S. Navy; Lieutenant General Robert E. Schmidle, Deputy Commandant of the Marine Corps for Aviation, U.S. Marine Corps; Vice Admiral W. Mark Skinner, Principal Military Deputy to the Assistant Secretary of the Navy (Research, Development, and Acquisition), U.S. Navy; and Michael J. Sullivan, Director of Acquisition and Sourcing, U.S. Government Accountability Office.

FISCAL YEAR 2014 NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FOR U.S. SPECIAL OPERATIONS COMMAND AND U.S. SPECIAL OPERATIONS FORCES

Committee on Armed Services: Subcommittee on Intelligence, Emerging Threats and Capabilities held a hearing entitled ''Fiscal Year 2014 National Defense Authorization Budget Request for U.S. Special Operations Command and U.S. Special Operations Forces''. Testimony was heard from Admiral William McRaven, Commander, U.S. Special Operations Command; and Michael Sheehan ASD Special Operations and Low Intensity Conflict, Office of the Secretary of Defense.

MISCELLANEOUS MEASURE

Committee on Education and the Workforce: Full Committee held a markup on H.R. 1406, the ''Working Families Flexibility Act of 2013''. The bill was ordered reported, as amended.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee held a markup on H.R. 1549, the ''Helping Sick Americans Now Act''; H.R. 1580, to affirm the policy of the United States regarding Internet governance; and H.R. 3, the ''Northern Route Approval Act''. The following bills were ordered reported, without amendment: H.R. 3 and H.R. 1580. The bill H.R. 1549 was ordered reported, as amended.

EXAMINING THE SEC'S FAILURE TO IMPLEMENT THE JOBS ACT AND ITS IMPACT ON ECONOMIC GROWTH

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled ''Examining the SEC's Failure to Implement the JOBS Act and its Impact on Economic Growth''. Testimony was heard from Elisse B. Walter, Commissioner, U.S. Securities and Exchange Commission.

FY 2014 FOREIGN AFFAIRS BUDGET

Committee on Foreign Affairs: Full Committee held a hearing entitled ''Securing U.S. Interests Abroad: The FY 2014 Foreign Affairs Budget''. Testimony was heard from John F. Kerry, Secretary, Department of State.

STATE LANDS VS. FEDERAL LANDS OIL AND GAS PRODUCTION: WHAT STATE REGULATORS ARE DOING RIGHT

Committee on Natural Resources: Full Committee held a hearing entitled ''State Lands vs. Federal Lands Oil and Gas Production: What State Regulators are Doing Right''. Testimony was heard from Greg Bell, Lieutenant Governor, State of Utah; Richard J. Simmers, Chief of the Division of Oil and Gas Resources, Ohio Department of Natural Resources; Jerry E. Patterson, Texas Land Commissioner, Texas General Land Office; and a public witness.

OPTIONS TO BRING THE POSTAL SERVICE BACK FROM INSOLVENCY

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''Options to Bring the Postal Service Back from Insolvency''. Testimony was heard from Mickey Barnett, Chairman, Board of Governors, United States Postal Service; Gene Dodaro, Comptroller General, U.S. Government Accountability Office; Patrick Donahoe, Postmaster General and CEO, United States Postal Service Panel; and a public witness.

CONTRACTING TO FEED U.S. TROOPS IN AFGHANISTAN: HOW DID THE DEFENSE DEPARTMENT END UP IN MULTI-BILLION DOLLAR BILLING DISPUTE?

Committee on Oversight and Government Reform: Subcommittee on National Security held a hearing entitled ''Contracting to Feed U.S. Troops in Afghanistan: How did the Defense Department end up in Multi-Billion Dollar Billing Dispute?''. Testimony was heard from Daniel Blair, Deputy Inspector General for Auditing, Department of Defense; and public witnesses.

REVIEW OF PRESIDENT'S FY 2014 BUDGET REQUEST FOR SCIENCE AGENCIES

Committee on Science, Space, and Technology: Full Committee held a hearing entitled ''A Review of President's FY 2014 Budget Request for Science Agencies''. Testimony was heard from John Holdren, Director, Office of Science and Technology Policy, Executive Office of the President.

OVERVIEW OF THE NATIONAL SCIENCE FOUNDATION BUDGET FOR FISCAL YEAR 2014

Committee on Science, Space, and Technology: Subcommittee on Research held a hearing entitled ''An Overview of the National Science Foundation Budget for Fiscal Year 2014''. Testimony was heard from

Cora Marrett, Acting Director, National Science Foundation; and Dan Arvizu, Chairman, National Science Board.

THE HEALTH CARE LAW: IMPLEMENTATION AND SMALL BUSINESSES

Committee on Small Business: Full Committee held a hearing entitled ''The Health Care Law: Implementation and Small Businesses''. Testimony was heard from public witnesses.

GAO REVIEW: JUSTIFYING ADDITIONAL FEDERAL COURTHOUSES

Committee on Transportation and Infrastructure: Full Committee held a hearing entitled ''GAO Review: Are Additional Federal Courthouses Justified?''. Testimony was heard from Mark L. Goldstein, Director, Physical Infrastructure, Government Accountability Office; Michael A. Ponsor, Judge, United States District Court; Chairman, Committee on Space and Facilities, Judicial Conference of the United States; and Dorothy Robyn, Commissioner, Public Buildings Service, General Services Administration.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, APRIL 18, 2013

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Transportation and Housing and Urban Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2014 for the Federal Aviation Administration, 10 a.m., SD–138.

Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2014 for the Food and Drug Administration, 10:30 a.m., SD–124.

Subcommittee on Military Construction and Veterans Affairs, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Veterans Affairs, 2 p.m., SD–124.

Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of State and Foreign Operations, 2:15 p.m., SD–192.

Committee on Armed Services: to hold hearings to examine the current and future worldwide threats to the national security of the United States; with the possibility of a closed session in SVC–217 following the open session, 10 a.m., SD–106.

Subcommittee on Emerging Threats and Capabilities, to hold hearings to examine the role of the Department of Defense science and technology enterprise for innovation and affordability in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program, 2:30 p.m., SR–232A.

Subcommittee on Readiness and Management Support, to hold hearings to examine the current readiness of U.S. forces in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program, 2:30 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: to hold an oversight hearing to examine the Federal Housing Finance Agency (FHFA), focusing on evaluating FHFA as regulator and conservator, 10 a.m., SD–538.

Committee on Energy and Natural Resources: business meeting to consider the nomination of Ernest J. Moniz, of Massachusetts, to be Secretary of Energy, 9:45 a.m., SD–366.

Full Committee, to hold hearings to examine the President's proposed budget request for fiscal year 2014 for the Department of Energy, 10 a.m., SD–366.

Committee on Environment and Public Works: business meeting to consider proposed resolutions relating to the General Services Administration, Time to be announced, Room to be announced.

Committee on Foreign Relations: to hold hearings to examine national security and foreign policy priorities in the fiscal year 2014 International Affairs budget, 9:30 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the nomination of Thomas Edward Perez, of Maryland, to be Secretary of Labor, 10 a.m., SD–430.

Committee on the Judiciary: business meeting to consider the nominations of Gregory Alan Phillips, of Wyoming, to be United States Circuit Judge for the Tenth Circuit, Karol Virginia Mason, of Georgia, to be an Assistant Attorney General, Department of Justice, and S. 607, to improve the provisions relating to the privacy of electronic communications, 10 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies, hearing on the U.S. Fish and Wildlife Service, 9:30 a.m., B–308 Rayburn.

Subcommittee on Agriculture, Rural Development, FDA and Related Agencies, hearing on USDA Marketing and Regulatory Programs, 10 a.m., 2362–A Rayburn.

Subcommittee on Defense, hearing on Central Command/International Security Assistance Force, 10 a.m., H–140 Capitol.

Subcommittee on Military Construction and Veterans Affairs, hearing on Department of Veterans Affairs Budget, 10:30 a.m., 2359 Rayburn.

Subcommittee on Commerce, Justice, and Science, and Related Agencies, hearing on Department of Justice Budget Request, 2 p.m., 2359 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled ''A Financial Review of the Department of Health and Human Services and Its FY 2014 Budget'', 10 a.m., 2123 Rayburn.

Subcommittee on Commerce, Manufacturing, and Trade, hearing on discussion draft of the ''Global Investment in American Jobs Act of 2013'', 9:30 a.m., 2322 Rayburn.

Committee on Foreign Affairs, Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled ''Tier Rankings in the Fight Against Human Trafficking'', 1 p.m., 2172 Rayburn.

Committee on Homeland Security, Full Committee, hearing entitled ''The President's FY 2014 Budget Request for the Department of Homeland Security'', 9 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Constitution and Civil Justice, hearing on the ''Private Property Rights Protection Act'', 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs, hearing entitled ''Spending for the National Oceanic and Atmospheric Administration, the Council on Environmental Quality, the Office of Insular Affairs, the U.S. Fish and Wildlife Service, and the President's Fiscal Year 2014 Budget Request for these Agencies'', 10 a.m., 1324 Longworth.

Subcommittee on Public Lands and Environmental Regulation, hearing on H.R. 657, the ''Grazing Improvement Act''; H.R. 696, the ''Lyon County Economic Development and Conservation Act''; H.R. 934, to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, and for other purposes; and H.R. 993, the ''Fruit Heights Land Conveyance Act'', 10 a.m., 1334 Longworth.

Committee on Oversight and Government Reform, Subcommittee on National Security, hearing entitled ''Sequestration Oversight: Prioritizing Security over Administrative Costs at TSA'', 10 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Technology, hearing entitled ''An Overview of the Fiscal Year 2014 Budget Proposal at the National Institute of Standards and Technology'', 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Economic Growth, Tax and Capital Access, hearing entitled ''Innovation as a Catalyst for New Jobs'', 10 a.m., 2360 Rayburn.

Committee on Ways and Means, Subcommittee on Social Security, hearing on the President's and Other Bipartisan Entitlement Reform Proposals, 9:30 a.m., B–318 Rayburn.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the Federal Reserve System at 100, focusing on monetary policy, 9:30 a.m., SH–216.

Next Meeting of the SENATE

9:30 a.m., Thursday, April 18

Senate Chamber

Program for Thursday: Senate will continue consideration of S. 649, Safe Communities, Safe Schools Act, with votes on or in relation to Barrasso Amendment No. 717 and Harkin Amendment No. 730 at approximately 12 p.m.

At 2 p.m., Senate will begin consideration of the nominations of Analisa Torres, of New York, to be United States District Judge for the Southern District of New York, and Derrick Kahala Watson, of Hawaii, to be United States District Judge for the District of Hawaii, with votes on confirmation of the nominations at approximately 2:15 p.m.

(Senate will recess following the vote on or in relation to Harkin Amendment No. 730 until 2:00 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, April 18

House Chamber

Program for Thursday: Complete consideration of H.R. 624—Cyber Intelligence Sharing and Protection Act.

Extensions of Remarks, as inserted in this issue

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