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No. 160

## House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. ROONEY).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
November 12, 2013.

I hereby appoint the Honorable THOMAS J. ROONEY to act as Speaker pro tempore on this day.

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

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving and gracious God, we give You thanks for giving us another day.

As the Members of the people's House re-gather, we ask that they be endowed by You with wisdom and purpose to address the issues facing our Nation still. Many still wish to find work, but opportunities do not match the need.

We ask Your blessing upon the people of the Philippines and those who are responding to that great tragedy. Protect those, especially Americans, who work furiously to meet such great needs.

And finally, we ask Your blessing on America's veterans. May our Nation be faithful to them, providing whatever their needs may be after they gave years of their lives in service rather than personal gain. They are an inspiration to us, and we should not forget nor neglect our responsibility to them.

May all that is done this day be for Your greater honor and glory.  
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 one, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX 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.

### MESSAGE FROM THE PRESIDENT

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

### COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, October 31, 2013.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 31, 2013 at 9:39 a.m.:

That the Senate passed S. 1561.  
That the Senate agreed to without amendment H. Con. Res. 62.

That the Senate passed without amendment H.R. 3190.

With best wishes, I am  
Sincerely,

KAREN L. HAAS.

### AMERICAN PEOPLE DESERVE SOLUTIONS

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

Mr. WILSON of South Carolina. Mr. Speaker, in 2009, as the President traveled across the country campaigning for his signature health care takeover, he promised every American family that:

If you like your doctor, you will be able to keep your doctor, period. If you like your health care plan, you will be able to keep your health care plan, period. No one will take it away, no matter what.

He repeatedly made this clear promise over 20 times.

As the failed rollout of ObamaCare continues, millions of Americans have received policy cancellations. It is sad that the President broke his promise to the American people. Last week, he was forced to say he was sorry for families who have lost their coverage.

This week, House Republicans will pass a bill that protects hardworking Americans from receiving coverage cancellations, losing access to doctors, or paying higher premiums because of ObamaCare's disastrous impacts. The American people don't need sorrow and pity. They deserve solutions promoting jobs.

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

### PREEMIE ACT REAUTHORIZATION

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

Mr. COHEN. Mr. Speaker, I rise today in support of the PREEMIE Act reauthorization, which will be considered in the House under suspensions later today.

I am grateful for the support of my Tennessee Senator LAMAR ALEXANDER,

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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who has brought this legislation in the Senate, and I cosponsored a House version of it.

I am also the sponsor of the NEWBORN Act, a bill aimed at reducing infant mortality rates around our country that will be introduced soon.

My interest in this is because this is important for our future. America, unfortunately, is way back in the countries on infant mortality. Memphis, unfortunately, is a leader in that situation where we have a tremendously high infant mortality rate that rivals Third World countries.

The PREEMIE Act's many provisions aimed at reducing the rate of infant mortality are vital to having a better Nation.

Like the PREEMIE Act, the Affordable Care Act has made great strides in advancing this agenda by requiring maternity coverage in all health plans. The United States has a long way to go, but legislation like the PREEMIE Act, the NEWBORN Act, and the Affordable Care Act can put the United States on the right track where it needs to be in the rates of premature births and infant mortality.

#### IRAN IS FEELING THE PAIN OF SANCTIONS

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

Mr. POE of Texas. Mr. Speaker, last year, Iran's net exports of petroleum dropped to their lowest level since 1990. Its GDP has dropped for the first time in 20 years.

The Iranians are feeling the pain of sanctions. Now the Iranians say that they will negotiate if the sanctions are reduced. Reducing sanctions without verifying that Tehran is abandoning, not just freezing, its nuclear weapons program is misguided and reckless.

The U.S. is moving toward an appeasement deal with Iran, and Iran is giving up nothing.

Last Thursday, I met with Prime Minister Netanyahu of Israel, who called this deal to reduce sanctions with Iran a "bad deal, a very bad deal."

The French Foreign Minister called the so-called deal a "fool's game."

Iran will not negotiate in good faith, and the U.S. is being played.

Meanwhile, Iran stalls, delays, and lies about its quest for nukes. We must be clear to Iran that they must totally abandon their nukes or their sanctions are here to stay. No deal, Mr. Rouhani. And that's just the way it is.

#### FOR DON: PASS THE KEEP YOUR HEALTH PLAN ACT

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

Ms. FOXX. Mr. Speaker, Don, one of my constituents from Lexington, wrote me a short email this week that everyone should hear. Don writes:

My individual health plan cancels January 1. What is being offered by healthcare.gov is triple the cost. I am unemployed and desperately trying to keep health care until I reach 65 late next year. The President said, "If you like your health care plan, keep it." Please do whatever you can to make that a reality and not another empty statement.

We hear Don loud and clear, Mr. Speaker. ObamaCare isn't living up to the President's promise.

But this week we can change that. The House will vote Friday to give the President a real opportunity to keep his word to the American people through the Keep Your Health Plan Act of 2013.

For Don and for millions like him, who have been shocked to find the health plans they like will soon be illegal, supporting its passage is the least the President can do.

#### TRIBUTE TO LARRY WILSON

(Mrs. BROOKS of Indiana asked and was given permission to address the House for 1 minute.)

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to pay tribute to Larry Wilson of Fairmount, Indiana—a veteran who served other veterans. He passed away on June 13, 2013, at the age of 66.

Larry was an outstanding civil servant who served both Grant County in my district and his country with integrity. He began his great service to our Nation in the United States Air Force, where he served as a senior master sergeant for 26 years. After retiring from the Air Force, he began a second career as a detective for the Grant County Sheriff's Department, a post he held for 20 years before retiring in 1999.

However, his retirement did not end his service to our community, and he continued on to serve as a Grant County commissioner, a Grant County council member, and a Grant County Veterans Affairs service officer. He worked tirelessly for the veterans of Grant County, helping them to receive the benefits and recognition they deserved.

He was a community leader and a patriot, and I am honored to recognize his life's work today. My condolences and well wishes go out to his wife of 38 years, Linda, and to his children, Laura, Jeremy, Michael, and Christopher, as well as his grandchildren. We will all miss Larry Wilson dearly, but the lessons he taught us will not be forgotten. He was a veteran who truly served his country so well. He will be missed.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by Speaker pro tempore THORNBERRY on Thursday, October 31, 2013:

H.R. 3190, to provide for the continued performance of the functions of the United States Parole Commission, and for other purposes.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, November 1, 2013.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 1, 2013 at 11:20 a.m.:

That the Senate passed without amendment H.R. 2094.

That the Senate passed without amendment H.R. 3302.

With best wishes, I am  
Sincerely,

KAREN L. HAAS.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, November 5, 2013.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 5, 2013 at 12:22 p.m.

That the Senate passed with an amendment H.R. 3080 Senate requests a conference with the House and appoints conferees. That the Senate passed S. 42.

With best wishes, I am  
Sincerely,

KAREN L. HAAS.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, November 6, 2013.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 6, 2013 at 9:38 a.m.:

That the Senate passed H.R. 2747.

With best wishes, I am  
Sincerely,

KAREN L. HAAS.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, November 7, 2013.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 7, 2013 at 11:13 a.m.:

That the Senate passed S. 287.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, November 7, 2013.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 7, 2013 at 3:09 p.m.:

That the Senate passed S. 815.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

#### CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113-72)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within the 90-day period prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979, is to continue in effect beyond November 14, 2013.

Because our relations with Iran have not yet returned to normal, and the process of implementing the agreements with Iran, dated January 19, 1981, is still under way, I have determined that it is necessary to continue the national emergency declared in Ex-

ecutive Order 12170 with respect to Iran.

BARACK OBAMA,  
THE WHITE HOUSE, November 12, 2013.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 15 minutes p.m.), the House stood in recess.

□ 1701

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 5 o'clock and 1 minute p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

#### PREMATURITY RESEARCH EXPAN- SION AND EDUCATION FOR MOTHERS WHO DELIVER IN- FANTS EARLY REAUTHORIZA- TION ACT

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 252) to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 252

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

#### SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.

#### TITLE I—PREEMIE ACT REAUTHORIZATION

Sec. 101. Short title.

Sec. 102. Research and activities at the Centers for Disease Control and Prevention.

Sec. 103. Activities at the Health Resources and Services Administration.

Sec. 104. Other activities.

#### TITLE II—NATIONAL PEDIATRIC RESEARCH NETWORK

Sec. 201. Short title.

Sec. 202. National Pediatric Research Network.

#### TITLE III—CHIMP ACT AMENDMENTS

Sec. 301. Short title.

Sec. 302. Care for NIH chimpanzees.

#### TITLE I—PREEMIE ACT REAUTHORIZATION

##### SEC. 101. SHORT TITLE.

This title may be cited as the “Prematurity Research Expansion and Education

for Mothers who deliver Infants Early Reauthorization Act” or the “PREEMIE Reauthorization Act”.

#### SEC. 102. RESEARCH AND ACTIVITIES AT THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

(a) EPIDEMIOLOGICAL STUDIES.—Section 3 of the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act (42 U.S.C. 247b-4f) is amended by striking subsection (b) and inserting the following:

“(b) STUDIES AND ACTIVITIES ON PRETERM BIRTH.—

“(1) IN GENERAL.—The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, may, subject to the availability of appropriations—

“(A) conduct epidemiological studies on the clinical, biological, social, environmental, genetic, and behavioral factors relating to prematurity, as appropriate;

“(B) conduct activities to improve national data to facilitate tracking the burden of preterm birth; and

“(C) continue efforts to prevent preterm birth, including late preterm birth, through the identification of opportunities for prevention and the assessment of the impact of such efforts.

“(2) REPORT.—Not later than 2 years after the date of enactment of the PREEMIE Reauthorization Act, and every 2 years thereafter, the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, shall submit to the appropriate committees of Congress reports concerning the progress and any results of studies conducted under paragraph (1).”

(b) REAUTHORIZATION.—Section 3(e) of the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act (42 U.S.C. 247b-4f(e)) is amended by striking “\$5,000,000” and all that follows through “2011.” and inserting “\$1,880,000 for each of fiscal years 2014 through 2018.”

#### SEC. 103. ACTIVITIES AT THE HEALTH RE- SOURCE AND SERVICES ADMINIS- TRATION.

(a) TELEMEDICINE AND HIGH-RISK PREGNANCIES.—Section 330I(i)(1)(B) of the Public Health Service Act (42 U.S.C. 254c-14(i)(1)(B)) is amended by striking “or case management services” and inserting “case management services, or prenatal care for high-risk pregnancies”;

(b) PUBLIC AND HEALTH CARE PROVIDER EDUCATION.—Section 399Q of the Public Health Service Act (42 U.S.C. 280g-5) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking subparagraphs (A) through (F) and inserting the following:

“(A) the core risk factors for preterm labor and delivery;

“(B) medically indicated deliveries before full term;

“(C) the importance of preconception and prenatal care, including—

“(i) smoking cessation;

“(ii) weight maintenance and good nutrition, including folic acid;

“(iii) the screening for and the treatment of infections; and

“(iv) stress management;

“(D) treatments and outcomes for premature infants, including late preterm infants;

“(E) the informational needs of families during the stay of an infant in a neonatal intensive care unit; and

“(F) utilization of evidence-based strategies to prevent birth injuries;”;

(B) by striking paragraph (2) and inserting the following:

“(2) programs to increase the availability, awareness, and use of pregnancy and post-term information services that provide evidence-based, clinical information through counselors, community outreach efforts, electronic or telephonic communication, or other appropriate means regarding causes associated with prematurity, birth defects, or health risks to a post-term infant.”; and

(2) in subsection (c), by striking “\$5,000,000” and all that follows through “2011.” and inserting “\$1,900,000 for each of fiscal years 2014 through 2018.”.

#### SEC. 104. OTHER ACTIVITIES.

(a) INTERAGENCY COORDINATING COUNCIL ON PREMATURITY AND LOW BIRTHWEIGHT.—The Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act is amended by striking section 5 (42 U.S.C. 247b-4g).

(b) ADVISORY COMMITTEE ON INFANT MORTALITY.—

(1) ESTABLISHMENT.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”) may establish an advisory committee known as the “Advisory Committee on Infant Mortality” (referred to in this section as the “Advisory Committee”).

(2) DUTIES.—The Advisory Committee shall provide advice and recommendations to the Secretary concerning the following activities:

(A) Programs of the Department of Health and Human Services that are directed at reducing infant mortality and improving the health status of pregnant women and infants.

(B) Strategies to coordinate the various Federal programs and activities with State, local, and private programs and efforts that address factors that affect infant mortality.

(C) Implementation of the Healthy Start program under section 330H of the Public Health Service Act (42 U.S.C. 254c-8) and Healthy People 2020 infant mortality objectives.

(D) Strategies to reduce preterm birth rates through research, programs, and education.

(3) PLAN FOR HHS PRETERM BIRTH ACTIVITIES.—Not later than 1 year after the date of enactment of this section, the Advisory Committee (or an advisory committee in existence as of the date of enactment of this Act and designated by the Secretary) shall develop a plan for conducting and supporting research, education, and programs on preterm birth through the Department of Health and Human Services and shall periodically review and revise the plan, as appropriate. The plan shall—

(A) examine research and educational activities that receive Federal funding in order to enable the plan to provide informed recommendations to reduce preterm birth and address racial and ethnic disparities in preterm birth rates;

(B) identify research gaps and opportunities to implement evidence-based strategies to reduce preterm birth rates among the programs and activities of the Department of Health and Human Services regarding preterm birth, including opportunities to minimize duplication; and

(C) reflect input from a broad range of scientists, patients, and advocacy groups, as appropriate.

(4) MEMBERSHIP.—The Secretary shall ensure that the membership of the Advisory Committee includes the following:

(A) Representatives provided for in the original charter of the Advisory Committee.

(B) A representative of the National Center for Health Statistics.

(c) PATIENT SAFETY STUDIES AND REPORT.—

(1) IN GENERAL.—The Secretary shall designate an appropriate agency within the De-

partment of Health and Human Services to coordinate existing studies on hospital readmissions of preterm infants.

(2) REPORT TO SECRETARY AND CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the agency designated under paragraph (1) shall submit to the Secretary and to Congress a report containing the findings and recommendations resulting from the studies coordinated under such paragraph, including recommendations for hospital discharge and followup procedures designed to reduce rates of preventable hospital readmissions for preterm infants.

### TITLE II—NATIONAL PEDIATRIC RESEARCH NETWORK

#### SEC. 201. SHORT TITLE.

This title may be cited as the “National Pediatric Research Network Act of 2013”.

#### SEC. 202. NATIONAL PEDIATRIC RESEARCH NETWORK.

Section 409D of the Public Health Service Act (42 U.S.C. 284h; relating to the Pediatric Research Initiative) is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following:

“(d) NATIONAL PEDIATRIC RESEARCH NETWORK.—

“(1) NETWORK.—In carrying out the Initiative, the Director of NIH, in consultation with the Director of the Eunice Kennedy Shriver National Institute of Child Health and Human Development and in collaboration with other appropriate national research institutes and national centers that carry out activities involving pediatric research, may provide for the establishment of a National Pediatric Research Network in order to more effectively support pediatric research and optimize the use of Federal resources. Such National Pediatric Research Network may be comprised of, as appropriate—

“(A) the pediatric research consortia receiving awards under paragraph (2); or

“(B) other consortia, centers, or networks focused on pediatric research that are recognized by the Director of NIH and established pursuant to the authorities vested in the National Institutes of Health by other sections of this Act.

“(2) PEDIATRIC RESEARCH CONSORTIA.—

“(A) IN GENERAL.—The Director of NIH may award funding, including through grants, contracts, or other mechanisms, to public or private nonprofit entities for providing support for pediatric research consortia, including with respect to—

“(i) basic, clinical, behavioral, or translational research to meet unmet needs for pediatric research; and

“(ii) training researchers in pediatric research techniques in order to address unmet pediatric research needs.

“(B) RESEARCH.—The Director of NIH shall, as appropriate, ensure that—

“(i) each consortium receiving an award under subparagraph (A) conducts or supports at least one category of research described in subparagraph (A)(i) and collectively such consortia conduct or support such categories of research; and

“(ii) one or more such consortia provide training described in subparagraph (A)(ii).

“(C) ORGANIZATION OF CONSORTIUM.—Each consortium receiving an award under subparagraph (A) shall—

“(i) be formed from a collaboration of cooperating institutions;

“(ii) be coordinated by a lead institution or institutions;

“(iii) agree to disseminate scientific findings, including from clinical trials, rapidly and efficiently, as appropriate, to—

“(I) other consortia;

“(II) the National Institutes of Health;

“(III) the Food and Drug Administration;

“(IV) and other relevant agencies; and

“(iv) meet such requirements as may be prescribed by the Director of NIH.

“(D) SUPPLEMENT, NOT SUPPLANT.—Any support received by a consortium under subparagraph (A) shall be used to supplement, and not supplant, other public or private support for activities authorized to be supported under this paragraph.

“(E) DURATION OF SUPPORT.—Support of a consortium under subparagraph (A) may be for a period of not to exceed 5 years. Such period may be extended at the discretion of the Director of NIH.

“(3) COORDINATION OF CONSORTIA ACTIVITIES.—The Director of NIH shall, as appropriate—

“(A) provide for the coordination of activities (including the exchange of information and regular communication) among the consortia established pursuant to paragraph (2); and

“(B) require the periodic preparation and submission to the Director of reports on the activities of each such consortium.

“(4) ASSISTANCE WITH REGISTRIES.—Each consortium receiving an award under paragraph (2)(A) may provide assistance, as appropriate, to the Centers for Disease Control and Prevention for activities related to patient registries and other surveillance systems upon request by the Director of the Centers for Disease Control and Prevention.

“(e) RESEARCH ON PEDIATRIC RARE DISEASES OR CONDITIONS.—In making awards under subsection (d)(2) for pediatric research consortia, the Director of NIH shall ensure that an appropriate number of such awards are awarded to such consortia that agree to—

“(1) consider pediatric rare diseases or conditions, or those related to birth defects; and

“(2) conduct or coordinate one or more multisite clinical trials of therapies for, or approaches to, the prevention, diagnosis, or treatment of one or more pediatric rare diseases or conditions.”.

TITLE III—CHIMP ACT AMENDMENTS

SEC. 301. SHORT TITLE.

This title may be cited as the “CHIMP Act Amendments of 2013”.

SEC. 302. CARE FOR NIH CHIMPANZEES.

(a) IN GENERAL.—Section 404K(g) of the Public Health Service Act (42 U.S.C. 283m(g)) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—Of the amount appropriated for the National Institutes of Health, there are authorized to be appropriated to carry out this section and for the care, maintenance, and transportation of all chimpanzees otherwise under the ownership or control of the National Institutes of Health, and to enable the National Institutes of Health to operate more efficiently and economically by decreasing the overall Federal cost of providing for the care, maintenance, and transportation of chimpanzees—

“(A) for fiscal year 2014, \$12,400,000;

“(B) for fiscal year 2015, \$11,650,000;

“(C) for fiscal year 2016, \$10,900,000;

“(D) for fiscal year 2017, \$10,150,000; and

“(E) for fiscal year 2018, \$9,400,000.”; and

(2) by striking paragraph (2);

(3) by redesignating paragraph (3) as paragraph (2); and

(4) in paragraph (2), as so redesignated—

(A) by striking “With respect to amounts reserved under paragraph (1)” and inserting “With respect to amounts authorized to be appropriated by paragraph (1)”;

(B) by striking “board of directors” and inserting “Secretary in consultation with the board of directors”.

(b) GAO STUDY.—Not later than 2 years 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, regarding chimpanzees under the ownership or control the National Institutes of Health. Such report shall review and assess—

(1) the research status of such chimpanzees;

(2) the cost for the care, maintenance, and transportation of such chimpanzees, including the cost broken down by—

(A) research or retirement status;

(B) services included in the care, maintenance, and transportation; and

(C) location;

(3) the extent to which matching requirements have been met pursuant to section 404K(e)(4) of the Public Health Service Act (42 U.S.C. 283m(e)(4)); and

(4) any options for cost savings for the support and maintenance of such chimpanzees.

(c) BIENNIAL REPORT.—Section 404K(g) of the Public Health Service Act (42 U.S.C. 283m(g)) is amended by adding at the end the following:

“(3) BIENNIAL REPORT.—Not later than 180 days after the date enactment of this Act, the Director of the National Institutes of Health shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations in the House of Representatives a report, to be updated biennially, regarding—

“(A) the care, maintenance, and transportation of the chimpanzees under the ownership or control of the National Institutes of Health;

“(B) costs related to such care, maintenance, and transportation, and any other related costs; and

“(C) the research status of such chimpanzees.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentlewoman from California (Mrs. CAPPS) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

#### GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, S. 252, known as the PREEMIE Reauthorization Act, is designed to strengthen health care for children—especially vulnerable children. Not only does the bill reauthorize the PREEMIE Act, but it also includes the authorization of the National Pediatric Research Network and the reauthorization of the Chimp Act.

The original PREEMIE Act that I sponsored and was signed into law back in December 2006 brought much-needed attention to the problems related to preterm birth. Since its enactment, we have made progress, but we can and we still must do better. According to the

CDC, an estimated half million babies are born prematurely every year in the United States; that is about one in eight. This legislation will continue and strengthen the ongoing effort to track, prevent, and treat prematurity, ensuring that every child has a healthy start and a better chance at a healthy and productive future.

In addition to addressing premature births, this legislation also seeks to help children and their families with unmet health needs. The National Pediatric Research Network brings us a step closer to providing more help to children with rare pediatric and genetic diseases. This effort is going to help families like the Kennedys in my district in Mattawan, Michigan.

Eric and Sarah Kennedy have two wonderful little daughters, Brooke and Brielle—Brielle is here in this picture—who have a rare spinal disease called spinal muscular atrophy. These two little angels, who are also affectionately known, at least in my family, as Sleeping Beauty and Cinderella, are two little warriors in the effort to boost research for rare diseases and serve as an inspiration for every one of us.

The sad reality is that it is often difficult to conduct research into rare diseases due to the small number of kids with that disease; but today, with this bill, we are working to change that and provide families with greater hope for a cure or advances in treatment.

This bill will help establish pediatric research networks and consortia that are effective in overcoming gaps in networks. Networks and consortia will be comprised of leading institutions that act as partners to consolidate and coordinate research efforts. As this multiyear effort is finally nearing the finish line, we say to the Kennedys and so many other families across the country in similar circumstances, You are not alone in this fight.

Lastly, this package includes reauthorization of the Chimp Act of 2000 that helped establish the sanctuary system for chimps retired from research. This bill reauthorizes the program at the current spending level for NIH's care of chimpanzees and reduces it through the next 5 years. It also is going to require the GAO to study how NIH cares for the chimps and asks GAO to identify how we can further save taxpayer money.

I want to particularly commend Ms. ESHOO, Mr. LANCE, Mrs. CAPPS who is here tonight, Mrs. MCMORRIS RODGERS, and, in the Senate, certainly Chairman HARKIN and Ranking Member ALEXANDER for their wonderful efforts on this legislative package. Working together, we are making a difference in the lives of so many.

So I would urge my colleagues to join me in support of this legislation, and I reserve the balance of my time.

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

I rise in strong support of S. 252, as amended.

As amended, this bipartisan legislation would address critical health care

issues through the authorization or reauthorization of three different programs.

Title I of the legislation reauthorizes the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act, better known as the PREEMIE Act. The PREEMIE Act was initially enacted in 2006 in response to an alarming and rising number of premature deaths. Premature deaths, those that occur prior to 37 weeks of pregnancy, are the leading cause of newborn deaths and long-term neurological disabilities in children.

Since 2006, efforts across the Department of Health and Human Services have contributed to 6 straight years of decline in the preterm birth rate. There is no question we have made progress in addressing preterm birth in this country, yet one in eight babies is still born prematurely. Prevention remains a challenge due to the numerous, complex, and poorly-understood causes.

As a nurse, I know too well the physical cost of prematurity on both mother and child, the emotional costs it takes on parents, and the fiscal cost that prematurity plays in our health care system. Reauthorization of the PREEMIE Act is necessary to continue the progress we have made to date and to do better by improving the health of mothers and babies.

Title II of S. 252, as amended, calls for the establishment of a National Pediatric Research Network at the National Institutes of Health. This title builds upon the strong body of pediatric research the agency currently supports and strengthens it to improve research and clinical trials on pediatric diseases, train pediatric researchers, and to disseminate research findings quickly so that all children may benefit.

By developing a nationwide network of pediatric researchers, renewed efforts can be focused to develop treatments and cures for pediatric diseases and conditions, especially those that are rare.

Children have unique health care experiences, treatment needs, and research challenges; and while public and private research has come a long way on pediatric diseases over the years, we know that we are still far behind on important diagnostics, cures, and treatments for far too many ailing children. That is why this title is so important.

Many of my colleagues know that this legislation is particularly important for one family in my congressional district, the Strongs. Victoria and Bill Strong are focused every day on getting the best care and treatment for their young daughter, Gwendolyn, who has spinal muscular atrophy, the same condition that my colleague Mr. UPTON just referred to in his district. Her diagnosis has fundamentally changed the daily lives of their family, her school, and our Santa Barbara community.

The low prevalence of these diseases makes them particularly hard to research, but for those affected, like Gwendolyn and others, a new cure or treatment could mean a world of difference. This title is common sense for Gwendolyn and all the other kids out there facing a rare medical diagnosis, and their families. As title II of this legislation, the National Pediatric Research Network Act is an important step forward to helping these families and those who may develop these diseases long into the future.

I noticed over the weekend there was a marathon that Gwendolyn and her father participated in in my community to raise money for the same purpose as this research would do. So it is both from the public and the private side that there is a concerted effort toward this end.

This network, based upon H.R. 225, bipartisan legislation I authored with my colleague Representative CATHY MCMORRIS RODGERS, passed the House as a stand-alone bill on suspension earlier this year with strong bipartisan support. I am so pleased to see it included in this package today.

Title III of the legislation ensures the National Institutes of Health can continue to care for chimpanzees that have been retired from research. In 2000, Congress passed the Chimpanzee Health Improvement Maintenance and Protection, or CHIMP, Act. The CHIMP Act established a sanctuary system for the lifetime care of chimpanzees no longer used in research, limited NIH spending on care for these chimpanzees, and required matching funds from nonprofit entities contracted by NIH to operate the sanctuary system.

Today, NIH owns or supports hundreds of chimpanzees. Following a report from the Institute of Medicine, NIH has concluded the vast majority of its chimpanzees should be permanently retired from research. This title makes it possible for NIH to continue caring for the more than 100 chimpanzees currently in sanctuary and transition other chimpanzees to sanctuary over time by authorizing appropriate amounts of spending for fiscal years 2014 through 2018 out of the totals made available to the agency. It is a commonsense and humane measure to fulfill the mission of the Institutes and responsibly tend to the chimps in our care.

I want to commend Chairman UPTON, Chairman PITTS, Ranking Member WAXMAN, and Ranking Member PALLONE for their leadership in bringing this bipartisan package of public health legislation to the floor, the staff on both sides of the aisle who have worked so hard on this legislation, and the Senate Health Committee leadership of Senators HARKIN and ALEXANDER for their efforts on these measures. Moreover, Energy and Commerce members Congresswoman ESHOO, Congressman LANCE, Congresswoman DEGETTE, and Congresswoman MCMORRIS RODGERS are also to be commended

for their work on the PREEMIE Act and the National Pediatric Research Network titles.

These are critical bills, all of which deserve strong bipartisan support. I urge my colleagues to join me in supporting S. 252, as amended, and I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PITTS), chairman of the Health Subcommittee.

Mr. PITTS. Thank you, Mr. Chairman.

Mr. Speaker, I rise in support of another bipartisan bill. S. 252, the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Reauthorization Act, or the PREEMIE Reauthorization Act, would take important steps to protect and improve children's health, particularly the health of the nearly 500,000 children born prematurely in the United States every year. Since its passage in 2006, the PREEMIE Act has sponsored important research that has led to improved prevention and care of children born too early.

This bill reauthorizes research and activities at the CDC related to the causes of preterm birth, improving data collection, and preventing preterm births. It also creates an Advisory Committee on Infant Mortality to coordinate Federal, State, local, and private programs that address preterm birth and infant mortality. With one in every eight infants born in the United States prematurely, this is a pressing issue.

S. 252 also authorizes the creation of the National Pediatric Research Network, a proven way to support pediatric research by coordinating multicentered research activities, including those in rural areas.

I would like to commend Congressman LANCE, Congresswoman CAPPS, Congresswoman MCMORRIS RODGERS, Chairman UPTON, and Ranking Members WAXMAN and PALLONE for their leadership in this bipartisan effort, and I urge all of my colleagues to support this bipartisan bill.

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Mrs. CAPPES. Mr. Speaker, I continue to reserve the balance of my time.

Mr. UPTON. Mr. Speaker, at this point, I yield 2 minutes to the gentlelady from Washington, Mrs. CATHY MCMORRIS RODGERS, a leading advocate of this legislation and the chairman of the Republican Conference.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise in strong support of the PREEMIE Reauthorization Act.

Every 3 minutes, somewhere in the world, a child is diagnosed with cancer. In the United States, approximately 150,000 children have diabetes. I believe that medical research is the best investment we can make to change these statistics and find new cures for these diseases.

In working with my colleague from California, Representative LOIS CAPPES,

we introduced the Pediatric Research Network Act, which is included in the PREEMIE Reauthorization Act.

In supporting this legislation, the Coalition for Pediatric Medical Research, which includes Children's Hospital in Seattle—in my home State—said that this legislation is critical to strengthening our Nation's pediatric research enterprise. In addition, the Pediatric Research Network Act will authorize the establishment of a well-proven and evidence-based approach for addressing pediatric research. It will enable the National Institutes of Health to support multi-institution research in order to coordinate and streamline this important research. Most importantly, it will help to speed cures to the youngest patients. I urge its support.

Thank you, everyone, for your leadership.

Mrs. CAPPES. Mr. Speaker, I continue to reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. LANCE), another author of this legislation and someone who helped carry it across its bipartisan path.

Mr. LANCE. Mr. Speaker, I rise in strong support of S. 252, the PREEMIE Reauthorization Act, which will provide vital and continued medical education and research in the national effort to reduce preterm births. This legislation will advance the great progress made since the 2006 act and support Federal research and community involvement in premature birth research.

Our Nation's premature birth rate is among the highest in the world, and it is the leading cause of newborn deaths in the United States. Infants born just a few weeks too soon can face serious health challenges and are at risk for lifelong health and learning disabilities. In addition to its human toll among infants and its toll on their families, premature births cost our Nation's economy much financially, and while the medical community has made great strides in identifying the risk factors associated with premature births, far too many premature births today have no known causes.

It is fitting that the House will consider this legislation this evening. November marks Prematurity Awareness Month, a product of the fine work of the March of Dimes. The March of Dimes estimates that, since 2006, 176,000 fewer babies have been born too soon because of improvements in the preterm birth rate. This is why the Members of the House and the Senate have worked in a bipartisan and bicameral fashion to reauthorize the 2006 act.

I thank Chairman UPTON and Chairman PITTS and Ranking Member WAXMAN and Ranking Member PALLONE for their leadership on this issue, as well as Senator ALEXANDER and Senator HARKIN and Senator BENNET. I especially want to thank Congresswoman

ANNA ESHOO from California for working on this important issue, which benefits the health and well-being of the American people.

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

Mr. UPTON. I yield the gentleman an additional 1 minute.

Mr. LANCE. This is how Congress should work—together—on issues that make a lasting difference for the American people. It is in that bipartisan spirit that I ask all of my colleagues to join with us in support of the PREEMIE Reauthorization Act so that we as a Nation will be able to continue our focus on premature birth research and prevention.

My thanks also to Congresswoman CAPPs for her leadership on this issue.

Mrs. CAPPs. Mr. Speaker, in closing, I submit for the RECORD letters of support from the following organizations: the Children's Hospital Association, the Coalition for Pediatric Medical Research, FightSMA, the Humane Society of the United States, the March of Dimes, and a joint letter from several health professional and public health organizations.

I urge my colleagues to support this important package of public health legislation.

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

CHILDREN'S HOSPITAL  
ASSOCIATION,  
November 11, 2013.

Hon. FRED UPTON, Chairman,  
House Committee on Energy and Commerce,  
Washington, DC.

Hon. HENRY WAXMAN, Ranking Member,  
House Committee on Energy and Commerce,  
Washington, DC.

DEAR CHAIRMAN UPTON AND RANKING MEMBER WAXMAN: On behalf of over 220 of the nation's children's hospitals, I am writing to urge House passage of S. 252, as amended by the House. This bill would advance two important priorities for children's health: enactment of the National Pediatric Research Network Act and the Prematurity Research Expansion and Education for Mothers who deliver Infants Early (PREEMIE) Reauthorization Act.

The National Pediatric Research Network Act would enhance the national commitment to pediatric research by authorizing the National Institutes of Health (NIH) to competitively select pediatric research consortia, each of which would be comprised of multiple institutions and focused on a specific research agenda from basic to translational research. As you know, children are not just "small adults." They require highly-specialized care and equally specialized research. Despite children accounting for nearly 20 percent of our nation's population, the NIH has historically invested a far smaller percentage of research dollars—between five and 10 percent—in pediatric biomedical research. As a result it is far more difficult to attract new researchers into the field of pediatrics, launch and sustain basic and translational research endeavors and, ultimately, improve the health of our nation's children by developing safe and effective therapies and treatments. The National Pediatric Research Network Act would help provide the infrastructure—including training and support for younger investigators—that is needed to advance the field for decades to come.

The original PREEMIE Act (P.L. 109-450) brought the first-ever national focus to prematurity prevention. Preterm delivery can happen to any pregnant woman, and in more than half the cases the underlying causes are unknown. Preterm birth is the leading cause of neonatal death, and those babies who survive are more likely to suffer from intellectual and physical disabilities. Since enactment of the PREEMIE Act in 2006, the preterm birth rate has declined, and now stands below 12 percent for the first time in nearly a decade. The PREEMIE Reauthorization Act will continue to fuel our progress by supporting federal research and promoting known interventions and community initiatives. Reauthorizing the PREEMIE Act is critical to protect and maintain the current federal preterm birth-related activities and lay the foundation for future investments.

The Children's Hospital Association is pleased to offer its support of S. 252, and hopes Congress will enact this important legislation. On behalf of our member hospitals, thank you for your continued commitment to improving children's health.

Sincerely,

JIM KAUFMAN,  
Vice President, Public Policy,  
Children's Hospital Association.

THE COALITION FOR PEDIATRIC  
MEDICAL RESEARCH,  
November 12, 2013.

Hon. FRED UPTON,  
Chairman, Committee on Energy & Commerce,  
United States Congress, Washington, DC.

Hon. JOE PITTS,  
Chairman, Committee on Energy & Commerce,  
Subcommittee on Health, Washington, DC.

Hon. HENRY WAXMAN,  
Ranking Member, Committee on Energy & Commerce,  
United States Congress, Washington, DC.

Hon. FRANK PALLONE,  
Ranking Member, Committee on Energy & Commerce,  
Subcommittee on Health, Washington, DC.

DEAR CHAIRMEN UPTON AND PITTS AND RANKING MEMBERS WAXMAN AND PALLONE: On behalf of the Coalition for Pediatric Medical Research, representing leading children's hospitals responsible for treating our nation's sickest children today and conducting research to develop the therapies, treatments, and cures of tomorrow, I am writing to offer our endorsement of S. 252, the PREEMIE Reauthorization Act that as amended includes the National Pediatric Research Network Act as Title II.

The National Pediatric Research Act is a bipartisan and bicameral legislative proposal to strengthen our nation's commitment to pediatric medical research in a cost-effective manner by allowing the National Institutes of Health to support multi-institution research consortia focused on pediatrics. Modeled upon the successful National Cancer Centers and other research networks, the consortia seek to accelerate the pace of scientific discovery in pediatrics and to drive greater levels of collaboration, coordination, and resource sharing. Funds awarded under the program would help support the acquisition of shared advanced research technologies necessary to discharge a 21st Century research agenda and would also support much-needed training slots for early-career investigators focusing in pediatrics.

The need for a focused commitment to pediatric research is clear. A growing body of evidence overwhelmingly demonstrates that therapies and interventions delivered early in life—during infancy, childhood and adolescence—prevents diseases and their life-long adverse impacts on health and economic contributions to society. Similarly, research on pediatric populations is useful for under-

standing the origin of adult-onset diseases and is useful in preventing and treating such conditions. When pediatric research as a whole struggles, so too do our nation's children because of the reduced focus and funding to pediatric-based disorders and because of limited access to innovations in care and treatments that help improve life and reduce healthcare costs.

Every single day, the members of the Coalition for Pediatric Medical Research care for tens of thousands of children, a number of whom are suffering from the most deadly and complex diseases. Thanks to research breakthroughs achieved over the years, the children's hospitals in the coalition have made progress in treating a number of conditions that not too long ago were considered near-certain death sentences. But making continued progress to heal children today and tomorrow necessitates a robust commitment to our nation's children, something that will happen under this proposal.

Thank you for your strong support of the National Pediatric Research Network Act and for incorporating the legislation as Title II of the PREEMIE Reauthorization Act. The Coalition looks forward to working with you to enact this legislation into law this year. If you have any questions or would like to discuss this issue further, please feel free to contact me at 202.312.7499 or nicholas.manetto@faegrebd.com.

Sincerely,

NICK MANETTO,  
(For the Coalition for Pediatric Medical Research).

FIGHTSMA,  
Alexandria, VA, November 11, 2013.

Hon. FRED UPTON, Chairman,  
Committee on Energy & Commerce,  
U.S. Congress, Washington, DC.

Hon. HENRY WAXMAN, Ranking Member,  
Committee on Energy & Commerce,  
U.S. Congress, Washington, DC.

DEAR CHAIRMAN UPTON AND RANKING MEMBER WAXMAN: FightSMA is pleased to offer its enthusiastic endorsement of S. 252, the PREEMIE Reauthorization Act that as amended includes the National Pediatric Research Network Act (NPRNA) as Title II. FightSMA is a non-profit organization of families across the nation working to find a treatment or cure for spinal muscular atrophy (SMA), the leading genetic killer of children under the age of two.

The NPRNA would authorize the establishment of a national network of research consortia that will conduct basic, clinical, behavioral, and translational research, including multisite clinical trials in an effort to develop treatments for a variety of rare pediatric disorders. The legislation provides a new opportunity to strengthen the nation's commitment to pediatric medical research in a cost-effective manner, allowing us to promote the well-being of our children through a collaborative approach to scientific investigation that makes the most of every federal dollar.

FightSMA has been grateful for Congress's longstanding support for research on SMA and other pediatric diseases, including House passage of the NPRNA earlier this year on an overwhelming bipartisan vote and annual appropriations report language encouraging the National Institutes of Health (NIH) to expand its support for translational and clinical research. Privately funded research has produced a number of promising drug therapies for SMA that are now at the door of the clinic, and the development of an effective and accessible clinical trials infrastructure is our next challenge and our greatest opportunity.

Chairman Upton and Ranking Member Waxman, we are deeply indebted to you and

to the NPRNA's lead sponsors, Congresswomen Lois Capps and Cathy McMorris Rodgers, for your leadership in the effort to develop treatments for the devastating disorders that affect too many of our children.

We urge all Members of Congress to support S. 252, and we look forward to working with you to secure enactment of the National Pediatric Research Network Act as soon as possible.

Sincerely,

DANIEL HAYDEN,  
*Executive Director, FightSMA.*  
MICHAEL CALISE,  
*Chairman, FightSMA.*

THE HUMANE SOCIETY  
OF THE UNITED STATES,  
*Washington, DC, November 12, 2013.*

Chairman FRED UPTON,  
Ranking member HENRY WAXMAN,  
*House Committee on Energy and Commerce,*  
*Washington, DC.*

DEAR CHAIRMAN UPTON AND RANKING MEMBER WAXMAN: On behalf of The Humane Society of the United States and the Humane Society Legislative Fund, we are writing to express our strong support for Title III of S. 252, which will allow the National Institutes of Health (NIH) the continued flexibility to send chimpanzees retired from research to suitable sanctuary and to care for chimpanzees already living at the national chimpanzee sanctuary.

Regardless of where they are housed, NIH has responsibility for the lifetime care of approximately 600 federally-owned chimpanzees. It is NIH policy to send chimpanzees to the national chimpanzee sanctuary system when they are retired from research, as intended by Congress; sanctuaries provide higher welfare standards for chimpanzees at a lower cost to taxpayers than housing in barren labs. Sanctuaries operate more efficiently than the government-run laboratories, they bring in substantial private dollars to augment government support, and they make substantial use of volunteer personnel.

In response to a comprehensive report by the Institute of Medicine (IOM), and following the recommendations of an NIH Working Group of independent experts convened to advise on implementation of that report, NIH recently announced that it intends to retire the vast majority of federally-owned chimpanzees from research. However, the original CHIMP Act, which established the national chimpanzee sanctuary system, included a limit on the amount of money NIH can spend on sanctuary care and housing of retired chimpanzees. There is no similar restriction on funding for care and housing of retired chimpanzees in laboratories. Therefore, once NIH reaches the sanctuary spending limit, it will lose the ability to contract with appropriate sanctuaries for care and housing of retired chimpanzees, and may be forced to contract with lower-welfare, higher-cost labs instead—to the detriment of chimpanzees and taxpayers alike.

By passing S. 252 Title III, Congress will leave NIH free to contract with sanctuaries, the most appropriate providers for chimpanzee care, thus allowing the agency to use its resources more efficiently and effectively. We strongly support Title III of S. 252 and thank you for your leadership on this legislation.

Sincerely,

WAYNE PACELLE,  
*President and CEO,*  
*The Humane Society of the United States.*  
MICHAEL MARKARIAN,  
*President,*  
*Humane Society Legislative Fund.*

*March of Dimes Foundation,*  
*Washington, DC, November 11, 2013.*

Hon. FRED UPTON,  
*Chairman, Committee on Energy & Commerce,*  
*House of Representatives, Washington, DC.*  
Hon. HENRY WAXMAN,  
*Ranking Member, Committee on Energy & Commerce,*  
*House of Representatives, Washington, DC.*

DEAR CHAIRMAN UPTON AND RANKING MEMBER WAXMAN: On behalf of the March of Dimes, a unique collaboration of scientists, clinicians, parents, members of the business community, and other volunteers affiliated with 51 chapters representing every state, the District of Columbia and Puerto Rico, I would like to express our support for S. 252, a legislative package which includes the PREEMIE Reauthorization Act. We strongly urge swift passage of this legislation in both the House and Senate.

November marks Prematurity Awareness Month, and just days ago the March of Dimes announced that the United States' preterm birth rate had dropped for the sixth consecutive year. In 2012, 11.5 percent of U.S. births were preterm, compared to 12.8 percent in 2006. The March of Dimes estimates that since 2006, about 176,000 fewer babies have been born too soon because of improvement in the preterm birth rate, resulting in healthier infants and potentially saving about \$9 billion in health and societal costs. We believe one of the key factors for the decline is the 2006 PREEMIE Act (P.L. 109-450), which brought the first-ever national focus to prematurity prevention. The law spurred innovative research at the National Institutes of Health and Centers for Disease Control and Prevention and supported evidence-based interventions to prevent preterm birth.

The PREEMIE Reauthorization Act will continue to fuel our progress by supporting federal research and promoting known interventions and community initiatives to prevent preterm birth. Preterm birth exacts a human, emotional, and financial impact on families and a tremendous economic burden on our nation. It is the leading cause of newborn mortality and the second leading cause of infant mortality. Those babies who survive are more likely to suffer from intellectual and physical disabilities. A 2006 report by the Institute of Medicine found the cost associated with preterm birth in the United States was \$26.2 billion annually, or \$51,600 per infant born preterm. Employers, private insurers and individuals bear approximately half of the costs of health care for these infants, and another 40 percent is paid by Medicaid.

Every baby deserves a healthy start in life, and to make this goal a reality we must continue to invest in the prevention of preterm birth. Passage of S. 252 is an important step toward improving the health and wellbeing of our nation's children. We look forward to working with you to secure enactment of this vital legislation.

Sincerely,

DR. JENNIFER L. HOWSE,  
*President.*

MARCH OF DIMES FOUNDATION,  
*White Plains, NY, November 12, 2013*

MEMBER OF CONGRESS: The undersigned organizations urge you to vote for S. 252, the PREEMIE Reauthorization Act, when it is considered under Suspension of the Rules later today.

November marks Prematurity Awareness Month, and just days ago the March of Dimes announced that the United States' preterm birth rate had dropped for the sixth consecutive year. In 2012, 11.5 percent of U.S. births were preterm, compared to 12.8 percent in 2006. For information on your state's

preterm birth rate please visit <http://www.marchofdimes.com/mission/prematurity-reportcard.aspx>. The March of Dimes estimates that since 2006, about 176,000 fewer babies have been born too soon because of improvement in the preterm birth rate, resulting in healthier infants and potentially saving about \$9 billion in health and societal costs. We believe one of the key factors for the decline is the 2006 PREEMIE Act (P.L. 109-450), which brought the first-ever national focus to prematurity prevention. The law spurred innovative research at the National Institutes of Health and Centers for Disease Control and Prevention and supported evidence-based interventions to prevent preterm birth.

The PREEMIE Reauthorization Act will continue to fuel our progress by supporting federal research and promoting known interventions and community initiatives to prevent preterm birth. Preterm birth exacts a human, emotional, and financial impact on families and a tremendous economic burden on our nation. It is the leading cause of newborn mortality and the second leading cause of infant mortality. Those babies who survive are more likely to suffer from intellectual and physical disabilities. A 2006 report by the Institute of Medicine found the cost associated with preterm birth in the United States was \$26.2 billion annually, or \$51,600 per infant born preterm. Employers, private insurers and individuals bear approximately half of the costs of health care for these infants, and another 40 percent is paid by Medicaid.

S. 252 is an important step toward improving the health and wellbeing of our nation's children. Please vote "yes" on S. 252.

Sincerely,

March of Dimes, American Academy of Pediatrics, American Association on Health and Disability, American College of Nurse-Midwives, American Congress of Obstetricians and Gynecologists, American Public Health Association, American Thoracic Society, Association of Maternal & Child Health Programs.

Association of State and Territorial Health Officials, Association of Women's Health, Obstetric and Neonatal Nurses, Council of Women's and Infants' Specialty Hospitals, First Candle, Global Alliance to Prevent Prematurity and Stillbirth, National Association of County and City Health Officials, National Association of Neonatal Nurses, Preeclampsia Foundation, Society for Maternal-Fetal Medicine.

Mr. UPTON. I yield myself the balance of my time.

Mr. Speaker, every one of us has beautiful children like in this our districts. This bill is going to save lives, and it has been bipartisan from the get-go.

Again, I want to commend Republicans and Democrats on our committee—but certainly those on the House floor as well—when we passed this bill a number of months ago.

I was a speaker and a participant in an event just last week for FasterCures, a networking group from around the country. Dr. Francis Collins was there, who is the head of the NIH. I spoke to Dr. Collins just in the last hour or so, and he is delighted that this legislation is reaching the House floor tonight. Hopefully, it will pass. I know that we are going to continue to make a real difference in the lives of families, and that is what this is all about, so I would urge all of my colleagues to vote "yes."

I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I rise in support of S. 252, as amended, and urge my colleagues to support the bill as well. As amended, S. 252 is comprised of the authorization or re-authorization of three different programs. Together, these provisions constitute a bi-partisan and bi-cameral effort to address three pressing issues.

Title One of the bill would reauthorize and improve the Prematurity Research Expansion and Education for Mothers Who Deliver Infants Early—or PREEMIE—Act. The PREEMIE Act was first enacted in 2006 in response to an alarming rise in preterm births.

Provisions in Title One reauthorize Centers for Disease Control and Prevention research, surveillance, and prevention activities. The title also extends provider education and training and public education activities; and it adds use of telehealth technology for management of high-risk pregnancies among preferences for telehealth network grants.

This title codifies a Department of Health and Human Services Advisory Committee on Infant Mortality and directs this Committee to examine preterm birth activities across the Department. And it calls for HHS coordination of hospital readmissions studies focused on premature infants. Title One represents a renewed commitment to our nation's efforts to reduce premature births, the leading killer of newborns.

Title Two of S. 252 (as amended) would allow the National Institutes of Health to establish a national pediatric research network dedicated to finding treatments and cures for pediatric diseases and conditions—especially those that are rare. In addition to the research itself, Title Two places special emphasis on professional training for future pediatric researchers. These and other related components of Title Two are intended to build on the strong body of pediatric research that NIH already conducts and supports.

The goal of this title is to ensure that universities, hospitals, and other nonprofit entities focused on pediatric research have the infrastructure necessary to make clinical research opportunities more accessible to kids and their families. In turn, we hope and expect their work will advance progress towards treatments and cures for many devastating diseases and conditions. I would encourage NIH to take full advantage of this opportunity.

The third and last title of the bill builds upon the 2000 Chimpanzee Health Improvement Maintenance and Protection or CHIMP Act and allows NIH to fulfill its commitment to retiring hundreds of chimpanzees from research. Among other provisions, the CHIMP Act established a sanctuary system for the lifetime care of chimpanzees retired from research and limited NIH spending on care for these chimpanzees.

We are fast-approaching the spending cap set forth in the CHIMP Act. This title authorizes spending for the care and maintenance of chimpanzees owned or controlled by NIH—out of the amounts made available to the agency—for each of fiscal years 2014 through 2018. This title ensures the agency can continue caring for the more than 100 chimpanzees currently in sanctuary. This title also makes it possible for NIH to continue implementing Institute of Medicine recommendations on the use of chimpanzees in research and transition other chimpanzees to sanctuary over time.

As I have noted, this package is a bi-partisan and bi-cameral initiative that reflects the work of several members of the Energy and Commerce Committee. I especially want to note Congresswoman ESHOO, the Democratic sponsor of the original PREEMIE Reauthorization Act and Congresswoman CAPPS, the Democratic sponsor of the original National Pediatric Research Network Act. I also want to commend Chairman UPTON, Chairman PITTS, and Ranking Member PALLONE for their leadership in bringing this bipartisan package of public health legislation to the floor. Finally, I want to acknowledge Senate HELP Committee leadership—Senators HARKIN and ALEXANDER—for their effort on these measures.

I urge my colleagues to vote for S. 252, as amended.

Mr. GINGREY of Georgia. Mr. Speaker, I rise today in support of S. 252, the PREEMIE Act. The number of families in this country affected by premature births is enormous. In 2008, 12.3 percent of all live births, over 500,000 babies, were born preterm. This number dramatically influences the rate of infant deaths as about two-thirds of all fatalities in the first year of life are among preterm infants.

Prematurity or preterm birth is by definition a birth earlier than 37 weeks. Those children are usually not the problem. They're not the ones that end up with permanent disabilities. But there is a subset of prematurity, maybe sometimes referred to as "immaturity", children that are born as early as 20 weeks. Those children are the ones that very often, if they survive, are left with permanent long-term disabilities. The reauthorization of the PREEMIE Act is important to study, track, and prevent premature births in this country. This important legislation before us today will continue the important work begun in the original bill passed in 2006.

I'll end my remarks with a personal story. My wife, Billie, and I, have 13 grandchildren and the oldest are 15 years old. They were born at 26 weeks and each weighed 1 pound and 12 ounces. Thank God they are virtually unimpaired today and in the ninth grade and doing well. My family's experience, plus the fact that I delivered numerous preterm infants as an OBGYN in Marietta, GA, simply reinforces the need for this bill.

For these important reasons, I support S. 252.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, S. 252, as amended.

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

The title was amended so as to read: "An Act to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity, and for other purposes."

A motion to reconsider was laid on the table.

#### HIV ORGAN POLICY EQUITY ACT

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (S.

330) to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 330

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "HIV Organ Policy Equity Act".

#### SEC. 2. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

(a) STANDARDS OF QUALITY FOR THE ACQUISITION AND TRANSPORTATION OF DONATED ORGANS.—

(1) ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK.—Section 372(b) of the Public Health Service Act (42 U.S.C. 274(b)) is amended—

(A) in paragraph (2)(E), by striking "including standards for preventing the acquisition of organs that are infected with the etiologic agent for acquired immune deficiency syndrome"; and

(B) by adding at the end the following:

"(3) CLARIFICATION.—In adopting and using standards of quality under paragraph (2)(E), the Organ Procurement and Transplantation Network may adopt and use such standards with respect to organs infected with human immunodeficiency virus (in this paragraph referred to as 'HIV'), provided that any such standards ensure that organs infected with HIV may be transplanted only into individuals who—

"(A) are infected with HIV before receiving such organ; and

"(B)(i) are participating in clinical research approved by an institutional review board under the criteria, standards, and regulations described in subsections (a) and (b) of section 377E; or

"(ii) if the Secretary has determined under section 377E(c) that participation in such clinical research, as a requirement for such transplants, is no longer warranted, are receiving a transplant under the standards and regulations under section 377E(c)."

(2) CONFORMING AMENDMENT.—Section 371(b)(3)(C) of the Public Health Service Act (42 U.S.C. 273(b)(3)(C)) relating to organ procurement organizations) is amended by striking "including arranging for testing with respect to preventing the acquisition of organs that are infected with the etiologic agent for acquired immune deficiency syndrome" and inserting "including arranging for testing with respect to identifying organs that are infected with human immunodeficiency virus (HIV)".

(3) TECHNICAL AMENDMENTS.—Section 371(b)(1) of the Public Health Service Act (42 U.S.C. 273(b)(1)) is amended by—

(A) striking subparagraph (E);

(B) redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively;

(C) striking "(H) has a director" and inserting "(G) has a director"; and

(D) in subparagraph (H)—

(i) in clause (i) (V), by striking "paragraph (2)(G)" and inserting "paragraph (3)(G)"; and

(ii) in clause (ii), by striking "paragraph (2)" and inserting "paragraph (3)".

(b) PUBLICATION OF RESEARCH GUIDELINES.—Part H of title III of the Public Health Service Act (42 U.S.C. 273 et seq.) is amended by inserting after section 377D the following:

**“SEC. 377E. CRITERIA, STANDARDS, AND REGULATIONS WITH RESPECT TO ORGANS INFECTED WITH HIV.**

“(a) IN GENERAL.—Not later than 2 years after the date of the enactment of the HIV Organ Policy Equity Act, the Secretary shall develop and publish criteria for the conduct of research relating to transplantation of organs from donors infected with human immunodeficiency virus (in this section referred to as ‘HIV’) into individuals who are infected with HIV before receiving such organ.

“(b) CORRESPONDING CHANGES TO STANDARDS AND REGULATIONS APPLICABLE TO RESEARCH.—Not later than 2 years after the date of the enactment of the HIV Organ Policy Equity Act, to the extent determined by the Secretary to be necessary to allow the conduct of research in accordance with the criteria developed under subsection (a)—

“(1) the Organ Procurement and Transplantation Network shall revise the standards of quality adopted under section 372(b)(2)(E); and

“(2) the Secretary shall revise section 121.6 of title 42, Code of Federal Regulations (or any successor regulations).

“(c) REVISION OF STANDARDS AND REGULATIONS GENERALLY.—Not later than 4 years after the date of the enactment of the HIV Organ Policy Equity Act, and annually thereafter, the Secretary, shall—

“(1) review the results of scientific research in conjunction with the Organ Procurement and Transplantation Network to determine whether the results warrant revision of the standards of quality adopted under section 372(b)(2)(E) with respect to donated organs infected with HIV and with respect to the safety of transplanting an organ with a particular strain of HIV into a recipient with a different strain of HIV;

“(2) if the Secretary determines under paragraph (1) that such results warrant revision of the standards of quality adopted under section 372(b)(2)(E) with respect to donated organs infected with HIV and with respect to transplanting an organ with a particular strain of HIV into a recipient with a different strain of HIV, direct the Organ Procurement and Transplantation Network to revise such standards, consistent with section 372 and in a way that ensures the changes will not reduce the safety of organ transplantation; and

“(3) in conjunction with any revision of such standards under paragraph (2), revise section 121.6 of title 42, Code of Federal Regulations (or any successor regulations).”

**SEC. 3. CONFORMING AMENDMENT TO TITLE 18 OF THE UNITED STATES CODE.**

Section 1122(a) of title 18, United States Code, is amended by inserting “or in accordance with all applicable guidelines and regulations made by the Secretary of Health and Human Services under section 377E of the Public Health Service Act” after “research or testing”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentlewoman from California (Mrs. CAPPs) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

**GENERAL LEAVE**

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous materials in the RECORD on the bill.

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

There was no objection.

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

I stand in strong support of S. 330, known as the HOPE Act.

The HOPE Act would eliminate the restriction on acquiring HIV-positive organs in order to permit research on transplants between HIV-positive individuals. The legislation will increase the number of available organs and will help all of those who are awaiting a transplant.

In 1984, Congress enacted the National Organ Transplant Act, NOTA. The purpose of NOTA was to guide organ donation and transplantation. In 1988, Congress amended NOTA to ban the transplantation of HIV-infected organs. Today, HIV treatments have extended and have improved the lives of countless HIV patients. This, in turn, has increased the need for organ donations.

This bill would allow research to fully evaluate the safety and effectiveness of organ transplantation between individuals with HIV. Specifically, the bill would permit research on transplants involving HIV-positive individuals by eliminating the restriction on acquiring HIV-positive organs. The legislation also would direct the Secretary of HHS to develop and implement standards for research on the transplantation of HIV-infected organs. Finally, the bill would require the Secretary of HHS to revise transplant standards based on that research.

H.R. 698 is the House companion to the HOPE Act. Mrs. CAPPs, on our committee, authored H.R. 698, and the Energy and Commerce Committee passed it by voice vote last July. Earlier this year, the Senate passed the legislation before us today, which was led by Senators BOXER, COBURN, BALDWIN, and PAUL—a bipartisan group. By passing the HOPE Act now, we will send it directly to the President so that he can sign it into law and avoid a conference.

This commonsense proposal has the potential to save lives. With 100,000 patients waiting for life-saving organs, permitting HIV-positive donors to be used for transplants could save as many as 1,000 HIV-infected patients every year. So, tonight, we provide some hope for those in need of new organs. I support this bill, and I urge my colleagues to do the same.

I reserve the balance of my time.

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

I rise in strong support of the HIV Organ Policy Equity Act, commonly known as the “HOPE Act.” The HOPE Act is a critical step towards improving the health and well-being of persons living with HIV and AIDS and of strengthening our Nation’s organ transplant system.

Many of us remember the fear and worry that surrounded AIDS in the 1980s. At first, no one even knew what caused AIDS, and the diagnosis was considered a swift death sentence. In that time of fear and the unknown, a

blanket ban was placed on transplanting any HIV-positive organs, even for the purposes of research. However, in the last 25 years, medical research and technology has transformed HIV/AIDS care and treatment. Now, thanks to these breakthroughs, HIV is a more chronic condition. This has led to improved life expectancies—something we can and should celebrate—but it also means that HIV-positive people are more likely to encounter medical complications as they age. They face unique complications as the powerful drugs that keep their HIV at bay often take a hard toll on their bodies, putting them at increased risk for ailments like kidney and liver disease, and for some of these problems, the only treatment is to wait on the same long waiting lists, as all Americans do, for an organ transplant.

There might be a better way.

According to transplant experts, each year, we toss out hundreds of HIV-positive organs that could otherwise be viable for transplantation into other HIV-positive people. These organs have the potential to save lives and lessen the transplant waiting lists for all Americans, but, instead, they are wasted because of the archaic, blanket ban that prohibits even the research to see if they could be used by those who already are HIV positive. That is why we need to pass the HOPE Act today.

The HOPE Act would create a pathway, grounded in medical science, to research the feasibility and safety of positive-to-positive organ transplantation. Think about it. This is a chance to possibly shorten the waiting lists for everyone waiting for an organ, to deliver better health outcomes for those in need, and to lower health care costs by moving individuals off of the dialysis rolls, all while maintaining the safety and integrity of our current organ transplantation system. That is what the HOPE Act can and will help to do. It is common sense and fiscally responsible. It is the right thing to do for all Americans who are awaiting transplants.

I would like to thank and acknowledge Senator BOXER and Senator COBURN for championing this issue in the Senate. With their leadership, the HOPE Act passed by unanimous consent in June. Also, I would especially like to thank for their leadership my colleagues Mr. HARRIS, who is the Republicans’ lead on this bill, and also Dr. BURGESS, who is a cosponsor and a strong supporter of this bill. Finally, I would like to thank all of the advocates who have worked so hard in support of this legislation.

I am pleased to stand with an incredibly broad coalition of health professionals and HIV/AIDS advocates in backing S. 330. The HOPE Act is a commonsense bill that creates a path forward for research on this issue. It has strong support on both sides of the Capitol and on both sides of the aisle. It is a critically important issue. It is an opportunity to save lives. That is

why I am urging a “yes” vote today on S. 330, the HOPE Act.

I reserve the balance of my time.

□ 1730

Mr. UPTON. Mr. Speaker, I ask unanimous consent that the balance of my time be managed by the gentleman from Pennsylvania (Mr. PITTS).

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

There was no objection.

Mr. PITTS. Mr. Speaker, I yield myself some time as I may consume.

I stand in support of another bipartisan bill this evening. The HIV Organ Policy Equity Act, or the HOPE Act, would lift a ban dating back to the 1990s on acquiring HIV-positive organs so that the Department of Health and Human Services can conduct research on the safety and effectiveness of transplants between HIV-positive individuals.

As HIV treatments have advanced over the last 30 years, many HIV-positive individuals are living longer lives, but they are also more likely to experience conditions, such as kidney and liver failure, which necessitate a transplant.

This bill provides a potential path to a separate organ donation pool for HIV-positive organs, hopefully increasing the overall number of organs available for transplantation.

The HOPE Act passed the Senate by unanimous consent in June and is supported by the American Society of Transplantation and the American Society of Transplant Surgeons, among others.

I would encourage my colleagues to support this bipartisan, commonsense bill and would like to commend Dr. HARRIS, Dr. BURGESS, Mrs. CAPPs, Chairman UPTON, and Ranking Members WAXMAN and PALLONE for their leadership on this bipartisan bill.

I reserve the balance of my time.

Mrs. CAPPs. Mr. Speaker, I am pleased to yield whatever time she may consume to my colleague from Washington, D.C., ELEANOR HOLMES NORTON.

Ms. NORTON. I thank my good friend from California, and I thank all of the bipartisan leaders of this bill, especially Mrs. CAPPs, who has made health care a signature issue for herself ever since coming to the Congress.

Mr. Speaker, we haven't found our way out of one of the great disparities in medical science: the difference between the 100,000 patients seeking organ transplants and the mere 30,000 who get such transplants annually. The HOPE Act provides a possible breakthrough, one that I don't think we can refuse. It is a breakthrough for many whose condition would make them hopeless in waiting for an organ transplant.

The regular reviews to evaluate medical research that are mandated by this bill could allow transplants from HIV-positive donors to HIV-positive recipients if the procedure—and this is im-

portant; the safeguards are tightly woven into this bill—if the procedure is shown to be both safe and effective. No wonder the Boxer-Coburn HOPE Act was passed by unanimous consent in the Senate.

The wholesale ban in 1988 did not even allow research on HIV-infected organs. I am not sure I understand that since in this country we usually do not take research out of the picture.

Today, medical science has come a long way, allowing many to live with HIV. We save many lives but then lose them to chronic conditions such as kidney and liver damage, often caused by the very HIV medications that have saved their lives. If they go on dialysis, there is virtually no hope for a transplant today.

The way out of this conundrum is the way we have understood since the Enlightenment: “Look for the evidence.” Who can know where the science will take us or whether it will take us anywhere? With estimates of as many as another 600 organ donors who could be helpful annually, who would not want to try to find if this could be accomplished?

Again, I thank the sponsors of this bill, which I think is rightfully named the HOPE Act.

Mr. PITTS. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from Texas, Dr. BURGESS, the vice chairman of the Health Subcommittee.

Mr. BURGESS. I thank the chairman for yielding.

Mr. Speaker, this bill before us tonight is a commonsense policy that will remove some barriers in the law and ensure that patients who are suffering from life-threatening illnesses can access vital treatments. We have heard the numbers discussed tonight—over 100,000 patients currently awaiting life-saving organs. That number grows by thousands every year, coupled with the fact that our current organ donation policies are outdated and do not reflect the most current research in clinical developments.

The bill before us tonight corrects this, allowing organs from HIV-positive donors to be transplanted into HIV-positive recipients. This has the potential to save over 1,000 HIV-infected patients every year with liver and kidney failure.

Allowing these HIV positive donations increases the organs available to HIV-positive recipients. More importantly, it actually grows the overall pool of organs that will be available.

Furthermore, transplant surgeons already have experience with the transplantation of infected organs. Today, surgeons perform organ transplants on patients who are infected with hepatitis C, a disease with similar transmission methods as HIV.

I would reassure my colleagues, I have taken the time to speak with transplant surgeons for the American Society of Transplant Surgeons, and I have spoken with doctors at the Na-

tional Institutes of Health. This does not pose an increased health risk for the already HIV-infected patient from an organ donated by an HIV-positive donor, but it will provide the potential for increasing the number of organs available for transplant. Anybody who works in transplant surgery knows this is the number one issue that they face on a day-to-day basis.

This legislation is sound, science-based policy. It is also good fiscal policy. It increases the options for safe transplantation, eliminating the need for patients to receive costly recurring treatments, and instead allows patients to receive viable organs to live fuller, more productive lives.

I urge my colleagues to vote in support of this life-saving bill.

Mrs. CAPPs. I would ask the gentleman from Pennsylvania if he has more speakers?

Mr. PITTS. I do, yes.

Mrs. CAPPs. Mr. Speaker, I continue to reserve the balance of my time.

Mr. PITTS. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from Maryland, Dr. HARRIS, one of the leaders on this issue.

Mr. HARRIS. I want to thank the chairman of the subcommittee for yielding time.

Mr. Speaker, the HOPE Act is exactly the kind of bipartisan legislation that will improve lives and have a positive impact on our health care system.

As a physician for nearly 30 years who has participated in and conducted medical research, I know firsthand how medical innovation often outpaces government laws and regulations. This is one such example:

As an anesthesiologist, I have had the privilege of taking care of many patients for transplant surgery, and I have seen numerous times the life-saving joy that an organ transplant brings to patients and their families.

The HOPE Act changes an outdated law by making government work in a more efficient and effective manner for all patients needing transplants, both those with HIV and those without, which is exactly what the American people expect from us here in Washington and from their elected officials.

Mr. Speaker, it is time to move the HIV Organ Policy Equity Act, S. 330. I want to commend the gentlelady from California for working with me to get this bill through. People are waiting for these organs.

I urge my colleagues to vote “yes” on S. 330 later tonight.

Mrs. CAPPs. Is the gentleman prepared to close?

Mr. PITTS. Yes, I am.

Mrs. CAPPs. Mr. Speaker, I would like to submit for the RECORD letters of support from the United Network for Organ Sharing and a coalition of health professional and HIV/AIDS advocacy organizations.

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

Richmond, VA, January 18, 2013.

RE UNOS Endorsement of Your Legislation to Address HIV+ Organ Donation and Research

Hon. BARBARA BOXER,  
U.S. Senate, Hart Senate Office Building,  
Washington, DC.

Hon. TOM COBURN,  
U.S. Senate, Russell Senate Office Building,  
Washington, DC.

Hon. LOIS CAPPS,  
House of Representatives, Rayburn House Office  
Building, Washington, DC.

DEAR SENATOR BOXER, SENATOR COBURN, AND REPRESENTATIVE CAPPS: UNOS is pleased to learn of your efforts to take an important step to make more organs available for transplantation. As you know, more than 110,000 Americans are currently on the waiting list for organ transplants—far more than are likely to find a matching donor in time. Allowing the careful, targeted use of these organs makes it possible to save more lives.

If your legislation is successful, UNOS, as the contractor for the Organ Procurement and Transplantation Network, stands ready to work with our HRSA partners to establish appropriate allocation policies, including safeguards to protect uninfected recipients from inadvertently receiving HIV-infected organs or vessels.

We look forward to working with you to advance this important legislation.

United Network for Organ Sharing (UNOS) is the private, non-profit organization that manages the nation's organ transplant system under contract with the federal government. Our mission is to advance organ availability and transplantation by uniting and supporting our communities for the benefit of patients through education, technology and policy development.

Sincerely,

JOHN P. ROBERTS, MD,  
President, United Network for Organ Sharing.

JANUARY 18, 2013.

RE endorsement of legislation to address donation of organs from HIV-infected donors to benefit HIV-infected recipients

Hon. BARBARA BOXER,  
U.S. Senate.

Hon. TOM COBURN,  
U.S. Senate.

Hon. LOIS CAPPS,  
House of Representatives.

DEAR SENATORS BOXER, COBURN AND REPRESENTATIVE CAPPS: Please accept this letter on behalf of the undersigned organizations in strong support of legislation to amend the Public Health Service (PHS) Act to establish safeguards and standards of quality for research and transplantation of organs from HIV-infected donors. We applaud your efforts in sponsoring this legislation, which makes common-sense reforms to a medically outdated federal ban on the use of organs from HIV-infected donors to benefit HIV-infected recipients.

This legislation is the product of a two-year process that included gaining support of more than 40 national organizations including professional HIV/AIDS and organ transplantation societies, patient advocacy groups, and general medical groups. By updating the PHS Act to reflect the current medical understanding of HIV/AIDS, this legislation will increase access to organ transplantation for HIV-infected patients, reduce deaths on the organ transplant waiting list, save taxpayers money, and maintain provisions to protect the national supply of organs.

As you are well aware, due to remarkable advances in HIV treatment and care over the past two decades, many HIV-infected people with access to healthcare have normal life

expectancies. However, even when well-controlled with medication, the virus puts people at higher risk for organ failure, and after the onset of organ failure, HIV-infected people require organ transplants sooner than uninfected people with organ failure. In many parts of the country, organ transplant waiting times exceed seven years. Long waiting times disproportionately impact HIV-infected people who simply cannot afford to wait seven years for an organ offer. As a consequence, many people die while waiting. This legislation will increase the availability of an estimated 500 high quality organs each year for HIV-infected patients, which would have otherwise been discarded, providing a unique treatment option to save lives and reduce suffering.

Commonly accepted standards in medicine require that procedures undergo robust study before being accepted as the standard of care. Though preliminary evidence from South Africa demonstrates that transplantation between HIV-infected people is safe and effective, it is incumbent upon the medical community in the United States to carefully study the safety and outcomes of these transplants in the same way that transplantation of HIV-infected recipients with uninfected donor organs has been carefully studied. This legislation will enable such studies, and we must continue to encourage the NIH to continue to fund clinical and comparative-effectiveness research in this area.

Thank you again for your leadership and we look forward to helping you build broad bipartisan support for this legislation in the House of Representatives and Senate, and working with you to see that it is enacted.

If you have any questions or require anything additional from our groups, please do not hesitate to contact our organizations through Brian Boyarsky (brian.boyarsky@jhmi.edu or 410-871-8252).

AIDS Community Research Initiative of America, AIDS Foundation of Chicago, AIDS Law Project of Pennsylvania (PA), AIDS Project Los Angeles, AIDS Treatment News, AIDS United, American Academy of HIV Medicine, American Society for Nephrology, American Transplant Foundation, amfAR, The Foundation for AIDS Research, Association of Nurses in AIDS Care, Association of Organ Procurement Organizations, Birmingham AIDS Outreach (AL), Cascade AIDS Project (OR), Center for HIV Law and Policy, Community Access National Network, Dialysis Patient Citizens, Eye Bank Association of America, Fenway Health/Fenway Institute (MA).

Gay & Lesbian Medical Association; Health Professionals Advancing LGBT Equality, Gay Men's Health Crisis, HealthHIV, HIV Dental Alliance, HIV Medicine Association, Human Rights Campaign, Infectious Diseases Society of America, Lambda Legal, Latino Commission on AIDS, Mendocino County AIDS/Viral Hepatitis Network (CA), Moveable Feast, NATCO, The Organization for Transplant Professionals, National Minority AIDS Council.

Okaloosa AIDS Support & Informational Services, Inc. (FL), RAIN Oklahoma (OK), Renal Physicians Association, San Francisco AIDS Foundation, The AIDS Institute, Transplant Recipients International Organization, Treatment Action Group, US Positive Women's Network, VillageCare (NY), Warren Clinic for Pediatric Infectious Diseases (OK).

Mr. PITTS. Mr. Speaker, I submit for the RECORD an exchange of letters between the Committee on Energy and Commerce and the Committee on the Judiciary on H.R. 698, the House companion bill to S. 330.

Mr. Speaker, I urge support for this bipartisan commonsense legislation, and I yield back the balance of my time.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
Washington, DC, July 22, 2013.

Hon. FRED UPTON,  
Chairman, Committee on Energy and Commerce,  
Washington, DC.

DEAR CHAIRMAN UPTON: I am writing with respect to H.R. 698, the "HIV Organ Policy Equity Act," which the Committee on Energy and Commerce reported favorably on July 17, 2013. As a result of your having consulted with us on provisions in H.R. 698 that fall within the rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our Committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 698 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 698, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 698.

Sincerely,

BOB GOODLATTE,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, July 23, 2013.

Hon. BOB GOODLATTE,  
Chairman, Committee on the Judiciary,  
Washington, DC.

DEAR CHAIRMAN GOODLATTE: Thank you for your letter regarding H.R. 698, the "HIV Organ Policy Equity Act." As you noted, there are provisions of the bill that fall within the rule X jurisdiction of the Committee on the Judiciary.

I appreciate your willingness to forgo action on H.R. 698, and I agree that your decision is not a waiver of any of the Committee on the Judiciary's jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward to address any remaining issues in the Committee's jurisdiction. In addition, I understand the Committee reserves the right to seek the appointment of conferees to any House-Senate conference involving this or similar legislation, for which you will have my support.

I will include a copy of your letter and this response in the Congressional Record during consideration of H.R. 698 on the House floor.

Sincerely,

FRED UPTON,  
Chairman.

Mr. WAXMAN. Mr. Speaker, I rise in support of S. 330, the HIV Organ Policy Equity Act or HOPE Act. And I urge my colleagues to join me in voting for passage of S. 330 today, which will send this bill on to the President for his signature.

In the early years of the HIV/AIDS epidemic, the National Organ Transplant Act was

amended to ban the transplantation of organs infected with the HIV virus. Today—more than two decades after this ban was put in place—an HIV-positive diagnosis is no longer a death sentence. More and more HIV-positive Americans are living longer with antiretroviral treatment and finding themselves on waitlists for organs along with tens of thousands of others. Organ transplantation also now occurs using Hepatitis C-positive organs for transplant in patients who have the Hepatitis C virus. This development is notable given similarities in the transmission modes of the HIV and Hepatitis C viruses.

The HOPE Act updates the National Organ Transplant Act to reflect the current medical and scientific understanding of HIV/AIDS. The bill creates a pathway for future HIV-positive to HIV-positive organ donation—beginning first with research. The Secretary of Health and Human Services is directed to develop research criteria for HIV-positive to HIV-positive organ donation. The Secretary is also required to conduct an annual review of research results and—if she deems the research findings warrant this action—direct the Organ Procurement and Transplant Network to revise standards for organ transplantation with HIV-infected organs. S. 330 also amends the Federal criminal code to specify that organ donation consistent with the HOPE Act would not violate the current prohibition in Federal law.

I believe this measure represents an important step forward in updating our organ transplant procedures to reflect the current state of the science. Importantly, S. 330 could also increase organs available for donation—saving hundreds of lives each year.

I want to commend Congresswoman CAPPS and Congressman HARRIS for their leadership on this critical issue in the House. I also want to acknowledge the contributions of Senators BOXER and COBURN, the sponsors of the legislation we are considering today.

I urge my colleagues to join me in supporting the HOPE Act and sending this commonsense, bi-partisan measure to the President.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, S. 330.

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

A motion to reconsider was laid on the table.

#### VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2013

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (S. 893) to provide for an increase, effective December 1, 2013, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 893

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Veterans’ Compensation Cost-of-Living Adjustment Act of 2013”.

#### SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—Effective on December 1, 2013, the Secretary of Veterans Affairs shall increase, in accordance with subsection (c), the dollar amounts in effect on November 30, 2013, for the payment of disability compensation and dependency and indemnity compensation under the provisions specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) WARTIME DISABILITY COMPENSATION.—Each of the dollar amounts under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts under section 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount under section 1162 of such title.

(4) DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSE.—Each of the dollar amounts under subsections (a) through (d) of section 1311 of such title.

(5) DEPENDENCY AND INDEMNITY COMPENSATION TO CHILDREN.—Each of the dollar amounts under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—Each dollar amount described in subsection (b) shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2013, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(d) SPECIAL RULE.—The Secretary of Veterans Affairs may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons under section 10 of Public Law 85-857 (72 Stat. 1263) who have not received compensation under chapter 11 of title 38, United States Code.

(e) PUBLICATION OF ADJUSTED RATES.—The Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b), as increased under subsection (a), not later than the date on which the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2014.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

#### GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include any extraneous material on S. 893.

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

There was no objection.

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

As chairman of the House Committee on Veterans’ Affairs, I rise today in

support of S. 893, the Veterans’ Compensation Cost-of-Living Adjustment Act of 2013.

Mr. Speaker, it is entirely appropriate that we consider this legislation today after we honored America’s veterans yesterday.

This is critically important legislation that authorizes a cost-of-living increase for disabled veterans in receipt of disability compensation payments from VA, veterans’ clothing allowance payments, and other compensation for survivors of veterans who die as a result of their service to this country. The amount of the increase is determined by the consumer price index, which also controls the cost-of-living adjustment for Social Security beneficiaries. That increase is scheduled to be 1½ percent.

I want to thank Congressman RUNYAN of New Jersey, the chairman of the Subcommittee on Disability Assistance and Memorial Affairs, for introducing H.R. 569, which was the companion bill to this piece of legislation.

I urge all my colleagues to support S. 893, and I reserve the balance of my time.

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

Yesterday was Veterans Day. Its origin began 95 years ago on the 11th hour of the 11th day of the 11th month. The armistice was signed marking the end of World War I. The next year we saw the first commemoration of Armistice Day, which became Veterans Day in 1954. Every Veterans Day since then has been a day of remembrance and commemoration for all of our veterans.

Today, we have the opportunity to put the thoughts and feelings of Veterans Day into practical action. Today, with the agreement of the House, we will ensure that veterans continue to receive the support they need.

On October 28, the Senate passed S. 893, the Veterans’ Compensation Cost-of-Living Adjustment Act of 2013, which provides that veterans receive a projected 1.5 percent cost-of-living adjustment beginning in January.

This bill directs the VA to increase the rate of basic compensation for disabled veterans and the rate of dependency and indemnity compensation for their survivors and dependents.

Since 1976, Congress has acted annually to increase these benefits by an amount estimated to keep pace with inflation. This year’s increase is the same as that provided to Social Security recipients.

Without this annual COLA increase, veterans, their families, and survivors would see the value of their hard-earned benefits slowly erode.

□ 1745

Many of the millions of veterans and survivors who receive monthly benefits depend upon these payments in order to make ends meet. For some, it is their only source of income.

Providing for a cost-of-living increase is an important thing that we

all can do to help veterans and ensure that the value of their benefits does not decrease over time due to inflation. It is a way that we can, the day after Veterans Day, thank our veterans again for their service and their sacrifice. I urge my colleagues to support S. 893.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. RUNYAN), the chairman of the Subcommittee on Disability Assistance and Memorial Affairs.

Mr. RUNYAN. Mr. Speaker, I thank Chairman MILLER for yielding me this time.

I rise today in strong support of S. 893, the Veterans' Compensation Cost-of-Living Adjustment Act of 2013. This bill is a companion bill to H.R. 569, which I introduced earlier this year in the House of Representatives. H.R. 569 was included in H.R. 357, which passed the House Veterans' Affairs Committee earlier this year.

S. 893 provides a cost-of-living adjustment to veterans' disability compensation, survivors' dependency and indemnity compensation, and other benefits.

Mr. Speaker, many disabled veterans depend on these benefits to make ends meet, and this bill will assist these veterans as the cost-of-living continues to increase.

While I am very supportive of this bill, I would like to once again state that it is unfortunate that we have to be here to pass this bill each and every year. That is why I introduced H.R. 570, the American Heroes COLA Act, which would authorize a COLA every year without congressional action. This would ensure that the COLA for the most deserving Americans is not tied to action or inaction in Washington.

The House passed H.R. 570 earlier this year, and I remain hopeful that our colleagues in the Senate will follow suit so we can provide this needed benefit to veterans and their families without having to wait on Congress to act.

Once again, I thank Chairman MILLER and the House leadership for bringing this important legislation to the floor. I urge all of my colleagues to fully support S. 893.

Mr. MICHAUD. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Speaker, I thank Chairman MILLER and thank Ranking Member MICHAUD for yielding me this time.

As the ranking member of the Disability Assistance and Memorial Affairs Subcommittee, I rise today in strong support of S. 893 to provide a COLA increase for disabled veterans.

In the wake of Veterans Day, let us take a lesson from President Kennedy's admonition that we should show our respect for our heroes not just through words, but through actions. This legislation is an opportunity for us to take such action. With its passage, Congress

can show tangible support for our Nation's heroes.

Unlike with Social Security recipients, Congress is required to adjust veterans' COLAs every year. S. 893 would make that important adjustment for next year. That's a good thing that I support, but I would also urge the Senate in the meantime to pass H.R. 570, the American Heroes COLA Act, that would allow for an automatic COLA increase so that veterans' benefits are not subject to any congressional delay. Making the adjustment automatic would remove this important benefit from the capriciousness of partisan politics or personal grandstanding.

This bill was introduced in a bipartisan fashion by our subcommittee chairman, JON RUNYAN, and me. It was unanimously approved by the House in May and is awaiting action down the hall. So, while we await the passage of that automatic increase, passing S. 893 is an important step forward. I support it. It will ensure that our Nation's heroes receive all the benefits they have earned, and I encourage my colleagues to support it as well because this will be a true recognition of the veterans whose service and sacrifice we honored yesterday.

Mr. MILLER of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. BENISHEK), the chairman of the Subcommittee on Health.

Mr. BENISHEK. Mr. Speaker, I rise today in support of S. 893, legislation to provide a 2014 cost-of-living adjustment to disabled veterans and their survivors. With prices going up for groceries, gas, and utilities, an increase is needed for our veterans and their families in northern Michigan.

However, without this legislation, there would be no COLA. As a doctor who served at the VA hospital in Iron Mountain for 20 years and the father of a Navy veteran, I am disappointed that our veterans are once again put at risk of being held hostage to Washington politics. Those who serve our Nation should never have to wonder whether or not Congress will provide them with the benefits they have earned.

In May, the House passed the American Heroes COLA Act, introduced by the gentleman from New Jersey (Mr. RUNYAN). This legislation will permanently tie the COLA to the consumer price index, the same as Social Security disability.

I urge the Senate to immediately act on the American Heroes COLA Act and join the House of Representatives in a clear statement that our veterans must not be used as pawns in Washington political games. I urge support of S. 893.

MR. MICHAUD. Mr. Speaker, I have no further speakers, so I urge my colleagues to support S. 893 and send this important bill to the President today.

I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I too ask all of my colleagues to support S. 893.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, S. 893.

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

A motion to reconsider was laid on the table.

#### REALIGNMENT OF SOUTHERN JUDICIAL DISTRICT OF MISSISSIPPI

Mr. HOLDING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2871) to amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2871

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

#### SECTION 1. REALIGNMENT OF SOUTHERN JUDICIAL DISTRICT OF MISSISSIPPI.

Section 104(b) of title 28, United States Code, is amended to read as follows:

“Southern District

“(b) The southern district comprises four divisions.

“(1) The Northern Division comprises the counties of Copiah, Hinds, Holmes, Issaquena, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Sharkey, Smith, Warren, and Yazoo.

Court for the Northern Division shall be held at Jackson.

“(2) The Southern Division comprises the counties of George, Greene, Hancock, Harrison, Jackson, Pearl River, and Stone.

Court for the Southern Division shall be held at Gulfport.

“(3) The Eastern Division comprises the counties of Clarke, Covington, Forrest, Jasper, Jefferson Davis, Jones, Lamar, Lawrence, Marion, Perry, Wayne, and Walthall.

Court for the Eastern Division shall be held at Hattiesburg.

“(4) The Western Division comprises the counties of Adams, Amite, Claiborne, Franklin, Jefferson, Lincoln, Pike, and Wilkinson. Court for the Western Division shall be held at Natchez.”.

#### SEC. 2. EFFECTIVE DATE.

This Act and the amendment made by this Act shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. HOLDING) and the gentleman from North Carolina (Mr. WATT) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. HOLDING).

GENERAL LEAVE

Mr. HOLDING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2871.

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

There was no objection.

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

H.R. 2871 is a simple and straightforward bill that responds to a single question: How should the Federal judicial districts in Mississippi be organized to best serve the needs of litigants, jurors, the bar, and the public once the Meridian, Mississippi, courthouse is permanently closed?

The answer was developed by an ad hoc committee of judges that was formed late last year; and to their credit, they fashioned a solution that has been reviewed and endorsed by everyone from the affected local bar associations and the Inns of Court to the Judicial Conference of the United States.

Specifically, the committee recommended, one, abolishing the Southern District's current Eastern Division; two, modifying the statutory designations of places to hold court; three, realigning the remaining four divisions and places of holding court; and, four, renaming the realigned divisions.

The judiciary and offices within the Department of Justice have reported that they will achieve significant cost savings when this proposal is fully implemented. Quite simply, Mr. Speaker, the sooner we enact this bill, the sooner these savings can be realized.

But beyond the goal of containing unnecessary costs, this legislation is a priority since the affected courts are engaged in the time-consuming and expensive process of replenishing their jury wheel. That process requires the courts to identify the names of possible jurors for criminal trials and grand jury service for the next 4 years and to provide proportional representation under the new divisions. And that process is on hold until Congress passes and the President signs this bill.

Acting through the Administrative Office of the Courts, the judiciary approached the gentleman from North Carolina, the chairman of the Courts, Intellectual Property and the Internet Subcommittee, Representative HOWARD COBLE. Chairman COBLE immediately recognized the importance of moving this legislation expeditiously and personally committed his efforts to ensure its passage.

On behalf of the full committee chairman, the gentleman from Virginia (Mr. GOODLATTE), I also want to recognize the efforts of the ranking member, Mr. WATT, and the other cosponsors of this bill, which include Representatives HARPER, THOMPSON, and PALAZZO from Mississippi, for their bipartisan support and advocacy.

The Committee on the Judiciary reported this bill unanimously in September. It is supported not only by those that I have mentioned, but also by Senators COCHRAN and WICKER from Mississippi, who are committed to doing everything possible to advance the bill through the other body without delay.

In summary, this is a good bill and it is urgently needed to ensure the Fed-

eral courts in Mississippi are authorized and organized to function in the most economically efficient and least disruptive manner as possible. I urge my colleagues to support its passage.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 2871, which I am pleased to be a cosponsor of. This straightforward, bipartisan measure will realign the Southern District of Mississippi. The bill has widespread support that includes Representative BENNIE THOMPSON, who represents a part of Mississippi, as well as the affected judges and local bar.

Rarely is a bill introduced that is forthright, uncomplicated, has universal bipartisan support, and is expected to save money. H.R. 2871 has all of these characteristics.

The bill simply reorganizes the existing district into four divisions which will be designated as northern, southern, eastern, and western divisions. This simple reorganization is estimated to save approximately \$135,000 due to reduced expenditures for juries and the services of the U.S. Marshals. I urge my colleagues to support this commonsense measure.

I reserve the balance of my time.

Mr. HOLDING. Mr. Speaker, it is with pleasure that I yield such time as he may consume to the gentleman from North Carolina (Mr. COBLE), the leader of the North Carolina delegation and the chairman of the Subcommittee on Courts.

Mr. COBLE. Mr. Speaker, I thank the gentleman from North Carolina for yielding me this time.

Both gentlemen from North Carolina have pretty well covered this issue, and I will try to not be repetitive.

I rise in support of H.R. 2871.

The legislation will realign the Southern Judicial District in Mississippi. It has been reviewed and is fully supported by members of the majority and the minority from Mississippi.

H.R. 2871 was introduced in response to a plan originally developed by a committee of Federal judges from Mississippi, which was charged with formulating a plan to close the Meridian courthouse. This courthouse is the only court facility located in the Eastern Division of Mississippi's Southern Judicial District. The primary goal of the judges' committee was to recommend a realignment that best serves the needs of litigants, jurors, the bar, and the public.

Given the review and endorsement of the Judicial Conference, the Fifth Circuit Judicial Council, the judges, U.S. attorney, and Federal public defender, local bar association, and Inns of Court, it appears that the judges performed their duty in an exemplary fashion.

□ 1800

In brief, H.R. 2871, Mr. Speaker, aligns and redesignates the judicial

districts and places of holding court in Mississippi to improve the judicial efficiency.

The CBO estimates that H.R. 2871 will create no budgetary impact. Its enactment will enable the affected judges, bar, and the public to be better served by a more rational structure, organization, and composition of Federal judicial districts in Mississippi and permit the Federal judiciary and the Department of Justice to achieve substantial cost savings.

H.R. 2871 is a good bill, as has been pointed out, and I encourage my colleagues to support that proposal.

Mr. WATT. Mr. Speaker, as I have no further speakers, I urge my colleagues to support this bipartisan, commonsense bill, and I yield back the balance of my time.

Mr. HOLDING. Mr. Speaker, I want to thank very much Chairman COBLE for his words. I also want to thank him for his friendship and his mentorship and the leadership that he has shown in this body on the Judiciary Committee, and particularly on the subcommittee for intellectual property and the courts.

I urge my colleagues to join with us in support of this bipartisan, commonsense legislation to efficiently reorganize the courts in Mississippi, and I urge a "yes" vote on this.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 2871 but also ask that this body continue to work assiduously on the remaining budget matters so that the judicial branch has the funding to do its work that every American has a fair trial—and that they do not have to drive so far that they need to camp out overnight.

In 2012, the Judicial Conference of the United States recommended that certain federal court facilities be closed. This includes leased court space in Meridian, Mississippi. An ad hoc committee of judges, which included the Chief U.S. District Judge for the Southern District of Mississippi, was convened to review the issues created by the closure and to recommend the best course of action. I am aware like most Members, that cost-savings are extremely important—but we should be mindful of any perceived inconveniences to plaintiffs and defendants—in a state that is regularly ranked one of the poorest.

Moreover, with numerous nominees of President Obama being held up in the Senate via a nominations process that has in fact become an allegations process, I am also inclined to agree with the judgment of the Judicial Conference of the United States and the Chief Justice of the United States that additional judgeships should be created in many parts of the country in order to ensure that the Constitution's promise of justice is fulfilled.

But the need for Congress to create new judgeships aside, I believe the first step in resolving the crisis in our courts is to fill all the existing district and circuit court seats. As of today, there are 91 total vacancies—74 in district courts and 17 in circuit courts. Astonishingly, there are more empty judgeships now than when President Obama took office, almost five years ago. So while it may be appropriate to eradicate duplicity—let this House institute other reforms in a bipartisan manner so

that access to justice is not an abstract notion. Indeed though—we all know that the Senate holds nearly all the cards in this part of the discussion.

We must ultimately consider the effect the proposed changes have on the court's efficiency and stability of the rule of law in the circuit. My experience is that a decrease in space might lead one to believe that justice might be negatively affected but considering that my colleagues from both sides of the aisle are in full support—we must wait and see and hope that justice is not too deliberate in the affected areas of Mississippi.

The chief argument for this legislation is cost-cutting and simplification—but the Judicial Committee did this with an eye on the budget matters that we have dealt with in this body and Mr. Speaker, I must say that if the cost-savings do not injure the provision of justice then this legislation is supportable in its present form.

I urge my colleagues to Support this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. HOLDING) that the House suspend the rules and pass the bill, H.R. 2871.

The question was taken.

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

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

The yeas and nays were ordered.

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

#### EXTENSION OF AUTHORITY OF SUPREME COURT POLICE TO PROTECT COURT OFFICIALS OFF SUPREME COURT GROUNDS

Mr. HOLDING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2922) to extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2922

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

#### SECTION 1. EXTENSION OF AUTHORITY OF SUPREME COURT POLICE TO PROTECT COURT OFFICIALS OFF SUPREME COURT GROUNDS.

Section 6121(b)(2) of title 40, United States Code, is amended by striking “2013” and inserting “2019”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. HOLDING) and the gentleman from North Carolina (Mr. WATT) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. HOLDING).

GENERAL LEAVE

Mr. HOLDING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous mate-

rials on H.R. 2922, currently under consideration.

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

There was no objection.

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

H.R. 2922 is a simple and straightforward measure that accomplishes one purpose. It extends for a period of 6 years the longstanding authority of the Supreme Court Police to provide appropriate security and protective services to Justices, Court employees, and official guests of the Court.

Mr. Speaker, article III of the Constitution provides, in part, “the judicial power of the United States, shall be vested in one Supreme Court.” It is essential to the functioning of the Supreme Court that Justices, Court employees, and their official visitors be able to perform their critical duties with the knowledge that they are provided adequate and appropriate protective services.

For more than three decades, Mr. Speaker, Congress has specifically authorized the Supreme Court Police to provide limited security beyond the Court building for these specific classes of persons. This authority, which is due to expire at the end of this year, has been extended by Congress seven times since 1986. H.R. 2922 is a straightforward extension of this authority for an additional 6 years.

Mr. Speaker, I served in the Federal law enforcement community as a United States attorney in the Eastern District of North Carolina, and I understand that we can never take security for granted. That is why I decided to personally introduce this bill earlier this year.

I want to thank the chairman of the committee, the Honorable BOB GOODLATTE, for recognizing the significance of this bill and moving it forward. I also want to thank the outstanding support of the ranking member of the full committee, Mr. CONYERS, and chairman and vice chairman and ranking member of the Courts, Intellectual Property, and the Internet Subcommittee, Representatives COBLE, MARINO, and WATT, respectively, for their bipartisan leadership and cooperation in helping to advance this measure.

In closing, Mr. Speaker, this is a good and noncontroversial bill that deserves the House's support. It is also one that we have good reason to expect will be taken up in the other body in the very near future.

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

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

I rise in support of H.R. 2922. I thank the chairman of the committee, Mr. GOODLATTE, and the gentleman from North Carolina (Mr. HOLDING) for introducing this commonsense legislation on which I am also an original cosponsor.

This bill extends the authority of the U.S. Marshal Service and the Supreme Court Police to provide for the security of the Justices on and off the grounds of the Supreme Court for an additional 6 years. It also authorizes those enforcement agencies to protect Supreme Court employees performing their official duties and official guests of the Court when they are not on Court premises.

In 1982, Congress first responded to the call of Chief Justice Warren Burger to provide for the safety of the Justices while traveling or away from the Court grounds. Since then, Congress has regularly reauthorized the statute for various lengths of time.

H.R. 2922 provides for an extension for a period of 6 years. Because the current authorization expires in a matter of months on December 31, 2013, it is imperative that we act to provide the Justices the security we have sanctioned over the years.

The work of the Supreme Court is vital to our Nation, and the role of any one Justice can tip the scales one way or the other on matters of grave consequence. The security we have consistently authorized since 1982 seems to work well, and we should act expeditiously to prevent a lapse in security for the Justices, employees, and dignitaries visiting the Court.

Mr. Speaker, I have no further requests for speakers, and I urge my colleagues to support this important bill.

I yield back the balance of my time.

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

This is a bipartisan measure that extends long-existing previous policy, and it is certainly critically needed and should be done as soon as possible so as not to run up against the deadline at the end of the year.

Mr. WATT. Will the gentleman yield?

Mr. HOLDING. I yield to the gentleman from North Carolina.

Mr. WATT. Mr. Speaker, for the record, I neglected to indicate in my comments that our colleague, the chair of the subcommittee, announced last week during the period that we were out on the Veterans Day district work period that he was not planning to run for Congress again, and I hadn't recognized that he was still on the floor.

So I wanted to express how important a contribution he has made to this institution for many years. I am not going to tell you how many. More than I have been here, and I have been here 21 years. He was here when I got here. I always tell people that, of all of the people in the North Carolina delegation when I was elected to Congress, he was the first member of the North Carolina delegation to come to my office and welcome me to Congress, and we have been very good friends ever since then. I am sure all of his virtues in the next year will be appropriately extolled, but it is going to be a big loss for us.

I appreciate the gentleman yielding to me to make those comments because I thought Mr. COBLE had left the

floor, and I had intended to make them earlier when he was here. I am glad to see he is here.

Mr. COBLE. Will the gentleman yield?

Mr. HOLDING. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. COBLE), the leader of the North Carolina delegation.

Mr. COBLE. I thank the gentleman.

MEL, I appreciate those generous words. Thank you for your generous words as well. I won't be verbose or lengthy, but just thanks to all of you.

I have another year, MEL. I won't be gone for another year. Thank you.

Mr. Speaker, it is certainly a pleasure to be here on the floor with Chairman COBLE. It is just a point of personal privilege to say that, long ago when I was a staff member up here on Capitol Hill, I had a conversation with the chairman and asked him what I should do next. He suggested that I go and be an assistant United States attorney just like he was before he came to Congress.

Mr. Speaker, I urge a "yes" vote on this, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of this legislation which like others before us, demonstrates the Congressional power over the Supreme and federal courts in even the most mundane matters—in this case—security.

It is critical to the day-to-day functioning of the Supreme Court that Justices, Court employees, and visitors to the Court be provided with adequate and appropriate protection. The Supreme Court Police are charged with enforcing the law at the Supreme Court building and its grounds as well as protecting Justices and other court employees on and off the grounds. Congress has provided statutory authority for the Supreme Court Police to provide security beyond the Court building for Justices, Court employees and official visitors since 1982. Since 1986, Congress has extended this off-grounds authority seven times and recent events tend to demonstrate that this authority is as important as ever.

The authority is due to sunset on December 31, 2013 and the current authority and jurisdiction of the Supreme Court Police is essential to the force's performance of its everyday duties. Supreme Court Police regularly provide security to Justices by transporting and accompanying them to official functions in the Washington, D.C., metropolitan area, and on occasion, outside the area when they or official guests travel on Court business. Threats to personal safety may require Justices to be accompanied by police between their home and the Court—and although incidents have been few—we must continue to be vigilant to any and all security matters.

I close by harking back to our Founders, the men who forged the underpinnings of this great nation. They had the vision and forethought to craft what is the world's most admired democracy, replete with the vaunted three branches of government. It is not perfect though, and in my role as a representative for the people of the 18th District of Texas, I humbly seek to make it better and the passage of this bipartisan legislation today moves us clos-

er to working in harmony on other matters affecting the Judiciary—matters which the American people are asking us to do. I am certain that on that score we share the same values.

I urge my colleagues to Support this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. HOLDING) that the House suspend the rules and pass the bill, H.R. 2922.

The question was taken.

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

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

The yeas and nays were ordered.

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

#### SUPPORTING THE RIGHT TO COUNSEL

Mr. HOLDING. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 196) supporting the Sixth Amendment to the United States Constitution, the right to counsel, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

##### H. RES. 196

Whereas on March 18, 1963, the Supreme Court recognized in *Gideon v. Wainwright* that counsel must be provided to indigent defendants in all felony cases;

Whereas the Supreme Court held that providing counsel to indigent defendants in all felony cases meets the essential requirements of the Sixth Amendment to the United States Constitution; and

Whereas the Supreme Court held in *Argersinger v. Hamlin* that absent a knowing and intelligent waiver, no person may be imprisoned for any offense, whether classified as petty, misdemeanor, or felony, unless they were represented by counsel at their trial: *Resolved*, therefore, be it

*Resolved*, That the House of Representatives—

(1) supports the Sixth Amendment to the United States Constitution, the right to counsel;

(2) supports strategies to improve the criminal justice system to ensure that indigent defendants in all felony cases are adequately represented by counsel; and

(3) urges States to work to ensure that indigent defendants in all felony cases are adequately represented by counsel.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. HOLDING) and the gentleman from Florida (Mr. DEUTCH) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

##### GENERAL LEAVE

Mr. HOLDING. Mr. Speaker, I asks unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H. Res. 196, currently under consideration.

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

There was no objection.

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

The Sixth Amendment of the United States Constitution states that "in all criminal prosecutions, the accused shall enjoy the right . . . to have the assistance of counsel for his defence." H. Res. 196 supports the Sixth Amendment, the right to counsel, and strategies to ensure that indigent defendants in all felony cases are adequately represented by counsel.

Fifty years ago, Mr. Speaker, the Supreme Court, in *Gideon v. Wainwright*, held that providing counsel to indigent defendants is one of the essential requirements of the Sixth Amendment. Writing for the majority, Justice Black stated:

From the very beginning, our State and national constitutions and laws have laid great emphasis on procedural and substantive safeguards designed to assure fair trials before impartial tribunals in which every defendant stands equal before the law.

Since the *Gideon* decision, the Supreme Court has held that absent a knowing and intelligent waiver, no person may be imprisoned for any offense, whether classified as petty, misdemeanor, or felony, unless that person was represented by counsel at his or her trial.

This resolution reaffirms Congress' continued commitment to pursuing fairness in our criminal justice system and calls on States to help ensure that defendants are adequately represented by counsel.

I urge Members to support it, and I reserve the balance of my time.

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

At the beginning of this Congress, Members read aloud the Constitution of the United States from the floor of this very Chamber. That reading, of course, included the Bill of Rights, those first 10 amendments so vital to protecting the individual freedoms of all Americans.

Today, I urge my colleagues to support the passage of H. Res. 196, a bipartisan resolution affirming our support for the Sixth Amendment to our Constitution.

The Sixth Amendment guarantees the right of all Americans to a fair trial. It also reads, "In all criminal prosecutions, the accused shall . . . have the assistance of counsel for his defence."

We all agree that the right to counsel for anyone accused of a crime is the foundation of individual liberty. It is essential to the rule of law and the basic principle that, in America, the government cannot take away any citizen's freedom without a fair trial. H. Res. 196 is a bipartisan resolution reaffirming the support of this Congress for the Sixth Amendment right to counsel at a time when this right is too often trampled in our modern-day justice system.

Fifty years ago, the U.S. Supreme Court recognized, in the landmark case, *Gideon v. Wainwright* that access to quality legal representation is essential to a fair trial, and that even Americans too poor to afford an attorney have a right to counsel.

□ 1815

This landmark opinion held that States and localities have a Sixth Amendment constitutional obligation to provide counsel to indigent defendants. Yet, a half century later, the reality is that we continue to struggle to honor the right to counsel upheld in *Gideon*.

Reports by the Department of Justice, the American Bar Association, the Constitution Project, as well as innumerable law review articles by top experts in criminal law, have revealed how legal representation for indigent defendants often has been undermined by crushing caseloads, inadequate funding, and other obstacles. It has been estimated that 80 to 90 percent of all persons charged with a criminal offense qualify as being indigent and cannot afford an attorney.

The American Bar Association, in its comprehensive report, "Gideon's Broken Promise," concluded that "thousands of persons are processed through America's courts every year either with no lawyer at all or with a lawyer that does not have the time, the resources or, in some instances, the inclination to provide effective representation."

All too often, defendants plead guilty, even if they are innocent, without really understanding their legal rights or what is occurring.

In this time of limited resources, the right to counsel has also been undermined by cuts to funding for indigent defense. These cuts have eliminated training programs to keep lawyers informed of criminal justice best practices and have limited the ability of lawyers for indigent defendants to access investigators or experts essential to adequately representing their clients.

We pay a hefty price when we fail to uphold the Sixth Amendment of our Constitution. It is not uncommon for indigent people without an attorney to sit in jail for weeks or months, causing the loss of a job, a home and, in some instances, the loss of a family.

Failing to provide adequate counsel to indigent defendants can also lead to costly extended pretrial detentions, costs associated with appellate litigation, costs for appellate defense counsel, prosecutors and appellate courts, incarceration costs of indigent people during the appeals process, and other unnecessary costs.

From our unsustainably high rates of incarceration to the lives of families torn apart by unnecessary jail time and wrongful convictions, Congress can't afford to ignore the economic and moral costs of this crisis in our criminal justice system.

Our Nation's failure to uphold the Sixth Amendment has resulted in bloated prison and jail populations at the State and county levels, which hold more than 2.2 million people at a cost of \$75 billion per year. An additional 5 million people are on probation, parole, or supervised release.

Yet, Mr. Speaker, despite all the comprehensive reports, all the law review articles, and all the stories reported by the media, the fundamental right of an indigent defendant to adequate counsel remains at risk.

The situation is dire. Look no further than a recent determination made by the Florida Supreme Court allowing the Miami-Dade Public Defender's Office to withdraw from 21 criminal cases because of excessive workload and underfunding. In fact, it was found that approximately 400 felony cases were being assigned to the average public defender, and public defenders in third-degree felonies had as many as 50 cases set for trial in a week.

These facts provide us with just a glimpse into a growing crisis within our criminal justice system. There is no question that States and localities are struggling to provide adequate and well-resourced lawyers to indigent defendants.

Ensuring that all Americans, regardless of their financial resources, have access to a lawyer is essential to our system of justice. Our failure to uphold the Sixth Amendment undermines the premise that, in America, every person has the right to a fair trial and is presumed innocent until proven guilty.

H. Res. 196 is a product of bipartisanship. I would like to thank the House Judiciary Committee Chairman BOB GOODLATTE for his support of this legislation and the Sixth Amendment right to counsel.

I would also like to thank Congressman STEVE CHABOT for all of his hard work on this resolution and for working to ensure that indigent people in the criminal justice system are adequately represented by counsel.

I also want to recognize Ranking Member JOHN CONYERS and Crime Subcommittee Ranking Member BOBBY SCOTT for their support of this resolution.

For my colleagues who are as concerned as I am about the state of indigent defense in America, I invite you not just to support today's resolution but to join me as a cosponsor of H.R. 3407, the National Center for the Right to Counsel Act. This legislation aims to improve financial and training resources for State and local public defense systems and encourage the adoption of best practices for the delivery of legal services to indigent defendants.

The bill would equip States and localities with more tools to implement their own indigent defense systems and meet their constitutional obligations as defined by the Supreme Court in *Gideon v. Wainwright*. I look forward to working with colleagues on both sides of the aisle on this legislation.

Mr. Speaker, the first step toward solving any problem is confronting it, and that is why I am so pleased to have H. Res. 196 on the floor today. The Supreme Court recognized in *Gideon* that "the right of one charged with crime to counsel may not be deemed fundamental and essential to fair trials in some countries, but it is in ours."

It is long past time that the House of Representatives engage, debate, and develop strategies to assist the States with improving the delivery of indigent defense services.

I urge my colleagues to support the right to counsel enshrined in the Sixth Amendment of the Constitution and to join me in supporting H. Res. 196.

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

Mr. HOLDING. Mr. Speaker, I urge my colleagues to support this measure and vote "yes."

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise to offer a full-throated support of H. Res. 196, which upholds the Sixth Amendment Right to Counsel, as laid out in the Supreme Court case of *Gideon v. Wainwright*.

The Supreme Court's landmark decision in *Gideon v. Wainwright* affirmed that everyone, whether rich or poor, has the right to an attorney in a criminal proceeding. Fifty years later though, sequestration's devastating cuts to federal defender services are jeopardizing the constitutional rights of Americans around the nation and ultimately resulting in higher costs—which is why this resolution—H. Res. 196—is utterly important. The case law and enunciation of this right began in *Powell v. Alabama*, in which the Court set aside the convictions of eight black youths sentenced to death in a hastily carried-out trial without benefit of counsel.

Justice Sutherland stated that due process always requires the observance of certain fundamental personal rights associated with a hearing, and "the right to the aid of counsel is of this fundamental character." This observation was about the right to retain counsel of one's choice and at one's expense, and included an eloquent statement of the necessity of counsel. "The right to be heard would be, in many cases, of little avail if it did not comprehend the right to be heard by counsel. Even the intelligent and educated layman has small and sometimes no skill in the science of law. If charged with crimes, he is incapable, generally, of determining for himself whether the indictment is good or bad. He is unfamiliar with the rules of evidence. Left without the aid of counsel he may be put on trial without a proper charge, and convicted upon incompetent evidence, or evidence irrelevant to the issue or otherwise inadmissible. He lacks both the skill and knowledge adequately to prepare his defense, even though he have a perfect one. He requires the guiding hand of counsel at every step in the proceedings against him. Without it, though he be not guilty, he faces the danger of conviction because he does not know how to establish his innocence

Clarence Earl Gideon, could not afford a lawyer to defend him in court, and he was convicted. Gideon challenged his conviction—all the way to the Supreme Court. The result was the landmark case *Gideon v. Wainwright*, which guarantees poor defendants in Houston,

the state of Texas, and all around this great nation, the right to counsel in criminal cases. Indeed Mr. Speaker, just this weekend a horrific shooting took place in Houston that was reported all over—and just as with many crimes—our fine law enforcement officials set-out to find the perpetrators and it appears as if they have. It is in cases like these where the public's opinion is enflamed that Gideon is most importance—particularly in ensuring that the right persons have been apprehended.

Public defenders serve as the backbone of our legal system because they ensure that the Sixth Amendment right to effective counsel is maintained. It is critical that this body act to ensure that next year's sequestration cuts do not force federal defender organizations around the country to further reduce their operations, hindering their ability to provide competent and timely legal representation. This body must pass legislation to avert further cuts to defender services otherwise—it will result in an abdication of our constitutional duties, increased costs to the American taxpayer, and a severe degradation of our criminal justice system in Texas and beyond.

In this body we often disagree on the scope and breadth of recent budget cuts, but we must all work to ensure that a highly functioning criminal justice system is maintained and adequately funded. We have a responsibility to the Constitution to continue to fund this critically important program at workable levels. As we continue to debate a budget for fiscal year 2014, and the overall fiscal path for our nation, I urge my colleagues to address this critically important issue.

I urge my colleagues to Support this important resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. HOLDING) that the House suspend the rules and agree to the resolution, H. Res. 196, as amended.

The question was taken.

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

Mr. HOLDING. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 6 o'clock and 21 minutes p.m.), the House stood in recess.

□ 1829

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 6 o'clock and 29 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 2871, by the yeas and nays;

H.R. 2922, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

REALIGNMENT OF SOUTHERN JUDICIAL DISTRICT OF MISSISSIPPI

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2871) to amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. HOLDING) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 401, nays 0, not voting 29, as follows:

[Roll No. 571]

YEAS—401

Aderholt	Castro (FL)	Duncan (SC)
Amash	Castro (TX)	Duncan (TN)
Amodei	Chabot	Edwards
Andrews	Chu	Ellmers
Bachmann	Cicilline	Engel
Bachus	Clarke	Enyart
Barber	Clay	Eshoo
Barletta	Cleaver	Esty
Barr	Clyburn	Farenthold
Barrow (GA)	Coble	Farr
Bass	Coffman	Fattah
Beatty	Cohen	Fincher
Becerra	Cole	Fitzpatrick
Benishek	Collins (GA)	Fleming
Bentivolio	Collins (NY)	Flores
Bera (CA)	Conaway	Forbes
Bilirakis	Connolly	Fortenberry
Bishop (GA)	Conyers	Foster
Bishop (NY)	Cook	Foxx
Bishop (UT)	Cooper	Frankel (FL)
Black	Costa	Franks (AZ)
Blumenauer	Cotton	Frelinghuysen
Bonamici	Courtney	Fudge
Boustany	Cramer	Gabbard
Brady (PA)	Crawford	Galleo
Brady (TX)	Crenshaw	Garamendi
Bralley (IA)	Crowley	Garcia
Bridenstine	Cuellar	Gardner
Brooks (AL)	Culberson	Garrett
Brooks (IN)	Cummings	Gerlach
Broun (GA)	Daines	Gibbs
Brown (FL)	Davis (CA)	Gibson
Brownley (CA)	Davis, Danny	Gingrey (GA)
Buchanan	Davis, Rodney	Gohmert
Bucshon	DeFazio	Goodlatte
Burgess	DeGette	Gosar
Bustos	Delaney	Gowdy
Calvert	DeLauro	Granger
Camp	DelBene	Graves (GA)
Cantor	Denham	Graves (MO)
Capito	Dent	Grayson
Capps	DeSantis	Green, Al
Capuano	Deutch	Green, Gene
Cárdenas	Diaz-Balart	Griffin (AR)
Carney	Dingell	Griffith (VA)
Carson (IN)	Doggett	Grijalva
Carter	Doyle	Guthrie
Cartwright	Duckworth	Hahn
Cassidy	Duffy	Hall

Hanabusa	McDermott	Ryan (OH)
Hanna	McGovern	Ryan (WI)
Harris	McHenry	Salmon
Hartzler	McIntyre	Sánchez, Linda
Hastings (FL)	McKeon	T.
Hastings (WA)	McKinley	Sanchez, Loretta
Heck (NV)	McMorris	Sanford
Heck (WA)	Rodgers	Sarbanes
Hensarling	McNerney	Scalise
Higgins	Meadows	Schakowsky
Himes	Meehan	Schiff
Hinojosa	Meeks	Schneider
Holding	Meng	Schock
Holt	Messer	Schrader
Honda	Mica	Shmickert
Horsford	Michaud	Scott (VA)
Hoyer	Miller (FL)	Scott, Austin
Hudson	Miller (MI)	Scott, David
Huelskamp	Miller, Gary	Sensenbrenner
Huffman	Miller, George	Serrano
Huizenga (MI)	Moore	Sessions
Hultgren	Moran	Sewell (AL)
Hunter	Mullin	Shea-Porter
Hurt	Mulvaney	Sherman
Israel	Murphy (FL)	Shimkus
Issa	Murphy (PA)	Shuster
Jackson Lee	Nadler	Simpson
Jeffries	Napolitano	Sinema
Jenkins	Negrete McLeod	Sires
Johnson (GA)	Neugebauer	Smith (MO)
Johnson (OH)	Noem	Smith (NE)
Johnson, E. B.	Nolan	Smith (NJ)
Johnson, Sam	Nunes	Smith (TX)
Jordan	Nunnelee	Smith (WA)
Joyce	O'Rourke	Southerland
Kaptur	Olson	Speier
Keating	Owens	Stewart
Kelly (IL)	Palazzo	Stivers
Kelly (PA)	Pallone	Stockman
Kennedy	Pascrell	Stutzman
Kildee	Pastor (AZ)	Swalwell (CA)
Kilmer	Paulsen	Takano
Kind	Payne	Terry
King (IA)	Pearce	Thompson (CA)
King (NY)	Pelosi	Thompson (MS)
Kingston	Perlmutter	Thompson (PA)
Kinzinger (IL)	Perry	Thornberry
Kirkpatrick	Peters (CA)	Tiberi
Kline	Peters (MI)	Tierney
Kuster	Peterson	Tipton
Labrador	Petri	Titus
LaMalfa	Pingree (ME)	Tonko
Lamborn	Pitts	Tsongas
Lance	Pocan	Turner
Langevin	Poe (TX)	Upton
Lankford	Poils	Valadao
Larsen (WA)	Pompeo	Van Hollen
Larson (CT)	Posey	Vargas
Latham	Price (GA)	Veasey
Latta	Price (NC)	Vela
Lee (CA)	Quigley	Velázquez
Levin	Radel	Visclosky
Lewis	Rahall	Wagner
Lipinski	Rangel	Walberg
LoBiondo	Reed	Walden
Loebsack	Reichert	Walorski
Lofgren	Renacci	Walz
Long	Ribble	Wasserman
Longfellow	Rice (SC)	Schultz
Lowey	Richmond	Waters
Lucas	Rigell	Watt
Luetkemeyer	Roby	Waxman
Lujan Grisham	Roe (TN)	Weber (TX)
(NM)	Rogers (AL)	Webster (FL)
Luján, Ben Ray	Rogers (KY)	Whitfield
(NM)	Rogers (MI)	Williams
Maffei	Rokita	Wilson (FL)
Maloney,	Rooney	Wilson (SC)
Carolyn	Ros-Lehtinen	Wittman
Maloney, Sean	Roskam	Wolf
Marchant	Ross	Womack
Marino	Rothfus	Woodall
Massie	Roybal-Allard	Royce
Matheson	Gingrey (GA)	Yoder
McCarthy (CA)	Gohmert	Yoho
McClintock	Goodlatte	Ruppersberger
McCollum	Gosar	
	Gowdy	
	Granger	
	Graves (GA)	
	Graves (MO)	
	Grayson	
	Green, Al	
	Green, Gene	
	Griffin (AR)	
	Griffith (VA)	
	Grijalva	
	Guthrie	
	Hahn	
	Hall	

NOT VOTING—29

Barton	Harper	Pittenger
Blackburn	Herrera Beutler	Rohrabacher
Butterfield	Jones	Rush
Campbell	Lummis	Schwartz
Chaffetz	Lynch	Slaughter
DesJarlais	Matsui	Welch
Ellison	McCarthy (NY)	Wenstrup
Fleischmann	McCaul	Westmoreland
Grimm	Neal	Young (AK)
Gutiérrez	Nugent	

□ 1855

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**EXTENSION OF AUTHORITY OF SUPREME COURT POLICE TO PROTECT COURT OFFICIALS OFF SUPREME COURT GROUNDS**

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2922) to extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. HOLDING) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 399, nays 3, not voting 28, as follows:

[Roll No. 572]

YEAS—399

Aderholt	Clarke	Fattah
Amash	Clay	Fincher
Amodi	Cleaver	Fitzpatrick
Andrews	Clyburn	Fleming
Bachmann	Coble	Flores
Bachus	Coffman	Forbes
Barber	Cohen	Fortenberry
Barletta	Cole	Foster
Barr	Collins (GA)	Fox
Barrow (GA)	Collins (NY)	Frankel (FL)
Bass	Conaway	Franks (AZ)
Beatty	Connolly	Frelinghuysen
Becerra	Conyers	Fudge
Benishek	Cook	Gabbard
Bentivolio	Cooper	Gallego
Bera (CA)	Costa	Garamendi
Bilirakis	Cotton	Garcia
Bishop (GA)	Courtney	Gardner
Bishop (NY)	Cramer	Garrett
Bishop (UT)	Crawford	Gerlach
Black	Crenshaw	Gibbs
Blumenauer	Crowley	Gibson
Bonamici	Cuellar	Gingrey (GA)
Boustany	Culberson	Goodlatte
Brady (PA)	Cummings	Gosar
Brady (TX)	Daines	Gotdy
Braley (IA)	Davis (CA)	Granger
Bridenstine	Davis, Danny	Graves (GA)
Brooks (AL)	Davis, Rodney	Graves (MO)
Brooks (IN)	DeFazio	Grayson
Brown (GA)	DeGette	Green, Al
Brown (FL)	Delaney	Green, Gene
Brownley (CA)	DeLauro	Griffin (AR)
Buchanan	DelBene	Griffith (VA)
Bueshon	Denham	Grijalva
Burgess	Dent	Guthrie
Bustos	DeSantis	Hahn
Calvert	Deutch	Hall
Camp	Diaz-Balart	Hanabusa
Cantor	Dingell	Hanna
Capito	Doggett	Harris
Capps	Doyle	Hartzler
Capuano	Duckworth	Hastings (FL)
Cárdenas	Duffy	Hastings (WA)
Carney	Duncan (SC)	Heck (NV)
Carter	Duncan (TN)	Heck (WA)
Cartwright	Edwards	Hensarling
Cassidy	Ellmers	Higgins
Castor (FL)	Engel	Himes
Castro (TX)	Enyart	Hinojosa
Chabot	Eshoo	Holding
Chaffetz	Esty	Holt
Chu	Farenthold	Honda
Cicilline	Farr	Horsford

Hoyer	Meehan	Sanford
Hudson	Meeks	Sarbanes
Huelskamp	Meng	Scalise
Huffman	Messer	Schakowsky
Huizenga (MI)	Mica	Schiff
Hultgren	Michaud	Schneider
Hunter	Miller (FL)	Schock
Hurt	Miller (MI)	Schrader
Israel	Miller, Gary	Schweikert
Issa	Moore	Scott (VA)
Jackson Lee	Mullin	Scott, Austin
Jeffries	Mulvaney	Scott, David
Jenkins	Murphy (FL)	Sensenbrenner
Johnson (GA)	Murphy (PA)	Serrano
Johnson (OH)	Nadler	Sessions
Johnson, E. B.	Napolitano	Sewell (AL)
Johnson, Sam	Negrete McLeod	Shea-Porter
Jordan	Neugebauer	Sherman
Joyce	Noem	Shimkus
Kaptur	Nolan	Shuster
Keating	Nunes	Simpson
Kelly (IL)	Nunnelee	Sinema
Kelly (PA)	O'Rourke	Sires
Kennedy	Olson	Smith (MO)
Kildee	Owens	Smith (NE)
Kilmer	Palazzo	Smith (NJ)
Kind	Pallone	Smith (TX)
King (IA)	Pascrell	Smith (WA)
King (NY)	Pastor (AZ)	Southerland
Kingston	Paulsen	Speier
Kinzinger (IL)	Payne	Stewart
Kirkpatrick	Pearce	Stivers
Kline	Pelosi	Stockman
Kuster	Perlmutter	Stutzman
Labrador	Perry	Takano
LaMalfa	Peters (CA)	Terry
Lamborn	Peters (MI)	Thompson (CA)
Lance	Peterson	Thompson (MS)
Langevin	Petri	Thompson (PA)
Lankford	Pingree (ME)	Thornberry
Larsen (WA)	Pitts	Tiberi
Larson (CT)	Pocan	Tipton
Latham	Poe (TX)	Titus
Latta	Polis	Tonko
Lee (CA)	Pompeo	Tsongas
Levin	Posey	Turner
Lewis	Price (GA)	Upton
Lipinski	Price (NC)	Valadao
LoBiondo	Quigley	Van Hollen
Loeb sack	Radel	Vargas
Lofgren	Rahall	Vela
Long	Rangel	Velázquez
Lowenthal	Reed	Visclosky
Lowe y	Reichert	Wagner
Lucas	Renacci	Walberg
Luetkemeyer	Ribble	Walden
Lujan Grisham	Rice (SC)	Walorski
(NM)	Richmond	Walz
Lummis	Rigell	Wasserman
Lynch	Roby	Schultz
Maffei	Roe (TN)	Waters
Maloney	Rogers (AL)	Watt
Carolyn	Rogers (KY)	Waxman
Maloney, Sean	Rogers (MI)	Weber (TX)
Marchant	Rokita	Webster (FL)
Marino	Rooney	Welch
Massie	Ros-Lehtinen	Whitfield
Matheson	Roskam	Williams
McCarthy (CA)	Ross	Wilson (FL)
McClintock	Rothfus	Wilson (SC)
McCollum	Roybal-Allard	Wittman
McDermott	Royce	Wolf
McGovern	Ruiz	Womack
McHenry	Runyan	Woodall
McIntyre	Ruppersberger	Yarmuth
McKeon	Ryan (OH)	Yoder
McKinley	Ryan (WI)	Yoho
McMorris	Salmon	Young (IN)
Rodgers	Sánchez, Linda	
McNerney	T.	
Meadows	Sanchez, Loretta	

NAYS—3

NOT VOTING—28

Gohmert	Miller, George	Moran
Barton	Harper	Pittenger
Blackburn	Herrera Beutler	Rohrabacher
Butterfield	Jones	Rush
Campbell	Luján, Ben Ray	Schwartz
Carson (IN)	(NM)	Slaughter
DesJarlais	Matsui	Veasey
Ellison	McCarthy (NY)	Wenstrup
Fleischmann	McCaul	Westmoreland
Grimm	Neal	Young (AK)
Gutiérrez	Nugent	

□ 1905

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2655, LAWSUIT ABUSE REDUCTION ACT OF 2013, AND PROVIDING FOR CONSIDERATION OF H.R. 982, FURTHERING ASBESTOS CLAIM TRANSPARENCY (FACT) ACT OF 2013**

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 113-264) on the resolution (H. Res. 403) providing for consideration of the bill (H.R. 2655) to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes, and providing for consideration of the bill (H.R. 982) to amend title 11 of the United States Code to require the public disclosure by trusts established under section 524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos; and for other purposes, which was referred to the House Calendar and ordered to be printed.

**NOTICE OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 2642, FEDERAL AGRICULTURE REFORM AND RISK MANAGEMENT ACT OF 2013**

Mr. LOEBSACK. Mr. Speaker, I announce my intention to offer a motion to instruct conferees on H.R. 2642.

The form of the motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to the bill (H.R. 2642) be instructed to agree to the following:

(1) Section 4014 of the Senate amendment (relating to a 5-year authorization of appropriations to carry out the Food and Nutrition Act of 2008).

(2) Section 9002(a)(7) of the Senate amendment (relating to funding for the biobased markets program).

(3) Section 9003(b) of the Senate amendment (relating to funding for biorefinery, renewable chemical, and biobased product manufacturing assistance).

(4) Section 9005 of the Senate amendment (relating to funding for the biodiesel fuel education program).

(5) Section 9006(b) of the Senate amendment (relating to funding for the Rural Energy for America Program).

(6) Section 9007 of the Senate amendment (relating to funding for biomass research and development).

(7) Subsection (f) of section 9011 of the Farm Security and Rural Investment Act of 2002, as proposed to be amended by section 9009 of the Senate amendment (relating to funding for the Biomass Crop Assistance Program).

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 3292

Mr. BENTIVOLIO. Mr. Speaker, I ask unanimous consent to remove myself as a cosponsor of H.R. 3292.

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

There was no objection.

COMMEMORATING BREAST  
CANCER AWARENESS MONTH

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

Ms. ROS-LEHTINEN. Mr. Speaker, October was the 29th anniversary of Breast Cancer Awareness Month, a time to encourage early detection, to support those who are battling this disease, to honor survivors, and to reflect on those who have lost their battles against this dreadful disease. Over 232,000 women will be diagnosed with breast cancer within this year, so events that increase awareness and education must be a top priority.

One of the many great events to take place in my home area of Miami-Dade County is the annual American Cancer Society's Making Strides Against Breast Cancer walk. Irela Bague, a south Florida native, was one of the proud participants this year. Irela and her team, Chica Power, put together a wonderful support system to help survivors and to foster empowerment for all of those impacted by breast cancer. Another team participating in the event was Lopez Gov Law, put together by philanthropist Marile and Jorge Luis Lopez. They also helped to raise awareness about the benefits of early detection, and they promoted free information and services offered by the American Cancer Society.

Mr. Speaker, education, prevention, diagnosis, and treatment are the important steps to preserving women's health. Every effort must be made to ensure that this disease is eradicated, and until a cure is found, it is crucial that we do all that we can to prevent this horrible disease from taking yet another woman's life.

ALIVE DAY

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

Ms. DUCKWORTH. Mr. Speaker, today is my alive day.

On November 12, 2004, I nearly lost my life in a dusty field in Iraq. I would have died that day if it were not for my helicopter crew.

If it weren't for Chief Warrant Officer Dan Milberg, we would never have been able to land that aircraft. If it weren't for Specialist Kurt Hannemann, who, despite his own injuries, stood the perimeter to protect us from approaching enemy, I wouldn't be here today. If it

weren't for Sergeant Chris Fierce, who was also grievously wounded and pointing to the medics to take care of me before him, those medics would not have realized as quickly as they did that I was still alive. There was no way to egress if Chief Warrant Officer Pat Meunks didn't land his aircraft right behind ours to pull us out. Dan could not have carried me out if Sergeant Matt Backeus were not there to help all of us to his aircraft.

It is because of my buddies that I am here today. I owe it to them to make their sacrifices and their heroic efforts that day worth it. I owe it to them to live every day to the fullest and to stand up for our veterans and for all Americans.

It doesn't matter where you come from. It doesn't matter what god you pray to or whether you are a male or a female. What matters is the mission and that you will never, ever leave one of your own behind.

We have a lot of work to do here in Congress, but we must remember that our mission is to serve the American people. That means we must work together just like my crew. That's why I will always reach across the aisle to work with all of my colleagues in order to find solutions for our Nation. We don't often get chances like I did. I will never waste a second chance, this time that I have.

Dan, Chris, Kurt, Matt, and Pat, thank you for my life.

THE PRESIDENT SHOULD FULFILL  
HIS PROMISE

(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. Mr. Speaker, the White House has been under pressure for weeks as millions of Americans have started receiving health insurance cancellation letters despite repeated assurances from the President that this would not be the case.

Earlier today, former President Bill Clinton weighed in on the debate. He stated the following:

I, personally, believe, even if it takes changing the law, the President should honor the commitment the Federal Government made to those people and let them keep what they got.

Last week, the President apologized, despite American families continuing to lose their coverage as a result of the Affordable Care Act.

Mr. Speaker, rather than apologize to the millions of Americans who are losing their coverage, the President should fulfill the promise that was made.

This week, the House will consider H.R. 3350, the Keep Your Health Plan Act, which will allow insurance companies to continue offering the plans that millions of consumers were happy with and would like to keep.

If the President is sincere in keeping his promise, the very least he could do is support this bipartisan legislation.

□ 1915

RETIREMENT OF JUDGE HUGH  
WALKER

(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. Mr. Speaker, I rise today to recognize my friend, Alameda County Superior Court Judge Hugh Walker of Pleasanton, who recently announced he is retiring after 19 years of service.

Judge Walker has served much of the eastern portion of Alameda County, which I represent, since 1994. He was first appointed as a municipal court judge for the Livermore-Pleasanton-Dublin district by Governor Pete Wilson and was elevated to Superior Court judge for Alameda County in 1998.

For 19 years he has served in the Tri-Valley, and when I was a prosecutor he even kept me in line. Judge Walker is well known for being a tough but down-to-earth and compassionate judge and never shies away from a lighthearted moment in his courtroom. He is well respected by both his peers and by those who have argued cases before him.

He is very much a part of the community for which he helps ensure justice is served. He is a very familiar face in downtown Pleasanton and at local Rotary Club meetings.

He has dedicated a great amount of energy into helping bring a larger courthouse to the eastern portion of Alameda County. I want to thank Judge Walker for his decades of public service to the people of Alameda County and wish him the best of luck as he begins this new chapter of his life.

KEEP YOUR HEALTH PLAN ACT

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

Mrs. CAPITO. Mr. Speaker, President Obama promised the American people that if they like their current health care plan, they would be able to keep it. That promise is meaningless to the 4.8 million and counting Americans who have already been notified that they will lose their current health care plan because of ObamaCare.

Stacy Johnson Lindsey of Scott Depot, West Virginia, is one of those 4.8 million forced to choose a more expensive and new health insurance plan. Stacy writes:

I have no desire to have government-funded health care and refuse to be pushed into utilizing the marketplace. Will you please help us? I am worried what the future holds.

Barbara Zeiger of Lehew, West Virginia, will be forced out of her current insurance plan that has only a \$250 deductible. When Barbara asked her insurer, she was told that her plan no longer would be offered because it does not include maternity and pediatric coverage. Barbara is 61 years old and widowed.

The Keep Your Health Plan Act will save Americans like Stacy and Barbara from the broken promises of ObamaCare and allow their current health care plans to be offered for another year.

I urge my colleagues to join me in voting for this bill to keep the promise the President made to the American people.

#### TYPHOON HAIYAN

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

Mr. AL GREEN of Texas. Mr. Speaker, I rise tonight because a sizable portion of my community is in mourning. In the aftermath of the typhoon that hit the Philippines on November 8, my community is in mourning and is looking for answers.

As you know, we have had more than 1,700 persons pronounced dead; 10,000 are projected to die; 9.7 million people have been affected; more than 23,000 homes and infrastructure have been damaged; 2.5 million will need immediate food assistance.

Mr. Speaker, while we are in mourning, I am grateful that the administration has sent the USS George Washington into the area. It will produce water. USAID has authorized \$10 million. There are other agencies and organizations, as well as countries, that are being beneficial and helpful.

I want to tonight announce that there is a lot more that will have to be done, and I want to do my part. I thank the administration for what is being done.

#### CONDOLENCES TO THE PEOPLE OF TYPHOON HAIYAN

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

Mr. ROYCE. Mr. Speaker, I rise to express my deepest condolences to the people of the Philippines in the aftermath of what was possibly the strongest typhoon in recorded history to ever hit land. As many as 10,000 people are feared dead and 600,000 displaced.

As chairman of the Foreign Affairs Committee, I am committed to helping the people of the Philippines recover and rebuild. The U.S. is providing \$20 million in immediate humanitarian assistance. As we speak, the U.S. Navy and Marines are working hand in hand with their Filipino counterparts in the rescue and recovery process.

Mr. Speaker, the situation in the Philippines is dire. American assistance in post-disaster relief is often the difference between life and death. Even as we speak, the American people are opening their hearts and making contributions to the relief effort.

We stand with the people of the Philippines as they begin the long road to recovery. The United States and the

American people are by your side. Today, we are all Filipinos, and we share the unimaginable grief that many of you in the Philippines are feeling right now.

#### CONGRATULATIONS TO THE EDINA HIGH SCHOOL GIRLS TENNIS TEAM

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

Mr. PAULSEN. Mr. Speaker, I rise to congratulate the Edina High School Girls Tennis Team. Once again, this talented group of young ladies demonstrated extreme passion, intensity, and dedication in winning their 17th consecutive AA State Tennis Tournament this year.

The motivation and athletic commitment that the girls on Edina's Tennis Team showed throughout this season was outstanding. Together, the ladies of this team have truly exemplified what it means to be student athletes. I would like to commend coaches Steve Paulsen and Perry Forster for leading this team, and Edina's previous tennis teams as well, to this very honorable position.

A special congratulation also goes out to junior Caitlyn Merzbacher for placing first in singles for the State Tennis Tournament.

Mr. Speaker, the Edina Girls Tennis Team displayed a positive standard for all of their classmates and for our entire community. It is an honor to be able to represent and recognize such wonderful and outstanding student athletes, and I offer them congratulations.

#### AFFORDABLE CARE ACT

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

Mr. LAMALFA. Mr. Speaker, again, on the front of the Affordable Care Act we have yet another business—this one in northern California, in Paradise, California—called California Vocations.

This is a nonprofit group that helps people with developmental disabilities to find employment. This organization has had to drop for 90 employees its health care coverage because it cannot afford it under the Affordable Care Act.

This week, we will be taking up legislation to give people the opportunity, if they like their health insurance, to be able to keep it, as was promised by the President. We need to move on this measure in order to help the President to keep the promise that he said or implied, but more importantly, the promise to the American people that they have choice, that they have freedom in this country to make their own decisions, not have the heavyhanded government deciding for them something that doesn't work or they cannot afford.

#### AFFORDABLE HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, 435 Members of the House of Representatives spent the last 10 days back in their districts. I suspect, like me, they had a chance to meet with their constituents to talk about the issues of the day and to see America's real progress, the progress that is taking place in our communities.

I would like to share some of those experiences that I had over the last 10 days with the Members of this House because they are instructive about what we ought to be doing here in the House of Representatives.

Every person I talk to, probably more than 30 meetings, many of them public in nature, townhall meetings, meetings at manufacturing plants with the workers, meetings at the universities, all of those people had the same agenda. Frankly, it ought to be our agenda because it is America's agenda.

They want this economy to grow. They want this economy to provide the job opportunities that Americans must have. Those good hardworking American families, they want to go to work, they want to have a decent wage, and they want to be certain that when they are sick they have an affordable health care policy.

We hear a lot of rhetoric here about the Affordable Care Act and ObamaCare, but back home people are trying to figure out their insurance programs, just like they do every time at this time of year. Every year it is time to renew your insurance policy and people look at new policies. They put aside the old policy. They get a notice that their old policy, the cost has gone up or the coverage has changed.

Now they are in the same situation, but we have a name for it now. We call it ObamaCare. Americans always in the fall have a high level of confusion as they try to figure out what to do with their health care for the coming year.

At one meeting I attended this last week with a group of doctors and administrators, they said: This will work it out, this is no different than we have seen every year. We know that at the end of this process the health care insurance will go on and people will have coverage. Then they added: But this year, there will be far more people with health care coverage, and in our hospital there will not be as much uncompensated care, that is, people that don't have insurance. So they said: Just keep working at it, let this thing settle down, let it go forward because we know that in California millions of our citizens and our neighbors will finally have health care insurance.

But hey, this is a place of rhetoric, this is a place where we create problems like the new crisis that is going to come up in just 2½ months. Oh yeah,

we have manufactured yet another crisis. On January 15, we are going to have to go through our quarterly funding of the strongest government in the entire world. Hello, you said. You mean you are actually funding the United States Government once every 3 months? You don't have a full year funding? That's right, we don't. So we have yet one more manufactured crisis.

Be aware, January 15 is coming. Is there another government shutdown? The American people, my constituents in my district, said: Don't let it happen again, don't let it happen again. It hurt us, it hurt us. In our businesses, we had to lay off people. But Mr. Congressman, what we want is a steady, steady policy out of Washington. We want to know what the long-term looks like. We want to know what the long-term tax policy is. We want to know what the funding programs are going to be for the military, for the social welfare programs. We don't want to have to—as one constituent told me as I visited their Head Start program—we don't want to have to lay people off, we don't want to have to tell the children, the 600 in my district that are no longer in the Head Start program: Oh, I am sorry, you can't come to school next week because funding from Washington was cut.

□ 1930

It is time for us in the House of Representatives to settle down. It is time for us to put aside all of our rhetoric. We know we have to work together. It is time for us to come up with some long-term solutions for America's problems. Tonight I would like to talk about how we can build jobs here in the United States, how we can rebuild the manufacturing sector of the United States economy, a sector of the economy that just 15 years ago employed just under 20 million Americans with solid jobs, where the wife or the husband could go to work each day knowing that they would bring home a paycheck sufficient to pay the mortgage on the house, to buy a car, and they had a health insurance policy provided by their employer. Now, we are somewhere near 11 million Americans in manufacturing, and many of those health insurance programs have disappeared.

What we need to do is go back to the basics. We need to go back to those critical investments, both public and private, that have created this incredible economy. Even though manufacturing is smaller, nonetheless the economy of the United States remains the biggest in the world. But if we continue with this 3-month funding of the Federal Government, if we continue to withdraw the critical public investments and the critical inducements to the private sector to make their investments, we will see our economy slip away. We will see the strength of this Nation ebb, and we will wonder down the line what happened.

Well, there are several things that allow America to build these kinds of

things. That's a modern locomotive, an electric locomotive destined to be on the Amtrak lines here on the east coast. It was the first modern locomotive made in America, 100 percent American made in probably the last 60–70 years. How did it come to pass that this locomotive and about 77 other locomotives just like it will be on the tracks here on the east coast, 100 percent American made? How did that happen?

Well, it happened with government policy. And so the men and women and children who ride the trains here on the eastern corridor are going to have a new system available to them. Critical investments were made over the years, critical investments in each one of these issues, and these are the ways in each of these areas, in international trade, in tax policy, in energy policy, labor relations issues, education, research, and infrastructure. Oh, by the way, none of this is new. These are not new things. These have been in place in America since George Washington's time. Indeed, George Washington reached out to Alexander Hamilton shortly after he was inaugurated as the first President of the United States, and said, Hey, Alex, I need some help here. I want to build the American economy, Alex, so what can we do?

Well, Alexander Hamilton said, Let me work on it.

He came back about 2 months later with a report. Our reports are usually 2,000 or 3,000 pages. His was maybe less than 50. He said there are things that we can do at the Federal level to grow the American economy, to build the manufacturing sector of America. He called it manufacturers, and he said trade policy. We need a trade policy that protects American manufacturers against cheap imports coming into the United States, against those who would subsidize their businesses to the detriment of American businesses. He said trade policy. We need a trade policy that protects American manufacturing.

That was Alexander Hamilton in his report to George Washington in the first months of the first administration of the United States Government.

Tax policy was also there. He said that in tax policy we shouldn't be taxing ours, our manufacturing products. We should be taxing those products that are coming from overseas. Those are called duties, and so tax policy was part of it.

Actually, energy policy wasn't on the list at the time so we can kind of put that aside, although that is an extremely important discussion for today; but for the purposes of today, we will let that go.

Labor at the time was not such a good thing. There were no laws protecting the men and women who worked, and certainly there was slavery and all the horrible things that went with that; but labor policy was also not part of what he talked about.

But he did talk about education. This was probably a conversation that I'm

not sure Hamilton and Jefferson had, but education was very much a part of the early effort in the American Government to stimulate economic growth, manufacturing and the like.

Interestingly, research wasn't specifically called out; but while they didn't use the term "research," they used the word "patent," "patents," and "patent policy" which was also part of this report. While they didn't say "research" formally, what they did say was out of the innovative and inventive mind of Americans would come new ideas and there needed to be a patent policy to allow those new ideas to mature and inure to the benefit of the inventor and the entrepreneur.

So way back at the very beginning of this Nation's economic future, certain policies were laid in place that actually led to the extraordinary growth in infrastructure. Hamilton specifically said, and George Washington agreed, that there needed to be a transportation policy for the United States. We are calling that infrastructure today. Then they called it canals, ports, roads. Today we call it canals, ports, roads, airports, we call it Internet, we call it telecommunication systems. It is the infrastructure upon which the economy then grows.

Way back in the 1780s, these ideas were presented to the Congress of the United States, some of them enacted by the Congress, some of them enacted by the various State governments. And over the years, as generations have gone by, as new men and women have come to sit here in the Halls of this great Congress and in the Senate, and new Presidents, there has been a constant drumbeat of critical investment by the United States Government in the foundation of economic growth.

And today, in the debates that are occurring here on the floor of this House and across this Nation, there is a debate about the role of the Federal Government in the future economy of the United States. You just heard part of that debate from some of my colleagues who preceded me here on the floor saying that the United States Government really ought not be involved in health care too much. Okay, they didn't like the Affordable Care Act. They want it to disappear, repealed, defunded or otherwise gone. Well, okay. But there is this thing called Medicare. I don't hear anybody on the floor saying—well, they actually did call for the repeal of Medicare, but that hasn't gone very far.

But the Federal Government is involved in many, many aspects of American life; and in those things that create economic growth, you will find us now involved soon in a debate about trade policy. Should we have unlimited free trade in which the American businesses are open to unfair competition from around the world, from workers that are paid virtually nothing in some of the less developed countries of the world where there are no laws about working conditions, where factories

collapse? Should American businesses have to compete with that kind of competition? I think not. So I would use the words “fair trade,” not free trade, but fair trade—trade policies that are fair to the American worker, that give the American worker a chance to compete in the world markets rather than having our business simply run away chasing the cheapest wage rate in the world.

So trade policy is going to be discussed here with the Trans-Pacific partnership program and perhaps a similar one for Europe. We must be very careful, very, very careful as we analyze this that the American worker is not put in a disadvantageous position and situation where they will lose their job to competition, unfair competition from around the world. So it has to be fair trade.

Let me move down here to the infrastructure issue. My district is 200 miles of the Sacramento River Valley. I probably have 1,000 miles of levees that protect farms and ranches and cities from floods. We have had disastrous floods in California over the years and over the centuries. Those levees are critical, a critical infrastructure to protect not only human life and property, but to allow businesses to grow. Right now without proper levees, farmers who want to put in a feed mill, farmers in my district who grow rice who want to put in a rice drying facility and a silo in which to store that rice, or even a cow barn for their dairy, find it difficult and in many cases impossible because the levee that holds back the floodwaters from their farm does not meet the 100-year flood standard set by the Corps of Engineers and FEMA. Therefore, they can't build unless they get insurance, and the insurance program is unaffordable.

So we see right here that the growth in the agricultural sector in my district is retarded from lack of investment in the levees, upgrading and maintaining those levees so they meet the minimum standards. This is something the Federal Government has played a role in forever, it seems. Certainly for the last century and a half, the Federal Government has been involved through the Army Corps of Engineers in building levees to protect cities, whether it is on the Ohio River, the Mississippi, the Missouri, or in California, the Sacramento and the San Joaquin Rivers in that central valley and beyond.

So what are we doing today? Well, we passed a Water Resources Development Act a couple of weeks ago. Good for us. The Senate has passed their bill. We need a conference committee. I understand the Senate has named conferees. The House of Representatives has yet to do so. All of that is good. We will set out a good policy, I hope, one that sets proper controls, provides for prioritization, a policy that would make sure that there is no waste, fraud and abuse, and that efficient and effective policies are the ones that would be

funded by the American taxpayer. All good. But there is a problem. The problem is, where is the money to pay for this? It is not there. Why? Sequestration and severe budget cuts.

We are actually seeing a very rapid decline in the amount of money that is available for infrastructure investment and for other programs that the Federal Government has carried out over many, many decades.

So we can put the best policies in place; but unless we have the money to build these structures, then those farmers that want to improve their operation are not going to be able to do so. So we ought to think seriously about infrastructure investment, in this case protection for floods. The same thing goes for the cities in my district and across this Nation. We know there is a big brouhaha going on around here about the increasing cost of flood insurance. Yes, it is a real problem: like quadruple, in some cases there is a ten-fold, increase in the cost of flood insurance in certain communities around the Nation. Everybody goes, We didn't mean to do that. Indeed, we didn't mean to do that; but it did happen. Now we have to back that off. As we back that off, we need to consider the fact that it is not just flood insurance; it is the protection from floods.

And so when Superstorm Sandy comes again, will the east coast be prepared with the necessary flood walls and facilities to repel the flood? Only if we adequately finance the infrastructure investment in this case for flood protection.

Highways and bridges, well, I don't know, there is probably several thousand bridges in the United States that you want to cross very quickly, or you don't want to be on that bridge with a very heavy truck. We have deficient bridges in every part of the United States. We have seen those bridges collapse with catastrophic results, people losing their lives, cars into the rivers, trucks into the rivers. These bridges have to be repaired. And drive on any highway in the United States, you will see some new asphalt, some new concrete, but you are going to see a whole lot more new potholes. You are going to see the deterioration of the highway system in the United States. There is insufficient money even to maintain the repair and good state of those highways. It goes on and on.

□ 1945

Where will we find the revenue? We are continuing to see a decline in the willingness of the Federal Government, us, Members of Congress, to fund these programs.

Infrastructure, critically important in many ways, and I have only dealt with two of those issues here tonight.

I want to pick up the one that is really the genesis of economic growth, and it is research. I mentioned earlier that George Washington, while he didn't use the word “research,” used the word

“patent,” which comes from research being done by some individual or group that created a new product. They got their patent on it so that they could then use that in the commercial marketplace and hopefully make a profit.

Research has been around a long time. Most of the research in the early days was probably mostly in the area of the military, done in part by the military, dating way back, in trying to upgrade their weapons. But beginning in the 1860s, Abraham Lincoln signed a law called the land-grant college program and established, across the United States, a series of colleges and universities who had a specific function of researching for agriculture.

Over the years, that has grown into an extraordinary research capability within the United States. And now, not only do we have the agricultural research—and I must say, with some pride, that I represent the University of California, Davis, which is the largest, most successful, most advanced in total—I am not putting down anybody else—agricultural research program in the world. There are a lot of other great programs out there, but in terms of size and reach, the University of California, Davis is way out front.

What other kinds of research are there funded by the United States Government? The National Institutes of Health. How do we keep people healthy? What about disease? What about heart conditions, cancer? The National Institutes of Health; the National Science Foundation; NOAA, dealing with oceans and atmosphere; NASA, dealing with space. All of these research projects are fundamental to economic growth, and all of them have Federal funding. Some of them have partnerships with State, some with private funding, but these partnerships have created the foundation for economic growth.

I had the pleasure of being at the University of California, Davis earlier this last week, meeting with the heads of four departments, each of them engaged in a different kind of research—earth science research in some cases, water research in others. Everybody knows that California has its water issues, and right now we are in the early stages of what I hope and pray is not a drought.

We have these researchers out there and other research on health issues. All of them are saying that the sequestration and the budget cuts of the Federal Government are severely impacting critical research that was about to mature into a solution for a health problem, into a new way of conserving water or a new energy system using hydrogen or solar. But those projects that they were working on have been stalled and, in some cases, set aside, so the opportunity for economic growth coming from that research is slowed or stopped. We can't allow that to happen. Not only is it immediate jobs, but that is the research that will create future jobs.

I want to give one example of the way in which research actually works out together with regulations, regulations to protect our air, regulations to protect our water—the Clean Air Act, the Clean Water Act, and other regulations. Some of them are now dealing with the issue of climate change.

I am a member of the Safe Climate Caucus, and there are many of us that belong to this caucus. We are trying to say we have got global warming. Whether the tragic typhoon in the Philippines was directly caused by global warming—I think it is no accident that we are seeing stronger storms just as predicted. Anyway, our Safe Climate Caucus is concerned that many here in Congress are trying to shut down commonsense Environmental Protection Agency guidelines that are designed to keep our air and our water clean and healthy and to reduce the disastrous consequences of climate change.

These regulations can actually drive technological development and they can strengthen our economy. When those policies are paired with the entrepreneurship, the inventiveness of the individuals and businesses out there, some really interesting things happen and jobs are created.

Last week I visited one such program in California. It is a program put together by Recology, which is a company that operates in my district and in San Francisco. They are a recycling, a composting, and a landfill company, and they have a landfill. They are involved in some very interesting and innovative ways to separate the waste, to recycle, all to the good.

But they have another project. They have teamed up with a company called G2 Energy. It has put in place a facility to take the methane gas that comes off of the landfill that at one point went up in the atmosphere—do keep in mind that methane gas is around a 20 times more potent greenhouse gas than carbon dioxide. They put in a project to capture that methane gas, take it out of the landfill, put it in a pipe with a vacuum, run it over to a Caterpillar engine manufactured in America—actually, it is a big marine engine that probably was driving some very large ship, but it now is sitting there next to the landfill, attached to a generator, and producing an extraordinary amount of electricity.

That is innovation, and that is the kind of things that can be done. That methane coming off the landfill into the Caterpillar engine and into the generator will replace more than a million gallons of diesel fuel that was once used to run that very same kind of an engine. That is the kind of innovation that can occur when coupled with research and wise public policy.

There are so many other pieces to all of this, and we will talk about it in the days ahead.

One of the things that I want to just kind wind up with is why it is important. So, do keep in mind trade policy,

tax policy, energy, labor policy, education, research, and infrastructure. These are the foundational investments that any economy must make if they want to see sustained economic growth. Unfortunately, we are falling off the power curve on many of these policies.

Here is why it is important. Here is why this discussion is important. Here is why manufacturing and growth in the American economy is important. These are words that Franklin Delano Roosevelt put forward. He said:

The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little.

We know that after the great meltdown in 2008 and 2009 that millions of Americans lost their jobs. We also know that, in the last 5 years, the economy has come back, that additional wealth has been created. We do know that the gross national product of the United States, which is its wealth, has grown. What most people don't know is where that wealth went. That wealth went to the top 10 percent. About 95 percent of the wealth generated over the last 5 years has wound up in the hands of the top 10 percent, the most wealthy people in America.

So the words of Franklin Delano Roosevelt come directly back to a manufacturing and jobs policy for the United States. If we make the critical investments to grow the economy, to provide the infrastructure, to do the research, to deal with the international trade, to think back to what George Washington had in mind as a Founding Father, then we can begin to establish policies that grow the American economy, that reestablish America as the mightiest manufacturing country in the world, and, in so doing, create those jobs for hardworking Americans that go to work every day, want to pay their bills, want to pay their house mortgage, buy the car, see that their kids get an education, see that they have an adequate health insurance program. If we do those things, then these words of Franklin Delano Roosevelt will begin to ring true, and we will begin to add enough for those who, today, have too little. That should be our challenge.

It is not our place to make sure that the superwealthy and the billionaires and others get even more. It is our place that those who struggle every day, many in poverty—and the poverty rate in California is 25 percent or more—that those who struggle every day to provide for their family, that they have a chance of a good education, an opportunity to get that job, that middle class job. If they have that, then this country will prosper and the kinds of divisions that sometimes rake us over the coals and cause us great consternation and trouble will be abated. They will never disappear—I have no illusions—but they will be abated, and they will be less. That should be our goal.

As we approach the next fiscal crisis, just 2 months away, we should think about those men and women out there that I saw—and I suspect many of my colleagues saw as they returned home and went to their districts and went to all their meetings—who said: Can you just give us certainty? Can you stop the interminable fighting and the chaos that is causing us such concern, that is causing me not to invest in my business? Just give us certainty. Give us a program that builds a foundation so that my business can grow and prosper. Give us the tax policy that has the proper incentives, not just for those who have great wealth, but for those who are trying to grow their business. Give us a trade policy that is fairer to the American worker, fairer to the American business, that doesn't just give away this great country's wealth to some other company around the world, that doesn't encourage our businesses, our American corporations to go offshore. Put those policies in place so that we can grow the American economy, so that Americans can have a decent job and fulfill their own personal vision of the American Dream. They can get on that ladder, leading wherever they want it to lead, climb as high as they can, that the impairments and the impediments are not there. That should be our goal.

We have about 2 months to avoid yet one other crisis. As we avoid it, I hope we keep in mind those things that create real wealth and real opportunity for all Americans.

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

#### AFFORDABLE CARE ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Tennessee (Mr. ROE) is recognized for 60 minutes as the designee of the majority leader.

Mr. ROE of Tennessee. Mr. Speaker, we are here for the next hour to discuss the Affordable Care Act with my colleagues and my cochair of the Doctors Caucus, Dr. GINGREY, a fellow OB/GYN from Georgia. I thank the gentleman for being here today.

We are going to break this hour up into several segments and talk about, number one, how the Affordable Care Act was initiated, how it actually came to be. Two, the promises that were made by the President and the Democratic Party about what the Affordable Care Act would do. The failures, which I think are probably fixable of the Web site—if, in 1969, we put a man on the Moon with a slide rule and a handheld adding machine, surely we can get a Web site to work in the year 2013. If we cannot overcome that, we are in trouble. Number four, I want to discuss something very near and dear to my heart, because I participated in this for years, which is medical education. I will go into this in more detail.

We have a huge doctor shortage in America today, and it is getting worse.

A major university in my State, Vanderbilt University, this past year, that university has lowered their workforce by approximately 1,300 people—it will, by the end of this year. It is very disconcerting for those people who lost good-paying jobs.

We have had hospitals close in our region. We have had layoffs in our area, in the health care industry, for the first time in my medical lifetime, which has been over 40 years as a physician now.

Also very distressing to me as a doctor and as a faculty member of the College of Medicine at East Tennessee State University, the Quillen College of Medicine and Vanderbilt University are reducing their class size by 10 percent.

□ 2000

They are also reducing the number of the M.D./Ph.D.s that they have. These are our future researchers to find the great cures for diseases in the future.

There is a pipeline out there, and we certainly know that a vast number of our senior doctors are considering, or have retired, as my own personal physician has done, due to the effects of the Affordable Care Act. So we will discuss that in more detail.

I think, also, we need to discuss and focus on the new taxes, and also, on the effects on business.

Then lastly, perhaps—hasn't been discussed much recently, the effects on Medicare, quite frankly, with \$700 billion being cut from Medicare.

There is one particular part, Mr. Speaker, of this bill that Dr. Gingrey and I have worked on closely together in the Medicare portion of the Affordable Care Act that is called the Independent Payment Advisory Board. It hasn't gotten a lot of press because it hasn't affected any seniors yet.

It's a board, an independent board, independent of Congress, that will determine how Medicare dollars are spent, and we will go into that if we have time in more detail toward the end of the hour.

I think that is one of the most egregious parts of this bill when it comes to our seniors, and we are adding 10,000 new seniors per day, each and every day, over 3 million per year, with a decreasing number of physicians and less money in that very-needed program that needs reform.

Let's go back, Dr. Gingrey, approximately, 4 years when we were here on the House floor debating this bill—and the premise of the Affordable Care Act I completely agree with, which is to lower costs and increase access to care. That is a noble, noble goal to have, and I still share that goal to this day.

There were three committees of jurisdiction in the House of Representatives that looked at the Affordable Care Act: the Ways and Means Committee; Energy and Commerce; and the committee I serve on, Education and the Workforce.

Those committees had a bill brought forth by the House of Representatives.

It was voted on, debated in the various committees, brought to the House floor, and was voted on in a straight party-line vote. That particular bill did not include the IPAB and some other things that are in the permanent bill, the so-called ObamaCare, or the Affordable Care Act.

The Senate then voted on Christmas Eve, I believe it was 2009, brought a bill back over here the following month. We debated it again on the House floor for a very short time and, famously, our then-Speaker said we had to read the bill to find out what was in it.

Well, guess what I did?

It is a 2,600, 2,700-page bill, but I felt that a bill that affected every American citizen in a very personal way deserved my attention, so I read that bill, and the surprises that you are seeing now I have been talking about now for 3½ years, as have my colleagues on the Doctors Caucus and others on our side of the aisle, and many, quite frankly, recently, in a bipartisan way.

The only thing bipartisan about the Affordable Care Act was its opposition. I think some 32 Democrats voted against that bill.

So it comes as no surprise to me when the President says—and we will go over the broken promises in a minute—it comes as no surprise to me when the President says, if you like your health insurance, you can keep it. That wasn't going to happen.

Why did I know that?

Let's go over the promises that were made. Number one was universal coverage. I quote. This is the President saying this. He wasn't the President then, but this was in June of 2007.

I will sign a universal health care bill into law by the end of my first term as President that will cover every American.

Well, that is a promise that hasn't been fulfilled. It does increase access by a massive expansion of Medicaid, and we will go through the Medicaid expansion in just a minute, about why some States chose to do it and why our State of Tennessee has chosen not to. And there are very good reasons why these Governors have chosen not to.

There are a host of unintended consequences of this bill that we are dealing with today. The decreased payments to our hospitals have forced some of our rural hospitals and, certainly, where I live in rural America, has put great strain on these hospitals.

Even in the more major medical center areas, as I pointed out, at Vanderbilt University, and many others, I have talked to colleagues today in Indiana who have experienced the same scenario.

So the promises that were promised, there would be no new taxes on the middle class—here is the President's quote:

I can make a firm pledge under my plan: no family making less than \$250,000 a year will see any form of tax increase; not your income tax, not your payroll tax, not your capital gains tax, not any of your taxes.

That was September 12, 2008.

The third promise, and this is one that anybody who has studied health insurance and has dealt with it in private business, as I have, knew was not going to be possible, was the outrageous claim that, by the end of his first term, that premiums would decrease by \$2,500 a family. I mean, anybody would know better than that that has ever run a business.

This is the quote:

We will lower premiums up to \$2,500 for a typical family per year. We will do it by the end of my first term as President of the United States.

That was June 5, 2008.

The next promise was there would be no increase in the deficit. No increase in the deficit. Here is the President's promise:

I will not sign a plan that adds one dime to our deficits.

That was Promise Number Four.

And the last one, Promise Number Five, is, you can keep your plan if you like it, and here is the quote:

"If you like your doctor"—which, by the way, I like my doctor a lot; I went to medical school with him—"you will be able to keep your doctor, period. If you like your health care plan, you will be able to keep your health plan, period."

Well, let me point out at the end of that period, that people who work for me now in this congressional office have lost their plan, so that is not true:

No one will take it away, no matter what.

Well, I certainly don't see that as being true. The failure of the Web site rollout, we will get into that a little later. I think that, as I said, certainly, if we can't correct a Web site, if we can't build a Web site, I have no faith that this plan will ever be workable.

I would now like to yield some time to my good friend and colleague from Georgia. We have been joined by Dr. PAUL BROWN, also from Georgia, a family practitioner, but I would like to turn it over now to Dr. PHIL GINGREY from Georgia.

Mr. GINGREY of Georgia. Mr. Speaker, I thank the gentleman from Tennessee, Dr. ROE, for yielding time to me.

It is incredibly concerning that the Obama administration has continued full speed ahead on a rollout of a system, even after numerous warnings from vendors and from Congress.

The Web site has led to confusion in the insurance marketplace, as well as put consumers' personal information at risk to lax security protocols.

Even after the Web site is technically fixed, Mr. Speaker, as Dr. ROE mentioned, and it probably will be, consumers will still face higher premiums and the likelihood that they will be unable to see the doctors to which they have grown accustomed.

Mr. Speaker, I have heard from a number of my constituents in the past few weeks about the disastrous effects of the President's health care law. I will take a little time this evening to

share with my colleagues a few of the observations from good, solid Georgians.

Tom, a Georgia Blue Cross customer, told me his "Blue Cross policy went up originally by about \$50 due to the Affordable Care Act. About 2 weeks ago I got a note that said my old policy no longer exists, and my new policy will now cost \$100 more." That is a quote from Tom.

Dottie, from metro Atlanta, told me that her husband's employer was forced to drop their family plan and would, instead, offer them only two more costly options. Either plan would increase their premium by at least \$160 a week, Mr. Speaker.

A mother in my district told me that her young daughter's Humana plan was canceled only 2 weeks after being promised that the price of the new plan would be locked down for a full year.

Mr. Speaker, the President kept telling the American people, and this is the quote, if they "liked their insurance they could keep it, period"—and the period is part of the quote. It should have gone on, as Dr. ROE suggested, until they can't.

This promise has surely been broken. Millions of citizens have received cancellation notices from their insurers. They are now left with uncertainty over whether this new coverage will also be affordable.

Speaking of affordability, Mr. Speaker, let me share with you a few other stories from constituents, and then I will yield back to the gentleman from Tennessee because I know there are other Members on the floor that also want to speak on this issue.

Mike told me that ObamaCare "has been a financial disaster" for his family. It used to cost him just under \$300 a month to cover his wife and daughter on his insurance, but, under ObamaCare, even that bronze plan—you know, there are four options, and bronze is supposedly the least expensive—will cost him \$700 a month.

And get this, Mr. Speaker: a \$5,000 deductible. He was formerly paying \$300 a month. If you like your insurance, you can keep it.

As Dr. ROE said, Mr. Speaker, everybody's premiums are going to be going down on an average of \$2,500 per year. Not so. Not so.

Teresa from Cartersville, also in my 11th Congressional District of Georgia, she and her husband told me that their premium is increasing from \$550 to more than \$900 a month. That is almost, Mr. Speaker, a 40 percent increase.

Robert, from metropolitan Atlanta, again, a little part of my district, told me that even though they were underwritten in June, his wife's policy had increased from \$387 to \$557 a month. That is a 30 percent increase.

Finally, before I yield back to the gentleman from Tennessee, Robyn from Atlanta received notice that her family's premiums will increase by 15 percent without any additional benefits.

I yield back to Dr. ROE, and I look forward to continuing this discussion with my colleagues as we go through the evening.

Mr. ROE of Tennessee. I thank the gentleman for yielding.

Let me back up a little bit so that this is a little bit more understandable for people. Typically, in this country—and we had problems. There is no question we needed health care reform. I think everybody in this Chamber—

It is one of the reasons that the doctors that you see here tonight ran for Congress, because we wanted to be part of the health care reform debated here. Unfortunately, we were not.

There were nine of us in our Physicians Caucus on the Republican side during the health care debate. Not one of us, not one, was included in the debate on health care. Not any amendment. We offered 80 amendments, to my recollection, to this health care bill, and not one was allowed to be heard on the House floor and voted on.

This would be a better bill if the other side of the aisle had simply slowed down, taken a breath, and let us help amend this bill.

People say now, well, Phil, can't you just tweak it a little bit and help?

No, you cannot. It is so complicated and so expensive, it is very difficult to do.

Now, this bill does do some things I like. I do like the under 26-year-old being able to stay on their parents' plan. The private market would have offered that.

You also had a problem with pre-existing conditions. I want to spend just a minute with that because it is not totally understood, or not understood well by the public.

We worry about us getting a pre-existing condition, losing our insurance and not being able to get coverage. In America, about 160 million of us get our insurance through our employer, through ERISA-based plans. Preexisting conditions do not affect those plans. You cannot be denied coverage. My practice had an ERISA-approved plan. You had to take everybody in the plan.

Number two, if you get Medicaid, you cannot be denied coverage, and Number three, if you have Medicare. So it really left the small group market and the individual market and the uninsured.

Now, people are wondering, why did I lose my insurance coverage?

In other words, I had a policy I liked.

I want to tell you today, Mr. Speaker, one of the most arrogant things I think I have ever heard in my life I heard on TV this last week by several pundits, and those comments are this: that your insurance is no good. I heard the President say that.

Well, look, not everybody can eat at Ruth's Chris. Some people have to eat at McDonald's or have to eat at Shoney's. They can't all eat at the most expensive one, but they buy what they can afford and what meets their needs.

The reason that the costs are going up so much are the following: in this bill, there is something called essential health benefits. You don't get to decide what you buy for your family. The government decides what you buy for your family.

□ 2015

And let me read this to you, because I want you to hear this very closely to see if you need all of these services. One is ambulatory patient services; that sounds pretty good. Emergency services. Sure, you want a plan that covers you when you go to the emergency room. Hospitalization, absolutely. I think you will see most plans do that.

Maternity and newborn care. Well, I don't know about that. What does a single 30-year-old male need maternity care for? What do I need maternity care for at my age? I certainly have cold sweats thinking about that right now.

Mental health and substance abuse disorder services, including behavioral health treatment; prescription drugs; rehabilitative and habilitative services and devices; laboratory services; preventive and wellness services; chronic disease management; pediatric services, including oral and vision care. Well, if you are a family at an age where you don't need all of those things, probably your plan doesn't hit some of those. If you miss any of them, your plan is not an approved plan.

The second thing that made you lose your plan was—and this is where I challenge the President here tonight—one of two things occurred. I read the plan and I understood by reading that plan that if you changed anything in the bill, if you changed the prescription drugs, if you changed your copay, if you changed anything significantly in that plan, you lost your grandfathered status, or if you didn't meet the essential health benefits. No one said that.

So if the President had read his own bill, he would have known that and would not have come out and said, If you like your plan, you can keep your plan, because that clearly isn't true. Or number two, as Congressman KURT SCHRADER said today, that we were misled. I think that is the term he used. So either of those two things occurred. If the President said, You can keep your plan, or he just did it for political purposes, which I hope he didn't do because a lot of people are hurt.

Mr. Speaker, 16,000 low-income small business people in my State had a plan called Cover Tennessee. It wasn't the greatest plan in the world. It covered, I think, 12 doctor visits a year, all preventive services, an operation. It covered up to about \$25,000. It didn't have lifetime limits. And 16,000 people had that. They could afford that. And many of them bought a catastrophic policy so that if they had something that cost more than \$25,000, it would be covered.

So it was basic health insurance coverage. It did for them and their families what they needed. It gave them some certainty and peace of mind. That is all gone. They have lost that.

As Dr. GINGREY was pointing out just a moment ago, he was mentioning some people in Georgia—and you can find this story from the Atlantic to the Pacific Ocean. One story I heard this weekend, an employer of mine who is a building contractor, he has looked at his business. He has 110 employees. He said, Phil, I think I am just going to have to pay the \$200,000 fine. I can't afford what they are going to force me to buy. I can't do it and stay in business.

I have an employee that I know personally because she works in my office whose insurance is going to go from \$400 a month for her family of three with the ObamaCare plan—"if you like your plan, you can keep it"—to \$800 a month. This is an employee who makes in the mid-\$50,000 range. This is not somebody who is rich who can afford this. That is a car payment or a college education payment or whatever she wants to spend her money on. You can hear this story over and over again.

There are 66,000 Tennesseans who got a letter from Blue Cross explaining that their plans didn't meet the essential benefits package in the individual market. That is one insurance company, and this is going on all over.

So this business about the costs going down—I think we will be on the Key Bridge jumping in the Potomac River when we finally get the bill for this. That is how expensive it is going to be.

And, by the way, most people don't understand this. A lot of our Governors have read the fine print; and Governor Bill Haslam of Tennessee, a good friend of mine, wanted to expand coverage. He wants to expand coverage. But he wants it done through market-oriented principles. And one of the things that we have had in Tennessee with our health care coverage expansion is that we went through health care reform 20 years ago.

In 1993-94, we began a program called TennCare. In the TennCare plan, we had a problem with access and not enough people had coverage in our State. So we did this. And within 10 short years, our spending had tripled. And almost half the people—47 percent, I think—of the people who got insurance on TennCare dropped their private health insurance and got it through the TennCare program. What our Democratic Governor Phil Bredesen did in the mid-2000s was—because we have a balanced budget amendment in our State, with the approval of the legislature—he had to cut 200,000 people from the rolls.

And people say to me, Dr. ROE, don't you think this bill will just fall under its own weight? And I say, No, I don't. And the reason is because the Federal Government can deficit-spend. We can print money. If we had to have a balanced budget in this body right here

that we are standing in, I can assure you, we would be having a different discussion about this bill.

One other thing I want to read about the Governors that have signed up for this great deal with Medicaid, which is a program for our low-income people—

And by the way, I want to publicly state that the group I am in and the group I was with from the time Medicaid became available until I left practice, we took those Medicaid patients; and for many of them, we didn't get paid a lot of money. But that is what physicians do, we care for people who are uninsured and people who have policies like Medicaid.

But this new policy, the insurance policies must cover these benefits in order to be certified and offered in the health insurance marketplace. States expanding their Medicaid programs must provide these benefits, these essential health benefits to people who are newly eligible for Medicaid. So that means at the end of the 3 short years, the percent that the State has, which is no guarantee, is going to be a large sum of money and much larger than I had thought of after I started seeing these premium increases.

The other thing that has been said out there—and I have heard it for the last 4 years—is that Republicans have no ideas about health care reform. Well, there is a plethora of our ideas from this side of the aisle for health care reform. And one that I happen to have right here in my pocket is a Republican Study Committee called the American Health Care Reform Act, and I chaired the Health Subcommittee which wrote this bill. Dr. TOM PRICE, Dr. BROUN of Georgia have a bill. LOUIE GOHMERT, others. There are many of them. The Republican substitute bill of 4 years ago is an excellent health care bill that is market-centered. And it does something that I think is essential for the American health care system to survive as we know it, and that is, to maintain the physician-patient relationship.

This will tear that down because what does it do? So many people are going to lose access to their doctor. And as there are fewer and fewer doctors out there to see you, the waits are going to get longer and longer and longer. I think that is the very fabric that has made us the system that we are and the envy of the world, where people come from all over the world. And I think that can cease. And when you see great universities, like Vanderbilt University, cutting down on the number of doctors they are educating because of these cost constraints and cutting down on the number of young doctors that are going into the M.D.-Ph.D. programs that go into medical research and into faculties in medical school, boy, 10, 15, 20 years ago, we are going to suffer a great price for the mistake we have made right now.

I would like to take now the opportunity to introduce one of my colleagues from Georgia, a family practice physician, Dr. PAUL BROUN.

Mr. BROUN of Georgia. Thank you, Dr. ROE.

The Federal Government is out of control. It has become too big. It is spending too much. It is taxing too much. It is regulating too much. It is borrowing too much. And it is sticking its ugly nose into our business too much. It has to stop, and ObamaCare does every one of those things.

As a medical doctor, I understand firsthand the disastrous effects of ObamaCare and have been fighting from the very beginning to stop this terrible law.

Every day, I hear from my constituents in the 10th District of Georgia on how this law is hurting them. Premiums are increasing. Cancellation letters are flying all across the State of Georgia. Business owners are being forced to lay off employees, and patients are finding that they no longer can afford their health insurance altogether.

I will share with you a few examples. One Georgia businessman, who is the owner of several fast food restaurants, currently employs over 200 full-time workers. He recently told me that he is seriously considering letting them all go and hiring only part-time employees; this due to the burden of ObamaCare.

A resident of Henry County wrote to me that as an uninsured woman with preexisting conditions, she was looking forward to enrolling in ObamaCare. Then when she went to sign up, she found that a quarter of her income would have to be paid in premiums alone. Due to the high cost, she had no other choice but to remain uninsured.

One man from Monroe, Georgia, contacted me just last week to inform me that his insurance costs have increased by 800 percent, 800 percent due to ObamaCare.

A woman from Barrow County told me that her husband's insurance that he bought through AARP has already been canceled, and to get another policy with the same coverage would cost him \$150 more a month than what he is paying now. This couple currently pays more in health insurance than what they pay for their mortgage. Increasing their payments by an extra \$150 a month would be a tremendous, tremendous financial burden on them.

Sadly, this is just the beginning. It is expected that more than 400,000 Georgians will lose their current health insurance due to ObamaCare. Until we are able to stop this disastrous law, we will continue to hear more and more of these stories.

As a medical doctor, I know what is best for my patients. That is why I have introduced legislation, H.R. 2900, the Patient OPTION act. It would repeal ObamaCare in full and put patients in charge of their health care decisions, where they can buy health insurance at a cheaper price than what they are currently paying. My Patient OPTION Act was endorsed by FreedomWorks in the last Congress.

My bill will make health insurance cheaper for everyone—literally cheaper for everyone. Not like the President promised us. But he lied. It will provide access to good quality health care for all Americans, and it will save Medicare from going broke.

If Americans want full control of their coverage, health insurance at a lower cost, and the freedom to make their own decisions in health care, then the Patient OPTION Act is the only true solution.

It is clear that Georgians and Americans are hurting under ObamaCare. That is why I will not stop fighting to rip ObamaCare out by the roots and to replace it with reform that will actually lower costs, deliver care, and focus on the true needs of all American families.

Through the voice of “we the people” demanding the repeal of ObamaCare, we can work to repeal ObamaCare and replace it with legislation that serves the best interest of patients, not government. That solution is my Patient OPTION Act, H.R. 2900.

Mr. ROE of Tennessee. I thank the gentleman.

I would like to spend a few minutes now beginning to talk a little bit about the effects on businesses and how this will affect individuals.

I serve as the chairman of the Health, Employment, Labor, and Pensions Subcommittee on the Committee on Education and the Workforce; and we have held several hearings around the country over the last 2, 3 years outside of Washington, D.C. We have held them in Concord, North Carolina; Evansville, Indiana; Butler, Pennsylvania; Lexington, Kentucky; and others. And we have actually asked small businesses to come in and testify on how this plan will affect their business.

Let me give you just a couple of examples. We were looking at a small textile owner in North Carolina, and I won't mention his name tonight. But, anyway, it is part of the public record. He has a business where he had supplied—his business, he was self-insured as many small municipalities, large municipalities are. Many businesses are self-insured. And it didn't look like their plans were going to be affected too much by the Affordable Care Act, the ObamaCare bill. However, they have to pay a \$63 fee per person insured. Most people don't know this because it doesn't personally affect them. It just affects the business owner. Or in the case of my hometown of Johnson City, Tennessee, that little bill is going to come to \$177,000 next year. One major corporation, which will remain unnamed, came to my office and shared with me that their bill for that this year would be \$25 million.

Let me explain to you about this small businessman in North Carolina. He provided 80 percent of the health insurance. The employee paid 20. He paid all preventive services. If you needed a colonoscopy, if your wife needed a mammogram, he paid 100 percent. He

had a nurse onsite and a wellness program that he paid for. It is the Cadillac of all Cadillacs.

So what does he get for that? He gets a \$63 fee for every single person he has insured this year. The following year, it decreases a little bit and the following year. Guess what that money is used for. That money is used to indemnify insurance companies so that they will provide insurance on these exchanges, and it will limit as a stop-loss for them. That is how complicated this bill is.

Now, I have had numerous businesses that are in the 50 range that I have talked to. And where we are, small business is the kingpin. The majority of our people are employed by small business. What incentive is there for a business to go above 50 when this arbitrary number was picked? And I have no idea to this day why 50 was picked.

So what is magical about 50? Well, if you go above 50 employees, as my practice is, and you decide not to provide health insurance, and you are now, that costs you \$2,000 per employee as a fine, tax, penalty, whatever Judge Roberts wants to call it.

□ 2030

But that is what this is—a tax, I assume, a penalty or a fee on those. Many people are willing to pay that. Businesses are. Or, if they are at 47 or 48, guess what they are doing? They are not going to 50. Or, if they need more employees, what are they doing? They are hiring part-time people.

I can assure you that I have heard this over and over and over again about how businesses are cutting back their employees' hours to under 30 hours a week, because now we define full-time employment as 30 hours per week. I assume the only place 30 hours a week is full-time employment must be France, because there isn't any place I know of on the planet that 30 hours a week is full-time employment. Certainly, in Tennessee, it is not.

I would now yield to Dr. GINGREY, again, my friend from Georgia, if he would like to have a few words to say.

Mr. GINGREY of Georgia. Mr. Speaker, I thank the gentleman. I know there is another member of the House GOP Doctors Caucus that has just joined us, so I will just take a moment and then yield back to Dr. ROE so he can yield to Dr. HARRIS.

I wanted to take just a moment to emphasize what Dr. ROE was talking about, Mr. Speaker, in regard to these mandates.

Mr. Speaker, the Affordable Care Act, which we found out now is the “Unaffordable Care Act,” all of these mandates that are larded up into this essential coverage that the Federal Government is requiring is, indeed, the reason that the cost is going up. You can't include all those things that Dr. ROE was talking about without somebody paying for it.

We talk about other options and what we on the Republican side, par-

ticularly the physicians, have offered in regard to alternatives. Many States have a lot of mandates in the health insurance program, and, under current law, you can't buy health insurance in another State. And so we have been pushing for years—the 11 years that I have been here—to pass what is called an association health plan, where a group or even an individual can go on the Internet—and probably not have the trouble they are having with healthcare.gov—and find out that in Tennessee, maybe, there is a policy that fits them to perfection. If they are a 55-year-old single man who doesn't need infertility coverage—and maybe their State requires it—doesn't want to have to pay for that, so he can get a more cost-effective policy that fits his needs to perfection.

But by buying that health insurance across State lines, that is something that the other side of the aisle has completely rejected. And yet they have the mendacity, the audacity to say that we have no ideas, we have no plans, we have no alternatives. Indeed, we do.

Mr. ROE of Tennessee. I thank the gentleman.

I will introduce our next speaker tonight, my colleague from Maryland's First District, Dr. ANDY HARRIS, who is on the faculty of Johns Hopkins University and is an anesthesiologist and has been a great member of the Doctors Caucus. I hope that Dr. HARRIS will address some of my concerns in his remarks about educating future young physicians. That is a great part of my life. Certainly, I want to see that continue.

I think one of the things that also struck me was how it affects our colleges. We didn't think it would affect universities much, but in our community colleges. I have talked to a lot of them. One of them was over in North Carolina. Many of them now are limiting their adjunct faculties. And what an adjunct faculty member is is someone who is not there full time, but they may need a specialty let's say in accounting or physics or math or whatever it may be, and then they teach several classes. They now have limited those hours, those classes, to simply three per semester. The reason is because they will have to provide all these benefits if they go above that. Because our good friend, the IRS, has determined for every hour you spend in class, there are 2 or 3 hours that is counted for preparation for that class. That is counted as work. So now community colleges are cutting back the number of hours students can be taught by this particular faculty member. The reason that is important is because a student may need a certain subject that is out there that this faculty member teaches and can't get it, and it delays their graduation.

I have had community college presidents tell me this can be the case in their community. The State of Virginia has cut back to many part-time

workers. I think Secretary Sebelius was in front of our committee and stated that this is just basically people just talking about it, a supposition. And I said that is not true because people are making those decisions in lieu of what is going to happen. That is what businesses do.

I now, Mr. Speaker, would yield to my good friend, Dr. ANDY HARRIS from Maryland.

Mr. HARRIS. I want to thank the gentleman from Tennessee for yielding.

The gentleman from Tennessee is absolutely right. In fact, in Maryland, in a front-page article 2 weeks ago, in our leading newspaper on the front page above the fold, there was a story about how Maryland's community colleges are cutting back their adjunct faculty to make sure none of them teach more than 30 hours a week. And it is just like the doctor from Tennessee says—some of these faculty are important. You have got to have them to fill in niches in your curriculum, and now they are constrained by a 30-hour-a-week definition of full-time work.

Mr. Speaker, the fact is that, remember, it is not just that when you hit 30 hours you have to offer insurance. You have to offer the insurance the government says you have to offer.

As I am going to mention, from literally dozens of communications I get now on a weekly basis from people in my district, the insurance under the Affordable Care Act is anything but affordable.

William in Cecil County writes to me—and I am going to read these verbatim:

My wife and me are currently insured with the Maryland Health Insurance Plan.

Mr. Speaker, the Maryland Health Insurance Plan was our version of covering everyone with a preexisting condition in Maryland. So, Mr. Speaker, in Maryland, every citizen had coverage, whether they had a preexisting condition or not, because they could get it through the Maryland Health Insurance Plan. And, in fact, William writes that he and his wife were currently insured with the Maryland Health Insurance Plan.

We just received a letter stating we can keep our insurance; however, when I questioned them for how long, they said, Until the end of your current policy. So June 30, 2014, we'll be sent to ObamaCare. My wife has multiple serious health issues that our current insurance has kept her alive and able to function pretty normally.

Now, Mr. Speaker, William is worried, and he is justifiably worried because every day we pick up the newspaper and we read about another State where you can't get to your doctor. Your doctor is not going to be on that insurance plan because the only way they can make those premiums less expensive than they already are is to limit who you can go and see when you are sick. Yes, Mr. Speaker, the government telling you who you can go and see when you are sick. And that is what William and his wife were worried about in Cecil County.

But Carl in Queen Anne's County writes to me:

I have to put in my two cents. When ObamaCare first started a couple of years back, my health care started to go up. When we called Blue Cross, they told us, You can thank Mr. Obama. It went up to \$1,600 per month. Now my wife does have stage IV cancer. I am a truck driver. I have to pay for our health care. So much for the care cost dropping.

Mr. Speaker, I don't know if you remember, but our President said 19 times that the price of a policy for a family was going to go down \$2,500 a year. Mr. Speaker, Carl is going to pay \$1,600 a month now. It didn't go down \$2,500. It went up thousands of dollars a year.

Tim from Queen Anne's, I guess, writing in tongue-in-cheek:

Thanking you for the new health care rules that have resulted in our family losing coverage from Giant Food. I'm a general contractor. After 22 years of coverage with my wife, and now faced with a \$1,000 a month bill to cover my family.

That is \$1,000 a month. Not \$2,500 less, like was promised us 19 times, period.

He goes on to say:

I bet you still have your insurance.

Well, Tim, we not only have our insurance, but the President gave Congress, actually, a special deal that you don't get; because you see, Tim, if you got the same deal, your employer could be able to subsidize you on an exchange. That is the deal the President gave Members of Congress and their staff. Sorry, Tim, you didn't get that.

Fran from Worcester County writes:

My CareFirst BlueCross policy has been canceled. I chose my policy. My policy was great. President Obama promised more than two dozen times that, if you like your health care plan, you can keep your health care plan.

Now this is Fran's opinion and not necessarily mine.

I believe that he knowingly lied. What are you going to do about this?

Fran, I have got to tell you, I think it might be too late to do anything about it. This horse has left the barn. Millions of Americans have gotten their cancellation notices. Millions of more Americans have gone on the exchanges to find out that their plan is not going down \$2,500 a year. It is going up an average of, Mr. Speaker, \$5,000 a year for the average family—a 41 percent increase on an average premium this year of \$12,000.

Andrea from Harford County writes:

I just thought you might like to add my family to the statistics of the government's intervention in my perfectly fine 20-year-old CareFirst BlueCross BlueShield insurance plan. I'm self-insured and, hence, the first to be—

Mr. Speaker, I am not going to say the word here because of decorum on the House floor.

When I am forced to accept the new, not-as-good, higher deductible, limited doctor choices, I will be paying an increase of 197.5 percent.

This is what Andrea writes me.

Mr. Speaker, Andrea is not getting a \$2,500 a year cut in her family insurance plan. She is getting a 197.5 percent increase.

Mr. ROE of Tennessee. Will the gentleman yield?

Mr. HARRIS. Yes, I will.

Mr. ROE of Tennessee. Then how do you answer to her that the pundits that we heard all last week and some of our colleagues here on the House floor, including the President, who said these were substandard plans that these individuals' plans were? And I have just heard you say, Dr. HARRIS, three or four times that people were perfectly satisfied; they met their needs.

Mr. HARRIS. Thank you very much. Reclaiming the time, I will tell you about more.

I am more than happy to share these with the President. If he wants to call up Andrea and explain how a 197.5 percent increase fulfills his promise, more than happy to have him do it.

Andrea goes on to say:

I'm not feeling the love. I believe the Congress and the President should have to live under the same laws, rules, and regulations that they insist I do.

Andrea, I couldn't agree more. I don't know why the President carved out a special exception for Members of Congress and their staff that they actually can get their employer to subsidize their plan on the exchange when no other employer in the United States that employs 15,000 people—because, Mr. Speaker, that is what the Congress employs—get that kind of deal.

Andrea, you are absolutely right. I think they should live under the same rules.

That is why, Mr. Speaker, on September 29 we sent a bill over to the Senate that said no special deals for Congress. The Senate rejected it. The President said he would veto the bill. He wants to keep that special deal—not for Andrea, but for Members of Congress and their staff. He wants to keep that special deal.

Matthew in Queen Anne's County, tongue-in-cheek, writes:

I would appreciate if you could pass on my appreciation to the President for the ObamaCare legislation. Thanks to the new law, my employee-sponsored health plan has increased my premiums by 100 percent for my family plan. So much for looking out for the middle class.

Mr. Speaker, Matthew hit the nail on the head. The President promised if you like your plan, you can keep it, period. You can keep your doctor if you like him, and your family's plan is going to be \$2,500 a year less.

□ 2045

Mr. Speaker, Matthew's plan is going up 100 percent. How in the world can someone in the middle class afford that? How in the world can we ask our hardworking middle class men and women, with families, to pay 100 percent more for their health care? We can't. We shouldn't.

It gets worse.

Linda from Cecil County writes:

I have a genetic disorder called Lynch syndrome that predisposes me to a number of cancers.

Yes, Linda was born with a syndrome so that she is actually susceptible to getting cancers:

I have had cancer twice in the past 7 years, and was fortunate enough to be covered by MHIF.

Remember, Mr. Speaker, that that is the plan we already had in Maryland, like over 30 other States, which covered their people who had preexisting conditions. She was fortunate enough to have been covered since she was first diagnosed:

This program was truly a godsend, and I can tell you how grateful I was for it as I did not then, nor do I now, have employer coverage. I was not eligible for Medicaid at the time because my unemployment benefits disqualified me.

She received the cancelation of her policy effective December 31, and was advised that she should purchase insurance through the new exchange, but, Mr. Speaker, she says:

I began trying to obtain insurance as soon as the exchange opened. Although I was able to establish an account and an application, I was informed that I am not eligible for a tax subsidy because I am eligible for Medicaid. While many people might be happy to receive free Medicaid, it creates a nightmare for me.

That is what Linda in Cecil County writes. The President's Affordable Care Act is creating a nightmare for her.

She goes on to say:

There are very few specialists in Cecil County—by the way, that is a rural county in Maryland—so nearly all of my doctors are in Delaware. Since they don't take Maryland Medicaid, I can no longer receive treatment from them.

That is a real benefit that Linda got:

I will have to travel twice the distance to obtain all new doctors if I am forced on to Medicaid.

Mr. Speaker, that is what the Affordable Care Act is doing to Linda. Thank God that there, but for the grace of God, go I that I don't have Lynch syndrome. She does. She worries every day about going to a doctor and being told she has cancer. What the President's Affordable Care Act told her is: You can't go to the doctors you are used to going to who have guided you through those cancers and who have saved your life. We are going to throw you into a whole new plan—Medicaid—and, oh, by the way, you can't go see your doctors anymore.

Mr. Speaker, that is heartless. That is just heartless.

She goes on to say:

MHIF saved my life, and I have had excellent coverage and care for 7 years.

Mr. Speaker, Linda liked her plan, and she doesn't get to keep it. She doesn't get to keep her doctors. She gets to wake up every morning now, worrying about her cancer and whether she is going to find a doctor who can take care of her. She had those doctors. She doesn't have them now. She had

doctors close by. Yes, she had to cross State lines, but her health insurance covered it. Her new health insurance doesn't cover it.

That is what this plan is doing. This plan affects each and every American in ways we are only beginning to understand.

As was famously said, you have got to pass this bill before you know what is in it. Mr. Speaker, we are finding out what is in it. America is finding out what is in it. Five million people found out this month what was in it. It is a cancelation notice for the plans they liked. These people had plans they liked. They weren't throw-away plans. They saved Linda from cancer twice. Every single American is going to be affected by this in ways we are just discovering, and America doesn't like it.

Mr. Speaker, very simply, America deserves better.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair and not to a perceived viewing audience.

Members are reminded not to engage in personalities towards the President.

Mr. ROE of Tennessee. Mr. Speaker, I would like now to mention a couple of things and to talk about this a little bit. We don't have a lot of time left, but it is extremely important. I know that both of my colleagues on the House floor tonight have taught in medical schools and that we have a huge problem in this country with graduating enough doctors and educating them. Let me give you an example.

When you graduate from medical school, you are not then prepared to go out and practice. You need to go and either do your specialty training or surgery—or whatever it may be—or a family practice residency or a primary care residency. In my small town of Johnson City, Tennessee, we have lost about 50 primary care residency slots. Those are 50 primary care doctors per year who are going to have to look elsewhere for residencies. Last year, for the first time in my lifetime, we had over 1,000 young students graduate from medical school—with huge debt—who could not find residency programs. Those are 1,000 students who are doing something this year before they can get into the residencies they need in order to be able to train to take care of us as patients.

The American Medical Association and others have said, in the next 10 years, we will have 90,000 too few doctors to see us. We all know what that means. That means that we wait longer and longer to see the doctor. I think it is a tragedy that is out there that we have young doctors—and I can't imagine graduating from medical school when I did, Mr. Speaker, and not being able to find a slot.

The reason that has happened is that Medicare pays a certain amount—a cap that they put on—for residencies to train young doctors. Then hospitals and universities, through their endow-

ments and other income, put more money in to help train these doctors. What has happened is, because of the Affordable Care Act, the hospitals are getting less money, and they are having to look to cut. That is why they are cutting their staffs, and that is why they are cutting residency programs and are delaying training.

Folks, let me tell you that, downstream, Mr. Speaker, this is a very, very bad thing for us and for the health care of this Nation.

I now would like to yield to Dr. GINGREY from Georgia.

Mr. GINGREY of Georgia. I thank the gentleman for yielding.

I did want to speak about the young people, and I am talking about those who have had their 27th birthdays. They are aged 27, so they are not eligible any longer to be on their parents' health insurance plans. I have concerns over the effects of this law on these young people.

I have warned for some time, and I have even introduced legislation to insulate the young from rate hikes, which are the direct result of these age-band provisions in the Affordable Care Act. Health insurance companies know, and their actuarians know, as they are educated, as they have studied, as they have gone to college and have gotten master's—advanced degrees—in figuring out what the premiums need to be at different age bands. The Federal Government has come along in this law and has said, well, it doesn't matter; that you can't charge any more than three times the premium for, let's say, a 62-year-old versus a 28-year-old.

What that is doing, of course, is making the insurance companies just simply raise the premiums for everybody so they can possibly make a profit.

I just want to conclude with one thing, Mr. Speaker, and then I will yield back to Dr. ROE for some closing comments.

When this bill was marked up in 2009 in my committee—the Energy and Commerce Committee—as it was in Dr. ROE's as well, I submitted an amendment that said very simply: if you—the Democratic majority party and President Obama—are going to cram this down the throats of the American people, who don't want it and who have said they don't want it—60 percent of them said they don't want it—and if you are going to make them accept this, then, Mr. President, you, the First Lady, your two beautiful daughters, all of your Cabinet members, and all Members of Congress should also have to abide by what we, the people, have to abide by.

That amendment—my amendment—was rejected strictly, straightforwardly by a party-line vote. All of the Republicans on the committee voted for it as a fairness issue, and all of the Democrats voted against it.

So what happens?

A Republican Senator put it in its version, which gets in the bill, but

there is, all of a sudden, no subsidy. So, therefore, the President, by executive order, is saying that, oh, okay, these Members are now in ObamaCare, but because of their income, they are not eligible for any subsidy, so we are going to let them keep what the Office of Personnel Management gives them—our tax dollars—and 70 percent to 75 percent of the premium is paid by we, the people, to Members of Congress.

That is grossly unfair. I just want to make sure that all of my colleagues, Mr. Speaker, understand that, and I think they do.

Mr. ROE of Tennessee. I thank the gentleman.

In conclusion, let's go back and look at why we needed health care reform in this country. We needed it because costs were rising and because we had a problem with access for many of our people. That clearly was true. There was no question about it. There were also problems with preexisting conditions. We know that.

The Republican Study Committee has a plan out there called the American Health Care Reform Act. It addresses all of these issues. It truly does lower costs, and it does one important thing that I mentioned earlier in my remarks. I think the patient-doctor relationship—medical decisions—should be made between a patient, a doctor and the family. That is who should be making them, not the insurance company and not the Federal Government. You should be deciding what you purchase.

We have talked about a lot of complicated issues here tonight because

this is a very complicated bill, but it is important for everyone to understand it as best one can because it affects every American citizen. That is why we in the Doctors Caucus on the Republican side of the aisle read that bill and tried to understand it, because it was going to affect every citizen in a very personal way.

We want to continue this discussion on the House floor, and I have certainly enjoyed this 1 hour with you this evening.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JONES (at the request of Mr. CANTOR) for today and the balance of the week on account of medical reasons.

Mr. RUSH (at the request of Ms. PELOSI) for today and the balance of the week on account of attending to family acute medical care and hospitalization.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 287. An act to amend title 38, United States Code, to improve assistance to homeless veterans, and for other purposes, the Committee on Veterans' Affairs.

S. 815. An act to prohibit employment discrimination on the basis of sexual orienta-

tion or gender identity, to the Committee on Education and the Workforce.

In addition to the Committee on House Administration; the Committee on Oversight and Government Reform; and the Committee on the Judiciary for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 1561. An act to amend the Public Health Service Act to improve provisions relating to the sanctuary system for surplus chimpanzees, the Committee on Energy and Commerce.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by Speaker pro tempore, Mr. Thornberry.

H.R. 3190. An act to provide for the continued performance of the functions of the United States Parole Commission, and for other purposes.

ADJOURNMENT

Mr. ROE of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 56 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, November 13, 2013, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the third quarter of 2013 pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Daniel Benishek	9/1	9/2	China		519.39		( <sup>3</sup> )				519.39
	9/2	9/3	Japan		221.93		( <sup>3</sup> )				221.93
	9/3	9/5	Korea		560.55		( <sup>3</sup> )				560.55
	9/5	9/6	China		341.55		( <sup>3</sup> )				341.55
Committee total				1,643.42							1,643.42

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Military air transportation.

HON. FRANK D. LUCAS, Chairman, Oct. 21, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Kay Granger	8/4	8/6	Singapore		1,173.00						1,173.00
	8/7	8/10	Australia		1,542.00						1,542.00
Commercial airfare							27,365.00				27,365.00
Misc. delegation costs								0.00			0.00
Hon. John Carter	8/4	8/6	Singapore		1,173.00						1,173.00
	8/7	8/10	Australia		1,542.00						1,542.00
Commercial airfare							26,193.80				26,193.80
Misc. delegation costs								0.00			0.00
Hon. Rodney Frelinghuysen	8/3	8/8	Israel		1,952.00						1,952.00
Return of unused per diem					-100.00						-100.00
Commercial airfare							11,122.77				11,122.77
Misc. delegation costs								4,102.21			4,102.21
Anne Marie Chatvacs	8/14	8/18	Jordan		1,421.65						1,421.65

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2013—

Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Commercial airfare											10,872.70
Misc. delegation costs											396.86
Steve Marchese	8/14	8/18	Jordan		1,421.65						1,421.65
Commercial airfare											10,872.70
Misc. delegation costs											396.86
Erin Kolodjeski	8/14	8/18	Jordan		1,421.65						1,421.65
Commercial airfare											10,872.70
Misc. delegation costs											396.86
Craig Higgins	8/14	8/18	Jordan		1,421.65						1,421.65
	8/18	8/21	Turkey		912.61						912.61
Commercial airfare											10,221.20
Misc. delegation costs											1,300.67
Susan Adams	8/14	8/18	Jordan		1,421.65						1,421.65
	8/18	8/21	Turkey		727.61						727.61
Commercial airfare											10,263.60
Misc. delegation costs											1,269.67
Tim Prince	9/1	9/3	Singapore		759.00						759.00
	9/3	9/5	Thailand		482.00						482.00
	9/5	9/8	Japan		972.23						972.23
Commercial airfare											18,291.81
Misc. delegation costs											86.21
Brooke Boyer	9/1	9/3	Singapore		759.00						759.00
	9/3	9/5	Thailand		482.00						482.00
	9/5	9/8	Japan		972.23						972.23
Commercial airfare											18,291.81
Misc. delegation costs											86.21
Committee total					20,456.93		154,368.09		8,035.55		182,860.57

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. HAROLD ROGERS, Chairman, Oct. 31, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Visit to Austria, Italy, Spain with CODEL Bili-rakis—June 30–July 7, 2013											0.00
Hon. Loretta Sanchez	7/1	7/2	Austria								879.68
	7/2	7/5	Italy		879.68						879.68
	7/5	7/7	Spain		408.99						408.99
Commercial airfare											5,078.60
Hon. Carol Shea-Porter	7/1	7/2	Austria								0.00
	7/2	7/5	Italy		875.68						875.68
	7/5	7/7	Spain		408.99						408.99
Commercial airfare											5,078.60
Jesse Tolleson	7/1	7/2	Austria								0.00
	7/2	7/5	Italy		953.68						953.68
	7/5	7/7	Spain		408.99						408.99
Commercial airfare											3,423.33
Douglas Bush	7/1	7/2	Austria								0.00
	7/2	7/5	Italy		953.68						953.68
	7/5	7/7	Spain		408.99						408.99
Commercial airfare											4,784.90
Visit to South Korea—June 28–July 3, 2013											920.00
Timothy McClees	6/29	7/3	South Korea		920.00						920.00
Commercial airfare											9,528.70
Visit to Germany, Spain, Italy—July 15–22, 2013											9,528.70
Craig Greene	7/15	7/17	Germany		632.41						632.41
	7/17	7/19	Spain		754.75						754.75
	7/19	7/22	Italy		1,171.32						1,171.32
Debra Wada	7/15	7/17	Germany		250.00						250.00
	7/17	7/19	Spain		216.00						216.00
	7/19	7/22	Italy		400.00						400.00
Jeanette James	7/15	7/17	Germany		250.00						250.00
	7/17	7/19	Spain		216.00						216.00
	7/19	7/22	Italy		400.00						400.00
Visit to Uganda, Djibouti, South Africa, Niger—July 16–26, 2013											1,380.46
Ryan Crumpler	7/17	7/20	Niger		1,380.46						1,380.46
	7/21	7/22	Djibouti		551.93						551.93
	7/23	7/24	Uganda		924.00						924.00
	7/25	7/27	South Africa		166.00						166.00
Commercial airfare											26,634.60
Mark Lewis	7/17	7/22	Djibouti		551.93						551.93
	7/23	7/24	Uganda		924.00						924.00
	7/25	7/27	South Africa		166.00						166.00
Commercial airfare											14,806.12
Brian Garrett	7/17	7/20	Niger		1,300.46						1,300.46
	7/21	7/22	Djibouti		551.93						551.93
	7/23	7/24	Uganda		869.00						869.00
	7/25	7/27	South Africa		374.24						374.24
Commercial airfare											18,719.12
Visit to Australia, Singapore—August 2–10, 2013											1,109.45
Hon. Rob Wittman	8/4	8/6	Singapore		1,109.45						1,109.45
	8/6	8/10	Australia		1,513.79						1,513.79
Commercial airfare											10,289.40
Hon. Madeleine Bordallo	8/4	8/6	Singapore		1,109.45						1,109.45
	8/6	8/10	Australia		1,513.79						1,513.79
Commercial airfare											27,899.80
Michele Pearce	8/4	8/6	Singapore		1,109.45						1,109.45
	8/6	8/10	Australia		1,513.79						1,513.79
Commercial airfare											26,118.40
Brian Garrett	8/4	8/6	Singapore		1,109.45						1,109.45
	8/6	8/10	Australia		1,306.79						1,306.79
Commercial airfare											18,242.50
Visit to Japan, South Korea—August 6–14, 2013											630.00
Ryan Crumpler	8/7	8/11	Japan		630.00						630.00



REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2013—Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Robert Pittenger	8/31	9/3	Japan		993.41						993.41
	9/4	9/5	UAE		454.00						454.00
	9/5	9/6	Egypt		270.00						270.00
	9/6	9/7	Qatar		340.00						340.00
	9/7	9/9	Belgium		844.00		20,282.00				21,672.00
Committee total					2,929.41				31,897.10		34,826.51

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JEB HENSARLING, Chairman, Oct. 31, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Tom Alexander	8/20	8/21	Pakistan		140.00		7,999.00	*	46.93		8,185.93
	8/21	8/22	Kuwait		375.28			*	1,792.16		2,167.44
	8/22	8/23	Turkey		351.26						351.26
	8/23	8/25	UK		982.00						982.00
Ari Fridman	8/20	8/21	Pakistan		140.00		7,999.00				8,139.00
	8/21	8/22	Kuwait		375.28						375.28
	8/22	8/23	Turkey		351.26						351.26
	8/23	8/25	UK		882.00						882.00
Daniel Silverberg	8/20	8/21	Pakistan		40.00		7,348.70				7,388.70
	8/21	8/22	Kuwait		375.28						375.28
	8/22	8/23	Turkey		351.26						351.26
	8/23	8/25	UK		982.00						982.00
Hon. Grace Meng	9/1	9/2	Hong Kong		519.39						519.39
	9/2	9/3	Japan		438.68						438.68
	9/3	9/5	Korea		674.13						674.13
	9/5	9/6	China		363.99						363.99
Hon. Dana Rohrabacher	8/31	9/3	Japan		1,357.67		17,799.50	*	6,761.43		25,918.60
	9/4	9/5	UAE		454.44			*	3,608.65		4,063.09
	9/5	9/6	Egypt		269.78			*	804.00		1,073.78
	9/6	9/7	Qatar		340.65			*	2,499.62		2,840.27
	9/7	9/9	Belgium		856.58			*	4,760.34		5,616.92
Hon. Lois Frankel	8/31	9/3	Japan		1,357.67		18,280.60				19,638.27
	9/4	9/5	UAE		454.44						454.44
	9/5	9/6	Egypt		269.78						269.78
	9/6	9/8	Belgium		1,015.58						1,015.58
Hon. Steve Stockman	8/31	9/3	Japan		1,357.67		19,008.00				20,365.67
	9/4	9/5	UAE		454.44						454.44
	9/5	9/6	Egypt		269.78						269.78
	9/6	9/7	Qatar		340.65						340.65
	9/7	9/9	Belgium		856.58						856.58
Paul Berkowitz	8/31	9/3	Japan		1,357.67		18,659.70				20,017.37
	9/4	9/5	UAE		454.44						454.44
	9/5	9/6	Egypt		269.78						269.78
	9/6	9/8	Belgium		1,284.85						1,284.85
Doug Seay	9/22	9/25	Azerbaijan		807.00		12,074.80				12,881.80
	9/25	9/28	Georgia		720.00						720.00
Hon. Christopher Smith	9/21	9/22	Germany		283.73		1,411.85				1,695.58
	9/22	9/24	Nigeria		571.67		1,411.85				1,983.52
Greg Simpkins	9/21	9/22	Germany		270.00		1,411.85				1,681.85
	9/22	9/24	Nigeria		577.67		1,411.85				1,989.52
Mark Walker	9/3	9/6	Haiti		798.00		761.10				1,559.10
Elizabeth Heng	9/3	9/6	Haiti		755.78		1,175.10				1,930.88
Peter Quilter	9/3	9/6	Haiti		798.00		761.10				1,559.10
Eddy Acevedo	9/3	9/6	Haiti		718.00		1,160.10				1,878.10
Hon. Ileana Ros-Lehtinen	8/4	8/8	Israel		1,622.00		14,998.40	*	16,408.83		33,029.23
Eddy Acevedo	8/4	8/8	Israel		1,627.00		11,252.77				12,879.77
Golan Rodgers	8/4	8/8	Israel		1,632.00		11,369.77				13,001.77
Hunter Strupp	8/4	8/5	China		141.75		5,429.90				5,571.65
	8/5	8/7	Cambodia		581.00				54.08		635.08
Joan Condon	8/7	8/11	Vietnam		1,386.53				115.69		1,502.22
	8/4	8/5	China		141.75		5,429.90				5,571.65
	8/5	8/7	Cambodia		581.00						581.00
Janice Kaguyutan	8/7	8/11	Vietnam		1,386.53						1,386.53
	8/4	8/5	China		141.80		5,429.90				5,571.70
	8/5	8/7	Cambodia		581.00						581.00
	8/7	8/11	Vietnam		1,385.00						1,385.00
Worku Gachou	8/9	8/15	Ethiopia		2,325.83		5,523.62	*	118.00		7,967.45
Eric Williams	8/9	8/15	Ethiopia		2,375.83		5,488.62				7,864.45
Hon. Steve Chabot	8/24	8/26	New Zealand		599.00		16,270.00				16,869.00
	8/26	8/29	Australia		978.00			*	3,943.00		4,921.00
Kevin Fitzpatrick	8/24	8/26	New Zealand		594.00		16,270.00				16,864.00
	8/26	8/29	Australia		988.00						988.00
Hon. Ed Royce	8/14	8/17	Singapore		1,146.00		11,158.90				12,304.90
	8/17	8/20	Indonesia		1,001.00			*	2,509.24		3,510.24
	8/20	8/22	Thailand		371.00			*	897.43		1,268.43
Hon. David Cicilline	8/15	8/17	Singapore		1,063.06		15,801.50				16,864.56
	8/17	8/19	Indonesia		1,001.00						1,001.00
	8/20	8/21	Thailand		358.32						358.32
Nien Su	8/14	8/17	Singapore		1,146.00		13,183.90				14,329.90
	8/17	8/20	Indonesia		951.00						951.00
	8/20	8/22	Thailand		371.00						371.00
J.J. Ong	8/14	8/16	Singapore		1,346.00		13,183.90				14,529.90
	8/17	8/19	Indonesia		1,001.00						1,001.00
	8/20	8/22	Thailand		471.00						471.00
Luke Murry	8/3	8/8	Nigeria		1,958.00		9,538.00				11,496.00
Jeff Dressler	8/3	8/8	Nigeria		1,858.00		9,538.00				11,396.00
Hon. Ted Poe	8/22	8/23	Panama		268.77		3,114.32	*	604.65		3,987.74
	8/23	8/25	Costa Rica		294.00		469.70	*	2,370.90		3,134.60
Luke Murry	8/22	8/23	Panama		221.67		2,085.32				2,306.99
	8/23	8/25	Costa Rica		382.61						382.61
Committee total					60,941.56		294,210.52	*	47,294.95		402,447.03

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup> Military air transportation.  
 \* Indicates delegation costs.

HON. EDWARD R. ROYCE, Chairman, Oct. 31, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE ADMINISTRATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CANDICE S. MILLER, Chairman, Oct. 17, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Steve King	8/31	9/3	Japan	1,357.67			* 16,813.10				18,170.77
	9/3	9/5	UAE	454.44				986.00			1,440.44
	9/5	9/6	Egypt	275.75							275.75
	9/6	9/8	Belgium	578.49				788.63			1,367.12
Total											21,254.08
Hon. Louie Gohmert	9/4	9/5	UAE	423.39			* 9,835.10		986.00		11,244.49
	9/5	9/6	Egypt	82.00							82.00
	9/6	9/8	Belgium	1,174.64				788.63			1,963.27
Total											13,289.76
Committee total				4,346.38			26,648.20	3,549.26			34,543.84

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

\* Transportation all inclusive.

HON. BOB GOODLATTE, Chairman, Oct. 30, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Donna Edwards	8/31	9/3	Japan	578.26	589.00		0.00		0.00	57,826	589.00
	9/4	9/5	UAE	1669	454.00		0.00		0.00	1669	454.00
	9/5	9/6	Egypt	92	14.00		0.00		0.00	92	14.00
	9/6	9/8	Belgium	398	547.00		0.00		0.00	398	547.00
	8/30	9/8	Japan, UAE, Egypt, Belgium		0.00		12,778.77		0.00		12,778.77
Committee total					1,604.00		12,778.77		0.00		14,382.77

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. LAMAR SMITH, Chairman, Oct. 29, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Janice Hahn	8/22	8/23	Panama		253.99		468.94				722.93
	8/23	8/25	Costa Rica		468.94		751.41				1,220.35
Committee total					722.93		1,200.86				1,923.79

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BILL SHUSTER, Chairman, Oct. 25, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JEFF MILLER, Chairman, Oct. 28, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Sander Levin	8/19	8/21	Bangladesh		0.00		347.58		687.58		1,035.16
Behnaz Kibria	8/17	8/21	Bangladesh		815.57		14,735.10		0.00		15,550.67
Geoff Antell	8/10	8/13	Ethiopia		230.00		9,106.73		158.66		10,429.30
Committee total					1,045.57		24,189.41		849.24		27,015.13

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DAVE CAMP, Chairman, Oct. 31, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. K. Michael Conaway	6/29	6/30	Middle East		331.02						
Commercial airfare	6/30	7/3	Middle East		0.00						
Hon. Michele Bachmann	6/29	6/30	Middle East		331.02		11,159.00				11,490.02
Commercial airfare	6/30	7/3	Middle East		0.00		14,922.20				15,253.22
Hon. Mike Pompeo	6/29	6/30	Middle East		331.02						
Commercial airfare	6/30	7/3	Middle East		0.00		9,880.80				10,211.82
Darren Dick	6/29	6/30	Middle East		331.02						
Commercial airfare	6/30	7/3	Middle East		0.00		9,880.80				10,211.82
Chelsey Campbell	6/29	6/30	Middle East		331.02						
Commercial airfare	6/30	7/3	Middle East		0.00		9,880.80				10,211.82
Carly Scott	6/29	6/30	Middle East		331.02						
Commercial airfare	6/30	7/3	Middle East		0.00						
Jim Hildebrand	6/29	7/3	Asia		1,280.00		( <sup>3</sup> )				1,280.00
Amanda Rogers Thorpe	6/29	7/3	Asia		1,280.00		( <sup>3</sup> )				1,280.00
Hon. Jeff Miller	7/26	7/27	Middle East		319.00						
Commercial airfare	7/27	7/29	Middle East		710.81						
Hon. C.A. Dutch Ruppersberger	7/26	7/27	Eurasia		319.00						
Commercial airfare	7/27	7/29	Middle East		710.81						
Hon. Terri A. Sewell	7/26	7/27	Eurasia		319.00						
Commercial airfare	7/27	7/29	Middle East		710.81						
Hon. James A. Himes	7/26	7/27	Eurasia		319.00						
Commercial airfare	7/27	7/29	Middle East		710.81						
Hon. Andy Keiser	7/26	7/27	Eurasia		319.00						
Commercial airfare	7/27	7/29	Middle East		710.81						
Chelsey Campbell	7/26	7/27	Eurasia		319.00						
Commercial airfare	7/27	7/29	Middle East		710.81						
Heather Molino	7/26	7/27	Eurasia		319.00						
Commercial airfare	7/27	7/29	Middle East		710.81						
Hon. Devin Nunes	8/10	8/12	East Asia		515.50						
8/12	8/13	East Asia		517.00							
8/13	8/16	East Asia		448.53							
8/16	8/22	East Asia		1,718.44							
Military and commercial airfare							<sup>3</sup> 11,125.50				14,324.97
Frank Garcia	8/10	8/12	East Asia		368.50						
8/12	8/13	East Asia		517.00							
8/13	8/16	East Asia		448.53							
8/16	8/22	East Asia		1,718.44							
Military and commercial airfare							<sup>3</sup> 9,370.50				12,422.97
Robert Minehart	8/10	8/12	East Asia		368.50						
8/12	8/13	East Asia		517.00							
8/13	8/16	East Asia		448.53							
8/16	8/22	East Asia		1,718.44							
Military and commercial airfare							<sup>3</sup> 15,946.00				18,998.47
Geof Kahn	8/18	8/19	Asia		759.18						
8/19	8/22	Asia		822.75							
8/22	8/25	Asia		1,694.86							
Commercial airfare							18,235.32				21,512.11
Tom Corcoran	8/18	8/19	Asia		759.18						
8/19	8/24	Asia		1,371.25							
Commercial airfare							14,619.70				16,750.13
Andy Keiser	8/18	8/19	Asia		759.18						
8/19	8/22	Asia		697.75							
8/22	8/25	Asia		1,694.86							
Commercial airfare							18,235.32				21,387.11
Carly Scott	8/18	8/19	Asia		759.18						
8/19	8/22	Asia		822.75							
8/22	8/25	Asia		1,694.86							
Commercial airfare							18,235.32				21,512.11
Hon. Michele Bachmann	8/28	8/31	Europe		1,524.00						
8/31	9/3	Asia		1,357.67							
9/3	9/4	Europe		361.00							
9/4	9/5	Middle East		454.44							
9/5	9/6	Middle East		524.00							
9/6	9/7	Europe		1,284.85							
Commercial airfare							14,512.10				20,018.06
Hon. Terri A. Sewell	9/1	9/3	Asia		574.39						
9/3	9/4	Asia		445.55							
9/4	9/6	Asia		247.54			( <sup>3</sup> )				1,267.48
Hon. Mike Pompeo	9/3	9/4	Middle East		491.00						
9/4	9/8	Middle East		1,466.23							
Commercial airfare							10,566.77				12,524.00
Katie Wheelbarger	9/3	9/4	Middle East		491.00						
9/4	9/8	Middle East		1,466.23							

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2013—Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Commercial airfare .....											
Hon. Frank A. LoBiondo .....	9/21	9/23	Middle East .....		455.00		9,754.27				11,711.50
Commercial airfare .....							9,016.20				9,471.20
Chelsey Campbell .....			Middle East .....		455.00						9,471.20
Commercial airfare .....							9,016.20				9,471.20
Committee total .....											307,438.60

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup> Military air transportation.

HON. MIKE ROGERS, Chairman, Oct. 31, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TAXATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>

HOUSE COMMITTEES  
 Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DAVE CAMP, Chairman, Oct. 11, 2013.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3626. A communication from the President of the United States, transmitting the District of Columbia's Fiscal Year 2014 Budget Request Act, pursuant to Public Law 93-198, section 446 (87 Stat. 806); (H. Doc. No. 113-71); to the Committee on Appropriations and ordered to be printed.

3627. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Susan J. Helms, United States Air Force, and her advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

3628. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Major General David H. Huntoon, United States Army, and his advancement to the grade of lieutenant general; to the Committee on Armed Services.

3629. A letter from the Assistant General Counsel for Legislation, Regulation, and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Television Sets [Docket No.: EERE-2010-BT-TP-0026] (RIN: 1904-AC29) received October 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3630. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting a report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

3631. A letter from the Chairman, Federal Labor Relations Authority, transmitting the semiannual report of the Inspector General of the Federal Labor Relations Board for the period April 1, 2013 through September 30, 2013; to the Committee on Oversight and Government Reform.

3632. A letter from the Deputy General Counsel, Small Business Administration,

transmitting the Administration's final rule — Small Business Size Standards: Arts, Entertainment, and Recreation (RIN: 3245-AG36) received October 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

3633. A letter from the Deputy Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Subcontracting (RIN: 3245-AG22) received October 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

3634. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Size and Status Integrity (RIN: 3245-AG23) received October 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

3635. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Size Standards: Finance and Insurance Management Companies and Enterprises (RIN: 3245-AG45) received October 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. Supplemental report on H.R. 982. A bill to amend title 11 of the United States Code to require the public disclosure by trusts established under section 527(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos; and for other purposes (Rept. 113-254, Pt. 2).

Mr. UPTON: Committee on Energy and Commerce. H.R. 2810. A bill to amend title XVIII of the Social Security Act to reform the sustainable growth rate and Medicare payment for physicians' services, and for other purposes; with an amendment (Rept. 113-247, Pt. 1). Ordered to be printed.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 2871. A bill to amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes (Rept. 113-258). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 2922. A bill to extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds (Rept. 113-259). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. House Resolution 196. A resolution supporting the Sixth Amendment to the United States Constitution, the right to counsel (Rept. 113-260). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2728. A bill to recognize States' authority to regulate oil and gas operations and promote American energy security, development, and job creation; with an amendment (Rept. 113-261). Referred to the Committee of the Whole House on state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1965. A bill to streamline and ensure onshore energy permitting, provide for onshore leasing certainty, and give certainty to oil shale development for American energy security, economic development, and job creation, and for other purposes; with an amendment (Rept. 113-262, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1548. A bill to facilitate the development of energy on Indian lands by reducing Federal regulations that impede tribal development of Indian lands, and for other purposes, with an amendment (Rept. 113-263). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 403. A resolution providing for consideration of the bill (H.R. 2655) to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes, and providing for consideration of the bill (H.R. 982) to amend title 11 of the United States Code to

require the public disclosure by trusts established under section 524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos; and for other purposes (Rept. 113-264). Referred to the House Calendar.

## DISCHARGE OF COMMITTEE

(The following actions occurred on November 1, 2013)

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 2226 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 2279 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 2318 referred to the Committee of the Whole House on the state of the Union.

(The following actions occurred on November 12, 2013)

Pursuant to clause 2 of rule XIII, the Committee on the Judiciary discharged from further consideration. H.R. 1965 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on the Judiciary discharged from further consideration H.R. 2810.

## TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 2810. Referral to the Committee on Ways and Means extended for a period ending not later than December 2, 2013.

## 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. CUMMINGS (for himself, Mr. ELLISON, Mr. TIERNEY, Ms. WILSON of Florida, Mr. POLIS, Ms. SHEA-PORTER, Mrs. MCCARTHY of New York, Mr. CÁRDENAS, and Mr. RANGEL):

H.R. 3446. A bill to amend the Higher Education Act of 1965 to amend the process by which students with certain special circumstances apply for Federal financial aid; to the Committee on Education and the Workforce.

By Mr. BRADY of Texas:

H.R. 3447. A bill to amend title 5, United States Code, to make clear that Federal employees who receive back pay for a period during which they are furloughed due to a lapse in appropriations may not also receive unemployment compensation for the same period; to the Committee on Ways and Means.

By Mr. DUFFY (for himself and Mr. CARNEY):

H.R. 3448. A bill to amend the Securities Exchange Act of 1934 to provide for an optional pilot program allowing certain emerging growth companies to increase the tick

sizes of their stocks; to the Committee on Financial Services.

By Ms. EDWARDS (for herself, Mr. LEVIN, Ms. NORTON, Ms. MOORE, Mr. MORAN, Mr. CÁRDENAS, Ms. DEGETTE, Mr. BLUMENAUER, Mr. DINGELL, Mr. PRICE of North Carolina, Mr. SARBANES, Mr. RUSH, Mrs. NAPOLITANO, Mr. DELANEY, Ms. CHU, Mr. HONDA, Ms. ESTY, Ms. SHEA-PORTER, and Mr. CARTWRIGHT):

H.R. 3449. A bill to establish centers of excellence for innovative stormwater control infrastructure, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Science, Space, and Technology, 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 Mrs. ELLMERS:

H.R. 3450. A bill to amend the Patient Protection and Affordable Care Act to allow individuals to opt out of the minimum required health benefits by permitting health insurance issuers to offer qualified health plans that offer alternative benefits to the minimum essential health benefits otherwise required, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARCIA:

H.R. 3451. A bill to require the Secretary of Veterans Affairs to establish a veterans conservation corps, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Transportation and Infrastructure, the Judiciary, and Science, Space, and Technology, 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. HIGGINS:

H.R. 3452. A bill to decrease the frequency of sports blackouts, to require the application of the antitrust laws to Major League Baseball, and for other purposes; to the Committee on the Judiciary.

By Mr. HORSFORD:

H.R. 3453. A bill to reauthorize the VOW to Hire Heroes Act of 2011, to provide assistance to small businesses owned by veterans, to improve enforcement of employment and re-employment rights of members of the uniformed services, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Armed Services, Oversight and Government Reform, the Judiciary, and Science, Space, and Technology, 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. KINGSTON:

H.R. 3454. A bill to amend title III of the Social Security Act to require a substance abuse risk assessment and targeted drug testing as a condition for the receipt of unemployment benefits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on 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. LAMBORN:

H.R. 3455. A bill to designate the facility of the United States Postal Service located at 201 East Pikes Peak Avenue in Colorado Springs, Colorado, as the "Chaplain (Capt.) Dale Goetz Memorial Post Office Building";

to the Committee on Oversight and Government Reform.

By Ms. SCHWARTZ (for herself and Mr. ROE of Tennessee):

H.R. 3456. A bill to amend title 38, United States Code, to improve the enrollment of veterans in certain courses of education, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, 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. SIMPSON:

H.R. 3457. A bill to authorize an additional district judgeship for the district of Idaho; to the Committee on the Judiciary.

By Ms. SLAUGHTER:

H.R. 3458. A bill to treat payments by charitable organizations with respect to certain firefighters as exempt payments; to the Committee on Ways and Means.

By Ms. SPEIER (for herself, Mr. MEEHAN, Ms. MCCOLLUM, Ms. BROWNLEY of California, and Ms. TSONGAS):

H.R. 3459. A bill to amend title 10, United States Code, to provide for preliminary hearings on alleged offenses under the Uniform Code of Military Justice; to the Committee on Armed Services.

By Mr. TIPTON:

H.R. 3460. A bill to amend the Mineral Leasing Act to require that a portion of revenues from new Federal mineral and geothermal leases be paid to States for use to supplement the education of students in kindergarten through grade 12 and public support of institutions of higher education, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself, Mr. ROYCE, Mr. KEATING, and Mr. POE of Texas):

H. Res. 402. A resolution supporting the European aspirations of the peoples of the European Union's Eastern Partnership countries, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ROYCE (for himself and Mr. ENGEL):

H. Res. 404. A resolution expressing condolences and support for assistance to the victims of Typhoon Haiyan which made landfall in the Republic of the Philippines on November 8, 2013; to the Committee on Foreign Affairs.

By Mr. GINGREY of Georgia (for himself, Mr. DAINES, and Mr. WESTMORELAND):

H. Res. 405. A resolution commending the Patriot Guard Riders for their mission to show sincere respect for fallen members of the Armed Forces by attending the funeral services of a fallen member as invited guests of the family of the member; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, 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. LOEBACK (for himself, Ms. ESTY, Mr. GRIJALVA, Ms. BORDALLO, Ms. LEE of California, Mr. RYAN of Ohio, Mr. PAYNE, Mr. HINOJOSA, Mr. POLIS, Mr. TONKO, Mr. HOLT, Ms. CHU, Mr. COHEN, Ms. MCCOLLUM, Ms. SHEA-PORTER, Mr. POCAN, Mr. SCHIFF, Mr. PETRI, and Mr. LOWENTHAL):

H. Res. 406. A resolution expressing support for designation of the week beginning on November 11, 2013, as National School Psychology Week; to the Committee on Education and the Workforce.

By Mr. SEAN PATRICK MALONEY of New York (for himself, Mr. CICILLINE, Ms. ROS-LEHTINEN, Mr. HANNA, Mr. POLIS, Mr. POCAN, Mr. TAKANO, and Ms. SINEMA):

H. Res. 407. A resolution supporting the goals and ideals of National Adoption Day and National Adoption Month by promoting awareness of adoption and the children in foster care awaiting families, celebrating children and families involved in adoption, recognizing current programs and efforts designed to promote adoption, and encouraging people in the United States to seek improved safety, permanency, and well-being for all children; to the Committee on Education and the Workforce.

#### 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. CUMMINGS:

H.R. 3446.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. BRADY of Texas:

H.R. 3447.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. DUFFY:

H.R. 3448.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

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 Ms. EDWARDS:

H.R. 3449.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mrs. ELLMERS:

H.R. 3450.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. GARCIA:

H.R. 3451.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 12 & Clause 18 of the Constitution, Congress, has the power "To make all laws which shall be necessary and proper" for carrying out power including the power "To raise and support Armies".

By Mr. HIGGINS:

H.R. 3452.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. HORSFORD:

H.R. 3453.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution allows Congress to regulate interstate commerce.

Article I, Section 8, clause 1 of the United States Constitution permits the Congress to tax and spend for the general welfare.

Article I, Section 8, clause 18 is the necessary and proper clause, allowing Congress to enact all laws necessary and proper for executing any of their enumerated powers.

By Mr. KINGSTON:

H.R. 3454.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution.

By Mr. LAMBORN:

H.R. 3455.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Ms. SCHWARTZ:

H.R. 3456.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SIMPSON:

H.R. 3457.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution.

By Ms. SLAUGHTER:

H.R. 3458.

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, Clause 3 of the United States Constitution.

By Ms. SPEIER:

H.R. 3459.

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. TIPTON:

H.R. 3460.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 15: Mr. CAPUANO.

H.R. 38: Mr. PETERS of California.

H.R. 75: Mr. WESTMORELAND.

H.R. 129: Mr. HONDA.

H.R. 183: Mr. RANGEL.

H.R. 184: Mr. SCHNEIDER and Mr. PAYNE.

H.R. 292: Mr. RYAN of Ohio and Ms. MOORE.

H.R. 303: Mr. SEAN PATRICK MALONEY of New York.

H.R. 310: Ms. KUSTER and Ms. ESTY.

H.R. 318: Mr. COFFMAN.

H.R. 351: Mr. SHUSTER and Mr. WILLIAMS.

H.R. 455: Mrs. CAPPS and Ms. CLARKE.

H.R. 485: Mr. ANDREWS and Mr. JEFFRIES.

H.R. 503: Mr. SWALWELL of California and Mr. BRADY of Texas.

H.R. 523: Ms. KUSTER and Mr. GARCIA.

H.R. 525: Ms. MCCOLLUM.

H.R. 526: Ms. BASS, Mrs. CAROLYN B. MALONEY of New York, and Mr. VAN HOLLEN.

H.R. 541: Ms. DEGETTE, Ms. TITUS, and Mr. HANNA.

H.R. 543: Mr. GARCIA.

H.R. 562: Mr. SEAN PATRICK MALONEY of New York and Mr. OWENS.

H.R. 611: Mr. CAPUANO.

H.R. 644: Mr. SMITH of New Jersey.

H.R. 647: Mr. ENGEL, Ms. BASS, Mr. GARCIA, Mr. ENYART, Mr. SHERMAN, Mr. SERRANO, and Mr. OLSON.

H.R. 685: Mr. ROSS, Ms. EDWARDS, and Mr. GARRETT.

H.R. 715: Mr. HIGGINS, Mr. SCHIFF, Ms. MATSUI, Mr. FALOMAVAEGA, Mr. DINGELL, Ms. LOFGREN, Mr. KEATING, Mr. POSEY, Mr. BISHOP of New York, Mr. LOWENTHAL, Mr. GRILJALVA, Mr. PETERSON, and Mr. WHITFIELD.

H.R. 718: Mrs. HARTZLER.

H.R. 721: Mr. CARTWRIGHT and Mr. DANNY K. DAVIS of Illinois.

H.R. 724: Mr. FITZPATRICK.

H.R. 755: Mr. HECK of Washington.

H.R. 781: Mr. COFFMAN.

H.R. 792: Mr. GRIMM.

H.R. 808: Mr. FARR.

H.R. 855: Mr. BEN RAY LUJÁN of New Mexico and Mrs. MCCARTHY of New York.

H.R. 915: Mrs. BUSTOS.

H.R. 961: Mr. HIMES and Ms. KELLY of Illinois.

H.R. 980: Ms. DUCKWORTH.

H.R. 1000: Mr. PAYNE.

H.R. 1015: Mr. ENYART and Mr. MCDERMOTT.

H.R. 1020: Mr. COHEN, Mr. VEASEY, and Mr. LATHAM.

H.R. 1024: Mr. JOHNSON of Georgia and Mr. DENT.

H.R. 1076: Mr. GRIFFIN of Arkansas.

H.R. 1091: Mr. MARINO and Mr. FORTENBERRY.

H.R. 1127: Mrs. BUSTOS.

H.R. 1149: Mr. CLAY.

H.R. 1173: Mr. SERRANO and Mr. LARSEN of Washington.

H.R. 1186: Mr. LATHAM.

H.R. 1199: Ms. DEGETTE.

H.R. 1209: Mr. TIBERI, Mr. LEVIN, Mr. MICHAUD, Ms. ESHOO, Mrs. CHRISTENSEN, Mr. CAPUANO, Mr. HULTGREN, Mr. CÁRDENAS, Mr. HASTINGS of Florida, Mr. NOLAN, Ms. SEWELL of Alabama, Mr. GINGREY of Georgia, Mr. WITTMAN, and Mr. HUNTER.

H.R. 1240: Mr. VISLOSKEY, Mr. CARNEY, and Mr. HUFFMAN.

H.R. 1248: Mr. JOYCE and Mr. KLINE.

H.R. 1250: Mr. DUNCAN of Tennessee.

H.R. 1263: Mr. KENNEDY.

H.R. 1276: Mr. CARSON of Indiana, Mr. CARTWRIGHT, Mr. CLEAVER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. MCCARTHY of New York, Mr. PERLMUTTER, and Mr. SWALWELL of California.

H.R. 1281: Mr. LATHAM.

H.R. 1428: Ms. JACKSON LEE, Mr. PALAZZO, and Mr. HARPER.

H.R. 1429: Mr. SEAN PATRICK MALONEY of New York, Mr. NADLER, Mr. GRIMM, Mr. OWENS, Mr. TONKO, Mr. ENGEL, and Mr. CROWLEY.

H.R. 1507: Mr. GIBSON, Mr. CAPUANO, Mr. JEFFRIES, Mr. MURPHY of Florida, and Ms. FUDGE.

H.R. 1518: Ms. WASSERMAN SCHULTZ, Mr. JOHNSON of Ohio, Mr. ROTHFUS, Mr. RICE of South Carolina, Mr. POMPEO, Ms. DEGETTE, and Mr. THOMPSON of California.

H.R. 1563: Mr. SESSIONS and Mr. HASTINGS of Florida.

H.R. 1579: Mr. SARBANES.

H.R. 1648: Mr. RICHMOND and Mr. WAXMAN.

H.R. 1666: Mr. THOMPSON of California and Mr. AL GREEN of Texas.

H.R. 1696: Mr. NOLAN.

H.R. 1698: Mr. MCGOVERN, Ms. BONAMICI, and Mr. COFFMAN.

H.R. 1717: Ms. DEGETTE.

H.R. 1726: Mr. KEATING, Mr. GRIMM, Mr. RUPPERSBERGER, Mr. CONNOLLY, Ms. EDWARDS, Mr. ROSS, and Mr. COFFMAN.

- H.R. 1750: Mr. CRAMER and Mr. RENACCI.  
H.R. 1755: Ms. SEWELL of Alabama and Mr. JEFFRIES.  
H.R. 1761: Mr. CRAWFORD and Ms. SLAUGHTER.  
H.R. 1779: Mr. TONKO, Mr. DUNCAN of South Carolina, and Mr. RICHMOND.  
H.R. 1796: Mr. HORSFORD.  
H.R. 1803: Mr. YOUNG of Alaska.  
H.R. 1809: Mrs. CAROLYN B. MALONEY of New York.  
H.R. 1812: Mr. GRIMM, Mr. COFFMAN, and Mr. JEFFRIES.  
H.R. 1814: Mr. FLORES, Mr. GARAMENDI, and Mr. CONYERS.  
H.R. 1821: Mr. MORAN and Mr. HORSFORD.  
H.R. 1830: Mrs. DAVIS of California.  
H.R. 1832: Mr. KIND, Mr. SHIMKUS, Mr. BRADY of Texas, Mr. CONNOLLY, Mr. RYAN of Ohio, and Mr. CROWLEY.  
H.R. 1844: Mrs. NEGRETE MCLEOD, Mr. CARSON of Indiana, Ms. SPEIER, and Mr. PAYNE.  
H.R. 1893: Mr. HOLT.  
H.R. 1962: Mr. HECK of Washington.  
H.R. 1975: Mr. DOYLE, Ms. KELLY of Illinois, Mr. McDERMOTT, and Ms. JACKSON LEE.  
H.R. 1982: Mr. GRIFFIN of Arkansas.  
H.R. 1984: Mrs. McMORRIS RODGERS.  
H.R. 1985: Ms. KUSTER.  
H.R. 1992: Mr. PERRY.  
H.R. 1998: Mr. CÁRDENAS.  
H.R. 1999: Ms. WASSERMAN SCHULTZ.  
H.R. 2027: Mr. CHABOT.  
H.R. 2084: Mrs. NAPOLITANO.  
H.R. 2099: Mr. DUNCAN of Tennessee.  
H.R. 2202: Mr. HASTINGS of Florida.  
H.R. 2213: Mr. OWENS.  
H.R. 2224: Mr. DEFAZIO, Ms. NORTON, and Mr. CARTWRIGHT.  
H.R. 2239: Mr. FRANKS of Arizona and Mr. MARINO.  
H.R. 2250: Mr. MEADOWS.  
H.R. 2274: Mr. LUCAS.  
H.R. 2288: Ms. MENG and Ms. WILSON of Florida.  
H.R. 2302: Mr. SOUTHERLAND and Mrs. MCCARTHY of New York.  
H.R. 2305: Mr. HOLT.  
H.R. 2328: Mr. AUSTIN SCOTT of Georgia and Mr. MCCAUL.  
H.R. 2332: Mr. BEN RAY LUJÁN of New Mexico.  
H.R. 2430: Mr. HONDA.  
H.R. 2500: Mr. FARENTHOLD.  
H.R. 2502: Ms. CHU, Ms. LINDA T. SÁNCHEZ of California, Ms. SLAUGHTER, and Mr. SCHIFF.  
H.R. 2510: Mrs. BEATTY.  
H.R. 2523: Mr. BERA of California.  
H.R. 2536: Mr. HULTGREN.  
H.R. 2548: Mr. PAULSEN and Mr. REICHERT.  
H.R. 2632: Mr. HIMES.  
H.R. 2654: Mr. LOBIONDO.  
H.R. 2689: Mr. GARCIA.  
H.R. 2691: Mr. HIMES.  
H.R. 2692: Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
H.R. 2697: Mr. RICHMOND and Mr. JONES.  
H.R. 2702: Ms. KUSTER, Mrs. DAVIS of California, and Mr. CICILLINE.  
H.R. 2725: Mr. HUELSKAMP, Mr. HUNTER, and Mr. CASSIDY.  
H.R. 2728: Mr. PEARCE, Mr. KELLY of Pennsylvania, Mr. BARLETTA, Mr. WOODALL, Mr. CARTER, Mr. FARENTHOLD, and Mr. HUDSON.  
H.R. 2772: Mr. JEFFRIES.  
H.R. 2791: Mr. BENISHEK, Ms. WILSON of Florida, Mr. NUGENT, and Mr. FARENTHOLD.  
H.R. 2809: Mr. TIBERI.  
H.R. 2825: Ms. EDWARDS and Ms. MENG.  
H.R. 2835: Mrs. McMORRIS RODGERS.  
H.R. 2839: Ms. BASS.  
H.R. 2841: Mr. JONES, Mr. LOWENTHAL, and Mr. SEAN PATRICK MALONEY of New York.  
H.R. 2866: Mr. BILIRAKIS, Mr. MCKINLEY, Mr. FARENTHOLD, Mr. GARRETT, Mr. SHIMKUS, Mr. WENSTRUP, Mrs. ELLMERS, Mr. BUCSHON, Mr. MORAN, Mr. PRICE of Georgia, Mr. WEST-MORELAND, Mr. WEBER of Texas, Mr. PETERSON, Mr. CRAWFORD, Mr. THOMPSON of California, Mr. KINZINGER of Illinois, Mr. SHUSTER, Mr. RUNYAN, Mr. WHITFIELD, Mr. RADEL, Mr. CRENSHAW, Mr. MEEHAN, Mr. DIAZ-BALART, Mr. BUTTERFIELD, Mr. MARINO, Mr. BARLETTA, Mr. YOUNG of Alaska, Mr. COLE, Mr. GERLACH, Mr. NUNES, Mr. FRELINGHUYSEN, Mr. GARY G. MILLER of California, Mr. CASSIDY, Mr. COLLINS of New York, Mr. REICHERT, Mr. WILSON of South Carolina, Mr. MILLER of Florida, Mr. FORBES, Mr. PEARCE, Mr. ROSKAM, Mr. LAMALFA, Mr. SMITH of Missouri, Mr. WELCH, Mr. FLEMING, Mr. ROSS, Mr. CLAY, Mr. MCCARTHY of California, Mr. MURPHY of Florida, Mr. LANCE, Mr. WEBSTER of Florida, Ms. BASS, Mr. KLINE, Ms. ESHOO, Mr. YODER, and Mr. CONYERS.  
H.R. 2894: Mr. HECK of Nevada, Mr. RIGELL, and Mr. BENISHEK.  
H.R. 2902: Mrs. CAROLYN B. MALONEY of New York.  
H.R. 2909: Ms. DELAURO, Mrs. LOWEY, Mr. TAKANO, Ms. NORTON, Mrs. CAROLYN B. MALONEY of New York, Ms. SCHWARTZ, Mr. RANGEL, and Ms. CLARKE.  
H.R. 2920: Mr. SCOTT of Virginia.  
H.R. 2928: Mr. POCAN.  
H.R. 2939: Mr. BROOKS of Alabama, Mrs. KIRKPATRICK, Mrs. BUSTOS, Ms. LINDA T. SÁNCHEZ of California, Ms. CLARKE, Mr. GRIMM, Mr. ISRAEL, Mr. FARENTHOLD, Mr. LEWIS, Mr. JOYCE, Mr. RYAN of Ohio, Mr. GARRETT, Mr. NADLER, Mr. MEADOWS, and Mrs. DAVIS of California.  
H.R. 2959: Mr. TURNER, Mr. PEARCE, Mr. FRANKS of Arizona, Mr. MARINO, Mr. CHABOT, Mr. GOSAR, Mr. KELLY of Pennsylvania, Mr. CRAWFORD, Mr. STEWART, Mr. COFFMAN, Mr. MILLER of Florida, Mrs. BLACKBURN, Mr. ROE of Tennessee, Mr. GINGREY of Georgia, Mr. STIVERS, Mr. PERRY, Mr. CONAWAY, Mr. WESTMORELAND, and Mr. FARENTHOLD.  
H.R. 2998: Ms. LEE of California, Mr. POCAN, Mr. BUTTERFIELD, Mr. TIERNEY, Ms. DELBENE, and Mr. BLUMENAUER.  
H.R. 3002: Mr. WENSTRUP.  
H.R. 3023: Mr. TIPTON.  
H.R. 3040: Mr. CAPUANO and Mr. ANDREWS.  
H.R. 3074: Mrs. BLACKBURN.  
H.R. 3077: Mrs. McMORRIS RODGERS and Mrs. WAGNER.  
H.R. 3086: Mr. MCCAUL, Mr. FOSTER, Mr. KLINE, Mr. GIBBS, Mrs. CAPPAS, and Mr. BUTTERFIELD.  
H.R. 3097: Mr. ENYART.  
H.R. 3108: Mr. WAXMAN.  
H.R. 3111: Mr. RADEL.  
H.R. 3112: Mr. GRIFFIN of Arkansas, Mr. LATHAM, and Mr. GUTHRIE.  
H.R. 3121: Mr. COOK, Mr. SESSIONS, Ms. JENKINS, and Mr. FRANKS of Arizona.  
H.R. 3135: Mr. HIGGINS, Ms. DELAURO, Mr. HIMES, Mr. SCHIFF, and Ms. WILSON of Florida.  
H.R. 3140: Mr. RODNEY DAVIS of Illinois.  
H.R. 3146: Ms. WASSERMAN SCHULTZ.  
H.R. 3163: Ms. NORTON and Mr. HASTINGS of Florida.  
H.R. 3172: Mr. MORAN, Mr. HIMES, Mr. VEASEY, Mr. BLUMENAUER, and Ms. Norton.  
H.R. 3179: Mr. POE of Texas, Mr. FLEISCHMANN, Mr. CARTER, and Mr. KEATING.  
H.R. 3189: Mr. CHAFFETZ, Mr. GOSAR, and Mr. CRAMER.  
H.R. 3196: Mr. WHITFIELD and Mr. BARROW of Georgia.  
H.R. 3211: Mr. ROONEY, Mr. PAULSEN, Mr. RADEL, Mr. WALBERG, and Mr. KLINE.  
H.R. 3218: Mr. WEBER of Texas.  
H.R. 3279: Mr. CASSIDY, Mr. FORBES, Mr. SOUTHERLAND, Mr. POSEY, Mr. GIBBS, and Mr. WHITFIELD.  
H.R. 3308: Mr. KLINE, Mr. CRAWFORD, and Mr. LATTA.  
H.R. 3319: Mr. THOMPSON of Pennsylvania.  
H.R. 3323: Ms. SCHWARTZ and Ms. WILSON of Florida.  
H.R. 3329: Mr. GARY G. MILLER of California.  
H.R. 3335: Mr. ROE of Tennessee, Mr. WEST-MORELAND, and Mr. HUELSKAMP.  
H.R. 3346: Mr. VISLOFSKY.  
H.R. 3349: Mr. MARINO, Mr. POLIS, Mr. CHABOT, Mr. JEFFRIES, Mr. RICHMOND, and Ms. JACKSON LEE.  
H.R. 3350: Mrs. ROBY, Mr. GRIFFIN of Arkansas, Mrs. BROOKS of Indiana, Mr. BROOKS of Alabama, Mr. KLINE, Mr. DUFFY, Mr. RIBBLE, Mr. ROGERS of Kentucky, Mr. MCCAUL, Mrs. HARTZLER, Mr. RADEL, Mr. LAMALFA, Mr. TIBERI, Mr. SALMON, Mr. AUSTIN SCOTT of Georgia, Mr. GIBBS, Mr. GRIMM, Mr. MULVANEY, Mr. MEADOWS, Mr. NUGENT, Mr. FARENTHOLD, Mr. BARLETTA, Mr. ROSKAM, Mr. KING of New York, Mr. LAMBORN, Mr. MILLER of Florida, Mr. RENACCI, Mr. HUELSKAMP, Mr. RODNEY DAVIS of Illinois, Mr. CAMPBELL, Mr. GOHMERT, Mr. DENT, Mr. COLE, Mr. PITTINGER, Mr. LOBIONDO, Mr. GOSAR, Mr. PAULSEN, Mr. REICHERT, Mr. MARCHANT, Mr. BISHOP of Utah, Mr. TURNER, Mr. WILLIAMS, Mr. CALVERT, Mr. GRAVES of Missouri, Mr. WESTMORELAND, Mr. COLLINS of New York, Mr. POE of Texas, Mr. HOLDING, Ms. JENKINS, Mr. FLEISCHMANN, Mr. GERLACH, Mrs. WAGNER, Mr. FRELINGHUYSEN, Mr. PALAZZO, Mr. MESSER, Mr. STEWART, Mr. HUNTER, Mr. HUDSON, Mr. HECK of Nevada, Mr. VALADAO, Mr. BARROW of Georgia, Mr. ADERHOLT, Mr. MCINTYRE, Mr. COFFMAN, Mr. SOUTHERLAND, Mr. HASTINGS of Washington, Mr. GOODLATTE, and Mr. STOCKMAN.  
H.R. 3351: Ms. WILSON of Florida.  
H.R. 3353: Ms. TITUS, Ms. ROYBAL-ALLARD, Ms. NORTON, Mrs. DAVIS of California, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SEAN PATRICK MALONEY of New York, Mr. QUIGLEY, Mr. VARGAS, Mr. WAXMAN, Ms. JACKSON LEE, Mr. ENGEL, Mr. CÁRDENAS, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
H.R. 3358: Mr. ROKITA.  
H.R. 3359: Mr. MEADOWS, Mr. STEWART, Mr. HARRIS, Mr. JOYCE, and Mr. COFFMAN.  
H.R. 3360: Ms. TSONGAS, Ms. KUSTER, and Mr. RYAN of Ohio.  
H.R. 3363: Mr. PETRI.  
H.R. 3364: Ms. FUDGE, Mrs. BEATTY, Ms. SPEIER, and Ms. JACKSON LEE.  
H.R. 3367: Mr. FRANKS of Arizona, Mr. JONES, Mr. GIBBS, and Mr. SALMON.  
H.R. 3370: Mr. TIERNEY, Mr. CÁRDENAS, Mr. CICILLINE, Ms. CLARKE, Mr. CRAWFORD, Mr. KELLY of Pennsylvania, Mr. KLINE, Ms. KUSTER, Ms. BORDALLO, Mr. LATTA, Mr. LOEBSACK, Mr. SEAN PATRICK MALONEY of New York, Mr. MARINO, Ms. MCCOLLUM, Mr. MICHAUD, Mr. MORAN, Mr. NEAL, Mr. THOMPSON of Mississippi, Mr. WATT, Mr. SERRANO, Mr. FOSTER, Ms. NORTON, Ms. BASS, and Mr. VARGAS.  
H.R. 3384: Mr. ROE of Tennessee, Mrs. BACHMANN, and Mr. RYAN of Ohio.  
H.R. 3385: Ms. HANABUSA.  
H.R. 3396: Mr. JONES.  
H.R. 3406: Mr. MULVANEY, Mr. WESTMORELAND, Mr. GRIFFIN of Arkansas, Mr. HUELSKAMP, Mr. JONES, Mr. DUFFY, Mr. PITTINGER, Mr. DUNCAN of Tennessee, and Mr. SCHWEIKERT.  
H.R. 3413: Mr. THOMPSON of Pennsylvania, Mr. RADEL, Mr. THORBERRY, Mr. BARLETTA, Mr. PETERSON, Mr. GRAVES of Missouri, Mr. CRAMER, Ms. JENKINS, Mr. CRAWFORD, Mrs. CAPITO, and Mr. RIBBLE.  
H.R. 3416: Mr. NUGENT, Mr. LAMBORN, Mr. GINGREY of Georgia, Mr. JONES, and Mr. KINGSTON.  
H.R. 3429: Mr. HARPER and Mr. GERLACH.  
H.J. Res. 55: Mr. MARCHANT.  
H. Res. 72: Mr. MICHAUD and Mr. MEEHAN.  
H. Res. 109: Ms. MENG.  
H. Res. 147: Ms. ROS-LEHTINEN, Mr. KINZINGER of Illinois, Mr. MESSER, Mr. RADEL, Mr. COTTON, Mr. SHERMAN, Mr. VARGAS, and Mr. DESANTIS.

H. Res. 187: Ms. LORETTA SANCHEZ of California.

H. Res. 188: Ms. LORETTA SANCHEZ of California.

H. Res. 247: Ms. SCHAKOWSKY.

H. Res. 302: Mrs. NAPOLITANO.

H. Res. 341: Mr. DANNY K. DAVIS of Illinois.

H. Res. 356: Mr. DUFFY, Mr. LATHAM, and Mr. CRAWFORD.

H. Res. 401: Mr. MATHESON, Mr. HASTINGS of Florida, Ms. BROWNLEY of California, Mr. DELANEY, Mr. TONKO, Mrs. BUSTOS, Mr. HINOJOSA, Mr. JOYCE, and Ms. JACKSON LEE.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative STEVE COHEN, or a designee to H.R. 982, the Furthering Asbestos Claim Transparency (FACT) Act of 2013, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. CAMP

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 3350, "Keep Your Health Plan Act of 2013," do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the U.S. House of Representatives.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3292: Mr. BENTIVOLIO.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 113<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 159

WASHINGTON, TUESDAY, NOVEMBER 12, 2013

No. 160

## Senate

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father, we wait in reverence before Your throne. Cleanse us from our sins, creating in us clean hearts while renewing a right spirit within us.

Lord, help our lawmakers today to discern Your voice and do Your will. Give them the ability to differentiate your guidance from all others, permitting You to lead them to Your desired destination. Speak to them through Your word, guide them with Your spirit, and sustain them with Your might. Let all they do be well done, fit for Your eyes to see and receiving Your divine approbation.

And, Lord, we ask You to comfort Senator and Mrs. Inhofe as they grieve the death of their son.

We pray in Your merciful Name.  
Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### DRUG QUALITY AND SECURITY ACT—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 236, H.R. 3204, the drug compounding legislation.

The legislative clerk read as follows:

Motion to proceed to the bill (H.R. 3204) to amend the Federal Food, Drug, and Cosmetic

Act with respect to human drug compounding and drug supply chain security, and for other purposes.

### SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in a period of morning business until 4:30 p.m. At 4:30 p.m. the Senate will proceed to executive session to consider the nomination of Cornelia Pillard to be U.S. circuit judge for the District of Columbia Circuit. At 5:30 p.m. there will be a cloture vote on the Pillard nomination. If cloture is not invoked, there will be a second cloture vote on the motion to proceed to the drug compounding bill.

### MEASURE PLACED ON THE CALENDAR—S. 1661

Mr. REID. Mr. President, I am told S. 1661 is due for a second reading.

The PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 1661) to require the Secretary of State to offer rewards of up to \$5,000,000 for information regarding the attacks on the United States diplomatic mission at Benghazi, Libya that began on September 11, 2012.

Mr. REID. Mr. President, I would object to any further proceedings with respect to this legislation.

The PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

### CONDOLENCES TO THE INHOFE FAMILY

Mr. REID. Mr. President, I extend my condolences to JIM INHOFE, the senior Senator from Oklahoma, and his wife Kay on the loss of their son Perry. The entire Senate family was saddened to hear of Dr. Inhofe's death. He was a young man, 52 years of age, killed in a plane crash early Sunday.

Flying airplanes is in the blood of JIM INHOFE and his family. I truly care a lot about JIM INHOFE. He and I are unquestionably friends. We may not agree on all political issues, but we agree we are friends.

I have had the good fortune of working to get to know this good man. I

have helped him when I could, and he has helped me when he could. We are able to put all the disagreements to one side and look at each other for what we are outside of our politics.

I have confidence that he is going to do well. He is a man of great faith, and I feel comfortable that he will be able to work his way through this loss.

(Ms. BALDWIN assumed the Chair.)

### FILIPINO TYPHOON

Madam President, my heart also goes out to the residents of the Philippines who were drastically affected by this terrible storm that hit one or two or three of their islands over the weekend. The Philippines has 7,000 islands.

The heavily populated area of Manila was not hit—at least not very badly. We know there are thousands of Filipinos dead and missing. Relief and construction efforts will be long and difficult. My thoughts are with the approximately 3½ million Filipino Americans who are living with us—including in Nevada about 100,000 Filipino Americans. They are involved in so many important endeavors, such as the health care field, business field, and hotel business.

They may not have lost family members, but they are a community that is concerned with what is going on in the Philippines. I was happy to hear the administration has already moved in with support and aid for this beleaguered nation.

### DC CIRCUIT COURT

Madam President, later today we are going to again attempt to break a filibuster on the highly qualified person who has been asked by the President to serve on the DC Circuit. It is often said the DC Circuit is the second highest court in the land after the Supreme Court, and that is true. It is unfortunate the Republicans have chosen to filibuster a nomination of yet another talented female jurist and dedicated public servant to fill a vacant seat on this court.

The nominee, Georgetown law professor Nina Pillard, has argued nine

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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cases before the Supreme Court and briefed more than a score of cases. In one case she argued before the Supreme Court, it involved a male employee of the State of Nevada who was fired after taking unpaid leave to care for his wife who was sick. It was an important case, a landmark case. The Court ruled 6 to 3 in favor of her client, upholding an important protection under the Family and Medical Leave Act.

Support for Professor Pillard's nomination is bipartisan—at least outside the Senate. Yet Senate Republicans seem poised to block confirmation of this eminently qualified woman for a blatantly political reason: deny President Obama his constitutional right to appoint judges.

The DC Circuit is currently operating with a very bad ratio. We have three vacancies on this very important court. For the Republicans to now claim we don't need 11 judges is a little strange because that is not what they said when President Bush was President. When he needed these vacancies filled, they were filled. They happily filled the 9th, 10th, and 11th seats on the DC Circuit—the same three seats President Obama seeks to fill—even though the court had a significantly smaller caseload at the time. The Supreme Court Chief Justice John Roberts was one of the judges confirmed to the DC Circuit during George Bush's Presidency.

Since a Democrat was elected to the White House, Republicans have blocked two exceedingly qualified female nominees to the DC Circuit, Caitlin Halligan and Patricia Millett. In the last 19 years, five men have been confirmed to the DC Circuit and one woman.

Today the Senate has an opportunity to help shape a court that better reflects our country, so I hope they will not block another qualified female nominee for nakedly partisan reasons. The least Senate Republicans owe Professor Pillard is the same fair confirmation process Chief Justice Roberts enjoyed when he was nominated to the DC Circuit.

#### DRUG COMPOUNDING

Madam President, should Republicans block her confirmation, as I fear they will, the Senate will then vote on cloture on the motion to proceed to a bill to enhance safeguards at compounding pharmacies which create custom-tailored medication for patients with unique health needs.

This bipartisan legislation will ensure drugs manufactured in factories and mixed in pharmacies across the country are safe for consumers. The measure will also implement tracking of medicines from the factory to the drug store itself.

Last year unsanitary conditions at a compounding pharmacy led to a fungal meningitis outbreak that killed 64 people and very badly sickened more than 750 others. Contaminated medicine mixed at that pharmacy was sent to 75 medical facilities in 23 States and given to 14,000 patients. The facility in

question was actually skirting existing law and acting as a large-scale drug manufacturer rather than creating custom medications for individuals using products manufactured by other companies.

By avoiding stricter regulations on drug manufacturers, companies such as this one boost their profits by putting patients at risk. This legislation will end this dangerous practice and ensure that drugs manufactured and mixed in America are completely safe from the assembly line to the drug store.

This bill could pass the Senate right now, but it has been stalled by Republicans for more than 1 month. This legislation truly is a matter of life and death.

#### DEFENSE AUTHORIZATION

Madam President, we must finish this legislation quickly so we can wrap up consideration of the crucial Defense authorization bill before Thanksgiving.

I put Senators on notice last week and the week before that we are going to do whatever it takes to accomplish exactly that in order to finish this bill—even if it means working this coming weekend and hopefully not the next weekend but possibly that too.

Further, we must ensure that debate on the Defense authorization bill is about our Nation's defense and not extraneous issues. No Senators should be allowed to jump the line and get a vote on his or her own amendment by threatening delay action on the underlying bill, nor should the Senate waste time debating amendments that are not relevant to defense.

This measure ensures the safety of this Nation and is dedicated to servicemembers, and it is more important than any one Senator's or Senators' parochial or political pet issues.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

#### HEARTFELT SYMPATHY TO THE INHOFES

Mr. MCCONNELL. Madam President, I will start with a word of sympathy about the heartbreaking loss of Perry Inhofe, the son of our colleague, JIM INHOFE, killed in a plane crash on Sunday. Of course, we are all thinking of JIM and Kay, and the heartfelt prayers of the entire Senate family are with them and the entire Inhofe family at this very, very difficult time.

#### DC CIRCUIT

Madam President, despite the repeated promises of President Obama, millions of people are losing their health insurance—health insurance they very much liked and were assured they could keep. It has been reported

that so far 3.5 million Americans have lost their health insurance under ObamaCare. That includes over a quarter of a million in my State of Kentucky, a third of a million in Florida, and almost a million people in California.

This is a serious problem the President and congressional Democrats need to do something about. The obvious answer is repeal, but in the meantime the legislation offered by Senator RON JOHNSON would help Americans keep the plans they have and like. If the President and Senate Democrats are serious about helping the millions of Americans who have unexpectedly lost their insurance over the past several weeks, then they should support it.

Unfortunately, they appear ready to ignore the problem. Rather than focusing on keeping their commitment to the American people, they are focusing on issues that appeal to their base. Rather than change the law that is causing so many problems for so many, they want to change the subject.

According to a recent press report, our Democratic friends want to divert as much attention as possible away from the problem-plagued ObamaCare rollout at this formative stage of the 2014 campaign, which brings us to the vote we are going to have later today.

We will not be voting on legislation to allow Americans to keep their health insurance if they like it, as they were promised again and again; rather, we will be voting on a nominee to a court that doesn't have enough work to do. A court that is so underworked, it regularly cancels oral argument days. It is a court whose judges tell us that if any more judges were put on the court, there wouldn't be enough work to go around. It is a court that is less busy now than it was when Senate Democrats pocket-filibustered President Bush's nominee to the court, Peter Keisler, for 2 whole years—2 long years. And it is less busy based upon the very standards Democrats themselves set forth when they blocked Mr. Keisler's nomination for 2 years. By the way, it is also less busy now than it was then, according to an analysis provided by the chief judge of that court.

The Senate ought to be spending its time dealing with a real crisis, not a manufactured one. We ought to be dealing with an ill-conceived law that is causing millions of Americans to lose their health insurance. Instead, we will spend our time today on a political exercise designed to distract the American people from the mess that is ObamaCare rather than trying to fix it.

If our Democratic colleagues are going to ignore the fact that millions of people are losing their health insurance plans, they should at least be working with us to fill judicial emergencies that actually exist rather than complaining about fake ones. There are nominees on the Executive Calendar who would fill actual judicial emergencies, unlike the Pillard nomination.

Some of them, in fact, have been pending on the calendar longer than the Pillard nomination. But rather than work with us to schedule votes on those nominations in an orderly manner, as we have been doing all year long, the majority prefers to concoct a crisis on the DC Circuit so it can try to distract the American people from the failings of ObamaCare.

Unfortunately, our friends appear to be more concerned with playing politics than actually solving real problems. So I will be voting no on this afternoon's political exercise. I hope the Senate in the future will focus on what the American people care about rather than spend its time trying to distract them.

CONGRATULATING ARCHBISHOP JOSEPH KURTZ

Finally, I congratulate Archbishop Joseph Kurtz, the Catholic archbishop of Louisville, on his election as president of the U.S. Conference of Catholic Bishops. Archbishop Kurtz is not a native Kentuckian—he is originally from Pennsylvania—but we have adopted him as one of our own since he was appointed head of the Louisville Archdiocese in June 2007. I wish him all the best as he seeks to promote the church's mission in the United States.

Congratulations.

Madam President, I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Iowa.

#### PILLARD NOMINATION

Mr. GRASSLEY. Madam President, I come to the floor to speak in opposition to the motion to invoke cloture on the nomination for the DC Circuit nominee Cornelia Pillard. Although her record makes clear that her views are well outside the mainstream on a host of issues, I am not going to focus any attention on those concerns today. I am going to focus instead on the standard the Democrats established in 2006. Based on that standard, the court's caseload makes it clear that the workload simply doesn't justify additional judges, particularly when those additional judges cost approximately \$1 million per year per judge.

I have walked through these statistics several times now, and I am not going to go in depth again. The bottom line is the data overwhelmingly supports the conclusion that the DC Circuit is underworked. Everyone knows this is true. That circuit does not need any more judges. Take, for instance, the appeals filed and appeals termi-

nated. In both categories the DC Circuit ranks last, and in both categories the DC Circuit is less than half the national average. To provide some perspective on this point, compare the DC Circuit to the Eleventh. After another judge took senior status about a week ago, both the DC Circuit and the Eleventh Circuit have eight active judges. If we don't confirm any more judges to either court, the numbers remain the same as last year. The Eleventh Circuit will have 875 appeals per active judge compared to the 149 appeals filed per active judge in DC, which also has 8 active judges. Again, that is 875 cases for the Eleventh compared to 149 for DC.

Some might argue that we shouldn't look only at active judges because those averages will change if and when we confirm more judges to the Eleventh Circuit. Suppose we fill each judgeship on the Eleventh Circuit and each judgeship on the DC Circuit, as the Democrats want to do. If we fill them all, there would be 583 appeals filed per judge for the Eleventh Circuit and only 108 for the DC Circuit. The Eleventh Circuit, then, would have over five times the caseload. This is why everyone who has looked at this objectively understands that the caseload for the DC Circuit is stunningly low. That is why current judges on the court have written to me and said things such as this—and I will quote from one of the letters: "If any more judges were added now, there wouldn't be enough work to go around."

Some of my friends on the other side recognize that the DC Circuit's caseload is low, and they claim then that the caseload numbers don't take into account the "complexity" of the court's docket. They argue that the DC Circuit hears more administrative appeals than other circuits do, and they claim these administrative appeals are more complex. This argument is nonsense, and I will tell my colleagues why it is nonsense.

I have heard my colleagues argue repeatedly that the DC Circuit's docket is complex because 43 percent of the docket is made up of administrative appeals. But, of course, that is a high percentage of a very small number. When we look at the actual number of those so-called complex cases per judge, the Second Circuit has almost twice as many as the DC Circuit. In 2012 there were 512 administrative appeals filed in DC. In the Second Circuit, there were 1,493 compared to that 512.

We can look at this differently as well. In DC there were only 64 administrative appeals per active judge. The Second Circuit has nearly twice as many per judge with 115. Again, that is 64 administrative appeals per active judge in the DC Circuit as opposed to the Second Circuit, which has almost twice as many with 115.

So this entire argument about complexity is what I already called it—nonsense—and the other side knows it, and if they don't know it, they ought to know it.

Let me raise another question regarding caseload. If these cases were really that hard, if these cases were really so complex, then why in the world would the DC Circuit take the entire summer off? I am not talking about just a couple of weeks in August; they don't hear any cases for the entire summer. The DC Circuit has so few cases on their docket that they don't hear any cases from the middle of May until the second week of September. This past term, the last case they heard before taking the summer off was May 16. The court didn't hear another case until September 9—4 months later.

The bottom line is everyone knows this court doesn't have enough cases as it is, let alone if we were to add more judges. That is why, when we ask the current judges for their candid assessment, they write: "If any more judges were confirmed now, there wouldn't be enough work to go around."

While I am discussing the caseload issue, I will remind my colleagues of a little bit of history that is very pertinent to this debate. In 2006 the Democrats on the Judiciary Committee blocked Peter Keisler's nomination to the DC Circuit. They blocked Mr. Keisler's nomination based upon—my colleagues can guess it—the court's caseload. Since that time, by the standard set by the other side, the court's caseload has declined sharply.

We did not set this standard. The Democrats set that standard. I recognize that the other side wants to rewrite history. They try to compare John Roberts' second nomination to the circuit, which passed fairly easily, with the current nomination. What they conveniently forget in a misleading way is that they blocked Keisler's nomination after Roberts' nomination.

I recognize the other side hopes we on this side will forget they established these rules and these precedents. I recognize the other side finds those rules very inconvenient today. But these are not reasons to ignore rules and precedents they established. There is simply no legitimate reason the other side should not embrace those very same rules, those very same standards they established in the year 2006.

So under that standard established by the Democrats in 2006, then, very simply, these nominations are not needed. According to the current judges themselves, these judges are not needed. According to the chief judge of the DC Circuit, who happens to be a Clinton appointee, the senior judges are contributing the equivalent of an additional 3.25 judges. So, as a result, the court already has the equivalent of 11.25 judges, and that is beyond even the authorized number.

It seems pretty clear the other side has run out of legitimate arguments in support of these nominations. Perhaps that is why, then, they are resorting to such cheap tactics.

Over the last couple days, I have heard my colleagues on the other side

come to the floor and actually argue that Republicans are opposing the nominee because of her gender. That argument is offensive. But, you know, it tends to be very predictable. We have seen this before. When the other side runs out of legitimate arguments, their last line of defense is to accuse Republicans of opposing nominees based upon gender or race. It is an old and it is a well-worn card, and they play it every time.

The fact is—and this is why it is offensive to me—I voted for 75 women nominated to the bench by President Obama, as well as a host of other nominees of diverse backgrounds. Those are the facts. But the other side is not concerned with facts. They are more interested in coarse rhetoric as well as demagoguery, and it is very unfortunate. Those types of personal attacks on Members of the Senate are beneath this institution.

Given there is no legitimate reason to fill these seats, why is the other side pushing these nominations so aggressively? And this is really the bottom line. But you can also ask, why waste \$3 million a year of taxpayers' money for reasons that are not legitimate, particularly in violation of the constitutional checks and balances?

As to these other reasons, we do not have to guess. We know the reason. We have all heard the President pledge repeatedly: If Congress will not act, I will. What he means, of course, is that he will rule by executive fiat. He will not go to Congress. He will not negotiate. He will go around this constitutionally elected body whose constitutional powers are to make law. That is not his power. He does not need legislators, then, to enact legislation. He will just issue executive orders or issue new agency rules. Why bother with us pesky Senators and Members of the House when you can make laws with a stroke of the pen? In effect, the President is saying: If the Senate will not confirm who I want when I want them, then I will recess-appoint them when the Senate is even in session. If Congress will not pass cap-and-trade fee increases, then I will go around them. And I will do the same thing through administrative action at the Environmental Protection Agency. If Congress will not pass gun control legislation, then I will issue executive orders.

That is what the President means when he says: If Congress will not act, I will. But remember, we have a system of checks and balances. Under our system, when the President issues orders by executive fiat, it is the courts that provide a check on his power. It is the courts that decide whether the President is acting unconstitutionally.

So the only way the President's plan works is if he stacks the deck in his favor. The only way the President can successfully bypass Congress is if he stacks the court with ideological allies who will rubberstamp those executive orders.

There is no big secret here. The other side has not been shy about this strat-

egy. Here is how the Washington Post described this strategy:

Giving liberals a greater say on the D.C. Circuit is important for Obama as he looks for ways to circumvent the Republican-led House and a polarized Senate on a number of policy fronts through executive order and other administrative procedures.

Here is how another high-profile administration ally put it:

There are few things more vital on the president's second-term agenda. With legislative priorities gridlocked in Congress, the president's best hope for advancing his agenda is through executive action, and that runs through the D.C. Circuit.

So the President is willing to waste \$3 million of taxpayers' money a year—and every year—in order to bypass Congress and make sure his executive orders do not lose in court. Every Member of this body should find that very troubling.

Finally, I want to mention a couple points on the so-called Gang of 14 agreement, which argument comes up quite frequently here on the floor, even though it is going back to the 109th Congress.

First, by the very terms of that agreement, it applied only to those 14 Senators for that specific Congress, the 109th.

Second, even though that agreement, by its own terms, expired at the end of the 109th Congress, just last week one of the Members who was actually in the Senate back in 2005 determined that these nominations, in his judgment, constituted "extraordinary circumstances," which those two words implied that a filibuster would be justified.

And third, in 2006, after the so-called Gang of 14 agreement, Senate Democrats created a standard that we call the Keisler standard. They blocked Peter Keisler based on caseload, after the so-called Gang of 14 agreement. Peter Keisler waited in committee for over 900 days for a vote, a vote that never came.

These are the rules established by the other side. And now, when they are on the receiving end of those same rules, they want those rules changed. We do not intend to play by two sets of rules around here.

And that brings me to the constant threat from the majority about changing the rules on the filibuster. I have been in the minority for a number of years. I have also had the privilege of serving in the majority for a number of years. Many of those on the other side who are clamoring for rules changes—and almost falling over themselves to do it—have never served a single day in the minority. All I can say is this: Be careful what you wish for.

I have come to the conclusion that if the rules are changed, at least we Republicans will get to use those new rules when we are back in the majority. Republicans had the chance 7 or 8 years ago to change the rules, and we decided, out of respect for the integrity of this institution, not to change them.

I am glad we did not. And I would imagine we would not be the first to change them in the future.

Remember, it was the Democrats who first used the filibuster to defeat circuit judges. It was the Democrats who first used the caseload argument to defeat circuit judges such as Peter Keisler. So if the Democrats are bent on changing the rules, then I say go ahead. There are a lot more Scalias and Thomases out there whom we would love to put on the bench. The nominees we would nominate and confirm with 51 votes will interpret the Constitution as it was written. They are not the type who would invent constitutional law right out of thin air.

I urge my colleagues to oppose cloture on the Pillard nomination.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. 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. HARKIN. Madam President, I have high hopes that the Senate will soon vote to enact the Drug Quality and Security Act, the so-called compounding and trace and track bill. This legislation helps ensure the safety of compounded drug products. It also secures the pharmaceutical supply chain.

I am pleased to report that it is the product of excellent bipartisan collaboration on the HELP Committee, where I worked very closely with our ranking member, my good friend Senator LAMAR ALEXANDER. It also reflects productive conversations with our colleagues in the House, including Chairman UPTON and ranking member WAXMAN of the House Energy and Commerce Committee.

The House passed this bill on September 28. Now it is our turn to do our part. Title I of the bill addresses drug compounding. This is basically what happened here just over a year ago, when we were shocked to learn one of the worst public health crises that we have experienced in recent years was a meningitis outbreak that claimed the lives of 64 Americans and sickened 651 people in 20 States.

You can see the hardest hit were the home State of Senator ALEXANDER, 153; Indiana, 93; Michigan, 264; Virginia 54, New Jersey, 51; Florida 25. Twenty States. A lot of people got really sick. I will be talking in a moment about those that still linger today.

What this outbreak did is it brought attention to the legal and regulatory gaps that allowed owners and managers at the New England Compounding Center to disregard basic procedures to ensure that the products they were manufacturing were sterile and safe.

This gross negligence had heartbreaking consequences for families nationwide, patients that were sick—patients such as Karina Baxter, whose

three adult children—Anita, Andrew, and Brian—lost their mother, and whose community lost a dedicated math teacher and tutor when she died of this meningitis outbreak at age 56.

Dawn Elliot, from Indiana, who used to scuba dive in her free time is now in unrelenting pain and has had to give up her job and deplete her savings.

Evelyn Bates, from Michigan, who was diagnosed last November, continues to struggle with tremendous pain every day, and her daughter had to quit her job to take care of her.

Dennis Blatt lives on the West Virginia-Ohio border with his wife and three young children. They have had to watch their father go from being an involved parent with a steady income to a man whose daily life feels, in his own words, like a “slow, tortuous death.”

These meningitis outbreaks linger on. It also has a personal sensitivity to me. My older brother some years ago went deaf at a very young age because of meningitis. So it has lingering effects for a lifetime. That is what happened a little over a year ago. Although we know that it was not just an isolated incident, we know it was the biggest.

This chart is somewhat hard to read. It shows—going clear back to 2001—that we have had 4, 11, 64, 18. In other words, every year we have had some results we have noted from compounding that made people sick or cause deaths. So this has been ongoing for a long time.

It is just that what happened a little over a year ago in Tennessee and in these other States was that the dam broke. It is beyond all comprehension how many people got sick and died. So again, in response to these facts, beginning last year Senator ALEXANDER and I convened the members of the HELP Committee, with assistance from Senator FRANKEN and Senator ROBERTS, in an effort to identify the gaps in current policy, to solicit stakeholder views, to craft bipartisan legislation to better ensure the quality of compounded drug products.

We formally solicited three rounds of public comment. We held two public hearings before marking up the bill last May. Then over the summer we worked with our colleagues in the House to craft a package with strong bipartisan and bicameral support.

Now, the compounding provisions in this bill are an unqualified step forward from current law and practice. Basically, what this bill does in the compounding in title I—I will get to title II in a second—it distinguishes compounders engaged in traditional pharmacy practice from those making large volumes of compounded drugs without individual prescriptions.

So those who wish to remain in traditional compounding, that we might know where they are making small amounts for a certain type of illness or for a certain hospital—that sort of thing—they stay under the State boards of pharmacy as they are in current law.

An entity that neither stays within those limits of traditional pharmacy compounding nor registers as an outsourcing facility, if they do not do one of those two, then they are illegally selling unapproved drugs.

So that is what it does. It distinguishes. It defines the Food and Drug Administration’s role in the oversight of these outsourcing facilities. They will be subject to FDA oversight in much the same way as traditional drug manufacturers are today.

FDA will know who these outsourcers are and what they are making, receive adverse event reports about compounded drugs, and have authority and resources to conduct risk-based inspections. In other words, the lines of responsibility are more clearly defined.

I give much credit to my friend from Tennessee for continuing to work on who is raising the flag, who has the flag, and who is responsible, because we found out there was a confusing mess for everybody about who was responsible and who was not. Thanks to Senator ALEXANDER, we have cleared that up in this bill.

The bill offers providers and patients better information about compounded drugs, and it directs FDA to make a list of FDA-regulated outsourcer facilities that will be available on their Web site. It requires detailed labeling of compounded drugs and prohibits false and misleading advertising. Finally, it clarifies current Federal law regarding pharmacy compounding. It strikes the unconstitutional provisions that were in current law which led to a lot of this mess. We had different courts in different parts of the country interpreting it differently. So anyway, we resolve that patchwork and apply a uniform standard nationwide.

Now, that is title I. Title II of the bill is the track and trace provisions. Basically, this committee, again working in a bipartisan fashion a little over a year ago—as you may remember—brought an FDA user bill to the floor, passed and signed by the President. That cleared up the upstream part of where drugs come from; in other words, from the initial—from the plant derivation to the distilling of a product to everything—all the way up to the manufacturing. So now we have a much better regulation, a clearer picture of drugs that come from China and Indonesia and the U.S.—no matter where they come from, up to the manufacturing standpoint.

What we did not have at that time was a real understanding of or an agreement on how to control it from the manufacturer down to the consumer. So our committee got involved. Again, Senator ALEXANDER was helping to lead the way with Senator BENNET and Senator BURR—almost 2 years working on this issue. So now we have this system. I think this chart shows it. As I said, everything up to the manufacturer we took care of in the FDA user bill.

Now this bill takes care of everything from the manufacturer down to the dispenser; that is, down to the consumer. So no matter where the drug goes, whether it goes directly from a manufacturer to a wholesaler to a dispenser, or whether it goes from here to a secondary wholesaler, another secondary wholesaler, and another secondary wholesaler, we found that in this country there is a patchwork, all kinds of different ways for a drug to get from a manufacturer down to a consumer.

So Senator BURR, Senator BENNET, Senator ALEXANDER, and our staffs worked together to get this picture put together and to have a track and trace so that we can track the drug. No matter how it goes, we can track it and we can trace it. That will come into being over 10 years with electronic interoperable product tracing.

You might say that 10 years is a long time. I would point out that the House had 27 years. They agreed with us and made it 10 years. But that is for electronic interoperability. Beginning in January 2015, they will have to start paper tracing. So there will be paperwork, but it will take 10 years to get it all at a unit-level and all electronic and interoperable. You can understand, it takes a long time; different manufacturers and different suppliers have different systems. So these will be worked in over that period of time.

But we will have tracing after January, 2015. It establishes nationwide drug serial numbers and requires a pathway to unit-level tracing, as I said. It strengthens licensure requirements for wholesale distributors and third-party logistic providers. Again, there was a lot of hodgepodge of different kinds of licensures for wholesalers. We strengthened that. Then, as I said, we have a nationwide serial number established for that. That will come 4 years after the date of enactment. That will serialize drugs in a consistent way across the country.

Again, this is a bill that many might say is long overdue. Better late than never. I am sorry it took a terrible calamity such as the outbreak of meningitis to get us to really focus on this and move it. But it did. I think this is a good example of where the Congress can work in a bipartisan, bicameral fashion. I met Chairman UPTON on the House side earlier this year to talk about a pathway of getting this done. In fact, what we are working on here is the House bill. The House passed it by unanimous consent. If you have been reading much about the House, you know they do not do a lot by unanimous consent. That just shows you how much work went into the bill and how it was done in a true bipartisan, bicameral fashion. So the House passed it by unanimous consent. Now we have it. I daresay, but for a Senator, one person, we probably would have passed it by unanimous consent here.

I have not found anyone who is opposed to this bill and who does not recognize that this is well supported. We

have a plethora of people and industry and consumer support: American Pharmacists Association, American Public Health Association, Biotechnology Industry Organization, plus a lot of the big pharmaceutical manufacturers and some of the small pharmaceutical manufacturers. Everyone recognizes that we need a better system to clearly outline who the traditional compounders are and who the outsourcers are, to give the FDA clear-cut authority over one segment, give the States the clear-cut authority over the other segment. As I said, if you do not fall into one of those two, you are outside the law. So it really does clear it up. This will ensure the quality and safety of the drugs on which patients rely.

We have a cloture vote later today. I am hopeful we will have a good strong vote on cloture on this bill. As I said, I honestly can say standing here I have not heard one Senator from either side of the aisle tell me or inform my staff that they were opposed to the bill as such.

I hope we have a strong vote. I am going to yield the floor and again pay my compliments and my highest respect to Senator ALEXANDER for his leadership. His State was hit very hard. I know he is very sensitive to that. I know from my talks with him that it pained him a great deal to see so much suffering and death in his own State. Senator ALEXANDER got on top of this and pulled us all together and basically said: We have to get it done.

So I thank Senator ALEXANDER very much.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Tennessee.

Mr. ALEXANDER. On behalf of the people of Tennessee, whom I represent, and the American people, as well, I wish to thank the Senator from Iowa for his leadership on these two bills, but particularly on the compounding pharmacy bill.

Our differences of opinion in the Senate are well advertised on ObamaCare, on debt, on Syria, and on a whole variety of matters. In fact, one would say the reason we exist is to debate the big issues that haven't been resolved somewhere else.

There is another aspect of the Senate that is rarely well advertised, and that is when we get a result. Sometimes the results take a long time, involve a lot of people, and are very difficult to reach, and that is the case with this bill. Had not Senator HARKIN been patient, as well as aggressive at the same time, in working with Republicans and Democrats and with Members of the House, we would not have reached this point today.

It is important to call the attention of the American people to this result, these two pieces of legislation. One makes it clear who is in charge, as Senator HARKIN said, who is on the flagpole when it comes to making sure the sterile drugs that are injected into your back—because a person has back

pain—are safe so that they don't end up with a horrible death from fungal meningitis. Who is responsible for preventing that?

The second bill is how are we going to make sure the 4 billion prescriptions we have every year in this country are safe, that they are not stolen, and that they do what they are supposed to do. How are we to make sure we can track them all the way from the manufacturer to the pharmacy who dispenses them?

We have been working on these bills for 2 years. Lest anyone think that because it was a voice vote in the House and because we are close to unanimous consent in the Senate that it was easy to do, it is not that easy to do. In fact, it is worth going through how this happened before I say just a word to add to what the Senator said about the importance of bills.

The FDA became involved in the fungal meningitis issue in September of 2012, 1 year ago, after reports from Tennessee that fungal meningitis was tied to a sterile compounded drug. This hits home to many Americans because a great many Americans have been injected in their necks, their backs, or their feet with a drug that is supposed to be sterile. If it is not, it could have terrible consequences.

Immediately, Senator HARKIN called a hearing. November 15, 1 year ago, we had our first hearing. Within 6 months we released draft legislation to address the compounding pharmacy issue. We then had a hearing on that legislation. Then we passed the legislation after a lot of comment, all in the open. Everyone had a chance to weigh in. We passed it unanimously.

This committee on which we serve, Health, Education, Labor and Pensions, probably reflects the widest span of ideological differences we have in the Senate. The Republicans can be very conservative and the Democrats can be very progressive or very liberal, so one would think it would be hard to get a unanimous agreement, but we did.

The House went to work and came up with their own version of the bill, taking our work into account. We then worked with them through the summer to reach an agreement on how to reconcile the two. The House passed it by a voice vote and sent it to us. Today we have a piece of legislation that has been hot-lined. That means that both sides have sent it around to every single office. All but one Senator have agreed we can pass it by unanimous consent. The Senator has that right, as I have that right, the Senator from West Virginia, and the Senator from Iowa has that right, and sometimes we exercise that right. Later this afternoon we will be having a cloture vote, a vote to move to this bill. That cloture vote is going to succeed. There will be a sufficient number of Republican votes and a sufficient number of Democratic votes to say we are ready to deal with this.

Why are we ready to deal with this? Because Commissioner Hamburg of the Food and Drug Administration told us at our hearing what would happen if we don't. She said:

We have a collective opportunity and responsibility to help prevent further tragedies. If we fail to act, this type of incident will happen again. It is a matter of when, not if, I'm afraid. If we fail to act now, it will only be a matter of time until we're all back in this room asking why more people have died and what could have been done to prevent it.

No one is saying this legislation is going to guarantee that there will never ever be a tragedy again, but it will help prevent future tragedies. It will take up the responsibility she challenged us to do. We have spent 1 year on it, so many people have been involved, and it is time we move to do it. My hope is that after the cloture vote tonight, very soon thereafter, after everyone has had a chance to speak and say what they have to say, that we can pass this by unanimous consent, send it to the President, and say to the American people that our differences are well advertised, but our results can be equally important. We can pass a piece of legislation which, when taken with the track-and-trace legislation which accompanies it, affects the health and safety of every single American, period. I know the people of Tennessee would welcome a prompt solution to this, and this is what I hope we have.

Senator HARKIN, as he often does, spoke in very personal terms about this legislation. I want to tell one story from Tennessee so we know what we are talking about.

Diana Reed, 56, of Tennessee, had tried massage and acupuncture, but neither eased her neck pain. One of the potential causes for her pain was an injury sustained while helping her husband, who has Lou Gehrig's disease, in and out of the wheelchair. Diana Reed was healthy, either ran or swam every day, in addition to becoming Wayne's arms, legs, and voice, according to her brother, Bob.

She decided to try a series of epidural steroid injections for her neck problems before her health insurance ran out after losing her job at a nonprofit group. This decision ended her life on October 3 of last year. She began receiving injections August 21, with a total of three scheduled, one every 2 weeks. She felt pain and nausea for a full day after the first two injections. After the third she began having headaches.

September 23, she finally agreed to go to a doctor and was quickly diagnosed with meningitis. While she remained stable for a few days and was mostly concerned about her husband's well-being—remember, he has Lou Gehrig's disease—and getting home to him as soon as possible, she took a turn for the worse. Her speech began to slur, she had trouble seeing, and eventually she had a stroke. One day later she was in a coma.

One thousand people packed Otter Creek Church for her funeral, among them the alumni of a childcare learning center for inner-city preschoolers that she and her husband had founded. The autopsy found fungal meningitis at the injection site and in Mrs. Reed's brain.

Mr. Reed has a rare form of ALS that worsens more slowly, and his mind has not been affected. Diana Reed would help him get in and out of bed, the shower, and his wheelchair. She became more instrumental in his accounting business as his speech worsened. After her death, members of their church brought meals, did laundry, and the church accepted donations to hire help to assist Mr. Reed with his personal care.

This is only one story of the tragedy that the Commissioner of the FDA says will happen again if we don't act. We believe this bill will help to prevent such a tragedy. Steroid injections last year were meant to ease the pain of hundreds of Americans, and for many Tennesseans, instead, it became their worst nightmare. These vials of compounded medicine were contaminated. Sixty-four Americans, including sixteen from my State, died from the outbreak. It is a horrible way to die.

When the HELP Committee held its first hearings on this tragic outbreak in November of last year, we looked at how could this possibly happen. It became clear that these contaminated vials were produced in a facility that was nothing like a traditional pharmacy, a corner drugstore, if you will. It operated more like a manufacturer, but it was unclear which regulator was in charge. Was the State in charge or was the FDA in charge? I made it clear at the beginning of the hearing that my priority was to find a way to clarify who is accountable for large-scale drug compounding facilities, who is on the flagpole for overseeing the safety of drugs made in these facilities.

I used the example of Hyman Rickover and the nuclear Navy in the 1950s. Admiral Rickover was doing something new. He was doing something dangerous, potentially dangerous. He was putting reactors on submarines and ships, and no one knew quite how that was going to work.

What did he do about it? Admiral Rickover hired the captain. He interviewed the captain and said: First, you are responsible for your ship; and, second, you are responsible for the reactor. If there is ever a problem with the reactor, your career is over.

The U.S. Navy has never had a death on a nuclear ship as a result of a reactor problem because everyone knew, after Admiral Rickover made those decisions, who was on the flagpole.

There should be no confusion, after this bill is passed and signed by the President, who is on the flagpole for a particular facility that makes sterile drugs. We should be able to walk into any one of our 60,000 drugstores, pharmacies, our doctors' offices, or pain

clinics, and not have to worry about whether the medicines we get there are safe. The bill we are voting on represents that year of work we talked about to find a solution.

Today we have drug manufacturers on the one hand and traditional pharmacies, the corner drugstore, on the other. This legislation creates a new, voluntary third category which we call an outsourcing facility. If a drugstore chooses to be in this category, they follow one nationwide quality standard, and the FDA is responsible for all the drugs made in that facility. FDA is on the flagpole.

What is the advantage of this? First, it eliminates the confusion, it eliminates the finger pointing. If, Heaven forbid, this should happen again, it will be clear whose fault it was, who didn't do their job of regulating.

Second, it provides an option available to doctors and hospitals who, if they wish, can choose to buy all their sterile drugs from a facility regulated by the FDA.

Outsourcing facilities are subject to regular FDA inspections. The New England compounding center that caused these problems was not inspected by the State or the FDA from 2006 to 2011. Outsourcing facilities must report the products made at the facility to the FDA. The New England center that caused the problems was making copies of commercially available drugs, which is illegal. Outsourcing facilities must report to FDA when things go wrong with a product. Currently, large-scale compounders don't have any required reporting to FDA if they know about a problem with a product.

Finally, outsourcing facilities, this new category, must clearly label their products so patients know it is compounded rather than FDA approved. Traditional pharmacy compounders will continue to be primarily regulated by the States, but for outsourcing facilities, the FDA is in charge.

During our discussions we heard a lot about drug shortages. The Senator from Iowa and I worked especially to deal with that. We tried to address it where appropriate in this legislation. We know that compounded products aren't the answer to drug shortages. We don't want compounded products to be the backup solution to drug shortages; we want a better answer than that. We recognized the problem and tried to address it.

Because of heroic reactions of State officials with the Tennessee Department of Health, more people didn't become sick from the outbreak last fall. I don't intend to sit through another hearing where FDA can point the finger at someone else instead of taking responsibility or claim it doesn't have enough authority, and if we pass this legislation, FDA won't be able to.

This legislation also establishes clear rules for outsourcing facilities and puts FDA on the flagpole for drugs made in those facilities.

I hope my colleagues will vote this afternoon to move to the bill, and then

shortly after that we will be able to move to approve it, as the House did.

Just one other comment, Mr. President. The chairman, the Senator from Iowa, and Senator BURR, Senator BENNETT, and others have been working for at least 2 years on this form of legislation we call track and trace. It has been through vetting. I think everybody has had a chance to read it and to make a suggestion about it. There have been many changes and adjustments to make sure it works.

Here is the problem. In the United States today, we have about 4 billion prescriptions written every year. We don't have a uniform system to track and trace these drugs once they leave the manufacturer, which makes it easier for counterfeits and substandard products to enter the market and puts patients at risk. The laws governing the tracking of drugs haven't been updated since 1988. In the last 2 years alone there have been three cases of counterfeit Avastin—a cancer drug being distributed in the United States to physicians and patients—where the counterfeit did not contain any of the active ingredient.

We have seen an increase in drug theft. We have no way of knowing if and when these drugs are resold in the U.S. supply chain. In 2009 insulin stolen from a truck much earlier was sold by pharmacies, and the insulin was ineffective due to improper storage. Stealing drugs has turned into a big business, and without assurance that drugs are stored under certain conditions and handled correctly throughout the supply chain, the drugs may not work.

This legislation would set up a system over time—10 years—where products that are stolen could be flagged as such, preventing distribution to patients. It represents a consensus on establishing a national system for all prescription drugs to have a specific serial number on the bottles. That means wholesalers, repackagers, and pharmacies will be able to check the serial number on the bottle with the manufacturer to see whether that number was assigned by the manufacturer. The serial number will not only help prove it is not counterfeit, but the information can also be used to determine whether anything else has been reported about that bottle, including whether the product was stolen.

This won't happen overnight. Creating a system that traces 4 billion prescriptions, made by over 80 manufacturers on over 3,600 manufacturing lines, that are dispensed to patients through a variety of ways will take some time. But the path laid out for us over a number of years will ensure that the U.S. drug supply chain is secure and that consumers receive drugs that work.

I want to thank the Senator from Iowa, as I have already, for his leadership on these two extraordinary pieces of legislation; Senator BURR and Senator BENNETT on the track-and-trace legislation; and Senator ROBERTS and

Senator FRANKEN worked hard on compounding legislation.

Let me end where I began. The FDA Commissioner challenged us. She said that if we don't act, this tragedy will happen again. We have an opportunity to act tonight. I hope we do. The families who were devastated by this tragedy because of contaminated sterile injections that caused fungal meningitis in many of our States, especially in Tennessee, expect us to act. If we do, it will not be as well advertised as the differences of opinion we can have in the Senate, but it will demonstrate how, when we work together over a period of a couple of years, we can take a very big piece of complex legislation—in fact, two—that affects the health and safety of every American and come to a consensus that takes a large step forward.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, 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. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NOMINATIONS

Mr. CORNYN. Mr. President, back in 2005, before some of the current membership of the Senate was even here, we had a very important development when it came to judicial nominations and the advice-and-consent function of the Senate. Never, before the Presidency of George W. Bush, had nominees to the Federal court been filibustered; that is, a 60-vote threshold been imposed as opposed to a 51-vote threshold, which is, of course, what the Constitution says—requiring a majority of the Senate. But there was an impasse. A number of judges at the circuit court level and district court level were locked down in this impasse. But, as so often happens around the Senate, a gang broke out. A gang was created. Seven Republicans and seven Democrats got together and helped us work through this impasse, and they did so by adopting a new Senate precedent which says, in essence, there will be no filibusters of Federal judges absent “extraordinary circumstances.” Yes, you may say that is a broad standard, and it is somewhat subjective, admittedly so, but the point was that the default position would be that Federal judges would get up-or-down votes and there would not be the resort to the 60-vote threshold absent extraordinary circumstances. But the point is that has now become the precedent, basically the rule by which the Senate operates when it comes to Federal judicial nominations, and it is a precedent

that has been upheld and respected by both sides of the aisle ever since President Obama took office.

This afternoon we will be voting on a second nominee to the DC Circuit Court of Appeals, a court some have called the second most important court in the Nation because, situated as it is in the District of Columbia, here in Washington, most of the judicial review of administrative decisions goes through this court at the appellate level, and because the Supreme Court only considers roughly 80 cases a year, for all practical purposes the DC Circuit Court becomes the last word on judicial review on many important decisions, particularly those involving agencies such as the Environmental Protection Agency or matters of national security or reviewing the regulations associated with the financial services industry, such as Dodd-Frank and the like—a pretty important court.

Well, unfortunately, the majority leader and the President have determined that they are going to try to jam through three new judges on the DC Circuit Court of Appeals even though these judges are clearly not needed and there is demand elsewhere around the country where the workload is far heavier. But because of the special significance of the DC Circuit Court of Appeals, there is a conscious effort being made to pack that court with three additional judges it does not need in order to change the current division—four to four—in a court where Republican Presidents appointed four, Democratic Presidents appointed four. So it is an evenly balanced court.

As I said, the DC Circuit Court of Appeals does not need any more judges. So why in the world, in a time when we are looking to make sure every penny goes as far as it can and we are not spending money we do not have, would you want to appoint three new judges to a court that does not need any new judges?

Well, here is the number: Since 2005 the total number of written decisions per active judge actually has gone down. As of September 2012 both the total number of appeals filed in the DC Circuit and the total number of appeals ended in the DC Circuit per active judge were 61 percent below the national average.

So you might ask yourself, if it carries a 61-percent reduced caseload compared to the rest of the country, why don't we put the judges where President Obama can nominate them and the Senate can confirm them in places where they are actually needed rather than this court?

Well, because of the reduced caseload and the lack of work for the judges to do on the DC Circuit, one DC Circuit judge recently told Senator GRASSLEY, the ranking member on the Senate Judiciary Committee, “If any more judges were added now, there wouldn't be enough work to go around.” Again, why in the world would President Obama insist and Majority Leader REID

insist on us confirming judges who are not needed when there is not enough work to go around if they were?

Well, my friends across the aisle continue to say that all they care about is filling judicial vacancies, but the majority leader has made it clear that his real objective is to switch the majority when the court sits en banc. For example, ordinarily, circuit courts sit on a three-judge panel, but in important decisions you may have the entire court sit en banc or all together. And the objective is clear that the majority leader wants to stack it in favor of President Obama's nominees, to transform it into a rubberstamp for the President's big-government, overregulatory agenda.

Indeed, despite all the victories the administration has won before this court, it is apparently not good enough. This administration has won several high-profile victories—in environmental cases, for example—but they are still upset with the court because it actually ruled against President Obama on cases related to corporate governance, emissions controls, recess appointments, and nuclear waste. So our colleagues are not content to have a court that is balanced and decides cases on a case-by-case basis they want to stack the court in a way that is a rubberstamp for the President's agenda.

But here are some examples of the cases the court has decided recently. In 2011 the DC Circuit told the Securities and Exchange Commission to follow the law—believe that or not—to follow the law and conduct a proper cost-benefit analysis before adopting its regulations. That is what the law required. The Securities and Exchange Commission ignored the law, and the DC Circuit said “follow the law” and reversed the Securities and Exchange Commission.

In 2012 the court rejected an Environmental Protection Agency rule that went far beyond the limits of the Clean Air Act. These regulatory agencies have a lot of power and a lot of authority, but it all springs from a legislative enactment by Congress. That is the source of their power and their authority, and in this case it was the Clean Air Act. The court said the Environmental Protection Agency exceeded the limits of its authority based on the law that Congress wrote and the President signed into law.

Then, in 2013, President Obama violated the Constitution, the court said, by making recess appointments when the Senate was not actually in recess. This is a very important power that goes back to President Washington that makes sure that when Congress is in recess there is still a way for the President to fill vacancies. But that was in the old days when Congress would basically leave town for months at a time. In this case, President Obama essentially decided he did not want to wait around for the advice-

and-consent function or the confirmation function that is given in the Constitution to the Senate, and he jammed these nominees through using what he called his "recess appointment" power.

Well, the DC Circuit Court of Appeals said: That is unconstitutional. Mr. President, you cannot do that. The law does not allow it.

But that is another reason why, I suggest, the President is eager to stack this court with people he believes will be more ideologically aligned with his big-government agenda.

Then there was one more decision this past August that I will mention. The court reminded the Nuclear Regulatory Commission of its legal requirement to make a final decision on whether to use Yucca Mountain as a nuclear waste repository. That sounds kind of arcane, but it is very important—certainly to the people of Nevada and to the U.S. national security interests when you talk about a safe and secure location to put nuclear waste.

I would submit that all of these were commonsense rulings for which there is a very sound and broad legal basis, and the court was doing what all courts are supposed to do; that is, uphold the law. Apparently, the administration does not think this court should be in a position to do that, and they do not think they should have to be in a position to follow the law. They do not seem to care that the DC Circuit Court has ruled in favor of the administration on things such as stem cell research, health care, greenhouse gas regulation, and other hot-button issues. They do not seem to care that the court's eight active judges are evenly split between Republican and Democratic appointees. In their view, by upholding the law the DC Circuit has been insufficiently supportive of the Obama agenda, so now they are attempting to pack the court with three unneeded judges in order to stack it in the administration's favor.

I said last week that my colleague from Iowa, Senator GRASSLEY, has offered a commonsense alternative. It is a good compromise, and we have done it before. It would actually reallocate two of these seats on the DC Circuit that are unneeded to other courts in the country where they are needed. What makes more sense than that? We have done that once before. We took one of these positions from the DC Circuit and reallocated it to the Ninth Circuit, where they needed judges before. We ought to be putting the resources where they are actually needed, not stacking them in a court where the resources are not needed in order to pursue an ideological end.

Unfortunately, our friends across the aisle—the majority leader and others—have rejected the Grassley compromise and pushed ahead with their court-packing maneuver. Given their stated desire to make the DC Circuit a liberal rubberstamp, Democrats have created an extraordinary circumstance that justifies the filibuster under the 2005 precedent brought about by the Gang

of 14 that I started off with. I wish we had resolved this sooner. I wish my friends across the aisle would give serious consideration to the Grassley proposal. But for now, I am afraid we have reached an impasse, and so we will be voting on this nomination this afternoon.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONDOLENCES TO INHOFE FAMILY

Mr. DURBIN. Mr. President, the Senate family was stunned yesterday with the news that our colleague JIM INHOFE lost his son Perry in a plane crash in Oklahoma. I extend my condolences to JIM, the senior Senator from Oklahoma, and his wife Kay and their family on the loss of their son.

Each year, I always look forward to their Christmas card. It is an amazing gathering which grows by the year. Clearly, it is a strong, large family which takes great comfort in one another's strength. At this moment they will need it having lost one of their own.

I extend my condolences along with those of the Senate family to all of their extended family. I pray that they will have the strength—and I am confident they will—to face this personal and family tragedy.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### NOMINATION OF CORNELIA T.L. PILLARD TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The legislative clerk read the nomination of Cornelia T.L. Pillard, of the District of Columbia, to be United States Circuit Judge for the District of Columbia.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be equally divided and controlled in the usual form.

Mr. DURBIN. A few moments ago the Republican whip, Senator CORNYN of Texas, came to the floor to oppose the nomination of Nina Pillard to the DC

Circuit Court. Sadly, this did not come as a surprise. It is now clearly a political strategy on the other side to block President Obama's nominees for this important court. There are three vacancies on the DC Circuit. Most people view it as the second most important court in the land, next to the U.S. Supreme Court.

The court has eight active judges. It is authorized to have 11. When there are vacancies in our Federal judiciary, the President has a duty to fill them. President George W. Bush made six nominations for the DC Circuit during his Presidency. Of those six nominees, four were confirmed. President Obama, by contrast, has made five nominations for the DC Circuit and so far only one has been confirmed, a well-qualified gentleman, Sri Srinivasan. Two of President Obama's nominees have been filibustered by the Senate Republicans: Caitlin Halligan and Patricia Millett, two exceptionally well-qualified women.

My colleagues on the other side of the aisle have made it clear they intend to filibuster two more equally well-qualified nominees: Georgetown law professor Nina Pillard and DC District Court Judge Robert Wilkins.

This disparity is very obvious for anyone who cares to compare. President Bush: Six DC Circuit Court nominees; four of them confirmed. President Obama: Five DC Circuit Court nominees; four of them likely filibustered by the Republicans.

This is a troubling contrast. There is no question President Obama's nominees have the qualifications and integrity to serve on this important court. There are absolutely no—underline no—extraordinary circumstances that justify filibustering these nominees. Just a few days ago when the Senate Republicans filibustered Patricia Millett, one of the most distinguished nominees to ever come before the Senate, they ignored the obvious: She has argued 32 cases before the U.S. Supreme Court. Is someone literally going to come and say, oh, but she is not qualified to serve in a Federal court.

Not only that, she had the overwhelming endorsement of Solicitors General of both political parties. Clearly, she is well qualified and has bipartisan support for the job. But it was not good enough for the other side of the aisle. They filibustered her, stopping her nomination.

For those who are new to the Senate, the filibuster is an old trick, an old procedural gambit. What happens is that well-qualified people, and many times substantive legislation, are held up indefinitely or stopped with the use of a filibuster. To do it to an amendment or a bill is bad enough, to do it to a human being is something we should think long and hard about. Her nomination, the nomination of Patricia Millett, was supported by Democratic and Republican Solicitors General. They characterized her as "brilliant" and "unfailingly fair-minded."

Ms. Millett deserved an up-or-down vote on the merits. I doubt there would have been many, if any, on the other side of the aisle who would have voted against her. There is no question she would have served with distinction as a Federal judge. It is a shame she is being filibustered.

Technically, her nomination is still hanging by a procedural thread, I guess, for the possibility of being reconsidered. But when we hear the statement just recently made by the senior Senator from Texas, it gives us scant hope of her successful nomination being approved by the Senate.

Now we are considering another well-qualified nominee to the DC Circuit, Nina Pillard. Ms. Pillard is a distinguished law professor at Georgetown. She is also one of the most talented appellate attorneys in America. She has served with distinction in the Solicitor General's office and in the Justice Department's Office of Legal Counsel. She has argued nine cases before the Supreme Court of the United States. She has written briefs on many more, including *U.S. v. Virginia*, the landmark equal protection case that opened the doors of the Virginia Military Institute to female students.

There is no question that Ms. Pillard has the intellect, experience, and integrity to be an excellent Federal court judge. She has received strong letters of recommendation from Republicans and Democrats, from law enforcement and law professors.

It is no secret that she has written a number of academic articles in which she argued for gender equality, that men and women be treated fairly and the same under the law in America. Some find this radical thinking. Most Americans believe it should be the law of the land. But law professors are supposed to take part in debates and advance academic discourse. That is their role. Also, issues of gender equality are important in America. Do we not want our daughters to have the same opportunities as our sons?

We should want to have our finest legal minds contribute to this conversation about gender equality. We should not penalize them for doing so. Some have dismissed her nomination because she has spoken out about equality when it comes to men and women in America. That is shameful.

Ms. Pillard also made clear at her nomination hearing she understands the difference between being a professor and a judge. When Ms. Pillard has stood in judgment of others, as she has done when she served on the ABA reviewing committee for then-Judge Sam Alito in 2005, she has been fair and impartial. She probably does not share the views of Alito, but her committee give him a rating of unanimously "well qualified." That rating helped send him off to the Supreme Court.

I think Viet Dinh, former Assistant Attorney General for the Office of Legal Policy under George W. Bush, helped clarify who Nina Pillard is with

a letter he sent in support of her nomination. Here is what he said:

I know that Professor Pillard is exceptionally bright, a patient and unbiased listener, and a lawyer of great judgment and unquestioned integrity.

I would go on to say, I know Professor Dinh is a very conservative person. Yet listen to how he concluded his endorsement of Nina Pillard:

She is a fair-minded thinker with enormous respect for the law and for the limited, and essential role of the federal appellate judge—qualities that make her well prepared to take on the work of a D.C. Circuit judge. I am confident that she would approach the judicial task of applying law to facts in a fair and meticulous manner.

I urge my colleagues to give this well-qualified nominee the chance for a vote on the merits before the Senate.

Some may argue there are three strikes against Professor Pillard for this DC Circuit, and apparently there are.

First, she is an overwhelmingly well-qualified woman. Those nominations are not faring well with the other side of the aisle recently.

Secondly, she has argued that men and women deserve equal and fair treatment in America. That does not sit well with some on the other side of the aisle.

Third, this is a critically important court. There are some who are determined to maintain these vacancies even at the expense of exceptionally well-qualified nominees.

I know my Republican colleagues like to argue: We should not confirm nominees to the court because they just do not work hard enough over there. But does anyone truly believe this caseload argument would stop the Republicans if they were in the White House trying to fill the same vacancies?

We do not have to guess at the answer to that question, we know it. The fact is, the DC Circuit's caseload is actually greater now than it was when John Roberts was confirmed to be the ninth judge on that circuit in 2003. Judge Roberts was confirmed by a voice vote. The argument about not enough work in the court did not seem to come up when it was a Republican nominee for a similar vacancy.

My Republican colleagues have been eager to confirm nominees for the 9th, 10th, and 11th seats on the DC Circuit when a Republican President has been making the nomination. But when it comes to President Obama's DC Circuit nominees, it looks as though we will see four times as many filibusters as we do confirmations.

The bottom line is this: Under the law, there are supposed to be 11 active judges on this circuit. Three vacancies exist. The President has the responsibility to fill them. President Obama's nominees are well qualified. No one questions that. But they are being filibustered by Senate Republicans.

I hope my Republican colleagues change their minds about these filibus-

ters and agree to give these nominees an up-or-down vote. These nominees have done nothing to deserve the filibuster. They deserve to be judged on the merits.

Let me close by saying that we have gone through this debate for a long time on both sides, arguing that well-qualified nominees deserve an up-or-down vote. There have been times when some people have questioned the whole process that would allow this basic unfairness for nominees to the bench that we are seeing happen with the DC Circuit. We have gone from the brink of talking about changing the rules of the Senate, and usually at the very last moment we will step up and try to work out our differences in a fair fashion between the two parties, agreeing that certain nominees will move forward and certain nominees will not.

But I will tell you, as I have said to my friends on the other side of the aisle, there comes a tipping point. There reaches a point where we cannot allow this type of fundamental unfairness and injustice to occur. It is not fair to those nominees who submit their names in good faith, willing to serve on these important judicial assignments and to give their best talents and to show their integrity in the process and then to be given the back of the hand by a Republican filibuster on the floor of the Senate. It reaches a point where we cannot continue to do this.

I say to my friends on the other side of the aisle who have said we should not change the rules of the Senate, it is time for them to show common sense and to show a basic sense of fairness when it comes to those nominees. I hope that when this matter comes before the Senate, my Republican friends across the aisle will relent, will not stop this good nominee from her opportunity to serve.

I hope we can find her nomination and the others who are pending moving forward in a way that is befitting of this great institution.

Mr. HATCH. Mr. President, we are once again taking an unnecessary cloture vote on an unnecessary nomination to a court that needs no more judges. The only reason for either this nomination or this cloture vote is deliberately to provoke a confrontation that the majority hopes will be to their partisan political benefit. Perhaps they want to use a fake charge of obstruction to again push for rigging the confirmation process through the so-called nuclear option. Perhaps they want to give their allied grassroots groups something with which those groups can raise money. Or perhaps the majority wants to use this to distract from disasters like the implementation of Obamacare.

One thing is for sure, this confrontation is not happening because Republicans are genuinely obstructing needed nominations. President Obama has appointed more than twice as many judges so far this year than at the beginning of either President Bush's or

President Clinton's second term. President Obama has already appointed nearly one-quarter of the entire Federal judiciary.

Whatever the reason, this stunt will only end up further politicizing the confirmation process and undermining the independence of the judiciary. As I outlined in the *National Law Journal* over the weekend, it would be hard to make a clearer case that the U.S. Court of Appeals for the DC Circuit needs no more judges. Since 2006, when Democrats said that this court needed no more judges, new appeals are down 27 percent, cases scheduled for argument are down 11 percent, and written decisions per active judge are down 18 percent. The DC Circuit, as it has for years, ranks last among all circuits in virtually every measure of caseload.

Consider just a brief comparison with the next busiest circuit. In the Tenth Circuit, new appeals are 87 percent higher, terminated appeals are 131 percent higher, and written decisions per active judge are 150 percent higher.

In 2006, Democrats also opposed more DC Circuit appointments because more pressing "judicial emergency" vacancies had not been filled. Judicial emergencies are up 90 percent since then, and the percentage of those vacancies with nominees is down from 60 percent to just 47 percent.

No matter how you slice it, dice it, or spin it, the DC Circuit has enough judges while other courts need more. Democrats have not yet said that the standard they used in 2006 to oppose Republican appointees was wrong, nor have they explained why a different standard should be used today to push Democratic appointees.

The better course would be to stop these fake, partisan confrontations and focus on nominees to courts that really need them.

Mr. GRASSLEY. Mr. President, I will conclude this debate with the following points:

First, under the Democrats' standard from 2006, the DC Circuit needs no additional judges. This is why current judges have written things like: "If any more judges were confirmed now, there wouldn't be enough work to go around."

Second, the President has made clear on a host of issues, such as cap-and-trade fee increases, that he will simply go around Congress through administrative action rather than do the hard work of passing legislation. That is why he wants to stack the deck on this court with committed ideologues, as Professor Pillard appears to be. It seems the President is confident Professor Pillard would be a reliable rubber stamp, considering she is outside the mainstream on a host of issues, including religious freedom, abortion, and abstinence-only education.

So I agree with those Democrats who said during the Bush administration: "The Senate should not be a rubber stamp to this President's effort to pack the court with those who would give him unfettered leeway."

There is simply no justification for spending \$1 million per year for these lifetime appointments given the lack of workload under the Democrats' standard from 2006.

Accordingly, I urge a "no" vote on the cloture motion.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. WARREN). Without objection, it is so ordered.

Mr. LEAHY. Madam President, here we go again. For the third time this year, we are debating whether to end a Republican filibuster and allow a confirmation vote for a highly qualified woman to the DC Circuit. In March, it was Caitlin Halligan. Last month, it was Patricia Millett. Today, it is Nina Pillard. The qualifications of each of these nominees surpass those of many other attorneys who have been confirmed to the Federal bench. These are three women who have earned their way to the top of the legal profession. They are recognized by legal scholars, practitioners, and men and women alike as being at the top of the profession. It appears Senate Republicans are going to continue to launch filibuster after filibuster at these stellar nominees.

Like Caitlin Halligan and Patricia Millett, I am confident Nina Pillard would be confirmed if Republicans would stop filibustering and allow an up-or-down vote on her nomination. She would get well over the number needed. If Republicans vote in lockstep to continue their filibuster against Nina Pillard, then Senate Republicans will have blocked three outstanding women in a row from being confirmed to what is considered the second highest court in our country.

Senate Republicans have an opportunity to make this right by voting to end the filibuster of Nina Pillard's nomination today, and by voting on the nomination of Patricia Millett once the majority leader brings it again before the Senate as he said he intends to do. Confirming these two highly qualified nominees is the right thing to do and it will make history, once these two extraordinary women are confirmed, the DC Circuit will be the first Federal appellate court in our country to have an equal number of women serving as judges as men.

Wouldn't that be nice? The DC Circuit would actually reflect the proportion of women in this country. It would be a nice move. Despite having filled nearly half of law school classrooms for the last 20 years, women are grossly underrepresented on our Federal courts. What kind of message are Senate Republicans sending by refusing to even allow a vote on three of the most

qualified female attorneys in this country?

When Senate Republicans talked about seating John Roberts on one of these seats on the DC Circuit, every Republican and every Democrat supported him. That was no problem for them. Of course, John Roberts was nominated by a Republican President.

We now have women nominees who are equally well qualified, and they are filibustered. Of course, they were nominated by a Democratic President. I guess if you are a Republican and nominate a qualified man, this nominee can be confirmed easily. If you are a Democrat nominating an equally qualified woman, this nominee will be filibustered. What does this say to people in law school? What does it say to our country? What does it say about the impartiality of our Federal bench? We need women in our Federal courts. A vote to end this filibuster is a vote in the historic direction of having our Federal appellate courts more accurately reflect the gender balance of our country.

Nina Pillard is a stellar nominee. She is an accomplished litigator whose work includes 9 Supreme Court oral arguments and briefs in more than 25 Supreme Court cases. She drafted the Federal Government's brief in *United States v. Virginia*, which after a 7-to-1 decision by the Supreme Court made history by opening the Virginia Military Institute's doors to women students and expanded educational opportunity for women across this country.

As a father who loves his daughter and his three granddaughters, I want to see us start paying attention to the fact that we have both men and women in this country. After Nina Pillard's work in *U.S. v. Virginia*, hundreds of women have had the opportunity to attend VMI and go on to serve our country. Josiah Bunting III, the superintendent of VMI when female cadets were first integrated into the corps, has since called VMI's transition to co-education "one of its finest hours." And it was. But it needed somebody like Nina Pillard to bring a case to the Supreme Court so they could have their finest hour.

Nina Pillard has not only stood up for equal opportunities for women but for men as well. In *Nevada v. Hibbs* she successfully represented a male employee of the State of Nevada who was fired when he tried to take unpaid leave under the Family and Medical Leave Act to care for his sick wife. In a 6-to-3 opinion authored by then-Chief Justice William Rehnquist, the Supreme Court ruled for her client, recognizing that the law protects both men and women in their caregiving roles within the family.

Nina Pillard has also worked at the Department of Justice's Office of Legal Counsel, an office that advises on the most complex constitutional issues facing the executive branch. Prior to that service, she litigated civil rights cases at the NAACP Legal Defense &

Education Fund. At Georgetown Law School—a law school this chairman of the Senate Judiciary Committee loves, having graduated from there—Nina Pillard teaches advanced courses on constitutional law and civil procedure, and co-directs the law school's very prestigious Supreme Court Institute.

She has earned the American Bar Association's highest possible ranking—Unanimously Well Qualified—to serve as a federal appellate judge on the DC Circuit. She also has significant bipartisan support. Viet Dinh, the former Assistant Attorney General for the Office of Legal Policy under President George W. Bush, has written that:

Based on our long and varied professional experience together, I know that Professor Pillard is exceptionally bright, a patient and unbiased listener, and a lawyer of great judgment and unquestioned integrity. Nina . . . has always been fair, reasonable, and sensible in her judgments . . . She is a fair-minded thinker with enormous respect for the law and for the limited, and essential, role of the federal appellate judge—qualities that make her well prepared to take on the work of a D.C. Federal Judge.

Former FBI Director and Chief Judge of the Western District of Texas, William Sessions, has written that her "rare combination of experience, both defending and advising government officials, and representing individuals seeking to vindicate their rights, would be especially valuable in informing her responsibilities as a judge."

Nina Pillard has also received letters of support from 30 former members of the U.S. armed forces, including 8 retired generals; 25 former Federal prosecutors and other law enforcement officials; 40 Supreme Court practitioners, including Laurence Tribe, Carter Phillips, and Neal Katyal, among others.

I ask unanimous consent to have a list of those letters of support for Ms. Pillard printed in the RECORD at the conclusion of my remarks.

Nina Pillard's nomination does not rise to the level of an extraordinary circumstance, which was what the Gang of 14 decided should be the standard for filibustering nominees back in 2005. According to a Senate Republican who still serves today:

Ideological attacks are not an 'extraordinary circumstance.' To me, it would have to be a character problem, an ethics problem, some allegation about the qualifications of the person, not an ideological bent.

There is no reasonable interpretation of that definition in which one could find an extraordinary circumstance with Nina Pillard. She has no character problem, no ethics problem, and most importantly, she has extraordinary qualifications.

Rather than debate the merits of President Obama's well-qualified nominees to the DC Circuit—because it would be impossible to debate them, as they are so well qualified—Senate Republicans have made clear that partisanship is more important to them than the Federal judiciary, the administration of justice, and the needs of the American people. With the excep-

tion of Senators LISA MURKOWSKI and SUSAN COLLINS, every single Republican Senator voted to filibuster Patricia Millett's nomination, arguing that we should not fill existing vacancies because suddenly they are concerned about the need for these existing judgeships. We know this is just a pretext for two reasons. First, they had no such concerns about the unique caseload of the DC Circuit when a Republican was in the White House and nominated judges to the 9th, 10th, and 11th seat. In fact, they filled the seat for this court that John Roberts was unanimously confirmed to when there was a lower caseload. Now, when we have a superbly qualified woman, suddenly she has to be filibustered.

And second, if Republicans actually cared about the cost of hampering our Government's functions they would not have shut down our Federal Government, which cost billions of dollars and set back our recovering economy. Avoiding the needless shutdown of our Government would have paid for all these Federal courts for years. So do not stand up and say we do not want these women on this court. Be honest about it. Do not give me a lot of folderol about numbers and expenses and everything else, because that is all it is: it is folderol.

In 2003, the Senate unanimously confirmed John Roberts by voice vote to be the ninth judge on the DC Circuit—at a time when its caseload was lower than it is today—and, in fact, his confirmation marked the lowest caseload level per judge on the DC Circuit in 20 years. Not a single Senate Republican raised any concerns about whether the caseload warranted his confirmation, and during the Bush administration, they voted to fill four vacancies on the DC Circuit—giving the court a total of 11 judges in active service. Today there are only eight judges on the court. What has changed? It is not the caseload—that has remained fairly constant over the past 10 years. In fact, the cases pending per active judge are actually higher today than they were when President Bush's nominees were confirmed to the DC Circuit. The only thing that has changed is the party of the President nominating judges to the court.

We also should not be comparing the DC Circuit's caseload with the caseload of other circuits, as Republicans have recently done. The DC Circuit is often understood to be the second most important court in the land because of the complex administrative law cases that it handles. The court reviews complicated decisions and rulemakings of many Federal agencies, and in recent years has handled some of the most important terrorism and enemy combatant and detention cases since the attacks of September 11. So comparing the DC Circuit's caseload to other circuits is a false comparison, and those who are attempting to make this comparison are not being fully forthcoming with the American public.

The DC Circuit should be operating at full strength, as it was when President Bush left office. Republicans supported this for President Bush but do not for President Obama. That is shameful. That is wrong. There are currently three vacancies and President Obama has fulfilled his constitutional role by nominating three eminently qualified nominees to fill these seats. Patricia Millett, Nina Pillard, and Robert Wilkins would fill the ninth, tenth, and eleventh seats on the DC Circuit. These are the same seats that were filled during President Bush's tenure when the caseload was lower. Do not give me balderdash; let us deal with reality. Let us judge each nominee based on his or her qualifications and not hide behind some pretextual argument that most Americans can see through.

If the Republican caucus continues to abuse the filibuster rule and obstruct the President's fine nominees to the DC Circuit, then I believe this body will need to consider anew whether a rules change should be in order. That is not a change that I want to see happen, but if Republican Senators are going to hold nominations hostage without consideration of nominees' individual merit, drastic measures may be warranted. I hope it does not come to that. I hope that the same Senators who stepped forward to broker compromise when Republicans shut down the government will decide to put politics aside and vote on the merits of these exceptional nominees. I also hope the same Senators who have said judicial nominations ought not be filibustered barring extraordinary circumstances will stay true to their word. Let us not have a double standard where one President is treated one way and another is treated differently. For the sake of justice in this country, for the sake of the independence of our Federal judiciary, let us stop the filibuster and consider Nina Pillard's nomination based on her qualifications. Let us treat her with the decency that she deserves. This Nation would be better off having her serve as a judge on the Court of Appeals for the DC Circuit.

I have argued cases before courts of appeal. I know how important it is to the administration of justice. I know how important it is for litigants who enter the courtroom not caring whether they are Republican or Democrat, whether they are plaintiff or defendant, whether the State or respondent. I know how important it is to have qualified judges. I call on the few Senators in this body who have argued cases before courts of appeals or before the U.S. Supreme Court to stop this game-playing with our Federal judiciary. Our independent judiciary is a model for the rest of the world. We must stop politicizing it, and stop using feeble, wrong, and misleading excuses. Let us start doing what is right for the country for a change. Stop the bumper sticker slogans. Stop the rhetoric that interferes with reality. Let us start doing what is right.

Would this not be a refreshing change in this country? I saw a poll this afternoon that showed the Congress at a 9 percent approval rating, and I would like to find out who those 9 percent are. Would it not be nice if the American people actually saw us doing what is best for America, and stopped this pettifoggery? Let us do what is right for America.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LETTERS RECEIVED IN SUPPORT OF CORNELIA PILLARD

June 4, 2013—William T. Coleman Jr., Attorney

July 8, 2013—John M. Townsend, Attorney  
July 9, 2013—William S. Sessions, Former Director of the Federal Bureau of Investigation

July 17, 2013—21 Former Office of Legal Counsel Attorneys at the Department of Justice

July 17, 2013—25 Law School Deans  
July 17, 2013—25 Former Federal Prosecutors and Law Enforcement Officials

July 17, 2013—40 Members of the Supreme Court Bar

July 18, 2013—Viet Dinh, Former Assistant Attorney General for the Office of Legal Policy at the Department of Justice and Professor of Law at Georgetown

July 22, 2013—30 Retired Members of the Armed Forces

July 22, 2013—Jessica Adler, President, Women's Bar Association of the District of Columbia

July 23, 2013—Virginia Military Institute Alumni

July 24, 2013—Pamela Berman, President, National Conference of Women's Bar Associations

August 7, 2013—Peter M. Reyes, Jr., National President, Hispanic National Bar Association

September 9, 2013—Douglas T. Kendall, Vice President of the Constitutional Accountability Center

September 18, 2013—Shanna Smith, President and CEO, National Fair Housing Alliance

July 23, 2013, September 11, 2013, and November 12, 2013—Wade Henderson, President and CEO, Leadership Conference on Civil and Human Rights

July 23, 2013 and November 12, 2013—Nancy Duff Campbell and Marcia Greenberger, Co-Presidents of the National Women's Law Center

November 12, 2013—Neda Mansoorian, President, California Women Lawyers

The PRESIDING OFFICER. Thirty seconds remains.

Mr. LEAHY. I yield back the remaining 30 seconds.

CLOTURE MOTION

The PRESIDING OFFICER. By unanimous consent, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Cornelia T. L. Pillard, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

Harry Reid, Patrick J. Leahy, Richard J. Durbin, John D. Rockefeller IV, Ben-

jamin L. Cardin, Jon Tester, Sheldon Whitehouse, Mark R. Warner, Patty Murray, Mazie Hirono, Angus S. King, Jr., Barbara Boxer, Jeanne Shaheen, Robert Menendez, Bill Nelson, Debbie Stabenow, Richard Blumenthal.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Cornelia T.L. Pillard, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. HATCH (when his name was called). "Present."

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Nebraska (Mr. JOHANNIS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 41, as follows:

[Rollcall Vote No. 233 Ex.]

YEAS—56

Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Collins	Manchin	Udall (CO)
Coons	Markey	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murkowski	

NAYS—41

Alexander	Enzi	Paul
Ayotte	Fischer	Portman
Barrasso	Flake	Reid
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Isakson	Sessions
Coburn	Johnson (WI)	Shelby
Cochran	Kirk	Thune
Corker	Lee	Toomey
Cornyn	McCain	Vitter
Crapo	McConnell	Wicker
Cruz	Moran	

ANSWERED "PRESENT"—1

Hatch

NOT VOTING—2

Inhofe Johanns

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 41, 1 Senator responded "Present." Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. REID. Madam President, I enter a motion to reconsider the vote by which cloture was not invoked on the Pillard nomination.

The PRESIDING OFFICER. The motion is entered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

DRUG QUALITY AND SECURITY ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 236, H.R. 3204, an Act to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes.

Harry Reid, Tom Harkin, Patrick J. Leahy, Tom Udall, Mark Begich, Brian Schatz, Al Franken, Barbara Boxer, Richard J. Durbin, Christopher A. Coons, Debbie Stabenow, Benjamin L. Cardin, Sheldon Whitehouse, Patty Murray, Barbara A. Mikulski, Kirsten E. Gillibrand, Jeff Merkley.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 3204, an act to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Nebraska (Mr. JOHANNIS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 97, nays 1, as follows:

[Rollcall Vote No. 234 Leg.]

YEAS—97

Alexander	Cochran	Heitkamp
Ayotte	Collins	Heller
Baldwin	Coons	Hirono
Barrasso	Corker	Hoeven
Baucus	Cornyn	Isakson
Begich	Crapo	Johnson (SD)
Bennet	Cruz	Johnson (WI)
Blumenthal	Donnelly	Kaine
Blunt	Durbin	King
Booker	Enzi	Kirk
Boozman	Feinstein	Klobuchar
Boxer	Fischer	Landrieu
Brown	Flake	Leahy
Burr	Franken	Lee
Cantwell	Gillibrand	Levin
Cardin	Graham	Manchin
Carper	Grassley	Markey
Casey	Hagan	McCain
Chambliss	Harkin	McCaskill
Coats	Hatch	McConnell
Coburn	Heinrich	Menendez

Merkley	Risch	Tester
Mikulski	Roberts	Thune
Moran	Rockefeller	Toomey
Murkowski	Rubio	Udall (CO)
Murphy	Sanders	Udall (NM)
Murray	Schatz	Warner
Nelson	Schumer	Warren
Paul	Scott	Whitehouse
Portman	Sessions	Wicker
Pryor	Shaheen	Wyden
Reed	Shelby	
Reid	Stabenow	

## NAYS—1

Vitter

## NOT VOTING—2

Inhofe

Johanns

The PRESIDING OFFICER. On this vote, the yeas are 97, the nays are 1. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. THUNE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Ms. WARREN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DONNELLY). Without objection, it is so ordered.

## MORNING BUSINESS

Ms. WARREN. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## VETERANS DAY

Mr. DURBIN. Mr. President, I rise today to speak about the importance of honoring our Nation's veterans for their service and sacrifice. I hope every American found a moment this weekend to reflect on what veterans have done for us and for our Nation as a whole.

We are now 238 years removed from our Nation's first war, the Revolutionary War. Brave Americans have fought to defend this Nation in wars large and small, from the World Wars to Vietnam to Iraq, and everything in between. Our Nation still has some 54,000 troops in Afghanistan, and we all pray for their safe return as we draw down our forces over the next year.

In each incarnation, brave men and women, often barely old enough to vote, went to war, and returned as veterans. A common thread that binds each generation served by our veterans is that solemn pledge so perfectly articulated by President Lincoln: "Let us strive . . . to care for him who shall have borne the battle and for his widow and his orphan."

Living up to Lincoln's words has been the duty of every generation. Our veterans of the wars in Iraq and Afghanistan are the most recent to experience the deep-seated physical, emotional, and mental wounds of war.

In recognition, we cannot simply commemorate our veterans' service, but must express our gratitude through action. Supporting and strengthening our veterans' access to health care, education, job training, housing, and other services is every bit about keeping this promise.

Here in Congress, we hold in our hands the legislative powers to improve the treatment, benefit, and assistance programs that already exist and the power to create new programs to meet the changing needs of our veterans and their families. We in Congress have a heightened obligation to service the needs of our veterans.

I am committed to that promise. We know that veterans face unnecessary delays in claims processing and reimbursement. I have worked hard to cut down on the backlog and encourage the VA to address this impending problem.

In Chicago, the VA is rolling out a new electronic records system, and the backlog is dropping. As chairman of the Senate Defense Appropriations Subcommittee, I have also included increased funding to the Department of Defense to ensure the speedy transfer of servicemember medical records, and I will continue to work with the chairman of the Veterans Affairs Committee to alleviate the claims processing backlog.

New medical challenges are also facing our veterans. In an age where doctors are better able to save the soldier's life on the battlefield, more soldiers are returning home with loss of limbs. To assist these veterans, I introduced legislation to make sure that the VA and our colleges and universities work together to ensure the next generation of orthotic and prosthetics professionals will be there for these wounded warriors. I'm happy to say that Senate Veterans Affairs Chairman SANDERS is working with me on this, and we hope to get this program signed into law later this year.

I was also proud to lead the fight for what is now the VA's caregivers program. It provides the families of severely disabled Iraq and Afghanistan war veterans with the support they deserve to care for their loved ones.

Treating and attending to a wounded veteran is an incredibly demanding job—often best served by a family member—and the caregiver's program ensures that these families have the training and financial support necessary to care for our wounded heroes.

I am proud to say there are now hundreds of veteran caregivers in Illinois and thousands nationwide taking part in this program—and loving it.

We have come a long way in supporting our veterans over the years and responding to their changing needs, yet our work is far from done.

On Veterans Day in 1961, President Kennedy stood at Arlington National Cemetery, in view of the Capitol building in Washington, D.C. On that day he said: "In a world tormented by tension and the possibilities of conflict, we

meet in a quiet commemoration of an historic day of peace. In an age that threatens the survival of freedom, we join together to honor those who made our freedom possible."

Today, some 52 years later, we too stand together to honor, to commemorate, and to remember the proud ranks of veterans who have defended America and her ideals in every corner of the globe. I am proud to stand for our Nation's veterans and their families every day, but I am especially proud to celebrate them each year on Veterans Day.

## REMEMBERING GERARDO HERNANDEZ

Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the life of Gerardo Ismael Hernandez, a loving husband and father and respected homeland security agent who was dedicated to protecting the safety of the American people. Tragically, Agent Hernandez was struck down by a gunman at Los Angeles International Airport on November 1, 2013, becoming the first Transportation Security Administration officer killed in the line of duty since the agency's creation. He was 39 years old.

A graduate of Los Angeles High School, Gerardo Hernandez was born in El Salvador and came to Los Angeles with his family at age 15. The youngest of four brothers, Gerardo worked hard to succeed and always wanted to give something back to his country. He went to work for TSA in June 2010 and became a behavior detection specialist at LAX. He was devoted to his job, his country, and his beloved family.

Gerardo met his future wife, Ana Machuca, when he was 19 years old. Married in 1998, the young couple settled in Porter Ranch, CA and were proud parents to a daughter and a son. His friends and colleagues remember him as a devoted husband and father and a wonderful friend with a great sense of humor who frequently went out of his way to help others.

Agent Gerardo Hernandez, like all those who serve in law enforcement and homeland security, put his life on the line to protect and serve his community. His commitment to public safety and to the citizens he protected will never be forgotten.

On behalf of the people of California, whom he served so well, I send my gratitude and deep sympathy to his friends and family. We are forever indebted to Agent Hernandez for his courage, service, and sacrifice.

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages

from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

**REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAN THAT WAS DECLARED IN EXECUTIVE ORDER 12170 ON NOVEMBER 14, 1979—PM 24**

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within the 90-day period prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979, is to continue in effect beyond November 14, 2013.

Because our relations with Iran have not yet returned to normal, and the process of implementing the agreements with Iran, dated January 19, 1981, is still under way, I have determined that it is necessary to continue the national emergency declared in Executive Order 12170 with respect to Iran.

BARACK OBAMA,  
THE WHITE HOUSE, November 12, 2013.

**MEASURES PLACED ON THE CALENDAR**

The following bill was read the second time, and placed on the calendar:

S. 1661. A bill to require the Secretary of State to offer rewards of up to \$5,000,000 for information regarding the attacks on the United States diplomatic mission at Benghazi, Libya that began on September 11, 2012.

**REPORTS OF COMMITTEES**

The following reports of committees were submitted:

By Mrs. FEINSTEIN, from the Select Committee on Intelligence:

Report to accompany S. 1631, a bill to consolidate the congressional oversight provisions of the Foreign Intelligence Surveillance Act of 1978 and for other purposes (Rept. No. 113-119).

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions,

with an amendment in the nature of a substitute:

S. 1356. A bill to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.

By Mrs. FEINSTEIN, from the Select Committee on Intelligence, without amendment:

S. 1681. An original bill to authorize appropriations for fiscal year 2014 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System, and for other purposes.

**EXECUTIVE REPORTS OF COMMITTEE**

The following executive reports of nominations were submitted:

By Mr. ROCKEFELLER for the Committee on Commerce, Science, and Transportation.

\*Terrell McSweeney, of the District of Columbia, to be a Federal Trade Commissioner for the unexpired term of seven years from September 26, 2010.

\*Robert Michael Simon, of Maryland, to be an Associate Director of the Office of Science and Technology Policy.

\*Jo Emily Handelsman, of Connecticut, to be an Associate Director of the Office of Science and Technology Policy.

\*Kathryn D. Sullivan, of Ohio, to be Under Secretary of Commerce for Oceans and Atmosphere.

Mr. ROCKEFELLER. Mr. President, for the Committee on Commerce, Science, and Transportation 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.

Coast Guard nominations beginning with Kenneth J. Anderson and ending with Forest A. Willis, Jr., which nominations were received by the Senate and appeared in the Congressional Record on November 7, 2013.

Coast Guard nominations beginning with Wayne R. Arguin and ending with Michael B. Zamperini, which nominations were received by the Senate and appeared in the Congressional Record on November 7, 2013.

Coast Guard nominations beginning with Steven C. Acosta and ending with Marc A. Zlomek, which nominations were received by the Senate and appeared in the Congressional Record on November 7, 2013.

\*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. UDALL of New Mexico (for himself and Mr. DURBIN):

S. 1677. A bill to establish centers of excellence for innovative stormwater control infrastructure, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BURR (for himself, Mr. COBURN, and Mr. CHAMBLISS):

S. 1678. A bill to amend subchapter II of chapter 84 of title 5, United States Code, to prohibit coverage for annuity purposes for new Federal employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TOOMEY:

S. 1679. A bill to require a study on the Russian RD-180 rocket engine; to the Committee on Armed Services.

By Mr. ROCKEFELLER:

S. 1680. A bill to amend the Communications Act of 1934 to increase consumer choice and competition in the online video programming distribution marketplace, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN:

S. 1681. An original bill to authorize appropriations for fiscal year 2014 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System, and for other purposes; from the Select Committee on Intelligence; placed on the calendar.

By Mr. CASEY:

S. 1682. A bill to amend title 38, United States Code, to make certain clarifications and improvements in the academic and vocational counseling programs administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ (for himself and Mr. CORKER):

S. 1683. A bill to provide for the transfer of naval vessels to certain foreign recipients, and for other purposes; to the Committee on Foreign Relations.

By Mr. TOOMEY:

S. 1684. A bill to require a pilot program on the provision of certain information to State veterans agencies to facilitate the transition of members of the Armed Forces from military service to civilian life; to the Committee on Veterans' Affairs.

By Mr. PORTMAN:

S. 1685. A bill to amend the Public Health Service Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mr. GRASSLEY):

S. 1686. A bill to amend the Controlled Substances Act to provide enhanced penalties for marketing controlled substances to minors; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Mr. BROWN, Mr. HARKIN, and Mr. FRANKEN):

S. 1687. A bill to amend the Fair Labor Standards Act of 1938 to ensure that employees are not misclassified as non-employees, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

**SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS**

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself, Mr. WICKER, Mr. MENENDEZ, Ms. MIKULSKI, Mrs. MURRAY, Mr. SCHATZ, Mr. MARKEY, Mrs. HAGAN, and Mr. SCHUMER):

S. Res. 290. A resolution commemorating the 75th anniversary of Kristallnacht, or the Night of the Broken Glass; considered and agreed to.

By Mr. TOOMEY:

S. Res. 291. A resolution expressing the sense of the Senate on a nationwide moment of remembrance on Memorial Day each year, in order to appropriately honor United States patriots lost in the pursuit of peace and liberty around the world; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 135

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 135, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

S. 137

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 137, a bill to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities.

S. 252

At the request of Mr. ALEXANDER, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 252, a bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

S. 313

At the request of Mr. CASEY, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 330

At the request of Mrs. BOXER, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 330, a bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 367

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) 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. 381

At the request of Mr. BROWN, the names of the Senator from Maine (Ms.

COLLINS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Mississippi (Mr. WICKER), the Senator from Kansas (Mr. ROBERTS), the Senator from North Carolina (Mr. BURR), the Senator from Indiana (Mr. COATS), the Senator from South Dakota (Mr. THUNE), the Senator from Idaho (Mr. CRAPO), the Senator from Wyoming (Mr. ENZI), the Senator from Louisiana (Mr. VITTER), the Senator from Idaho (Mr. RISCH), the Senator from Missouri (Mr. BLUNT), the Senator from Nevada (Mr. HELLER), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Iowa (Mr. GRASSLEY), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Illinois (Mr. KIRK) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors 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. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 528

At the request of Mrs. HAGAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 528, a bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes.

S. 822

At the request of Mr. LEAHY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 822, a bill to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 842

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 917

At the request of Mr. CARDIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 917, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. 961

At the request of Mr. BLUNT, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 961, a bill to improve access to emergency medical services, and for other purposes.

S. 981

At the request of Mr. MENENDEZ, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 981, a bill to direct the Federal Trade Commission to prescribe rules prohibiting deceptive advertising of abortion services, and for other purposes.

S. 1001

At the request of Mr. CORNYN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1001, a bill to impose sanctions with respect to the Government of Iran.

S. 1143

At the request of Mr. MORAN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1143, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 1158

At the request of Mr. WARNER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1158, a bill to require the Secretary of the Treasury to mint coins commemorating the 100th anniversary of the establishment of the National Park Service, and for other purposes.

S. 1171

At the request of Mr. MORAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1171, a bill to amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location.

S. 1181

At the request of Mr. MENENDEZ, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1181, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S. 1224

At the request of Mr. CARDIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1224, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and

frontpay awards received on account of such claims, and for other purposes.

S. 1235

At the request of Mr. WYDEN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1235, a bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property.

S. 1312

At the request of Mr. COBURN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1312, a bill to amend title 5, United States Code, to limit the circumstances in which official time may be used by a Federal employee.

S. 1320

At the request of Mr. DONNELLY, the name of the Senator from North Dakota (Ms. HETTKAMP) was added as a cosponsor of S. 1320, a bill to establish a tiered hiring preference for members of the reserve components of the armed forces.

S. 1361

At the request of Mr. MURPHY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1361, a bill to direct the Secretary of Homeland Security to accept additional documentation when considering the application for veterans status of an individual who performed service as a coastwise merchant seaman during World War II, and for other purposes.

S. 1431

At the request of Mr. WYDEN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1431, a bill to permanently extend the Internet Tax Freedom Act.

S. 1462

At the request of Mr. THUNE, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1462, a bill to extend the positive train control system implementation deadline, and for other purposes.

S. 1505

At the request of Mr. THUNE, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1505, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from definition under that Act.

S. 1523

At the request of Mr. ROCKEFELLER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1523, a bill to amend the Internal Revenue Code to make permanent qualified school construction bonds and qualified zone academy bonds, to treat qualified zone academy bonds as specified tax credit bonds, and to modify the private business contribution requirement for qualified zone academy bonds.

S. 1557

At the request of Mr. CASEY, the names of the Senator from New York

(Mr. SCHUMER), the Senator from Colorado (Mr. BENNET), the Senator from Massachusetts (Mr. MARKEY), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 1557, a bill to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals.

S. 1590

At the request of Mr. ALEXANDER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1590, a bill to amend the Patient Protection and Affordable Care Act to require transparency in the operation of American Health Benefit Exchanges.

S. 1592

At the request of Mr. RUBIO, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1592, a bill to provide for a delay of the individual mandate under the Patient Protection and Affordable Care Act until the American Health Benefit Exchanges are functioning properly.

S. 1610

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1610, a bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

S. 1635

At the request of Mr. CASEY, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1635, a bill to amend the American Recovery and Reinvestment Act of 2009 to extend the period during which supplemental nutrition assistance program benefits are temporarily increased.

S. 1642

At the request of Ms. LANDRIEU, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1642, a bill to permit the continuation of certain health plans.

S. 1667

At the request of Mr. VITTER, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 1667, a bill to amend the Consumer Financial Protection Act of 2010 to provide consumers with a free annual disclosure of information the Bureau of Consumer Financial Protection maintains on them, and for other purposes.

S. 1670

At the request of Mr. GRAHAM, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 1670, a bill to

amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.

S. RES. 26

At the request of Mr. MORAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

S. RES. 270

At the request of Mr. KIRK, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. Res. 270, a resolution supporting the goals and ideals of World Polio Day and commending the international community and others for their efforts to prevent and eradicate polio.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER:

S. 1680. A bill to amend the Communications Act of 1934 to increase consumer choice and competition in the online video programming distribution marketplace, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, two decades ago, Congress passed the Cable Television and Consumer Protection Act of 1992 in part to stop cable companies from leveraging their market power to block competition from satellite television providers. Congress did so with the realization that market forces alone did not act to create true competition in video services, mainly because the entrenched interests held dominant control over the content necessary for new services to compete effectively. As a result, regulation in the name of competition was necessary to empower consumers and facilitate the development of new innovative video services. Twenty years later, DirecTV and Dish Network have become the second and third largest pay TV providers in the Nation, respectively.

The legislation that I am introducing today, the Consumer Choice in Online Video Act, builds upon the legacy, and the promise, of the 1992 Cable Act. More needs to be done.

Simply put, the video marketplace today, even with a variety of cable and satellite television providers, still is one of ever-escalating rates and of limited choice in terms of programming packages. Consumers find themselves paying more and more each year for their pay TV service, and those yearly rate increases often far exceed inflation. Even though consumers have at their fingertips hundreds of channels of programming, most homes watch very few of those channels and would prefer to have more choice in what they pay for each month.

We have all heard the familiar complaint that we have five hundred channels, but there is nothing to watch. My

legislation aims to enable the ultimate a la carte—to give consumers the ability to watch the programming they want to watch, when they want to watch it, how they want to watch it, and pay only for what they actually watch.

Key to that goal is online video. The Internet has revolutionized many aspects of American life, from the economy, to health care, to education. It has proven to be a disruptive and transformative technology. It has forever changed the way Americans live their lives. Consumers now use the Internet, for example, to purchase airline tickets, to reserve rental cars and hotel rooms, to do their holiday shopping. The Internet gives them the ability to identify prices and choices and offers an endless supply of competitive offerings that strive to meet individual consumer's needs.

But that type of choice, with full transparency and real competition, has not been fully realized in today's video marketplace. The core policy question is how to nurture new technologies and services, and make sure incumbents cannot simply perpetuate the status quo of ever-increasing bills and limited choice through exercise of their market power.

Broadband-based online video today stands at a crossroads. It promises to become the video delivery platform that can truly bring consumer-centric video services to the marketplace. Consumers clearly have an appetite for online video and the choice and flexibility it affords, and innovative companies have risen to tap into that demand. But their ability to fully compete and maximize the benefits of broadband-based online video have been compromised.

Consumers do not really care whether they access their favorite video programming through a traditional cable line, fiber, satellite, or broadband wireless technology. What they are most frustrated by today, though, is that some cable or broadcast programming is sometimes not accessible in an "over the top" online format, or that their experience with online video is somehow degraded. And disturbing reports suggest that one of the reasons that the consumers have these experiences is due to anticompetitive activity on the part of incumbent media companies and broadband providers.

As both the Federal Communications Commission, FCC, and the Department of Justice have noted, the nature of broadband-delivered video makes it uniquely susceptible to anticompetitive activity. Online video distributors do not own their distribution platform, and their viability depends on the ability to acquire sought-after programming from content companies on competitive terms. Yet, given their relationships with both content companies and Internet service providers, traditional cable and satellite providers have the incentive and ability to try to limit the growth of innovative, com-

petitive online video distribution companies.

Press reports make clear that video marketplace incumbents are using their market positions to limit online video companies from entering the market and competing on a level playing field. Incumbent media companies, who control both the delivery platform and the content necessary for a robust online video service, are putting up barriers to protect their current services from new competition. Other reports indicate that some pay-TV operators are offering incentives to media companies that agree to withhold content from Web-based entertainment services.

My legislation would bar these and other anticompetitive practices in the online video marketplace, while offering regulatory parity to online video services that offer services similar to those presently provided by cable and satellite companies. It also would remedy lingering issues surrounding the regulatory treatment of online video services by the FCC. Finally, the bill would empower consumers with more information about their broadband Internet service, and give the FCC the authority to oversee the use of metered broadband Internet billing practices that could be used to stifle use of data-intensive online video services.

I offer this legislation to begin an overdue conversation about the best way that Congress can protect and promote a consumer-centric online video marketplace. I recognize that this bill is not perfect. That is why I invite discussion and comments from my colleagues and others on ways to improve it as we move forward. While I am sure that we can find ways to improve this legislation, we should not stand aside in the name of the free market while the innovation and choice that can come from online video for West Virginia and around the country is stifled.

It is time for Congress to act to maximize the promise of today's online world, and improve the consumer experience in the video marketplace. Consumers must be able to benefit from online video's promise of decreased costs for video services, more choice over the types of programming that their families consume, and higher-quality video content that educates and entertains. I strongly believe that the breathing room provided to online video distributors by my legislation is one of the keys to fostering a consumer-centric revolution in the video marketplace.

Mr. President I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1680

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the "Consumer Choice in Online Video Act".

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.  
Sec. 2. Findings; statement of policy.  
Sec. 3. Definitions.

**TITLE I—BILLING FOR INTERNET SERVICE**

Sec. 101. Consumer protections.

**TITLE II—ONLINE VIDEO DISTRIBUTION ALTERNATIVES**

Sec. 201. Protections for online video distributors.

Sec. 202. Federal Communications Commission report on peering.

**TITLE III—NON-FACILITIES BASED MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTORS**

Sec. 301. Non-facilities based multichannel video programming distributors.

**TITLE IV—MISCELLANEOUS**

Sec. 401. Technical and conforming amendments.

Sec. 402. Provisions as complementary.

Sec. 403. Applicability of antitrust laws.

Sec. 404. Severability.

**SEC. 2. FINDINGS; STATEMENT OF POLICY.**

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

(1) Online video distribution has the potential to increase consumer choice in video programming, lower prices for video services, bring innovative services to the video distribution marketplace, and disrupt the traditional multichannel video distribution marketplace.

(2) Evolving consumer demand, improving technology, and increased choice of viewing devices can make online video distributors stronger competitors to multichannel video programming distributors for an increasing number of viewers.

(3) Unlike traditional multichannel video programming distributors, online video distributors do not own distribution facilities and are dependent upon Internet service providers (many of which are affiliated with multichannel video programming distributors) for the delivery of their content to viewers.

(4) Internet service providers' management and pricing of broadband services affects online video distributors. Because online video distribution consumes significant amounts of Internet bandwidth, Internet service providers' use of usage-based billing practices can negatively impact the competitive position of online video distributors and the appeal of their services to consumers.

(5) Internet service providers that are affiliated with a multichannel video programming distributor or an online video distributor have an increased incentive to degrade the delivery of, or block entirely, traffic from the websites of other online video distributors, or speed up or favor access to the content and aggregation websites of their affiliates, because online video distributors pose a threat to those affiliates' video programming distribution businesses.

(6) Similarly, multichannel video programming distributors who are affiliated with Internet service providers, online video distributors who are affiliated with Internet service providers, or video programming vendors with significant market power have the incentive and ability to use their competitive position to engage in unfair methods of competition meant to hinder competition from online video distributors.

(7) Growth of online video distribution alternatives also will depend, in part, on the distributor's ability to acquire programming from content producers. Without access to content on competitive terms, an online

video distributor suffers a distinct competitive harm.

(8) Some traditional multichannel video programming distributors have admitted to taking steps to limit the ability of online video distributors to access content or otherwise effectively compete in the video distribution marketplace.

(9) Traditional multichannel video programming distributors and even other online video distributors have the incentive and ability to convince their video programming vendor partners not to sell content to online video distributors or to sell content to them at competitively-disadvantageous prices, terms, and conditions. They also have the incentive and ability to retaliate against a video programming vendor that sells content to an online video distributor.

(10) Traditional multichannel video programming distributors have the incentive and ability to use their relationships with manufacturers of television sets, set-top boxes, and other customer premises equipment to favor their own services over offerings from online video distributors.

(11) There is a substantial governmental and First Amendment interest in—

(A) requiring Internet service providers to provide consumers with accurate information about their Internet service, and to ensure that data usage monitoring systems are accurate, effective, and not used for an anti-competitive purpose;

(B) promoting a diversity of views provided through multiple technology media;

(C) promoting the development of online video distribution platforms and fair competition amongst all distributors and vendors of video programming;

(D) preventing Internet service providers that are affiliated with a multichannel video programming distributor or an online video distributor from discriminating against unaffiliated content and distributors in its exercise of control over consumers' broadband connections;

(E) encouraging and protecting consumer choice and innovation in online video distribution, including with respect to distribution of broadcast television content; and

(F) providing consumers with the ability to choose to receive local broadcast television content from various markets.

(b) STATEMENT OF POLICY.—It is the policy of the Congress that—

(1) consumers should be fully informed about the terms and conditions related to the purchase of Internet service from an Internet service provider;

(2) usage-based billing systems used by an Internet service provider should not be used in a way that harms development and use of high-bandwidth consuming Internet applications and services that might compete with that Internet service provider's own services;

(3) the availability of a diversity of views and information should be promoted to the public through various video programming distribution platforms, including those providing service by utilizing the Internet or other IP-based transmission paths;

(4) existing multichannel video programming distributors and video programming vendors should not have or exercise undue market power with respect to online video distributors; and

(5) Internet service providers should not hinder through anticompetitive behavior the ability of online video distributors to provide services to their subscribers.

### SEC. 3. DEFINITIONS.

In this Act:

(1) BROADCAST TELEVISION LICENSEE.—The term "broadcast television licensee" means the licensee of a full-power television station or a low-power television station.

(2) COMMISSION.—The term "Commission" means the Federal Communications Commission.

(3) INTERNET SERVICE PROVIDER.—The term "Internet service provider" means any provider of Internet service to an end user, regardless of the technology used to provide that service.

(4) NON-FACILITIES BASED MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTOR.—The term "non-facilities based multichannel video programming distributor" means an online video distributor that has made the election permitted under section 672.

(5) ONLINE VIDEO DISTRIBUTOR.—The term "online video distributor" means any entity, including a non-facilities based multichannel video programming distributor, that—

(A) has its principal place of business in the United States; and

(B) distributes video programming in the United States by means of the Internet or another IP-based transmission path provided by a person other than that entity.

(6) TELEVISION NETWORK.—The term "television network" means a television network in the United States which offers an interconnected program service on a regular basis for 15 or more hours per week to at least 25 affiliated broadcast stations in 10 or more States.

(7) USAGE-BASED BILLING.—

(A) IN GENERAL.—The term "usage-based billing" means a system of charging a consumer for Internet service or the use of an IP-based transmission path provided by an Internet service provider or other entity that is based upon the amount of data the consumer uses over a period of time.

(B) INCLUSIONS.—The term "usage-based billing" includes—

(i) imposing a cap on the amount of data the consumer can use based on the price the consumer is willing to pay for service;

(ii) charging a consumer varying amounts each billing cycle based on a per-megabyte, per-gigabyte, or similar rate; and

(iii) establishing different tiers of prices based on the amount of data the consumer elects to consume in a billing cycle, whether or not the amount acts as a cap on the consumer's service.

(8) VIDEO PROGRAMMING.—The term "video programming" means programming provided by, or generally considered comparable to programming provided by, a television broadcast station, whether or not such programming is delivered using a portion of the electromagnetic frequency spectrum.

(9) VIDEO PROGRAMMING VENDOR.—The term "video programming vendor" means a person engaged in the production, creation, or wholesale distribution of video programming for sale.

## TITLE I—BILLING FOR INTERNET SERVICE

### SEC. 101. CONSUMER PROTECTIONS.

Title VII of the Communications Act of 1934 (47 U.S.C. 601 et seq.) is amended—

(1) by inserting before section 701 the following:

#### "PART I—GENERAL PROVISIONS"; and

(2) by adding at the end the following:

#### "PART II—INTERNET SERVICES BILLING

### "SEC. 721. CONSUMER PROTECTIONS.

"(a) GENERAL DISCLOSURES.—

"(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Consumer Choice in Online Video Act, the Commission shall promulgate regulations requiring Internet service providers to disclose certain information that will assist a consumer in making an informed decision about the purchase of Internet service.

"(2) REQUIREMENTS.—The regulations under paragraph (1) shall require, at a minimum, that—

"(A) any advertising related to Internet service include plain language disclosure of any information the Commission considers necessary for a consumer to make an informed decision about the purchase of that Internet service;

"(B) an Internet service provider provide a plain language disclosure to a consumer prior to the purchase of Internet service that includes—

"(i) the length of the contract;

"(ii) the terms of renewal;

"(iii) a projected monthly bill, including all fees and costs associated with the Internet service;

"(iv) if the consumer is receiving promotional pricing for service, a projected monthly bill for service once that promotional pricing period has ended;

"(v) the procedures to cancel the Internet service, including any policies related to early termination fees;

"(vi) the average actual data transmission speeds, including both upload and download speeds;

"(vii) any policies or practices regarding network management, including limiting service speeds or prioritizing content; and

"(viii) any other information that the Commission considers necessary for the consumer to make an informed decision about the purchase of the Internet service.

"(b) SPECIAL DISCLOSURES FOR USAGE-BASED BILLING.—

"(1) IN GENERAL.—As part of the rule-making under subsection (a), the Commission shall promulgate regulations to protect consumers in the use of usage-based billing by Internet service providers.

"(2) PLAIN LANGUAGE DISCLOSURE OF TERMS AND CONDITIONS.—

"(A) IN GENERAL.—The regulations under paragraph (1) shall require an Internet service provider to provide a plain language disclosure of all terms and conditions associated with its use of usage-based billing to a consumer prior to the purchase of Internet service.

"(B) CONTENTS.—The plain language disclosure under this paragraph shall include—

"(i) an explanation of how usage-based billing will be applied to the consumer;

"(ii) a complete list of the tiers of service;

"(iii) comparisons of how much data of varying types, including video programming in standard and high-definition, the consumer would be able to consume each month under each tier;

"(iv) the procedure for providing the consumer the notifications under paragraph (4);

"(v) an explanation of the consequences, if any, to a consumer for exceeding the consumer's data usage amount, including any fees that may be charged and any options a consumer may have to avoid those fees;

"(vi) if the Internet service provider provides a tool for a consumer to monitor the consumer's data usage, a description of the tool and how to use it;

"(vii) the appeals procedure under paragraph (5); and

"(viii) any other information that the Commission considers necessary to protect consumers in the use of usage-based billing by Internet service providers.

"(3) MONTHLY DISCLOSURE OF DATA USAGE.—

"(A) DATA USAGE.—An Internet service provider that uses usage-based billing shall provide a plain language disclosure to a consumer of the consumer's data usage during each billing cycle as part of the consumer's bill.

"(B) DATA USAGE TRENDS.—An Internet service provider that uses usage-based billing shall include in the consumer's bill information documenting the consumer's data usage over the prior 6 monthly bills or over

a period beginning on the date that the consumer contracted for the Internet service, whichever is shorter.

“(4) NOTIFICATIONS.—

“(A) IN GENERAL.—An Internet service provider that uses usage-based billing shall provide to a consumer notification of the amount of data the consumer has remaining at the midpoint of a billing cycle, and at any other increments the Commission finds are in the public interest.

“(B) FORM.—The Commission may determine the form of the notifications required under this paragraph.

“(5) CONSUMER APPEALS.—Each Internet service provider that uses usage-based billing shall establish an appeals procedure for a consumer to obtain more detailed information about the consumer’s Internet data usage and to challenge the Internet service provider’s determination of that consumer’s data usage.

“(c) TRUTH-IN-BILLING FOR INTERNET SERVICES.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Consumer Choice in Online Video Act, the Commission shall update its truth-in-billing rules to extend the rules to Internet service providers.

“(2) BUNDLED SERVICES.—As part of the rulemaking under paragraph (1), the Commission shall consider whether it is in the public interest to establish truth-in-billing rules for bundled communications service packages.

“(d) EXEMPTION.—The Commission may exempt an Internet service provider serving 20,000 or fewer subscribers from the requirements of this section

“(e) SPECIAL CONSIDERATION.—The Commission may take into account the special considerations in an Internet service provider’s delivery technology, including wireless, when implementing this section.

“SEC. 722. CERTIFICATION OF DATA USAGE MONITORING SYSTEMS.

“(a) INDEPENDENT CERTIFICATION REQUIRED.—

“(1) IN GENERAL.—An Internet service provider may not use a data usage monitoring system as part of usage-based billing unless the data usage monitoring system is certified under this section.

“(2) DEVELOPMENT OF STANDARDS.—The Commission, after consultation with the National Institute of Standards and Technology, shall develop standards to ensure that a data usage monitoring system accurately measures a consumer’s usage of data.

“(3) CERTIFICATION PROCESS.—The Commission may certify a data usage monitoring system for use in usage-based billing if it determines that the data usage monitoring system accurately measures consumer data usage and is in material compliance with the standards under paragraph (2).

“(4) PERMISSIBLE DELEGATION.—The Commission may designate 1 or more impartial third parties to conduct the certification of a data usage monitoring system under this section.

“(b) PERIODIC REVIEW.—The Commission shall determine how to ensure that an Internet service provider’s data usage monitoring system remains in compliance with this section.

“(c) DEFINITION OF DATA USAGE MONITORING SYSTEM.—In this section, the term ‘data usage monitoring system’ means a system of monitoring and calculating the amount of data a user has consumed—

“(1) while accessing the Internet;

“(2) while using hardware, software, or applications that consume data transmitted over the Internet; or

“(3) while accessing another IP-based transmission path provided by an Internet service provider or another entity.

“(d) PENALTIES.—The Commission is authorized to assess penalties against any Internet service provider that fails to comply with this section.

“(e) RULEMAKING.—

“(1) IN GENERAL.—The Commission shall promulgate regulations to implement this section not later than 1 year after the date of enactment of the Consumer Choice in Online Video Act.

“(2) EXEMPTION.—The regulations under paragraph (1) may provide an exemption from the regulations for an Internet service provider serving 20,000 or fewer subscribers.

“(3) SPECIAL CONSIDERATIONS.—The Commission may take into account the special considerations in an Internet service provider’s delivery technology, including wireless, when implementing this section.”.

**TITLE II—ONLINE VIDEO DISTRIBUTION ALTERNATIVES**

**SEC. 201. PROTECTIONS FOR ONLINE VIDEO DISTRIBUTORS.**

Title VI of the Communications Act of 1934 (47 U.S.C. 521 et seq.) is amended by adding at the end the following:

**“PART VI—ONLINE VIDEO DISTRIBUTORS**

**“SEC. 661. DEFINITIONS.**

“In this part:

“(1) AFFILIATED WITH.—For purposes of sections 663, 664, and 667, the term ‘affiliated with’ means that the Internet service provider, multichannel video programming distributor, online video distributor, or video programming vendor, as appropriate, directly or indirectly, is owned or controlled by, owns or controls, or is under common ownership or control with another Internet service provider, multichannel video programming distributor, online video distributor, or video programming vendor, as appropriate. For purposes of this paragraph, the term ‘own’ means to own an equity interest, or the equivalent thereof, of more than 10 percent.

“(2) VIDEO PROGRAMMING.—The term ‘video programming’ means programming provided by, or generally considered comparable to programming provided by, a television broadcast station, whether or not such programming is delivered using a portion of the electromagnetic frequency spectrum.

**“SEC. 662. ENHANCEMENT OF CONSUMER CHOICE IN ONLINE VIDEO.**

“The purposes of this part are

“(1) to promote the public interest, convenience, and necessity by increasing competition, innovation, and diversity in the video programming marketplace;

“(2) to enhance consumer access to online video distribution platforms and consumer choice in online video programming; and

“(3) to increase the availability of video programming on all platforms, including Internet-based platforms.

**“SEC. 663. DEVELOPMENT OF COMPETITION AND DIVERSITY IN ONLINE VIDEO DISTRIBUTION.**

“(a) PROHIBITION.—It shall be unlawful for a designated distributor to engage in unfair methods of competition or unfair or deceptive acts or practices, the purpose or effect of which are to hinder significantly or prevent an online video distributor from providing video programming to consumers, including over any platform or device capable of delivering that online video distributor’s content to consumers.

“(b) REGULATIONS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Consumer Choice in Online Video Act, the Commission shall promulgate regulations to implement this section.

“(2) MINIMUM CONTENTS.—At a minimum, the regulations under this section shall—

“(A) specify the conduct that constitutes a prima facie violation of subsection (a); and

“(B) establish effective safeguards to prevent a designated distributor from—

“(i) unduly or improperly influencing the decision of any other entity to make a television set or other customer premises equipment incompatible with the services provided by any online video distributor;

“(ii) unduly or improperly using its own customer premises equipment to discriminate against, or otherwise favor its own services over, the service provided by any online video distributor;

“(iii) unduly or improperly influencing the decision of any other entity to sell, or the prices, terms, and conditions of the sale of, video programming to any online video distributor; and

“(iv) providing an incentive to any entity in an attempt to deny video programming to an online video distributor.

“(c) EXCEPTIONS.—

“(1) IN GENERAL.—Subject to paragraph (2), a designated distributor shall not be prohibited from—

“(A) imposing reasonable requirements for creditworthiness, offering of service, and financial stability and standards regarding character and technical quality;

“(B) establishing different prices, terms, and conditions to take into account economies of scale, cost savings, or other direct and legitimate economic benefits reasonably attributable to the number of subscribers served by the online video distributor; and

“(C) imposing reasonable requirements to ensure the security of the video programming being provided to the online video distributor, including means to authenticate the right of the distributor’s subscribers to access the programming.

“(2) LIMITATIONS.—An exception under paragraph (1)—

“(A) shall be related to the substantial, real, and legitimate business concerns of the designated distributor; and

“(B) may not be used in an anticompetitive manner.

“(d) DEFINITION OF DESIGNATED DISTRIBUTOR.—

“(1) IN GENERAL.—In this section, the term ‘designated distributor’ means—

“(A) a multichannel video programming distributor affiliated with an Internet service provider;

“(B) an online video distributor affiliated with an Internet service provider; or

“(C) a video programming vendor with significant market power.

“(2) SIGNIFICANT MARKET POWER.—The Commission shall establish rules for determining whether a video programming vendor has significant market power under paragraph (1)(C).

**“SEC. 664. ACCESS TO VIDEO PROGRAMMING.**

“(a) PROHIBITIONS.—It shall be unlawful for a multichannel video programming distributor or an online video distributor—

“(1) to include in a contract with any video programming vendor a provision that serves as a substantial disincentive for the video programming vendor to sell its content to an online video distributor;

“(2) to use any practice, understanding, arrangement, or other agreement with a video programming vendor that has the effect of causing the video programming vendor to face a substantial disincentive to sell its content to an online video distributor; or

“(3) to enter into a contract with a video programming vendor that has the effect of preventing an online video distributor from making the video programming vendor’s content available on any platform or device capable of delivering that distributor’s content to its subscribers.

“(b) CONTRACT LIMITATIONS.—A multichannel video programming distributor or an online video distributor may not include in any contract with a video programming vendor any provision that requires the multichannel video programming distributor or online video distributor, as applicable, to be treated in material parity with other similarly situated multichannel video programming distributors or online video distributors with regard to pricing or other terms and conditions of carriage of video programming.

“(c) RETALIATION PROHIBITED.—A multichannel video programming distributor or an online video distributor may not retaliate against—

“(1) any video programming vendor for making its video programming available to an online video distributor;

“(2) any online video distributor for obtaining video programming from a video programming vendor; or

“(3) any entity for exercising a right under this Act.

“(d) EXCEPTION.—Notwithstanding subsection (a) or any other provision of this part, a multichannel video programming distributor or an online video distributor may enter into an exclusive contract with a video programming vendor for video programming provided by that video programming vendor if the contract does not exceed the limits or violate the prohibitions under subsection (e).

“(e) PUBLIC INTEREST LIMITATIONS ON EXCLUSIVE CONTRACTS.—

“(1) IN GENERAL.—The Commission shall adopt limits on—

“(A) the ability of a multichannel video programming distributor or an online video distributor to enter into any contract for video programming that includes an exclusivity provision that substantially deters the development of an online video distribution alternative; and

“(B) the ability of an online video distributor to enter into any contract for video programming that includes an exclusivity provision that substantially deters the development of an online video distribution alternative.

“(2) PROHIBITED CONTRACTS.—The Commission shall prohibit—

“(A) a multichannel video programming distributor from entering into an exclusive contract with a video programming vendor that is affiliated with the multichannel video programming distributor; and

“(B) an online video distributor from entering into an exclusive contract with a video programming vendor that is affiliated with the online video distributor.

“(3) LIMITATIONS ON OTHER EXCLUSIVE CONTRACTS FOR VIDEO PROGRAMMING.—

“(A) IN GENERAL.—The Commission shall establish criteria for determining whether an exclusive contract for programming substantially deters the development of an online video distribution alternative.

“(B) CONSIDERATIONS.—In establishing the criteria under subparagraph (A), the Commission shall consider the totality of the circumstances surrounding the contract, including—

“(i) the duration of the exclusivity period;

“(ii) the effect of the exclusive contract on capital investment in the production and distribution of video programming;

“(iii) the time period after initial first-day distribution of video programming to consumers when the multichannel video programming distributor or the online video distributor is granted exclusive access to distribute the programming; and

“(iv) the likelihood that the exclusive contract will enhance diversity in programming on video distribution platforms.

“(f) ONLINE DISTRIBUTION OF CONTENT BY A VIDEO PROGRAMMING VENDOR.—

“(1) IN GENERAL.—A multichannel video programming distributor or an online video distributor may not enter into an agreement that limits or prohibits a video programming vendor from making its video content available to consumers free over the Internet.

“(2) EXCEPTION.—The prohibition under paragraph (1) shall not apply if the duration of the agreement is 30 days or less.

“(g) PRICES, TERMS, AND CONDITIONS FOR PROGRAMMING.—A video programming vendor may establish different prices, terms, and conditions for its video programming if, taking into account economies of scale, cost savings, or other direct and legitimate economic benefits that are reasonably attributable to the number of subscribers served by an online video distributor, the prices, terms, and conditions—

“(1) are related to substantial, real, and legitimate business concerns of the video programming vendor; and

“(2) are not used in an anticompetitive manner.

“(h) REGULATIONS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Consumer Choice in Online Video Act, the Commission shall promulgate regulations to specify particular conduct that is prohibited by this section.

“(2) MINIMUM CONTENTS.—The regulations under this section shall establish, at a minimum—

“(A) effective safeguards to prevent any activity prohibited by this section; and

“(B) complaint and contract review procedures to facilitate the Commission’s ability to determine if a multichannel video programming distributor, a video programming vendor, or an online video distributor has violated this section.

“(i) EXISTING CONTRACTS.—

“(1) IN GENERAL.—Subject to paragraph (2), nothing in this section shall affect any contract, understanding, or arrangement that was entered into on or before December 1, 2013.

“(2) EXCEPTIONS.—No contract, understanding, or arrangement entered into on or before December 1, 2013, that violates this section shall be enforceable by any person after the date that is 3 years after the date of enactment of the Consumer Choice in Online Video Act.

“(3) LIMITATION ON RENEWALS.—A contract, understanding, or arrangement that was entered into on or before December 1, 2013, but that is renewed or extended after the date of enactment of the Consumer Choice in Online Video Act shall not be exempt under paragraph (1).

**“SEC. 665. FOSTERING ACCESS TO VIDEO PROGRAMMING.**

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Consumer Choice in Online Video Act, the Commission shall commence a proceeding to determine the additional steps it should take, in the public interest, to foster the ability of online video distributors to gain access to video programming, offer innovative services, and compete with multichannel video programming distributors.

“(b) LIMITATION.—The Commission shall not compel a video programming vendor to sell its video programming to an online video distributor as part of any rules adopted under this section.

**“SEC. 666. BROADCAST TELEVISION LICENSEES AND TELEVISION NETWORKS.**

“(a) DUTY TO NEGOTIATE.—It shall be unlawful for a broadcast television licensee or television network—

“(1) to refuse to negotiate with an online video distributor for carriage of the broadcast television licensee’s or the television network’s content, as applicable; or

“(2) to place any restriction on an online video distributor’s ability to make the broadcast television licensee’s or the television network’s content, as applicable, available on any platform or device that is capable of delivering the online video distributor’s content to its subscribers.

“(b) REFUSAL TO NEGOTIATE; COMMISSION DETERMINATION.—The Commission shall determine what constitutes a refusal to negotiate under subsection (a). The Commission may require a broadcast television licensee or television network to engage in good faith negotiations with an online video distributor. The Commission shall define good faith for purposes of this subsection.

“(c) ONLINE RETRANSMISSION OF IN-MARKET BROADCAST SIGNALS.—

“(1) SIGNAL PARITY.—

“(A) IN GENERAL.—It shall be unlawful for a broadcast television licensee to provide an over-the-air signal that differs from a retransmission of that signal provided to a multichannel video programming distributor or an online video distributor.

“(B) EXCEPTION.—Subparagraph (A) shall not apply if—

“(i) the variation in the 2 signals consists of a change to 1 or more commercial advertisements of not more than 60 seconds in duration embedded in a broadcast television licensee’s signal; and

“(ii) the broadcast television licensee is not using the variation under clause (i) to increase the overall amount of advertising time in its over-the-air signal.

“(2) ANTENNA RENTAL SERVICES.—

“(A) IN GENERAL.—Notwithstanding any other provision of this Act, except subparagraph (C), an entity may rent to a consumer access to an individual antenna to view over-the-air broadcast television signals transmitted from that antenna—

“(i) directly to the consumer over the Internet or another IP-based transmission path; or

“(ii) to an individual data storage system, including an online remote data storage system, for recording and then made accessible to that consumer through the Internet or another IP-based transmission path.

“(B) RETRANSMISSION CONSENT FEES.—An antenna rental service described under subparagraph (A) shall be exempt from paying retransmission consent fees under section 325 of this Act to any broadcast television station whose signal is received by the individual antenna and retransmitted to the subscriber.

“(C) CONDITIONS OF RENTAL SERVICES.—An antenna rental service described under subparagraph (A) shall—

“(i) only provide a subscriber with access to over-the-air broadcast television signals received by an individual antenna located in the same designated market area (as defined in section 671 of this Act) in which that subscriber resides; and

“(ii) make available to a subscriber all over-the-air broadcast signals that are received by the individual antenna rented by that subscriber, unless a signal is of such poor quality that it cannot be transmitted to the consumer in a reasonably viewable form.

“(d) LIMITS IN EXISTING PROGRAMMING AND AFFILIATION CONTRACTS.—

“(1) IN GENERAL.—It shall be unlawful for any entity selling or otherwise providing video programming to be transmitted by a broadcast television licensee or television network to include in any contract, agreement, understanding, or arrangement with that licensee or network a limitation on the ability of that licensee or network to comply with the requirements of this section.

“(2) EXISTING CONTRACTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), nothing in this section shall affect any

contract, understanding, or arrangement that was entered into on or before December 1, 2013.

“(B) EXCEPTIONS.—No contract, understanding, or arrangement entered into on or before December 1, 2013, that violates this section shall be enforceable by any person after the date that is 3 years after the date of enactment of the Consumer Choice in Online Video Act.

“(C) LIMITATION ON RENEWALS.—A contract, understanding, or arrangement that was entered into on or before December 1, 2013, but that is renewed or extended after the date of enactment of the Consumer Choice in Online Video Act shall not be exempt under subparagraph (A).

“(e) REGULATIONS.—Not later than 1 year after the date of enactment of the Consumer Choice in Online Video Act, the Commission shall promulgate regulations to implement this section. The Commission shall not compel a broadcast television licensee or television network to sell its video programming to an online video distributor as part of any rules adopted under this section.

**“SEC. 667. CONSUMER ACCESS TO CONTENT.**

“(a) IN GENERAL.—It shall be unlawful for a designated Internet service provider to engage in unfair methods of competition or unfair or deceptive acts or practices, the purpose or effect of which are to hinder significantly or to prevent an online video distributor from providing video programming to a consumer.

“(b) REGULATIONS.—Not later than 1 year after the date of enactment of the Consumer Choice in Online Video Act, the Commission shall promulgate regulations to specify particular conduct that is prohibited by subsection (a). The Commission’s regulations under this section shall ensure, at a minimum, that a designated Internet service provider does not—

“(1) block, degrade, or otherwise impair any content provided by an online video distributor;

“(2) unreasonably discriminate in transmitting the content of an unaffiliated online video distributor over the designated Internet service provider’s network;

“(3) provide benefits in the transmission of the video content of any company affiliated with the Internet service provider through specialized services or other means, or otherwise leverage its ownership of the physical delivery architecture to benefit that affiliated company in a way that has the effect of harming competition from an unaffiliated online video distributor; or

“(4) use billing systems, such as usage-based billing, in a way that deters competition from unaffiliated online video distributors that may be in competition with the Internet service provider’s or its affiliate’s services.

“(c) DEFINITION OF DESIGNATED INTERNET SERVICE PROVIDER.—In this section, the term ‘designated Internet service provider’ means an Internet service provider that is affiliated with a multichannel video programming distributor, an online video distributor, or a video programming vendor.

**“SEC. 668. BLOCKING CONSUMER ACCESS TO ONLINE VIDEO PROGRAMMING.**

“(a) IN GENERAL.—No video programming vendor that has made available its video programming to consumers online may restrict access to that online video programming for a subscriber of a multichannel video programming distributor or its affiliate, or an online video distributor or its affiliate, during the time that vendor is involved in a dispute with such distributor.

“(b) EXCEPTION.—

“(1) IN GENERAL.—If a video programming vendor requires a consumer to purchase ac-

cess to its online video programming through a contract with a multichannel video programming distributor or an online video distributor then that vendor may restrict access to that online video programming during the time that the vendor is involved in a dispute with that distributor.

“(2) LIMITATION.—The exception under this subsection shall apply only to a subscriber to video services provided by a multichannel video programming distributor or an online video distributor involved in the dispute and not to a subscriber to any other service provided by that distributor or its affiliate.

“(c) REMEDIES.—

“(1) IN GENERAL.—Any entity that is aggrieved by a violation of this section may bring a civil action in a United States district court or in any other court of competent jurisdiction.

“(2) AUTHORITY.—The court may—

“(A) grant a temporary or final injunction on such terms as it may deem reasonable to prevent or restrain violations of this section;

“(B) award any damages it deems appropriate; and

“(C) direct the recovery of full costs, including awarding reasonable attorneys’ fees to an aggrieved party who prevails.

“(d) DEFINITIONS.—In this section:

“(1) AVAILABLE ONLINE.—The term ‘available online’ means both available over the Internet and through applications, software, or other similar services on a mobile device.

“(2) DISPUTE.—The term ‘dispute’ includes—

“(A) a dispute over carriage of the programming provided by a video programming vendor to a multichannel video programming distributor or online video distributor; and

“(B) a dispute over carriage of the programming provided by a television licensee or television network under section 325(b) of this Act.

“(3) ENTITY THAT IS AGGRIEVED.—The term ‘entity that is aggrieved’ includes—

“(A) a consumer whose access to online video programming has been restricted in violation of this section; and

“(B) a multichannel video programming distributor or its affiliate, or an online video distributor or its affiliate, that has had a subscriber’s access to online video programming restricted in violation of this section.

**“SEC. 669. REMEDIES AND ADJUDICATIONS.**

“(a) ADJUDICATORY PROCEEDINGS.—Any online video distributor aggrieved by conduct that it alleges constitutes a violation of this part, or the regulations of the Commission under this part, may commence an adjudicatory proceeding at the Commission.

“(b) REMEDIES.—

“(1) REMEDIES AUTHORIZED.—

“(A) INTERIM REMEDIES.—The Commission may authorize interim remedies during the pendency of a complaint.

“(B) APPROPRIATE REMEDIES.—Upon completion of an adjudicatory proceeding under this section, the Commission shall have the power to order appropriate remedies, including, if necessary, the power to establish prices, terms, and conditions of sale of programming to the aggrieved online video distributor.

“(2) ADDITIONAL REMEDIES.—The remedies provided in paragraph (1) are in addition to and not in lieu of the remedies available under title V or any other provision of this Act.

“(c) PROCEDURES.—In promulgating regulations to implement this part, the Commission shall—

“(1) provide for an expedited review of any complaint made under this part, including a procedural timeline to conclude the review of each complaint not later than 180 days after the date the complaint is filed;

“(2) establish procedures for the Commission to collect any data, including the right to obtain copies of all contracts and documents reflecting any practice, understanding, arrangement, or agreement alleged to violate this part, as the Commission requires to carry out this part; and

“(3) provide for penalties to be assessed against any person filing a frivolous complaint under this part.”.

**SEC. 202. FEDERAL COMMUNICATIONS COMMISSION REPORT ON PEERING.**

(a) IN GENERAL.—The Commission shall study—

(1) the status of peering, transit, and interconnection agreements related to the transport and delivery of content over the Internet and other IP-based transmission paths; and

(2) what impact the agreements under paragraph (1) or disputes about the agreements under paragraph (1) have on consumers and competition with respect to online video.

(b) REPORT.—Not later than 3 years after the date of enactment of this Act, the Commission shall report the findings of the study under subsection (a) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

**TITLE III—NON-FACILITIES BASED MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTORS**

**SEC. 301. NON-FACILITIES BASED MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTORS.**

Title VI of the Communications Act of 1934 (47 U.S.C. 521 et seq.), as amended by title II of this Act, is further amended by adding at the end the following:

**“PART VII—NON-FACILITIES BASED MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTORS**

**“SEC. 671. DEFINITIONS.**

“In this part:

“(1) DESIGNATED MARKET AREA.—The term ‘designated market area’ means a designated market area as determined by Nielsen Media Research or by any successor system of dividing broadcast television licensees into local markets that the Commission determines is equivalent to the designated market area system created by Nielsen Media Research.

“(2) LOCAL COMMERCIAL TELEVISION STATION.—The term ‘local commercial television station’ means, with respect to a subscriber to a non-facilities based multichannel video programming distributor, any full power commercial television station licensed and operating on a channel regularly assigned to a community in the same designated market area as the subscriber.

“(3) LOCAL NONCOMMERCIAL EDUCATIONAL TELEVISION STATION.—The term ‘local non-commercial educational television station’ means, with respect to a subscriber to a non-facilities based multichannel video programming distributor, a television broadcast station that is a noncommercial educational broadcast station (as defined in section 397 of this Act), licensed and operating on a channel regularly assigned to a community in the same designated market area as the subscriber.

“(4) NON-LOCAL COMMERCIAL TELEVISION STATION.—The term ‘non-local commercial television station’ means, with respect to a subscriber to a non-facilities based multichannel video programming distributor, any full power commercial television station licensed and operating on a channel regularly assigned to a community not located in the same designated market area as the subscriber.

“(5) VIDEO PROGRAMMING.—The term ‘video programming’ means programming provided by, or generally considered comparable to programming provided by, a television broadcast station, whether or not such programming is delivered using a portion of the electromagnetic frequency spectrum.

**“SEC. 672. RIGHT TO ELECT STATUS.**

“(a) IN GENERAL.—Any online video distributor that provides programming in a manner reasonably equivalent to a multichannel video programming distributor may elect to be treated as a non-facilities based multichannel video programming distributor under this part.

“(b) PROCEDURE FOR ELECTION.—Not later than 1 year after the date of enactment of the Consumer Choice in Online Video Act, the Commission shall establish the form and procedures for an online video distributor to make the election permitted under subsection (a).

“(c) DEFINITION OF REASONABLY EQUIVALENT.—For purposes of this section, the term ‘reasonably equivalent’—

“(1) means providing multiple channels of video programming that allow a subscriber to watch that programming in a fashion comparable to the services provided by multichannel video programming distributors, regardless of the means used to transmit the multiple channels of video programming;

“(2) shall be based upon the subscriber experience in using the service provided by the online video distributor, and not the underlying technology used by the online video distributor; and

“(3) may include services that include the ability for a subscriber to record video programming and watch recorded programming at another time if the underlying video programming service being recorded conforms to this subsection.

**“SEC. 673. EFFECT OF ELECTION.**

“Any online video distributor that elects to be treated as a non-facilities based multichannel video programming distributor under section 672 shall have all of the rights and responsibilities under this part.

**“SEC. 674. FEDERAL COMMUNICATIONS COMMISSION PROCEEDING.**

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Consumer Choice in Online Video Act, the Commission shall—

“(1) determine whether any of its rules and regulations applicable to a multichannel video programming distributor shall also be applied, in the public interest, to a non-facilities based multichannel video programming distributor;

“(2) require a non-facilities based multichannel video programming distributor to comply with the access to broadcast time requirement under section 312(a)(7) of this Act and the use of facilities requirements under section 315 of this Act;

“(3) consider whether it is in the public interest for the Commission to adopt minimum technical quality standards for a non-facilities based multichannel video programming distributor; and

“(4) adopt any other rules the Commission considers necessary to implement this part.

“(b) LIMITATION.—The Commission shall not require, as part of its rulemaking under subsection (a), a non-facilities based multichannel video programming distributor to comply with the basic tier and tier buy-through requirement under section 623(b)(7).

**“SEC. 675. PROGRAM ACCESS FOR NON-FACILITIES BASED MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTORS.**

“(a) IN GENERAL.—The Commission shall prohibit practices, understandings, arrangements, and activities, including any exclusive contract for video programming be-

tween a multichannel video programming distributor and a video programming vendor or an online video distributor and a video programming vendor that prevents a non-facilities based multichannel video programming distributor from obtaining programming from any video programming vendor.

**“(b) SPECIFIC ACTIONS PROHIBITED.—**

“(1) MATERIAL PARITY RESTRICTIONS.—A multichannel video programming distributor or an online video distributor may not include in any contract with a video programming vendor any provision that requires the multichannel video programming distributor or online video distributor, as applicable, to be treated in material parity with other similarly situated multichannel video programming distributors or online video distributors with regard to pricing or other terms and conditions of carriage of video programming.

“(2) RETALIATION PROHIBITED.—A multichannel video programming distributor or an online video distributor may not retaliate against—

“(A) any video programming vendor for making its video programming available to a non-facilities based multichannel video programming distributor;

“(B) any non-facilities based multichannel video programming distributor for obtaining video programming from a video programming vendor; or

“(C) any entity for exercising a right under this Act.

**“SEC. 676. CONSUMER CHOICE IN VIDEO PROGRAMMING.**

“(a) IN GENERAL.—As part of the rulemaking required by section 674, the Commission shall determine what, if any, additional steps it should take, in the public interest, to allow a non-facilities based multichannel video programming vendor to offer a subscriber greater choice over the video programming that is part of the subscriber’s service.

“(b) CONSIDERATIONS.—As part of the proceeding under subsection (a), the Commission shall consider whether to limit a video programming vendor’s use of certain contractual terms and conditions that disincentivize or impede the ability of a subscriber to have greater choice over the video programming packages or options the subscriber can purchase from a non-facilities based multichannel video programming vendor.

“(c) LIMITATION.—The Commission shall not compel a video programming vendor to sell its video programming to a non-facilities based multichannel video programming vendor as part of any rules adopted under this section.

**“SEC. 677. CARRIAGE OF COMMERCIAL BROADCAST TELEVISION SIGNALS.**

“(a) IN-MARKET BROADCAST TELEVISION SIGNALS.—

“(1) IN GENERAL.—At the request of a non-facilities based multichannel video programming distributor serving a designated market area, a local commercial television broadcast station located in that designated market area shall enter into negotiations for carriage of its content over that distributor’s system.

“(2) GOOD FAITH REQUIREMENTS.—A local commercial television station subject to the duty to negotiate under paragraph (1) shall engage in good faith negotiations for carriage of its signal in the designated marketed area where the station is located. The Commission shall define good faith for purposes of this paragraph.

“(3) GOOD SIGNAL REQUIREMENTS.—A local commercial television broadcast station being carried by a non-facilities based multichannel video programming distributor

under this subsection shall be responsible for delivering a good quality signal suitable for distribution by that distributor.

“(b) OUT-OF-MARKET BROADCAST TELEVISION SIGNALS.—

“(1) IN GENERAL.—In addition to any signal carried under subsection (a), a non-facilities based multichannel video programming distributor also may deliver to a subscriber the signal of a non-local commercial broadcast television station under this subsection and subsection (c).

“(2) DEEMED SIGNIFICANTLY VIEWED.—

“(A) IN GENERAL.—A signal of a non-local commercial broadcast television station delivered by a non-facilities based multichannel video programming distributor under this section shall be deemed to be significantly viewed within the meaning of section 76.54 of title 47, Code of Federal Regulations.

“(B) EXEMPTIONS.—The following regulations shall not apply to a signal that is eligible to be carried under this subsection:

“(i) Section 76.92 of title 47, Code of Federal Regulations (relating to cable network non-duplication).

“(ii) Section 76.122 of title 47, Code of Federal Regulations (relating to satellite network non-duplication).

“(iii) Section 76.101 of title 47, Code of Federal Regulations (relating to cable syndicated program exclusivity).

“(iv) Section 76.123 of title 47, Code of Federal Regulations (relating to satellite syndicated program exclusivity).

“(v) Section 76.111 of title 47, Code of Federal Regulations (relating to cable sports blackout).

“(vi) Section 76.127 of title 47, Code of Federal Regulations (relating to satellite sports blackout).

“(3) SUBSCRIBER PREFERENCE.—In delivering a non-local commercial broadcast television station signal to a subscriber under this subsection, and consistent with subsection (c)—

“(A) the non-facilities based multichannel video programming distributor shall provide the subscriber with information regarding all signals that the distributor is capable of making available to the subscriber under this subsection;

“(B) the non-facilities based multichannel video programming distributor shall offer a subscriber the option to choose each non-local commercial television station signal the subscriber wants to receive as part of the subscriber’s service; and

“(C) if a subscriber does not make a choice under subparagraph (B), the non-facilities based multichannel video programming distributor shall take reasonable steps to deliver to the subscriber the signal of each non-local commercial television station that is closest in proximity.

“(4) DEFINITION OF CLOSEST IN PROXIMITY.—

“(A) IN GENERAL.—For purposes of paragraph (3), the term ‘closest in proximity’ means the non-local commercial television station whose community of license is the closest in distance to the subscriber’s place of residence.

“(B) INCLUSIONS.—For purposes of paragraph (3), the term ‘closest in proximity’ includes a non-local commercial television station located in a State other than the State of the subscriber’s place of residence.

“(c) SUBSCRIBER RIGHTS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, a subscriber to a non-facilities based multichannel video programming distributor shall be entitled to receive programming from not more than 2 commercial television stations that are affiliates of the same television network and not more than 1 of the affiliates may be located in a

designated market area where the subscriber does not reside.

“(2) LOCAL SIGNAL NOT REQUIRED.—A non-facilities based multichannel video programming distributor shall not be required to carry the signal of a local commercial television station under subsection (a) as a condition to carrying and delivering to a consumer a non-local commercial broadcast television signal under subsection (b).

“(3) MOBILE PLATFORMS.—A subscriber shall have the right to view any commercial television station signal provided to that subscriber under this section at any time and on any device, including a mobile device and any other device not permanently located in the subscriber's place of residence, that a non-facilities based multichannel video programming distributor has made capable of delivering the distributor's service to that subscriber.

“(d) LIMITS IN EXISTING PROGRAMMING AND AFFILIATION CONTRACTS.—

“(1) IN GENERAL.—It shall be unlawful for any entity selling or otherwise providing video programming to be transmitted by a local or non-local commercial television station to include in any contract, agreement, understanding, or arrangement with that station a limitation on the ability of the station to comply with the requirements of this section.

“(2) EXISTING CONTRACTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), nothing in this section shall affect any contract, understanding, or arrangement that was entered into on or before December 1, 2013.

“(B) EXCEPTIONS.—No contract, understanding, or arrangement entered into on or before December 1, 2013, that violates this section shall be enforceable by any person after the date that is 3 years after the date of enactment of the Consumer Choice in Online Video Act.

“(C) LIMITATION ON RENEWALS.—A contract, understanding, or arrangement that was entered into on or before December 1, 2013, but that is renewed or extended after the date of enactment of the Consumer Choice in Online Video Act shall not be exempt under subparagraph (A).

**“SEC. 678. CARRIAGE OF NONCOMMERCIAL, EDUCATIONAL, AND INFORMATIONAL PROGRAMMING.**

“(a) LOCAL NONCOMMERCIAL EDUCATIONAL TELEVISION STATIONS.—

“(1) IN GENERAL.—If a non-facilities based multichannel video programming distributor elects to carry a local commercial broadcast television signal under section 677(a), that non-facilities based multichannel video programming distributor shall carry, upon request, the signal of a local noncommercial educational television station located in the same designated market area of the local commercial television broadcast station being carried under that section.

“(2) CARRIAGE ONLY IN LOCAL MARKET.—

“(A) IN GENERAL.—A local noncommercial educational television station shall be entitled to carriage only in the designated market area to which that station is assigned.

“(B) SYSTEMS OF NONCOMMERCIAL EDUCATIONAL BROADCAST STATIONS.—In the case of a system of 3 or more noncommercial educational broadcast stations licensed to a single State, public agency, or political, educational, or special purpose subdivision of a State, the carriage right under this subsection shall apply to any designated market area in the State where that system is located.

“(3) GOOD SIGNAL REQUIREMENTS.—A local noncommercial educational television station that requests to be carried by a non-facilities based multichannel video programming distributor under paragraph (1) shall be

responsible for delivering a good quality signal suitable for distribution by that distributor.

“(b) CHANNEL RESERVATION REQUIREMENTS.—

“(1) IN GENERAL.—The Commission shall require a non-facilities based multichannel video programming distributor to reserve a portion of its channel capacity, equal to not less than 3.5 percent or not more than 7 percent, exclusively for noncommercial programming of an educational or informational nature.

“(2) USE OF UNUSED CHANNEL CAPACITY.—A non-facilities based multichannel video programming distributor may use for any purpose any unused channel capacity required to be reserved under this subsection pending the actual use of that channel capacity for noncommercial programming of an educational or informational nature.

“(3) PRICES, TERMS, AND CONDITIONS.—A non-facilities based multichannel video programming distributor shall meet the requirements of this subsection by making channel capacity available to each national educational programming supplier, upon reasonable prices, terms, and conditions, as determined by the Commission under paragraph (5).

“(4) EDITORIAL CONTROL.—A non-facilities based multichannel video programming distributor may not exercise any editorial control over any video programming provided under this subsection.

“(5) LIMITATIONS.—In determining reasonable prices under paragraph (3)—

“(A) the Commission, among other considerations, shall consider the nonprofit character of the programming provider and any Federal funds used to support that programming;

“(B) the Commission shall not permit the prices to exceed, for any channel capacity made available under this subsection, 50 percent of the total direct costs of making the channel capacity available; and

“(C) in the calculation of total direct costs, the Commission shall exclude—

“(i) the marketing costs, general administrative costs, and similar overhead costs of the non-facilities based multichannel video programming distributor; and

“(ii) the revenue that the non-facilities based multichannel video programming distributor might have obtained by making that channel capacity available to a video programming vendor.

“(6) DEFINITION OF CHANNEL CAPACITY.—In this section, the term ‘channel capacity’ means the total number of channels of video programming provided to a subscriber by the non-facilities based multichannel video programming distributor, without regard to whether that non-facilities based multichannel video programming distributor uses a portion of the electromagnetic frequency spectrum to deliver that channel of video programming.

**“SEC. 679. LICENSING.**

“(a) IN GENERAL.—A non-facilities based multichannel video programming distributor that is carrying any broadcast television station signal under section 677 or section 678 shall—

“(1) be considered to be a cable system under section 111 of title 17, United States Code; and

“(2) be subject to—

“(A) the statutory licensing requirements set forth in sections 111(c) and 111(e) of that title;

“(B) payment of the fees required by section 111(d) of that title; and

“(C) the penalties under section 111 of that title for failure to pay the fees required by that section.

“(b) LOCAL SERVICE AREA OF A PRIMARY TRANSMITTER.—For purposes of the application of section 111 of title 17, United States Code, to a non-facilities based multichannel video programming distributor under this section—

“(1) a local commercial television station's local service area of a primary transmitter shall consist of the entirety of that station's designated market area; and

“(2) a local noncommercial educational television station's local service area of a primary transmitter shall consist of the entirety of that station's designated market area.

**“SEC. 680. EXCLUSION FROM FRANCHISE REQUIREMENTS.**

“A non-facilities based multichannel video programming distributor shall not be subject to local franchising requirements under section 621 of this Act or otherwise be regulated by any franchising authority.

**“SEC. 681. PRIVACY PROTECTIONS.**

“(a) IN GENERAL.—A non-facilities based multichannel video programming distributor shall comply with the privacy protections applicable to satellite services as set forth in section 338(i) of this Act and the Commission's regulations under that section.

“(b) PENALTIES.—Any non-facilities based multichannel video programming distributor that fails to comply with the provisions under section 338(i) of this Act, and the Commission's regulations under that section, shall be subject to the penalties set forth in section 338(i)(7) of this Act.

**“SEC. 682. CONSUMER EQUIPMENT.**

“Not later than 1 year after the date of enactment of the Consumer Choice in Online Video Act, the Commission shall commence a proceeding to consider whether to adopt rules—

“(1) to establish standards to ensure that services and platforms provided by a non-facilities based multichannel video programming distributor can interconnect and interface with—

“(A) any Internet-capable television and television receiver; and

“(B) any other Internet-capable consumer electronics equipment that facilitates the viewing of video programming on a television receiver; and

“(2) to promote the commercial availability of other devices that will permit a consumer to access non-facilities based multichannel video programming distribution services and platforms over equipment of the consumer's choice.

**“SEC. 683. EFFECTIVE COMPETITION STANDARD.**

“The number of households subscribing to a non-facilities based multichannel video programming distributor in a franchise area under this part shall not be considered for purposes of a determination by the Commission of whether a cable system is subject to effective competition in that franchise area under section 623 of this Act.

**“SEC. 684. REMEDIES AND ADJUDICATIONS.**

“(a) ADJUDICATORY PROCEEDINGS.—Any entity aggrieved by conduct that it alleges constitutes a violation of this part, or the regulations of the Commission under this part, may commence an adjudicatory proceeding at the Commission.

“(b) REMEDIES.—

“(1) REMEDIES AUTHORIZED.—

“(A) INTERIM REMEDIES.—The Commission may authorize interim remedies during the pendency of a complaint.

“(B) APPROPRIATE REMEDIES.—Upon completion of an adjudicatory proceeding under this section, the Commission shall have the power to order appropriate remedies, including, if necessary, the power to establish

prices, terms, and conditions of sale of programming to, or prices, terms, and conditions of the transport of the content of, the aggrieved entity.

“(2) ADDITIONAL REMEDIES.—The remedies provided in paragraph (1) are in addition to and not in lieu of the remedies available under title V or any other provision of this Act.

“(c) PROCEDURES.—In promulgating regulations to implement this part, the Commission shall—

“(1) provide for an expedited review of any complaint made under this part, including a procedural timeline to conclude the review of each complaint not later than 180 days after the date the complaint is filed;

“(2) establish procedures for the Commission to collect any data, including the right to obtain copies of all contracts and documents reflecting any practice, understanding, arrangement, or agreement alleged to violate this part, as the Commission requires to carry out this part; and

“(3) provide for penalties to be assessed against any person filing a frivolous complaint under this part.”

#### TITLE IV—MISCELLANEOUS

##### SEC. 401. TECHNICAL AND CONFORMING AMENDMENTS.

Section 602(20) of title VI of the Communications Act of 1934 (47 U.S.C. 522(20)) is amended by inserting “unless expressly provided otherwise,” before “the term ‘video programming’ means”.

##### SEC. 402. PROVISIONS AS COMPLEMENTARY.

The provisions of this Act are in addition to, and shall not affect the operation of, other Federal, State, or local laws or regulations regulating billing for Internet service, online video distribution, or non-facilities based multichannel video programming distributors, except if the provisions of any other law are inconsistent with the provisions of this Act, the provisions of this Act shall be controlling.

##### SEC. 403. APPLICABILITY OF ANTITRUST LAWS.

Nothing in this Act or the amendments made by this Act shall be construed to alter or restrict in any manner the applicability of any Federal or State antitrust law.

##### SEC. 404. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held invalid, the remainder of this Act, the amendments made by this Act, and the application of such provision or amendment to any person or circumstance shall not be affected thereby.

By Mrs. FEINSTEIN (for herself and Mr. GRASSLEY):

S. 1686. A bill to amend the Controlled Substances Act to provide enhanced penalties for marketing controlled substances to minors; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I am pleased to re-introduce, along with Senator Grassley, the Saving Kids From Dangerous Drugs Act of 2013.

For years, law enforcement has seen drug dealers flavor and market their illegal drugs to entice minors, using techniques like combining drugs with chocolate and fruit flavors, and even packaging them to look like actual candy and soda. This bill would address this serious and dangerous problem by providing stronger penalties when drug dealers alter controlled substances by combining them with beverages or candy products, marketing or pack-

aging them to resemble legitimate products, or flavoring or coloring them, all with the intent to sell the drugs to minors.

Recent media reports demonstrate the need for this legislation. In January of this year, the Drug Enforcement Administration seized THC-laden soft drinks, cookies, brownies, and candy from two phony medical marijuana dispensaries in my home state of California that grossed an estimated \$3.5 million annually. The names of the products seized show how the purveyors of these drugs marketed them under names that resembled popular soda and candy products: bottles were labeled “7 High,” “Dr. Feelgood,” and “Laughing Lemonade”; cookies and brownies had such names as “White Chip Hash Brownie” and “Reese’s Crumbled Hash Brownie”; and candy was named “Jolly Stones THC Medicated Hard Candies” and “Stone Candy.”

Less than two weeks ago, police seized more than 40 pounds of THC-laced candy from a campus apartment at West Chester University, outside of Philadelphia. This candy was vividly colored, in a virtual rainbow assortment—pink, yellow, orange, blue, and red. When college students are peddling these drugs, it is not hard to see how minors can become targets of the operation.

Many recent incidents involve methamphetamine, a drug whose users face a “very high” risk of “developing psychotic symptoms—hallucinations and delusions,” according to a recent Harvard Medical School publication. A 2007 article in USA Today entitled “DEA: Flavored meth use on the rise” stated that “[r]eports of candy-flavored methamphetamine are emerging around the nation, stirring concern among police and abuse prevention experts that drug dealers are marketing the drug to younger people.” In March of last year, police in Chicago warned parents about a drug that “looks and smells like candy,” called “strawberry quick” or “strawberry meth.” Because of the drug’s similarity to candy, police urged parents to tell their children not to take candy from anyone, not even a classmate.

Regrettably, this is a problem that has persisted for many years, with drug dealers trying various methods to lure kids to try many dangerous drugs. The dealers’ logic is simple: the best way to create a life-long customer is to hook that person when he or she is young. According to an Indiana sheriff quoted in a 2007 article entitled “Fruity meth aimed at kids,” flavoring a drug like methamphetamine makes it “more attractive to teens, because it takes away meth’s normally bitter taste, and some dealers will tell potential users this meth is safer, and has less side effects.”

That is why the practice of flavoring or coloring drugs to entice youth is so dangerous—it deceives the young customer into believing that he or she is

not actually ingesting drugs, or at least not ingesting drugs that are as potent as non-flavored drugs. One in three teens already believes there is “only a slight or no risk in trying [methamphetamine],” according to the 2007 National Meth Use & Attitudes Survey. When you flavor methamphetamine or market it as candy or soda, the number of teens who believe that the drug is not harmful is surely higher.

The size and sophistication of some of these operations is particularly alarming. In March of 2006, DEA discovered large-scale marijuana cultivation and production facilities in Emeryville and Oakland, California. Thousands of marijuana plants, and hundreds of marijuana-related soda, candy, and other products were seized from the drug dealers’ facilities. The products were designed and packaged to look like legitimate products, including an item called “Munchy Way” candy bars.

Similarly, in March of 2008, Drug Enforcement Administration, DEA, agents seized cocaine near Modesto, California, that was valued at \$272,400; a significant quantity had been flavored like cinnamon, coconut, lemon, or strawberry. After that raid, one DEA agent stated that “[a]ttempting to lure new, younger customers to a dangerous drug by adding candy ‘flavors’ is an unconscionable marketing technique.”

I completely agree. That is why we need to act now to stop those who alter drugs to make them more appealing to youth.

Under current federal law, there is no enhanced penalty for a person who alters a controlled substance to make the drug more appealing to youth. Someone who alters a controlled substance in ways prohibited by the legislation we are introducing today would be subject to an additional penalty of up to ten years, in addition to the penalty for the underlying offense. If someone is convicted of a second offense that is prohibited by the act, that person would face an additional penalty of up to 20 years.

This bill sends a strong and clear message to drug dealers—if you flavor or candy up your drugs to try to entice our children, there will be a very heavy price to pay. It will help stop drug dealers from engaging in these activities, and punish them appropriately if they don’t.

The Senate passed a similar version of this legislation in the 111th Congress, but it was not considered in the House. This year, I am pleased to have the support of many of the leading national law enforcement organizations as we try to get this bill over the finish line: the Major Cities Chiefs Association, the Fraternal Order of Police, the Community Anti-Drug Coalitions of America, the Major County Sheriffs’ Association, the Federal Law Enforcement Officers Association, the National HIDTA Directors Association,

and the National District Attorneys Association have endorsed the legislation. They are on the front lines working to keep these drugs out of our communities, and I am proud to have their support.

I urge my colleagues to join me in supporting this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1686

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Saving Kids From Dangerous Drugs Act of 2013".

#### SEC. 2. OFFENSES INVOLVING CONTROLLED SUBSTANCES MARKETED TO MINORS.

Section 401 of the Controlled Substances Act (21 U.S.C. 841) is amended by adding at the end the following:

"(i) OFFENSES INVOLVING CONTROLLED SUBSTANCES MARKETED TO MINORS.—

"(1) UNLAWFUL ACT.—Except as authorized under this title, including paragraph (3), it shall be unlawful for any person at least 18 years of age to—

"(A) knowingly or intentionally manufacture or create a controlled substance listed in schedule I or II that is—

"(i) combined with a beverage or candy product;

"(ii) marketed or packaged to appear similar to a beverage or candy product; or

"(iii) modified by flavoring or coloring; and

"(B) know, or have reasonable cause to believe, that the combined, marketed, packaged, or modified controlled substance will be distributed, dispensed, or sold to a person under 18 years of age.

"(2) PENALTIES.—Except as provided in section 418, 419, or 420, any person who violates paragraph (1) of this subsection shall be subject to—

"(A) an additional term of imprisonment of not more than 10 years for a first offense involving the same controlled substance and schedule; and

"(B) an additional term of imprisonment of not more than 20 years for a second or subsequent offense involving the same controlled substance and schedule.

"(3) EXCEPTIONS.—Paragraph (1) shall not apply to any controlled substance that—

"(A) has been approved by the Secretary under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), if the contents, marketing, and packaging of the controlled substance have not been altered from the form approved by the Secretary; or

"(B) has been altered at the direction of a practitioner who is acting for a legitimate medical purpose in the usual course of professional practice."

#### SEC. 3. SENTENCING GUIDELINES.

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 its guidelines and policy statements to ensure that the guidelines provide an appropriate additional penalty increase to the sentence otherwise applicable in Part D of the Guidelines Manual if the defendant was convicted of a violation of section 401(i) of the Controlled Substances Act, as added by section 2 of this Act.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 290—COMMEMORATING THE 75TH ANNIVERSARY OF KRISTALLNACHT, OR THE NIGHT OF THE BROKEN GLASS

Mr. CARDIN (for himself, Mr. WICKER, Mr. MENENDEZ, Ms. MIKULSKI, Mrs. MURRAY, Mr. SCHATZ, Mr. MARKEY, Mrs. HAGAN, and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 290

Whereas November 9, 2013, through November 10, 2013, marks the 75<sup>th</sup> anniversary of Kristallnacht, or the Night of Broken Glass;

Whereas Kristallnacht began as a pogrom authorized by Nazi party officials and carried out by members of the Sturmabteilungen (SA), Schutzstaffel (SS), and Hitler Youth, marking the Nazi party's first large-scale anti-Semitic operation and a crucial turning point in Nazi anti-Semitic policy;

Whereas, during Kristallnacht, synagogues, homes, and businesses in Jewish communities were attacked, resulting in murders and arrests of Jewish people in Germany and in Austrian and Czechoslovakian territories controlled by the Nazis;

Whereas the events of Kristallnacht resulted in the burning and destruction of 267 synagogues, the looting of thousands of businesses and homes, the desecration of Jewish cemeteries, the murder of 91 Jews, and the arrest and deportation of 30,000 Jewish men to concentration camps;

Whereas the shards of broken glass from the windows of synagogues, Jewish homes, and Jewish-owned businesses ransacked during the violence that littered the streets gave the pogrom its name: Kristallnacht, commonly translated as the "Night of Broken Glass";

Whereas Kristallnacht proved to be a crucial turning point in the Holocaust, marking a shift from a policy of removing Jews from Germany and German-occupied lands to murdering millions of people, and was a tragic precursor to the Second World War;

Whereas, despite numerous global efforts to eradicate hate, manifestations of anti-Semitism and other forms of intolerance continue to harm our societies on a global scale; and

Whereas Kristallnacht teaches us how hate can proliferate and erode our societies and serves as a reminder that we must advance global efforts to ensure such barbarism and mass murder never occur again: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the 75<sup>th</sup> anniversary of Kristallnacht;

(2) pays tribute to the over 6,000,000 Jewish people killed during the Holocaust and the families affected by the tragedy;

(3) continues to support United States efforts to address the horrible legacy of the Holocaust and combat manifestations of anti-Semitism domestically and globally;

(4) will continue to raise awareness and act to eradicate the continuing scourge of anti-Semitism at home and abroad, including through work with international partners such as the Organization for Security and Cooperation in Europe's Personal Representative on Combating Anti-Semitism and Tolerance and Non-Discrimination Unit; and

(5) requests that the Secretary of the Senate prepare an enrolled version of this resolution for presentation to the United States Holocaust Memorial Museum in Washington, D.C.

#### SENATE RESOLUTION 291—EXPRESSING THE SENSE OF THE SENATE ON A NATIONWIDE MOMENT OF REMEMBRANCE ON MEMORIAL DAY EACH YEAR, IN ORDER TO APPROPRIATELY HONOR UNITED STATES PATRIOTS LOST IN THE PURSUIT OF PEACE AND LIBERTY AROUND THE WORLD

Mr. TOOMEY submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 291

Whereas the preservation of basic freedoms and world peace has always been a valued objective of the United States;

Whereas thousands of United States men and women have selflessly given their lives in service as peacemakers and peacekeepers;

Whereas the American people should continue to demonstrate the appreciation and gratitude these patriots deserve and to commemorate the ultimate sacrifice they made;

Whereas Memorial Day is the day of the year for the United States to appropriately remember United States heroes by inviting the people of the United States to respectfully honor them at a designated time; and

Whereas the playing of "Taps" symbolizes the solemn and patriotic recognition of those Americans who died in service to the United States: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the people of the United States should, as part of a moment of remembrance on Memorial Day each year, observe that moment with the playing of "Taps" in honor of the people of the United States who gave their lives in the pursuit of freedom and peace; and

(2) that playing of "Taps" should take place at widely-attended public events on Memorial Day, including sporting events and civic ceremonies.

#### AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on November 12, 2013, at 2:30 p.m., to conduct a hearing entitled "The Consumer Financial Protection Bureau's Semi-Annual Report to Congress."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 12, 2013, in room S-216, the President's room at 5:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet,

during the session of the Senate, on November 12, 2013, at 2:30 p.m., in room 430 of the Dirksen Senate Office Building, to conduct a hearing entitled "Payroll Fraud: Targeting Bad Actors Hurting Workers and Businesses."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Nathan Brown, a detailee on my staff, be granted floor privileges for the duration of the consideration of H.R. 3204, the Drug Quality and Security Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Tatiana Lowell-Campbell and Benjamin Friedman of my staff be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CHILDREN'S HOSPITAL GME SUPPORT REAUTHORIZATION ACT OF 2013

Ms. WARREN. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 227, S. 1557.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1557) to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals.

There being no objection, the Senate proceeded to consider the bill.

Ms. WARREN. I ask the bill be read a third time and passed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1557) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1557

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Children's Hospital GME Support Reauthorization Act of 2013".

#### SEC. 2. PROGRAM OF PAYMENTS TO CHILDREN'S HOSPITALS THAT OPERATE GRADUATE MEDICAL EDUCATION PROGRAMS.

(a) IN GENERAL.—Section 340E of the Public Health Service Act (42 U.S.C. 256e) is amended—

(1) in subsection (a), by striking "through 2005 and each of fiscal years 2007 through 2011" and inserting "through 2005, each of fiscal years 2007 through 2011, and each of fiscal years 2014 through 2018"; and

(2) in subsection (f)—

(A) in paragraph (1)(A)—

(i) in clause (iii), by striking "and";

(ii) in clause (iv), by striking the period and inserting "; and"; and

(iii) by adding at the end the following:

"(v) for each of fiscal years 2014 through 2013, \$100,000,000."; and

(B) in paragraph (2)—

(i) in subparagraph (C), by striking "and";

(ii) in subparagraph (D), by striking the period and inserting "; and"; and

(iii) by adding at the end the following:

"(E) for each of fiscal years 2014 through 2018, \$200,000,000."

(b) REPORT TO CONGRESS.—Section 340E(b)(3)(D) of the Public Health Service Act (42 U.S.C. 256e(b)(3)(D)) is amended by striking "Not later than the end of fiscal year 2011" and inserting "Not later than the end of fiscal year 2018".

#### SEC. 3. SUPPORT OF GRADUATE MEDICAL EDUCATION PROGRAMS IN CERTAIN HOSPITALS.

Section 340E of the Public Health Service Act (42 U.S.C. 256e) is amended by adding at the end the following:

"(h) ADDITIONAL PROVISIONS.—

"(1) IN GENERAL.—The Secretary is authorized to make available up to 25 percent of the total amounts in excess of \$245,000,000 appropriated under paragraphs (1) and (2) of subsection (f), but not to exceed \$7,000,000, for payments to hospitals qualified as described in paragraph (2), for the direct and indirect expenses associated with operating approved graduate medical residency training programs, as described in subsection (a).

"(2) QUALIFIED HOSPITALS.—

"(A) IN GENERAL.—To qualify to receive payments under paragraph (1), a hospital shall be a free-standing hospital—

"(i) with a Medicare payment agreement and that is excluded from the Medicare inpatient hospital prospective payment system pursuant to section 1886(d)(1)(B) of the Social Security Act and its accompanying regulations;

"(ii) whose inpatients are predominantly individuals under 18 years of age;

"(iii) that has an approved medical residency training program as defined in section 1886(h)(5)(A) of the Social Security Act; and

"(iv) that is not otherwise qualified to receive payments under this section or section 1886(h) of the Social Security Act.

"(B) ESTABLISHMENT OF RESIDENCY CAP.—In the case of a freestanding children's hospital that, on the date of enactment of this subsection, meets the requirements of subparagraph (A) but for which the Secretary has not determined an average number of full-time equivalent residents under section 1886(h)(4) of the Social Security Act, the Secretary may establish such number of full-time equivalent residents for the purposes of calculating payments under this subsection.

"(3) PAYMENTS.—Payments to hospitals made under this subsection shall be made in the same manner as payments are made to children's hospitals, as described in subsections (b) through (e).

"(4) PAYMENT AMOUNTS.—The direct and indirect payment amounts under this subsection shall be determined using per resident amounts that are no greater than the per resident amounts used for determining direct and indirect payment amounts under subsection (a).

"(5) REPORTING.—A hospital receiving payments under this subsection shall be subject to the reporting requirements under subsection (b)(3).

"(6) REMAINING FUNDS.—

"(A) IN GENERAL.—If the payments to qualified hospitals under paragraph (1) for a fiscal year are less than the total amount made available under such paragraph for that fiscal year, any remaining amounts for such fiscal year may be made available to all hospitals participating in the program under this subsection or subsection (a).

"(B) QUALITY BONUS SYSTEM.—For purposes of distributing the remaining amounts de-

scribed in subparagraph (A), the Secretary may establish a quality bonus system, whereby the Secretary distributes bonus payments to hospitals participating in the program under this subsection or subsection (a) that meet standards specified by the Secretary, which may include a focus on quality measurement and improvement, interpersonal and communications skills, delivering patient-centered care, and practicing in integrated health systems, including training in community-based settings. In developing such standards, the Secretary shall collaborate with relevant stakeholders, including program accrediting bodies, certifying boards, training programs, health care organizations, health care purchasers, and patient and consumer groups."

#### THE CALENDAR

Ms. WARREN. Mr. President, I ask unanimous consent the Senate proceed to the consideration of Calendar Nos. 239 and 240, which are post office naming bills en bloc.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. SCHUMER. Mr. President, I speak today in strong support of S.1512, a bill to designate the facility of the United States Postal Service located at 1335 Jefferson Road in Rochester, NY, as the "Specialist Theodore Matthew Glende Post Office."

Specialist Glende's story reminds us that no gesture of thanks can adequately reflect the sacrifices made by our troops each and every day. I would like to tell you about one amazing New Yorker. Specialist Glende grew up on Park Avenue in Rochester, NY, graduated from McQuaid Jesuit High School in Brighton, and enrolled in ROTC as soon as he entered Niagara University. Three years into his college career and ROTC training, he learned that upon graduation his rank would be a Lieutenant in the Reserves. But his desire to serve on active duty in the Infantry was such that he left school a year early and enlisted in the Army, determined to work his way up. He served in a unit stationed in Italy, and was deployed to Afghanistan in 2012.

In late July of last year, Specialist Glende and his unit came under attack by enemy forces. Some soldiers were wounded, and while the attack continued to rage around him, Specialist Glende went above and beyond the call of duty to help rescue these wounded soldiers and get them to safety. Tragically, he sacrificed his life in the process. Specialist Glende's family was told that he saved five soldiers from death before he was killed.

The Federal Government should go to any length to salute heroes like Specialist Glende for their courage under fire. Specialist Glende gave his life for our great Nation, and we are now working to ensure that his memory serves as an example of impeccable character and exceptional patriotism.

He was steadfastly loyal and dedicated to his family, his young wife, and his country. I am humbled to be honoring his memory and paying tribute to his brave and heroic sacrifice with

this legislation to dedicate the Rochester Main Post Office at 1335 Jefferson Road as the Specialist Theodore Matthew Glende Post Office.

Growing up on Park Avenue in Rochester and attending McQuaid Jesuit High School in Brighton, he was known as "Matt" to his family and friends. Later, when he met his future wife Alexandra while working alongside her at the Pittsford Wegmans grocery store, she would call him "Theo." But with the dedication of this Post Office, he will be remembered by his thankful hometown community once and for ever as "Specialist Glende."

Ms. WARREN. I ask unanimous consent the bills be read a third time and passed en bloc and the motions to reconsider be laid upon the table en bloc, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SERGEANT CORY MRACEK MEMORIAL POST OFFICE

The bill (S. 1499) to designate the facility of the United States Postal Service located at 278 Main Street in Chadron, Nebraska, as the "Sergeant Cory Mracek Memorial Post Office", was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1499

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

#### SECTION 1. SERGEANT CORY MRACEK MEMORIAL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 278 Main Street in Chadron, Nebraska, shall be known and designated as the "Sergeant Cory Mracek Memorial Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Sergeant Cory Mracek Memorial Post Office".

#### SPECIALIST THEODORE MATTHEW GLENDE POST OFFICE

The bill (S. 1512) to designate the facility of the United States Postal Service located at 1335 Jefferson Road in Rochester, New York, as the "Specialist Theodore Matthew Glende Post Office", was ordered to be engrossed for a third reading, was read the third time, and passed.

S. 1512

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

#### SECTION 1. SPECIALIST THEODORE MATTHEW GLENDE POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1335 Jefferson Road in Rochester, New York, shall be known and designated as the "Specialist Theodore Matthew Glende Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Specialist Theodore Matthew Glende Post Office".

#### COMMEMORATING THE 75TH ANNI- VERSARY OF KRISTALLNACHT

Ms. WARREN. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 290, 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. 290) commemorating the 75th anniversary of Kristallnacht, or the Night of Broken Glass.

There being no objection, the Senate proceeded to consider the resolution.

Ms. WARREN. Mr. President, I ask unanimous consent 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. 290) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### ORDERS FOR WEDNESDAY, NOVEMBER 13, 2013

Ms. WARREN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, November 13, 2013, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate

resume consideration of the motion to proceed to H.R. 3204, the pharmaceutical drug compounding bill, postclosure; further, that all time during adjournment, recess, and morning business count postclosure on the motion to proceed to H.R. 3204; and, finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. WARREN. Mr. President, 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 7:05 p.m., adjourned until Wednesday, November 13, 2013, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### DEPARTMENT OF THE INTERIOR

TOMMY PORT BEAUDREAU, OF ALASKA, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR, VICE RHEA S. SUH.

NEIL GREGORY KORNZE, OF NEVADA, TO BE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT, VICE ROBERT V. ABBEY, RESIGNED.

##### ENVIRONMENTAL PROTECTION AGENCY

THOMAS A. BURKE, OF MARYLAND, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE PAUL T. ANASTAS, RESIGNED.

##### DEPARTMENT OF COMMERCE

STEFAN M. SELIG, OF NEW YORK, TO BE UNDER SECRETARY OF COMMERCE FOR INTERNATIONAL TRADE, VICE FRANCISCO J. SANCHEZ, RESIGNED.

##### DEPARTMENT OF EDUCATION

ERICKA M. MILLER, OF VIRGINIA, TO BE ASSISTANT SECRETARY FOR POSTSECONDARY EDUCATION, DEPARTMENT OF EDUCATION, VICE EDUARDO M. OCHOA.

##### CENTRAL INTELLIGENCE AGENCY

CAROLINE DIANE KRASS, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE CENTRAL INTELLIGENCE AGENCY, VICE STEPHEN WOOLMAN PRESTON, RESIGNED.

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be brigadier general*

COL. JOSEF F. SCHMID III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be brigadier general*

COLONEL TALENTINO C. ANGELOSANTE  
COLONEL JAMES R. BARKLEY  
COLONEL THOMAS G. CLARK  
COLONEL MICHAEL J. COLE  
COLONEL SAMUEL C. MAHANAY  
COLONEL BRETT J. MCMULLEN  
COLONEL JOSE R. MONTEAGUDO  
COLONEL RANDALL A. OGDEN  
COLONEL JOHN P. STOKES  
COLONEL STEPHEN D. VAUTRAIN

## EXTENSIONS OF REMARKS

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE CENTER FOR BELGIAN CULTURE OF THE QUAD CITIES

**HON. CHERI BUSTOS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate the Center for Belgian Culture of the Quad Cities on the occasion of their 50th Anniversary.

The Center for Belgian Culture was created in 1963 out of the Federation of Belgian social clubs in our region of Illinois. During the mid-19th and early 20th centuries, many Belgian immigrants settled in the Quad Cities, which once boasted the largest Belgian community in the United States and still has the second highest Belgian heritage population in the country.

The Belgian community brought many great aspects of their culture to the Quad Cities, which the Center continues to promote through its art programs, lace-making classes and, of course, Belgian waffle breakfasts. Additionally, the Center assists with historical and genealogical research and provides scholarships for students of Belgian descent.

Mr. Speaker, I again want to congratulate the Center for Belgian Culture on this notable milestone, and I thank them for their many contributions to our community.

IN HONOR OF THE MONTEREY COUNTY HOSPITALITY ASSOCIATION

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. FARR. Mr. Speaker, I rise today to recognize the Monterey County Hospitality Association on the occasion of its 25th annual hospitality employee recognition celebration. This is a truly remarkable event that recognizes just a few of the unsung heroes of America's number one industry.

As the co-chair of the congressional travel and tourism caucus, I frequently see the travel and tourism industry in terms of its big economics—generating \$2 trillion in revenues and supporting 14.6 million jobs. And indeed, it is crucial that national policy works to help travel and tourism thrive and benefit all of our communities.

But beneath these statistics are the people who work in the hotels, restaurants, rental car companies, and all the other myriad of visitor serving businesses. These men and women shape a visitor's experience and help them decide whether to return to the United States, to California, or to Monterey County. The place sells the first visit, but it's the hospitality employees that keep people coming back.

And that is why the Monterey County Hospitality Association event is so remarkable. I know of no other event of its size and scope where the regional travel and tourism industry comes together in such a comprehensive way to celebrate the extraordinary lengths that its employees go to make the visitor experience to the Monterey region the memory of a lifetime.

Each year colleagues nominate their co-workers for customer service that went above and beyond the ordinary call of duty—the maid who searched through the dumpster for a new bride's lost wedding ring, or a chef who recreated the menu from a couple's first date for their 50th wedding anniversary. From all of these nominees, a selection panel picks ten to receive an "Excellence in Hospitality" award.

The panel also singles out one of the awardees for special recognition for service that sets the gold standard. In 1988, this special award was given to Romuldo "Papa Vince" Vicente, the renowned bar tender at Monterey's legendary Sardine Factory restaurant. And while the Sardine Factory's founders Ted Balestreri and Bert Cutino receive much of the public recognition for the Sardine Factory's success and the Monterey Bay hospitality renaissance that it helped spark, they will be the first to recognize that it was Papa Vince and employees like him that built the foundation of that success. So it is fitting that this top trophy has since been known as the Papa Vince award. It's people like Mr. Vicente who make the U.S. travel and tourism industry such a vital part of our national life and economy.

Mr. Speaker, I know I speak for the whole House in commending the Monterey County Hospitality Association on the occasion of this significant anniversary as well as extending our congratulations to the past, current, and future "Excellence in Hospitality" award winners.

HONORING REPRESENTATIVE  
ISAAC "IKE" SKELTON IV

**HON. PHIL GINGREY**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. GINGREY of Georgia. Mr. Speaker, Isaac "Ike" Skelton was a consummate gentleman and a true class act. Ike was a humble man; he commonly referred to himself as a "country lawyer." He was a tireless champion of our service men and women, both on the battlefield and off. He loved his family and everyone who encountered him knew it. He served the people of Missouri for 34 years with dignity and grace, and he will be missed. In Congress, one often hears the phrase "my good friend" or "my friend across the aisle." Sometimes it can lose its meaning. But Ike and I had a close, personal friendship that extended far deeper than Washington's definition of one.

Ike and I served on the Armed Services Committee together for six years. During that time, in the context of our committee service, we talked often about military education, the roles and missions within our Armed Forces, and Ike's famous book list. I accompanied him to Warm Springs, Georgia, where he received polio treatment as a teenager. The Warm Springs Foundation held a special place in his heart, and he spoke of the lessons he learned there often.

In his farewell speech to the House of Representatives, he said: ". . . never let illness define you, never be limited by the expectations of others, never give up, and never stop working."

Ike exemplified that sentiment in everything he did.

Polio prevented him from serving our country in uniform, so he chose to serve members of our military instead. Ike used to say he looked at all of our troops as someone's son or daughter. To that end, he worked with Democrats and Republicans alike to improve life for our military men and women. In his position as both Chairman and Ranking Member of the Armed Services Committee, he fought to ensure our troops had the necessary training, equipment and support on the frontlines. He worked to improve military housing and other services for them here at home.

Several years ago, I had the privilege of attending the 8th and 1 Parade at the Marine Barracks in Washington, D.C., where Ike was the guest of honor. It rained heavily that night, but like always, it was tough to dampen Ike's spirits. I learned so much from Ike and I will truly miss him. Ike was a one-of-a-kind congressman, and this body would be far better off with more members of his caliber.

Our country has lost a statesman, his family has lost a husband and father, our military has lost a champion, and many of us he worked or served with have lost a friend.

HONORING THE FFA'S 2013 NATIONAL MODEL OF EXCELLENCE AWARD WINNER

**HON. ADAM KINZINGER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. KINZINGER of Illinois. Mr. Speaker, I rise today to recognize the Pontiac Chapter of the Future Farmers of America (FFA) for being named the 2013 Model of Excellence chapter during the Eighty-Sixth National FFA Convention in Louisville, Kentucky.

FFA Chapters across the country that receive national three-star ratings are eligible candidates for the National Model of Excellence Award. The National FFA Organization consists of 579,678 students in all fifty states that are a part of 7,570 local chapters, making the competition for this prestigious award extremely demanding. While the Pontiac Chapter excelled in community and school development, it was especially successful in the area

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

of chapter development as shown through their recruitment and retention of new members. The chapter made presentations to area middle schools that feed into their high school and were able to sign up 88 new members for the introduction to agriculture class. Additionally, the chapter worked with over 1,000 elementary students to increase their agricultural literacy and reading skills.

Farmers across the United States are responsible for providing food to families around the world and Illinois is at the forefront of this driver to our economy. There are over 76,000 farms in Illinois and the state is ranked second in the United States for agricultural commodity exports with nearly \$4 billion worth exported to other countries annually. The FFA helps keep this critical industry going by inspiring our youth to consider careers in agriculture and developing their leadership abilities for all facets of life.

Mr. Speaker, on behalf of the 16th District of Illinois, I am pleased to honor the Pontiac FFA Chapter for their impressive accomplishments and for receiving this distinguished award. I wish these students the best of luck in their future endeavors.

A TRIBUTE TO TCL CHINESE  
THEATRE AND FENG XIAOGANG

**HON. ADAM B. SCHIFF**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. SCHIFF. Mr. Speaker, I rise today to congratulate The Creative Life (TCL) Chinese Theatre on hosting the Beijing Film Panorama in America Festival and recognizing acclaimed Chinese Film Director, Feng Xiaogang during a Handprint Ceremony.

TCL Chinese Theatre, formerly known as Grauman's Chinese Theatre, has long stood as a tribute to the great men and women of film and television. The iconic signatures, handprints, and footprints in cement that have graced the theater's entrance since the 1920's, are visited by millions of people every year. It is fitting as we witness the growth of Chinese film internationally, that Hollywood celebrates this achievement in the cinematic arts throughout the world.

To mark this auspicious occasion, Feng Xiaogang will be immortalized in cement with a Handprint Ceremony. Mr. Xiaogang is an accomplished Chinese film director whose comedic films have been box office hits in China over the last two decades, and who has recently begun making dramatic period films. As the first Chinese director to receive this honor, Feng Xiaogang will join Cecil B. DeMille, Ron Howard, Steven Spielberg, Gene Kelly and Clint Eastwood, among other great film directors whose handprint impressions remind us of the talent that has brought so many stories to life through film.

I ask all Members to join me in congratulating TCL Chinese Theatre and Mr. Xiaogang upon this historic occasion.

IN RECOGNITION OF THE 2012-2013  
UPPER DARBY HIGH SCHOOL  
LUNAR RESEARCH TEAM

**HON. PATRICK MEEHAN**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. MEEHAN. Mr. Speaker, I rise today to congratulate the 2012-13 Upper Darby High School Lunar Research Team on its second-place finish in the 2013 National Lunar Science Institute's national competition. The Upper Darby High School Lunar Research Team competed with colleges and universities from around the country. The student team members included Ranier Gran, Cuong Trihn, Joseph Dwyer, Mohammad Hossain, Kingson Lin, Omar Mukhtar, Evan Perotti, Evan Hunt, and Spiro Metaxas.

The team received tremendous support from its mentors Rosanne Burns and John Taffel, both Upper Darby High School teachers. It was an incredible accomplishment to finish second in the competition as a high school team.

The team researched the possibility of locating lava tubes (large underground tunnels) using temperature differences measured on the surface of the moon. It successfully confirmed the location of tubes at a number of suspected locations. These caves could someday be used as locations for lunar outposts.

Mr. Speaker, I congratulate the members of the Lunar Research Team, along with their parents and faculty mentors, for their hard work in the field of science and technology, and this well-deserved accomplishment.

GEORGE WELSH TRIBUTE

**HON. SCOTT R. TIPTON**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. TIPTON. Mr. Speaker, I rise today to recognize Mr. George Welsh, current superintendent of Center School District in Colorado. His leadership and ability to think outside of the box has greatly benefitted the Center School District and provided students with opportunities to learn and achieve beyond ordinary expectations. Leading by example, through dedication to teaching and learning, Mr. Welsh has inspired teachers and students in the San Luis Valley to reach their full potential for over a decade.

Mr. Welsh was recently named "Superintendent of the Year" by the Colorado Association of School Districts, a well-deserved honor. Center School District has faced many challenges and headwinds, often operating with extremely limited resources. With Mr. Welsh's leadership, innovative use of technology and ability to maximize the resources available to the District, graduation rates in the Center School District have risen up to 93 percent, from 33 percent when he began in 1997. This is an extraordinary achievement.

In addition to being named "Superintendent of the Year" by the Colorado Association of School Districts, Mr. Welsh was also the recipient of the Demont Award from the Colorado Association of School Boards, naming him Outstanding Rural Superintendent of the Year.

Mr. Speaker, it is an honor to recognize Mr. George Welsh for his dedication to education and leadership that has undoubtedly transformed many lives. Superintendent George Welsh is an incredible resource for his community, and I have no doubt that he will continue to have a significant impact during his education career, helping students and teachers reach their highest goals.

RECOGNIZING THE ASIAN AMERICAN  
MEDICAL ASSOCIATION  
AND ITS HONOREES

**HON. PETER J. VISCLOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. VISCLOSKY. Mr. Speaker, it is with sincere admiration that I recognize the Asian American Medical Association, which hosted its 37th Annual Gala on Saturday, November 9, 2013, at Avalon Manor in Merrillville, Indiana. Each year, the Asian American Medical Association pays tribute to prominent, outstanding citizens and organizations for their contributions to the community. In recognition of their efforts, these honorees are awarded the prestigious Crystal Globe Award at this annual banquet.

The Asian American Medical Association has always been a great asset to Northwest Indiana. Its members have selflessly dedicated themselves to providing quality medical services to the residents of Northwest Indiana and have always demonstrated exemplary service through their many cultural, scholastic, and charitable endeavors.

At this year's Annual Gala, the Asian American Medical Association presented the Crystal Globe Award to one of Northwest Indiana's finest citizens, Theresa Ann Mayerik. For her outstanding contributions to her community, she is to be commended.

In 1976, Theresa Mayerik graduated from the University of Saint Francis in Fort Wayne with a bachelor's degree in Spanish and Physical Education. She began her teaching career with the Centerville School Corporation in central Indiana. While working in Centerville, Theresa started the school's first women's basketball program. After two years, Theresa returned to her hometown of La Porte, where she spent seven years teaching in the La Porte Community School System. During this time, Theresa pursued a master's degree in Education from Indiana University in South Bend and also completed coursework for an administrative license in Education. In 1986, Mrs. Mayerik became the assistant principal of Morton High School in Hammond, and after three years in this position, she was named the school's principal, a title she would hold for the next eighteen years. During her time at Morton, Theresa was able to implement the Advanced Placement and the Project Lead the Way curricula, increase parental involvement, and develop the Freshman Academy. In 2007, she was named Director of Secondary Education for the School City of Hammond, and three years later, she became Chief Administrator for Academic Services and Secondary Education. Among her many accomplishments during her tenure, Theresa implemented the Project Lead the Way Pre-Engineering Curriculum in all of Hammond's middle and high

schools and assisted with the development of the Hammond Academy for the Performing Arts at Morton High School, as well as the Multimedia Broadcast Academy at the Hammond Area Career Center, and the Early College Program. In 2010, Theresa authored the Chinese Guest Teachers Grant, which assists with the salaries and recruitment of teachers for Mandarin Chinese programs in schools in the United States. This program has been a success and provides four teachers each year the opportunity to teach middle and high school students the Chinese language and culture.

Additionally, Theresa has selflessly given her time to various organizations and civic activities, including the Hammond Woodmar Kiwanis, the Hammond Education Foundation, and the Hammond YMCA.

Theresa's excellence in her field and commitment to charitable endeavors throughout the community is exceeded only by her devotion to her amazing family. Theresa and her husband, Daniel, have two adoring children and two beloved grandchildren.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending the members of the Asian American Medical Association, as well as this year's Crystal Globe Award recipient, Theresa Ann Mayerik, for their outstanding contributions to the community and beyond. Their unwavering commitment to improving the quality of life for the people of Northwest Indiana and throughout the United States is truly inspirational, and I am proud to serve as their representative in Washington, D.C.

RECOGNIZING AUBURN HONOR  
GUARD

**HON. TOM McCLINTOCK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. McCLINTOCK. Mr. Speaker, I rise today to honor the members of the Auburn Area Honor Guard, who bring military honors to the memorial services of deceased service men and women in northern California. These patriotic volunteers present themselves, rain or shine, at funeral services and provide the traditional military farewell ceremony. This includes presentation of the American flag to next of kin, firing of three volleys, and playing "Taps" to honor those who have served our country.

The Auburn Area Honor Guard has presented the colors at more than five-hundred veterans' funerals. As word spreads about the Honor Guard, its services are in demand in an ever-larger geographic area. Demonstrating their never-ending commitment, the Guard has increased its scope to meet the demand. Thankfully, grateful citizens have stepped up and contributed funds to help the Honor Guard meet travel and other expenses.

Due to the ceaseless efforts of the dedicated and patriotic men and women of the Auburn Area Honor Guard, the friends and families of hundreds of veterans have seen their loved ones off with a proper military funeral. With the support of a grateful nation, the Auburn Area Honor Guard leads the way in providing a ceremony that honors and memorializes the service that military men and women have rendered to their nation.

25 YEARS A PRIEST: FR. PAVONE'S  
LEADERSHIP TRANSFORMA-  
TIONAL IN DEFENDING VUL-  
NERABLE PEOPLE

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. SMITH of New Jersey. Mr. Speaker, some of the many friends of Fr. Frank Pavone are tonight in Staten Island, New York, celebrating a significant milestone in the life of this extraordinarily brave and compassionate priest—his 25th year since ordination and 20 years at the helm of Priests for Life.

Fr. Pavone was ordained in 1988 by Cardinal O'Connor. By 1993 he became National Director of Priests for Life. His faith, determination and leadership ever since has been transformational in the cause of defending vulnerable people from violence, hatred and indifference.

Fr. Pavone's passionate defense of the child in the womb is rivaled only by his compassion and outreach to post-abortive women—the other victims. His homilies are not only incisive and well composed but extremely sensitive to the pain and agony unleashed by abortion. He is the author of two books: *Ending Abortion, Not Just Fighting It* and *Pro-Life Reflections for Every Day*.

Fr. Pavone has persistently called on us all to recognize, ask and receive the unfathomable love, reconciliation and divine mercy readily available from God. Priests for Life ministries—Rachel's Vineyard and the Silent No More Awareness Campaign—provide a roadmap for recovery and healing for many. Even Norma McCorvey, the "Jane Roe" of the Supreme Court's infamous 1973 *Roe vs. Wade* abortion decision, called Fr. Frank "the catalyst that brought me into the Catholic Church."

Underscoring the importance and relevance of Fr. Pavone's Priests for Life, last October twelve bishops and three cardinals, including Cardinals Schonborn, Martino and Keeler wrote: "His Holiness Pope Benedict XVI has stated that the Church is called 'to advance the common good and to show respect for the persons who are most defenseless, starting with the unborn.'" The letter continued: "Throughout the world, one of the ways the Church is responding to that mission is through the work of Priests for Life, which encompasses an entire family of ministries involving both clergy and laity. This ministry, which includes education, parish activation, training in pro-life spirituality, promotion of faithful citizenship and healing of women and men after abortion deserves the support of the entire Church . . . Established in 1991, Priests for Life has enjoyed strong support at every level of the Church . . ."

Fr. Pavone radiates the love of Christ to the weak and disenfranchised yet shows no malice whatsoever to those who oppress and snuff out the lives of the littlest humans. Those in the abortion industry must be encouraged to rethink and reject the horror they do. They too are in need of God's amazing love, forgiveness and reconciliation.

Join me today, Mr. Speaker, in giving thanks for the extraordinary commitment, faith and works of this tenacious priest.

HONORING THE FFA'S 2013 AMER-  
ICAN STAR FARMER AWARD  
WINNER

**HON. ADAM KINZINGER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. KINZINGER of Illinois. Mr. Speaker, I rise today to recognize Tyler Loschen from Cullom, Illinois for being named the 2013 American Star Farmer at the Eighty-Sixth National Future Farmers of America (FFA) Convention in Louisville, Kentucky.

Tyler embodies the spirit of the American Farmer. After joining FFA as a freshman at Tri-Point High School, he bought 40 acres of farmland, a combine, tractor, planter, and other harvesting equipment. His story highlights the importance of the FFA program. This enterprising individual applied what he learned in the classroom to the field, started a business, and made financial decisions with his first-hand knowledge. I applaud his determination and I hope his experience will be an inspiration for others.

The American Star Farmer award is one of the highest honors that a FFA member can receive from the national organization. Mr. Speaker, I am pleased to honor Tyler Loschen for all of his hard work and I wish him continued success.

HONORING KEVIN COHN ON HIS  
RETIREMENT FROM THE U.S.  
NAVY

**HON. BRUCE L. BRALEY**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to congratulate Kevin Cohn on his retirement from the United States Navy. Kevin is one of the quiet, unsung heroes who makes life better for everyone he meets. I first met Kevin in the Office of the Attending Physician in the U.S. Capitol. Kevin helped me recover from a significant injury, but he became more than a health care provider, he became my friend.

Kevin has dedicated himself to improving the health and quality of life of countless patients, and brings passion and excellence to his work. Kevin and his colleagues often work long hours in stressful conditions and have to be prepared to deal with all types of medical emergencies on a moment's notice. Whether it's responding to the needs of a heat-stricken tourist, standing by on full-alert during the State of the Union address, or dealing with accidents and injuries that are commonplace when thousands of people crowd the Capitol grounds, Kevin always exudes confidence and grace under pressure.

Kevin also knows the value of public service. During his career in the Navy, he has cared for men and women in uniform of every rank and has taken care of members of Congress. He has seen the world and walked the halls of Congress. He has missed important events in the life of his family to serve his country. But Kevin doesn't just serve by treating. He serves by caring for the people he works with and making an effort to understand

what's going on in their lives, to make sure they heal.

Kevin is a stabilizing presence in an often-chaotic Capitol. Kevin, I don't just thank you for what you did for me, but I thank you on behalf of all Americans for your service to the Navy and our country. Good luck, and "Anchors Aweigh" as you embark on your next adventures.

IN HONOR OF TONY TOLLNER

### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. FARR. Mr. Speaker, I rise today to congratulate Mr. Tony Tollner on the thirtieth anniversary celebration of his restaurant Rio Grill, located in Carmel, California.

Rio Grill is one of Monterey Peninsula's most popular restaurants. It's known not only for its great eats but also for its sense of giving back to the community. When Rio Grill first opened in 1983, the restaurant was part of the Real Restaurants organization, an affiliation of world class restaurants like Fog City Diner in San Francisco, as well as Mustard's Grill and Tra Vigne, both in Napa Valley. Rio Grill staked its claim as one of the region's most popular restaurants catering to loyal local clientele, while also satisfying tourists visiting the Monterey Peninsula. As Rio Grill's reputation grew, the partners of the Real Estate Group decided to part ways and the restaurant continued to thrive under the ownership of Mr. Tony Tollner and Mr. Bill Cox.

Rio Grill continues to evolve and thrive under the guidance of managing partner Mr. Tony Tollner. Expansion to the main dining room occurred on two occasions and is used for special events and meeting space. The Santa Fe room features an open beam ceiling and a built-in "cantina style" bar. This year Rio Grill expanded again and unveiled its newest private dining room, the Barrel Room, which features wood and a specially designed wine case.

General Manager Joe Valencia and Executive Chef Cy Yontz continue the tradition of excellence at Rio Grill. The restaurant has won numerous awards for their outstanding attention to detail and creative South-Western menu. Rio Grill was also recognized in 2012 by Union Bank in the hospitality category in their "Salute to Small Business", and by the Monterey Peninsula Chamber of Commerce with a Business Excellence Award again in the hospitality category.

Above and beyond its outstanding menu, Rio Grill has been recognized many times for its philanthropy. Rio Grill has always been generous with their gift giving to local non-profits, including Monterey County Food Bank, Dorothy's Place, Animal Friends Rescue Project and many others. The signature fundraiser for the restaurant is Rio Grill's Resolution Run, held annually on New Year's Day, which has raised over \$500,000 over its twenty-four-year history. Proceeds from the Rio Grill's Resolution Run have gone to organizations such as Suicide Prevention Services of the Central Coast, Big Brother Big Sisters of Monterey County, and Partnership for Youth and Natividad Medical Foundation.

Mr. Speaker, I congratulate Mr. Tony Tollner and the rest of the Rio Grill staff for building

a high standard of excellence in food and community service. I know that I speak for the whole House in saluting all of them on this joyous occasion.

### PERSONAL EXPLANATION

#### HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mrs. MCCARTHY of New York. Mr. Speaker, I was unavoidably absent during the week of October 21, 2013. If I were present, I would have voted on the following.

Tuesday, October 22, 2013:

Rollcall No. 551: On Motion to Suspend the Rules and Pass H.R. 185, "yea."

Rollcall No. 552: On Motion to Suspend the Rules and Pass H.R. 3205, "yea."

Rollcall No. 553: On passage of the Journal, "aye."

Wednesday, October 23, 2013:

Rollcall No. 554: Motion on Ordering the Previous Question providing for consideration of H.R. 3080, "nay."

Rollcall No. 555: On Agreeing to the Resolution providing for consideration of H.R. 3080, "nay."

Rollcall No. 556: DeFazio of Oregon Amendment No. 2, "aye."

Rollcall No. 557: Flores of Texas Amendment No. 3, "no."

Rollcall No. 558: Hastings of Florida Amendment No. 6, "aye."

Rollcall No. 559: Richmond of Louisiana Amendment No. 16, "aye."

Rollcall No. 560: On Passage of H.R. 3080, "yea."

SHERIFF MIKE BROWN, SAFE SURFIN' FOUNDATION, AND MOOSE INTERNATIONAL

#### HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. GOODLATTE. Mr. Speaker, I am delighted to share news of the efforts that the Safe Surfin' Foundation in Bedford County, Virginia recently made in support of the wounded warriors participating in the H.E.R.O. (Human Exploitation Rescue Operatives) Child Rescue Corps. I want to express my thanks to the Safe Surfin' Foundation and Bedford County Sheriff Mike Brown for stepping forward to go above and beyond to serve in a special time of need.

Sheriff Brown enlisted the Safe Surfin' Foundation to work with Moose International to supply computers and monitors for the military veterans selected to participate in the H.E.R.O. Child Rescue Corps training at Oak Ridge National Laboratory in Oak Ridge, Tennessee. Thanks to such generosity, these special men and women who served with distinction in our military will be able to continue serving our country by protecting our most innocent citizens—our children—from criminals on the Internet. Their introduction to the highly specialized training required to do their work would not have been possible if not for Sheriff Brown's timely action and the collaborative

help of the Safe Surfin' Foundation and Moose International on the IT front.

The Safe Surfin' Foundation has dutifully earned an international reputation as a leader in prosecuting child predators. It is fitting that the organization stepped forward to offer assistance to the H.E.R.O. Child Rescue Corps as it joins the worldwide drive to fight child exploitation, child abuse, and human trafficking. The brave wounded warriors who will be trained will be the latest heroes in the prosecution and imprisonment of individuals who would dare commit heinous crimes against children.

I highly commend the selfless work of Sheriff Brown, who is my constituent and friend, and the Safe Surfin' Foundation for their support of the newest line of law enforcement officers fighting crime on the Internet.

### TYPHOON HAIYAN

#### HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Ms. MCCOLLUM. Mr. Speaker, I rise today to express my profound sympathy for the loss of life and destruction in the Philippines caused by Typhoon Haiyan.

Ten thousand people are feared to be dead. More than nine million people are estimated to have been affected, including 650,000 who have been displaced. In some of the hardest hit areas, the typhoon destroyed 70–80 percent of the structures in its path, severely hampering rescue and relief efforts for the millions in need.

Life-saving assistance is desperately needed. The U.S. government has already deployed U.S. Marines to assist in search and rescue and relief efforts. The U.S. Agency for International Development is providing 55 metric tons of emergency food and emergency shelters and hygiene materials for 10,000 families. This weekend, many of my Filipino constituents were networking with each other and relatives in the Philippines, to ensure families were able to get in touch with loved ones. Two containers of medicine have already been sent and the Philippine Center of Minnesota is organizing to send needed food, blankets, and emergency supplies. The Twin Cities community will continue to organize to respond to this crisis.

To people of the Philippines, we mourn your losses with you and will not abandon you in this time of need. And, when the immediate crisis has passed and the Philippines begins the long process of rebuilding, the U.S. government will continue to stand with our neighbors in the Pacific.

RECOGNIZING DR. MAURICE JACKSON'S EDITORIAL: REMEMBERING THE TURKISH BROTHERS WHO HELPED CHANGE RACE RELATIONS IN AMERICA

#### HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to recognize Dr. Maurice Jackson,

an associate professor of history and African-American Studies and affiliated professor of performing arts (jazz) at Georgetown University.

He published the following editorial entitled, "Remembering the Turkish brothers who helped change race relations in America," for *The Hill* newspaper on Friday, November 1, 2013.

As Turkey recently celebrated the 90th anniversary of the founding of the modern Turkish Republic by Mustafa Kemal Ataturk, it is important to not forget Ahmet and Nesuhi Ertegun, who arrived 80 years ago to our Nation's capital, during a time when Washington was deeply segregated. However, through their efforts of rock and jazz, they were able to help positively change race relations in America.

Mr. Speaker, as a member of the Congressional Turkey Caucus, I have always been a staunch supporter and advocate for Turkey. The Republic of Turkey, in my opinion, remains a key strategic ally to the United States. Therefore, I am very pleased to submit for the CONGRESSIONAL RECORD the editorial by Dr. Maurice Jackson.

[From *The Hill*, Nov. 1, 2013]

MAURICE JACKSON: REMEMBERING THE TURKISH BROTHERS WHO HELPED CHANGE RACE RELATIONS IN AMERICA

(By DC Commission on African American Affairs Chairman Maurice Jackson)

Nearly 80 years ago, two young Turkish brothers arrived in a deeply segregated Washington, D.C., and set on a course to help change race relations in America. Their path was not politics, but rock and roll and jazz. The lesson of Ahmet and Nesuhi Ertegun says as much about America as it does about those two remarkable men and their origins. This week, on the 90th anniversary of the founding of the modern Turkish state and through the prism of a "post-racial" America, it is worth recalling this remarkable journey.

Sons of Turkey's first ambassador to the United States, Ahmet and Nesuhi believed in the power of music to bring people together, which they did time and time again. Their love of music repeatedly led them to the city's black neighborhoods, where they took in the sounds of the country's greatest African-American musicians at the Howard Theatre and along "Black Broadway," which ran up and down 7th Street and U Street NW. Despite having attended private schools his entire life, Ahmet often joked that he got his real education at the Howard.

Ahmet in particular spent his youth bridging two very different worlds. At 16, Ahmet and his sister listened to the radio broadcast of Marian Anderson's performance at the Lincoln Memorial, which took place after the Daughters of the American Revolution refused to rent Constitution Hall to a black artist. After attending shows at the Howard, he and his brother would often invite artists back to the ambassador's residence, where a racially and culturally mixed group of musicians and music lovers gathered for jam sessions and meals.

Beginning in 1940, musicians such as Duke Ellington, Johnny Hodges, "Lead Belly," Teddy Wilson, Lester Young and members of the Benny Goodman, Ellington and Count Basie orchestras performed at the Turkish Embassy. Much to the ire of some Southern politicians at the time, the ambassador's residence became one of the few places that blacks and whites could gather freely and celebrate their shared love of music. Their father insisted that in the embassy, "his na-

tion's house," all, regardless of color, would enter through the front door and be treated with dignity and respect.

Recalling Washington in the 1940s, Ahmet once said, "We had a lot of friends in Washington, and we could never go to a restaurant together, never go to a movie, or to the theater with them. It was impossible to go out. I couldn't even take Duke Ellington, who is one of the geniuses of our country, to a restaurant. Or Count Basie. That's how it was and we could not accept it." In early 1942 Ahmet and Nesuhi organized the first integrated concert at the only venue that would host it: the Jewish Community Center. In a deeply divided Washington, these two young Muslim Turks brought together black and white Christians at a Jewish venue for an unprecedented concert.

Then, after "threatening to make a big scene" unless the National Press Club rented its space at 14th and F STs. NW, they held a second integrated concert after the National Press Club relented. In a Washington Post article published on May 16, 1943, titled "Two Turks, Hot for U.S. Swing," Bill Gottlieb wrote that "from the beginning, the young Erteguns treated the music of Morton, Armstrong, Oliver, Ellington and the rest with sincere enthusiasm and scholarly discrimination, an attitude that, strangely enough is more typical of Europeans than of Americans."

Ahmet went on to help form Atlantic Records. He traveled to New Orleans and Harlem to sign the greatest black musicians of the time, including Stick McGhee, The Harlemaires and The Drifters. At the time, black artists were significantly underpaid and exploited for their talents. Most never achieved mainstream success and instead watched as white artists topped the charts with covers of their music.

Today, as Turks and Turkish Americans celebrate the extraordinary rise of their nation over the 90 years since the founding of the modern Turkish state, Americans unknowingly celebrate two Turks who helmed the extraordinary rise of black music. We should take a moment to remember the legacy of Ahmet and Nesuhi Ertegun, two Turkish Americans who worked with blacks, whites, Muslims and Jews to break down racial, cultural and religious barriers and revolutionized the recording industry.

A short time before he died, Ahmet Ertegun said, "All popular music stems from black music, be it jazz or rock and roll." He added, "I'd be happy if people said that I did a little bit to raise the dignity and recognition of the greatness of African-American music." He understood the extraordinary beauty and dignity of African-American music and its contributions to the world.

IN RECOGNITION OF THE OUTSTANDING COMMUNITY SERVICE OF CARL N. FRANK

**HON. MATT CARTWRIGHT**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. CARTWRIGHT. Mr. Speaker, I rise today to recognize the community achievements of attorney Carl N. Frank. Carl joined the working world when he was only 11 years old as a newspaper carrier for *The Times-Leader Evening News*. He later worked as a stock clerk at Lewis & Duncan Sporting Goods and for the Luzerne County Summer Youth Program as a maintenance worker at his high school. After graduating from high school, Carl

worked as a Nurses' Aide at the Wyoming Valley Hospital on Dana Street in Wilkes-Barre. While in law school, Carl worked as a substitute teacher in the Philadelphia School District.

In the summers of 1975 and 1976, Carl clerked in the Wilkes-Barre law offices of Congressman Daniel J. Flood and attorneys James Lenahan Brown, his uncle Joseph B. Farrell, and Francis P. Burns. Carl was admitted to practice before the Luzerne County Court of Common Pleas, the Pennsylvania Supreme Court, and the United States District Court for the Middle District of Pennsylvania in 1977. He later practiced with his uncle and attorney Harry P. Mattern for many years.

Carl joined the American Bar Association, the Pennsylvania Bar Association, and the Wilkes-Barre Law & Library Association, where he served as Chairman of the Arbitration Committee. He also served as a member of the Association's Red Mass Committee and 150th Anniversary Committee.

On December 5, 1977, Carl was appointed City Attorney for the City of Wilkes-Barre. He was reappointed by Mayor Thomas V. McLaughlin in January 1980, and again in January 1984. During that time, Carl was the Chairman of the Pennsylvania League of Cities, City Attorneys Division, Chairman of the City Employees United Way Campaign, and served on the city's Vacant Property Review Committee.

Carl currently serves as the Solicitor of Wilkes-Barre City Aggregated Pension Trust Fund, on the Non-uniformed Employees Pension Fund, and on the Fire Civil Service Commission. He is the pro bono lawyer member of the Wilkes-Barre Building Board of Appeals. Carl maintains a general practice of law and has engaged in various practice areas including estate planning, estate administration, inheritance tax, real estate, personal injury, social security disability, workers' compensation, domestic relations, juvenile proceedings, criminal cases and a host of other legal matters.

During the administration of Governor Ed Rendell, and briefly during the administration of Governor Tom Corbett, Carl served the Commonwealth of Pennsylvania Department of Revenue, Office of Chief Counsel in the Inheritance Tax Division. He has served for many years as legal counsel for the Diocese of Scranton representing numerous Catholic Churches throughout Luzerne County, and currently serves as pro bono legal counsel for Catholic Social Services of the Wyoming Valley, the Saint Vincent de Paul Kitchen, Saint Nicholas Church, and the Mary R. Koons Charitable Trust.

Carl served two terms as Chairman of the Board of Director of Catholic Social Services, where he has been a Board Member for more than 28 years, and two terms as President of the Saint Vincent de Paul Kitchen Board of Directors, where he has been a Board Member for more than 26 years. He also served as a member of the Diocese of Scranton Review Board from 1993 through 2008; President of Saint Nicholas Federal Credit Union Board of Directors, where he served as a Director for more than 30 years; and Chairman of the East Side Landfill Authority Board of Directors for more than 20 years.

Mr. Frank also served King's College in many capacities, including as a member of the President's Council, Chairman of the 1994 Annual Fund Campaign, Chairman of the Act 101

Program for Economically Disadvantaged Students, a member of the Advisory Board of the Center for Ethics and Public Life, and as a member of the Century Club Committee.

Carl has been very active at Saint Nicholas Church, where he served as Chairman of the 150th Anniversary Committee in 2005, a member of the Pastoral Council, a member of the Buildings and Grounds Committee, and Chairman of the Parish Core Team during the reorganization of the Scranton Diocese. He also served as a member of the Saint Nicholas-Saint Mary's Elementary School Board of Education and President of the school's Sports Club. He served as the Coordinator of the Planning Committee for the inclusion of the Catholic Latino Community of the Wilkes-Barre into Saint Nicholas Church.

Carl is a member of Saint Nicholas Church, Saint Conrad's Society, the Westmoreland Club, and the Pennsylvania Society.

Carl is married to the former Jane Mary Rowan. They have two children, Carl Jr., a graduate of King's College and Saint Joseph's University in Philadelphia, and Mary, a junior at the University of Pittsburgh. Today, I am proud to recognize Carl Frank's lifetime of achievement and service to his beloved community. He has been and continues to be an outstanding public citizen.

IN RECOGNITION OF EL DIARIO LA  
PRENSA'S 100TH ANNIVERSARY

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. RANGEL. Mr. Speaker, on this day I rise to recognize the 100th Anniversary of the Nation's oldest Spanish-language newspaper, El Diario La Prensa. This important periodical is the result of a historic merger between competing press companies, El Diario de Nueva York and La Prensa in 1963. La Prensa was founded in Brooklyn on October 12, 1913, and has since grown to serve approximately 300,000 daily readers across the country, many of them in my beloved District that includes the Washington Heights, El Barrio and The Bronx. The Spanish press is important, especially today when our U.S. Latino population has grown to nearly 53 million individuals. I congratulate El Diario for its dedication to providing indispensable information to the Latino community, as well as coverage on important issues that affect my dear constituents, such as immigration and health reform.

During its 100 years, El Diario La Prensa has served the several waves of Spanish-speaking immigrants who boldly ventured to the United States in search of a better life. New York City has traditionally served as the "Gateway to Freedom" for many Dominicans, Puerto Ricans, Mexicans and South Americans and this extraordinary company has provided an outlet for these distinct communities. Although this new era of digital communication and the recent economic crisis have brought unprecedented challenges for our local newspapers, el El Diario La Prensa will continue to play a dominant role in news media. Its popularity and reputation for providing quality news coverage has allowed the publication to with-

stand these blows and strengthen its circulation during the past few years.

El Diario La Prensa also serves to help assimilate Latinos into the greater realm of American culture. Important American milestones and tragedies were covered and printed in Spanish by El Diario, such as the tragic assassination of President John F. Kennedy, the moon landing, and the fall of the Berlin Wall. Moreover, it has documented Hispanic American breakthroughs, including the election of Herman Badillo as the first Puerto Rican to serve in the U.S. House of Representatives and the appointment of Sonia Sotomayor as the first Latina Supreme Court justice. El Diario has also displayed great initiative in preserving Hispanic heritage by installing photo exhibitions at Hostos College and the King Juan Carlos Center at New York University, as well as creating guides for New York City educators who wish to teach their students about Hispanic American culture.

Today, El Diario continues its vigilant watch by focusing on stories related to immigration politics and other issues that greatly influence the lives of Latino and non-Latino citizens. Despite having a limited number of staff and resources, El Diario La Prensa manages to distribute more than 42,000 copies daily in New York City; this allows many undocumented immigrants who rely on El Diario to stay abreast of developments that affect their struggle towards citizenship.

As we celebrate El Diario's 100th year Anniversary, we are emboldened by its mission to serve as a voice for America's underrepresented Latino community. We can further advance this goal by passing legislation on comprehensive immigration reform in the House of Representatives. The Spanish press serves a particularly important role in dispelling the rumors and misunderstandings often attached to progressive immigration reform legislation. That it is why I invite all members of our wonderful Congress to form strong partnerships with Spanish-language media in their respective communities.

Mr. Speaker, today I rise, and hope that my colleagues will join me in celebrating El Diario La Prensa's century of outstanding service to our nation's Latino Community. In the meantime, I will continue to fight for all my constituents who strive to build a better life and fulfill of the American Dream. America's immigrants, for generations, have bolstered our economy, enriched our culture, and patriotically defended the United States. We are, by large, a nation of immigrants, and now is the time to pass comprehensive immigration reform legislation that helps grow our economy, prevents families from being separated, and creates a pathway to citizenship.

TRIBUTE TO WORLD WAR II VETS

**HON. PATRICK MURPHY**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. MURPHY of Florida. Mr. Speaker, I rise today to honor 15 World War II veterans currently residing in Mariner Sands, a community in the city of Stuart, FL. These men, representing the Army, Navy, Air Force, and Ma-

rines, are a part of the Greatest Generation, and I am grateful to have the privilege of recognizing their service as our nation approaches Veterans Day.

These 15 veterans, honored for their service including one awarded with the Silver Star, were engaged in active duty missions in Africa and the European and Pacific theaters where they were present for some of history's most poignant and influential battles. One Marine recounts a vivid tale set in a foxhole at the battle of Iwo Jima. He notices his fellow Marines on higher ground unpredictably congregating in the distance. He directs the attention of Marines nearby to the mountaintop scene, and as he watches Marines raise an American flag on top of Mt. Suribachi, he does not yet realize that he is witnessing first-hand one of the most quintessential images of the Second World War.

I am privileged to recognize these 15 World War II veterans and give special recognition to Brigadier General Joe McCormick who turned 100 years-old this year. To all who have donned the uniform of a member of the United States Armed Forces, thank you for your service.

TRIBUTE TO MAUDINE COOPER

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Ms. NORTON. Mr. Speaker. I rise today to ask my colleagues to join me in recognizing Maudine Cooper for a lifetime as a dedicated public servant both in government and on the outside, and particularly for 23 years of outstanding service as President and CEO of the Greater Washington Urban League.

After earning her undergraduate and law degrees at Howard University, Ms. Cooper has spent most of her professional life as a consummate administrator and creator of social programs. Her work as Assistant Director for Federal Programs for the National Urban League soon led her to be named Vice President for Washington Operations and Legislative Affairs. Her sterling professional reputation led then-D.C. Mayor Marion Barry to tap Ms. Cooper to become the Director of the Office of Human Rights in the District of Columbia and ultimately the Mayor's chief of staff

In 1990, Maudine Cooper became President and CEO of the Greater Washington Urban League and began to transform the organization. She leaves the Greater Washington Urban League having more than doubled its programs, including creating an organization for young professionals, the Thursday Network. She leaves the League here as a major provider of education, employment, job training, health, nutrition, and utility assistance services for more than 50,000 residents in the national capital region.

Mr. Speaker, I ask my colleagues to join me in honoring Maudine Cooper for a life of committed service to the residents of this region and in congratulating her on her retirement from the Greater Washington Urban League.

HONORING THE 90TH BIRTHDAY OF  
FRAULEIN LAMAR**HON. ROBERT A. BRADY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor the upcoming 90th birthday of Fraulein Lamar. Born on December 30th, 1923, Ms. Lamar has lived a life of service and dedication to Pennsylvania's First Congressional District.

Unlike many women of her generation, Ms. Lamar carved out a career for herself at two of our city's landmark institutions. Working for U.S. Customs and Border Protection for twelve years, Ms. Lamar safeguarded our borders and made citizenship to the United States a reality for countless individuals around the globe. She went on to work for the Philadelphia Quartermaster Depot for thirteen years. What's more, Ms. Lamar balanced her busy career with a robust family life and is devoted mother and grandmother.

I ask you and my other distinguished colleagues to join me in congratulating Ms. Lamar on this most important of birthdays. May we all learn from her legacy of hard work, commitment, and passion.

PROMOTING AWARENESS OF  
PANCREATIC CANCER**HON. YVETTE D. CLARKE**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Ms. CLARKE. Mr. Speaker, today, I rise to promote awareness of the growing concern for one of the deadliest cancers in America—Pancreatic cancer.

Some of you may not know, but the threat of Pancreatic cancer is growing in the United States. Pancreatic cancer is not only one of the deadliest cancers, but it's the 4th leading cause of cancer death for both men and women in the United States.

It is estimated that in 2013, 45,220 Americans will be diagnosed with Pancreatic cancer and 38,460 will die from this disease; while overall cancer incidence and death rates are declining, the incidence of Pancreatic cancer and death rate due to this cancer have been increasing. According to a recent report issued by the Pancreatic Cancer Action Network, Pancreatic cancer is expected to become the second leading cause of cancer death in the United States by 2020.

In my home state of New York, the projection of Pancreatic cancer deaths in 2013 is 2,500. Specifically, in Kings County, which is where my congressional district is located, there have been on average 256 deaths per year between 2006 and 2010. This information is particularly troubling to me and underscores the fact that we need to put forth more effort to support cancer research.

The Recalcitrant Cancer Research Act was signed into law on January 2, 2013. This law calls on the National Cancer Institute, also known as NCI, to develop scientific frameworks for Pancreatic and Lung cancer, which will help provide the strategic direction needed to make true progress in these deadly cancers.

Although we enacted this piece of legislation, our work is far from over. Pancreatic cancer statistics call for aggressive measures NOW to develop early detection and treatment tools before incidences of the disease dramatically increase—but NCI funding is falling dangerously behind. In fact, over the last decade the National Institutes of Health has lost approximately 20% of its purchasing power because funding has not kept pace with the rate of biomedical inflation. Added to that, the NCI budget was cut by 5.8%, largely as a result of sequestration.

As members of Congress, we can give current and future Pancreatic cancer patients a fighting chance by ensuring that the provisions of the Recalcitrant Cancer Research Act are fully implemented and provide sustained, adequate funding for the National Institutes of Health and the National Cancer Institute.

We cannot have success in fighting diseases like Pancreatic cancer if research funding levels do not improve. So, I stand here today to urge my colleagues to support cancer research and ensure that the provisions of the Recalcitrant Cancer Research Act are fully implemented.

HONORING THE 2013 MAINEBIZ  
NEXT LIST HONOREES**HON. MICHAEL H. MICHAUD**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the ten honorees of the 2013 MaineBiz Next List.

MaineBiz has long been a leading source of business news and analysis for Maine's businesses community. Through its comprehensive website, print publications, events, videos and emails, MaineBiz helps Maine's business leaders innovate, grow and succeed.

Each year, MaineBiz recognizes outstanding business leaders who will have the greatest influence on Maine's business community in the coming years. MaineBiz recognizes these honorees as "Nexters", exceptional entrepreneurs and innovators who are advancing Maine's economy for the better. Many captains of industry throughout the state are nominated to be on MaineBiz's Next List, but only the best of the best are selected after an extensive vetting process.

This year's Next List field truly exemplifies the diverse and dynamic business community in Maine: Gayle Brazeau, College of Pharmacy Dean and Professor at the University of New England; Douglas Fletcher, CEO of Maine Wood Concepts; Sylvia Getman, President and CEO of the Aroostook Medical Center; Tom Hall, President of Hall Internet Marketing; Terry Ingram, CEO of Allagash International; Masey Kaplan, Owner of Close Buy Catalog; Chris Kilgour, CEO of C&L Aerospace; Joshua Shea, Publisher of the Lewiston Auburn Magazine and Founder of the Lewiston Auburn Film Festival; Kevin Strange, Director of the Mount Desert Island Biological Laboratory; and Voot Yin, Assistant Professor of Regenerative Biology at the Mount Desert Island Biological Laboratory.

Today, November 12, 2013, MaineBiz will celebrate the achievements of the ten Next List honorees at an awards reception at the

Harraseeket Inn in Freeport, Maine. Additionally, these honorees were featured in the October 14th issue of MaineBiz.

Mr. Speaker, please join me in honoring and congratulating the 2013 MaineBiz Next List honorees. These men and women represent the best that Maine and this country have to offer.

CELEBRATING THE 10TH ANNIVERSARY OF THE COLLEYVILLE  
PUBLIC LIBRARY**HON. KENNY MARCHANT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. MARCHANT. Mr. Speaker, I am proud to recognize the 10 year anniversary of the Colleyville Public Library in Colleyville, Texas. Over 30 years ago, a core group of dedicated Colleyville residents acted on their vision of bringing a library to their city. A task force was formed, fundraisers were held, surveys were conducted, and approvals were given. As Colleyville grew and changed from a small rural community to a thriving suburb, with small town appeal, the dream became a reality and the Colleyville Public Library opened on November 24, 2003.

The two-story Colleyville Public Library was built with plans to only utilize the 10,000 square feet on the first floor with the second floor for future expansion. Because of the library's growth and popularity with its children's programming, the need for more space became evident and a spatial reorganization plan developed in 2007. Construction on the 2nd floor began in January 2011. Over 1,000 people in June 2011 attended the Grand Re-Opening of the 2nd floor, the new Youth Services Department.

The library distinguishes itself with its emphasis on quality children's programming and full-scale family friendly events. Over 123,000 children have benefited from the library's educational programs. Additionally, the library works to address the information and self-development needs of its residents by staying ahead of technology trends. Common library activities, such as checking in and out books and searching the catalog, are streamlined through fully digital processes. Also, patrons, of all ages, take advantage of the growing collection of e-book and audio book downloadables.

Area residents have embraced the library by utilizing its services and encouraging growth in new areas. Over 21,000 patrons have checked out over 2 million items and counting. With the support of volunteers, community organizations, and City Council, the Colleyville Public Library continues to thrive and meet the needs of its citizens.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in celebrating the 10th anniversary of Colleyville Public Library, and to recognize its many contributions to Colleyville community.

HONORING JACK ANNAN

**HON. CORY GARDNER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. GARDNER. Mr. Speaker, I rise today to honor Jack Annan, Executive Director of Northeastern Junior College Alumni Association, in Sterling, Colorado. Jack was recently named "Alumni of the Plains", an award given by a non-partisan advocacy group in Northeast Colorado called Progressive 15 to individuals who have excelled in their profession and given back to Northeastern Colorado.

A lifelong Coloradoan, Jack graduated from College High School in Greeley and received his Bachelor of Science and Master of Education from Colorado State University. Jack has invested his life in education and youth development. He began his educational career teaching agriculture in New Raymer and Grover.

In 1966, Jack joined the agriculture department at NJC as a teacher. He later became a vocational counselor and then an admissions recruiter. As an admissions recruiter, he traveled thousands of miles to recruit thousands of students on behalf of NJC. In addition to currently overseeing the Alumni Association, Jack also oversees the college's Alumni Heritage Center collecting and preserving NJC's history. A popular figure, Jack is known as "Mr. NJC" on campus. In 2004, a life-size bronze statue was erected in his honor. Earlier this year, he enjoyed more than two thousand people singing him Happy Birthday at the college's 70th annual commencement ceremony.

In addition to his work at NJC, Jack is the Executive Secretary of the Colorado Young Farmers and directs their state-wide activities. They have recognized him for his many years of dedication and involvement. He is also an active member of the Sterling Lions Club.

Throughout his lifetime, Jack has received numerous awards, including being named to the Colorado Agriculture Hall of Fame, the Colorado Association for Career and Technical Education Hall of Fame, and the NJC Agriculture Hall of Fame. Despite regular accolades, Jack remains a modest figure. He lives with his wife, Florence, in Sterling.

Please join me in congratulating Jack on his award, his successful career, and his many contributions to the State of Colorado, particularly in relation to agriculture.

RECOGNIZING THE SUMMIT  
PROJECT'S LIVING MEMORIAL  
TO FALLEN VETERANS

**HON. CHELLIE PINGREE**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Ms. PINGREE of Maine. Mr. Speaker, I would like to recognize an organization in my state for its outstanding work to honor Maine veterans who died in the line of duty since September 11, 2001.

The Summit Project engages teams of hikers in carrying stones—some weighing up to 10 pounds—to the summits of Maine mountains. Each engraved with a fallen veteran's initials, the stones are picked by family mem-

bers from a special spot in the veteran's life. The stones come from a range of places, including childhood homes, family camps, and favorite fishing spots. And each has a story to tell about the heroes we lost.

Marine Major David J. Cote of Maine was inspired to start the Summit Project when he climbed Mt. Whitney with a group of Navy Seals. Each carried stones on the 11-mile hike up the 14,500-foot mountain to honor their fallen brothers. Maj. Cote decided to bring the practice to Maine, which has some of the highest numbers of veterans per capita in the nation.

I applaud the Summit Project for engaging people in such a fitting tribute to veterans who gave their lives in service to the country. By toiling up steep mountain trails and carrying the heavy weight of these stones, we can be reminded of the sacrifices these men and women made and the struggles they went through. At the same time, we can symbolically reconnect the fallen to the state they loved and pay respect to their families.

Mr. Speaker, physical monuments in our town squares serve an important role in ensuring that our country's fallen heroes are not forgotten. What makes this project so special, though, is that the monuments are built inside of those who participate. More than carrying stones, these hikers carry the memories of our veterans in their hearts. It's hard to think of a better way to keep the spirit of these veterans alive.

HONORING DR. WALTER LOMAX

**HON. ROBERT A. BRADY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor the memory of Dr. Walter Lomax. The phrase, "he lived a full life," is often over used these days. But, it is certainly appropriate to say just that about Dr. Lomax.

He was a medical doctor, an astute businessman and a philanthropist. In short, he saved lives in many ways. Dr. Lomax' sterling medical career alone would have been enough of a legacy for most people. But he also blazed new trails in medicine, extending his healing to the most disadvantaged—the poor and the imprisoned. In business he was a titan, creating a diversified network of enterprises that are forward looking and soundly managed. He was a creator of jobs and a boon to the local economy. And, he is remembered as one of our most generous philanthropists. He helped individuals, with power and without power, and causes too numerous to list, although that list certainly includes the Kimmel Center, Philadelphia's premier fine arts performance hall.

His generosity also broadened our understanding of our national history, as was the case in his support for the study of the slaughter of African Americans in the Tulsa Race Riot.

All told, his support of community, cultural and educational causes made this nation and the world a better place.

HONORING THE SUMMIT PROJECT

**HON. MICHAEL H. MICHAUD**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. MICHAUD. Mr. Speaker, I rise today to honor the efforts of The Summit Project and its leader and founder, United States Marine Corps Major David J. Cote, to memorialize Maine's fallen service members since September 11, 2001.

Major Cote launched The Summit Project on Memorial Day of 2013. This outstanding initiative will recognize and pay proper tribute to the sacrifices made by our fallen service members and their families.

Beginning on Memorial Day 2014, volunteers will carry memorial stones to the summit of Mt. Katandin to honor each fallen Maine hero who was given the ultimate sacrifice in service to our country during recent conflicts. Each engraved stone will bear the initials, birth year, death year, rank, and service branch of the Maine heroes who valiantly gave their lives while defending our country. The act of carrying memorial stones during tribute hikes across mountains in Maine will become a symbol of solidarity that recognizes the sacrifice of our brave Maine service members and their families.

I grew up and still live in the heart of Maine's Katandin Region, a part of our state built on a strong work ethic and devotion to service above self. Since I was a child, I have been acutely aware of the significant number of Mainers from across the region and the state who choose a life of military service to protect and defend the United States at home and abroad. I can't think of a better place than Mt. Katandin to pay tribute to our fallen heroes and the Maine values that defined their character.

As a living memorial, the Summit Project was created to honor the fallen while challenging the living. The Summit Project ensures that the spirit and sacrifice of our fallen Maine heroes will not be forgotten, and it creates an environment in which their surviving family and friends may continue the healing process. The project exemplifies the values of the people of Maine: service, loyalty, patriotism, and selflessness.

It is an honor and a privilege to represent Maine, the creators of the Summit Project, and the Katandin Region in Congress. Soon, Maine's highest peak will host a fitting dedication to the memory of Maine's bravest.

Mr. Speaker, please join me in honoring the members of The Summit Project and Major David J. Cote as they honor the service members from Maine who lost their lives protecting our freedom.

IN RECOGNITION OF BREAST  
CANCER AWARENESS MONTH

**HON. YVETTE D. CLARKE**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Ms. CLARKE. Mr. Speaker, today, I rise in recognition of Breast Cancer Awareness Month. Breast Cancer is the most common cancer among women in the U.S. and also the

most common cancer found among every ethnic and racial group in America. Thanks to continuous research efforts to improve breast cancer treatment, the mortality rate for this cancer is gradually declining.

According to the Susan G. Komen Breast Cancer Organization, in 2013, it is estimated that among U.S. women there will be 232,340 new cases of invasive breast cancer and 39,620 breast cancer deaths. It is also estimated that 27,060 new cases of breast cancer and 6,080 deaths are expected to occur among African American women.

Breast cancer is the most common cancer among African American women and the second leading cause of cancer death among African American women exceeded only by lung cancer. Studies have found that African American women often have aggressive tumors with a poorer prognosis which leads to a higher mortality rate.

Breast cancer incidence in African American women is lower than in White women overall. However, for women younger than 45, incidence is higher among African American women than White women. Breast cancer mortality is 41 percent higher in African American women than in White women. Although breast cancer survival in African American women has increased in recent decades, survival rates remain lower than among White women.

Over the past 20 years, progress in both early detection and treatment has led to improved survival for people of all ages and races, and with all stages of breast cancer. Between 1990 and 2009, breast cancer mortality declined by 33 percent among women in the United States.

According to the National Cancer Institute, between 2003 and 2009, 89.2 percent of women diagnosed with breast cancer survived 5 years or more after being diagnosed with breast cancer. Death rates have been falling on average 1.9 percent each year over the last 10 years and this is due to the advances in treatment.

Though we have been successful in improving our treatment of Breast Cancer, we still must provide adequate research funding to find a cure for the disease. I therefore stand in honor of all breast cancer patients and survivors to urge my colleagues to support cancer research and ensure that the current and future breast cancer patients have an increased fighting chance for survival.

#### TRIBUTE TO KOJO NNAMDI

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA  
IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Ms. NORTON. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing Kojo Nnamdi for his outstanding contributions to journalism in the District of Columbia and the national capital region, and in congratulating him on the occasion of his 15th anniversary at WAMU 88.5, the leading public radio station serving D.C., Maryland and Virginia.

For more than four decades, Kojo Nnamdi has been a source for issues of importance and of interest that has made him a fixture on the airwaves in the Washington region, on radio and television. Born in Guyana, South

America, Kojo has been one of us in the District since 1969, when he came here to develop an independent Black curriculum for the Center for Black Education. Kojo soon began putting on radio plays, and then doing radio news at WHUR radio, where he was news editor, news reporter, and became news director. In 1985, Kojo moved to public television at Howard University Television, where he became a master of hosting a great variety of guests on many subjects on Evening Exchange for more than 20 years. In 1998, Kojo joined WAMU 88.5 as a host of a show called Public Interest. The show soon took on his distinctive name, along with his distinctive voice.

Since joining WAMU 88.5, Kojo has brought the Kojo Nnamdi Show into communities across our region, documenting transformations and educating residents about the issues that span the interests and concerns of the region. His show casts a broad net, covering politics, culture, the arts, and education. His interviews and live debates among candidates, and always probing and informed questions, have helped hold elected leaders accountable. While covering national and international concerns alike, Kojo never forgets where he lives and the struggle of the residents of the District of Columbia for full voting rights, budget autonomy, and statehood.

Mr. Speaker, I ask my colleagues to join me in honoring Kojo Nnamdi and the entire team at the Kojo Nnamdi Show for their 15 years of outstanding service to the field of journalism and to the residents of the District of Columbia and the national capital region.

#### IN RECOGNITION OF THE SOUTH WARD FIRE COMPANY ON THE OCCASION OF ITS 100TH ANNIVERSARY OF OPERATIONS

### HON. MATT CARTWRIGHT

OF PENNSYLVANIA  
IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the South Ward Fire Company of Tamaqua, Pennsylvania. This year marks their 100th anniversary as a firefighting unit.

Organized on October 22, 1913, the South Ward Fire Company has dedicated itself to preserving the safety, property and well-being of Tamaqua residents and surrounding communities for a century. Since the early 20th Century, the operation has grown from using a hand-drawn horse cart out of rented space at the Vulcan Ironworks on Spruce Street to erecting three new stations. The South Ward Fire Company today regularly maintains and updates its equipment and methods of operation, serving as a model fire and emergency response organization. The Company is composed of a competent and disciplined team of volunteer firefighters who are committed, well-trained and dedicated responders to fires and other emergencies.

I offer my congratulations to the South Ward Fire Company on achieving this remarkable milestone, and I applaud them for providing effective fire and emergency services to their fellow citizens for the past 100 years.

#### RECOGNIZING DR. MICHAEL F. MURPHY

### HON. FRANK R. WOLF

OF VIRGINIA  
IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. WOLF. Mr. Speaker, I rise today to recognize Dr. Michael F. Murphy, who will be retiring as superintendent of Clarke County Public Schools on June 30th, 2014. Dr. Murphy has served in this role since 2008.

I submit the following article from the Winchester Star, which is the text of Dr. Murphy's retirement announcement, delivered at a Clarke County School Board meeting on Monday, October 28th. [As reported by the Winchester Star on October 29, 2013]

#### OPEN FORUM: 'INCREDIBLE JOURNEY'

I will always remember the evening of June 12, 2008 . . .

Marie and I, along with School Board Chairman Robina Rich Bouffault and Interim Superintendent John Taylor, had just finished dinner and dessert at V2 in Winchester. Robina reached into her purse, presented me with an envelope, and asked that I consider becoming the next superintendent of the Clarke County Public Schools. She was more than ecstatic, and I was honored, humbled, and, to be honest, just a little bit surprised.

Looking back, it has been an incredible journey. For last five-plus years, I have been blessed to have worked with some of the most outstanding individuals in the field of public education. They are passionate, caring, and want the best for each and every student. They are administrators, teachers, technologists, instructional assistants, bus drivers, custodians, secretaries and office managers.

There are countless others who, while unnamed this evening, provide the leadership and support to help Clarke County Public Schools be one of the best-kept secrets in the Commonwealth. Together, with the help of great parents and guardians, they have nurtured and supported the children of this community, built technology networks and schools, and ensured that each and every student has had the best possible education they could provide. Their list of accomplishments is beyond reproach; I commend each and every one of them for their service.

Their voices may be quiet, but their hearts are big and full of hope, energy, and enthusiasm. They are my champions. They are the 99 percent. And they are the true leaders of Clarke County.

I would also like to take a moment to thank Janet Creager Alger and Barbara P. Lee for their steadfast support and encouragement. Janet is the only sitting School Board member from the board that hired me, and Barbara joined soon after. Thank you both for your unwavering leadership, service, and support.

As we go forward into November and start the Fiscal Year 2015 budget process, I would like to again share with our community that we are one of only 36 school divisions in the Commonwealth fully accredited; that we are proud of our 97.3 percent on time graduation rate, and that 75 percent of our high-school graduates received an advanced diploma. We offer International Baccalaureate and academic, athletic, music and arts programs that are second to none. We support a host of expanded opportunities for students of all ages, and our applied behavior analysis program serves as a model for the Commonwealth. Yes, we certainly have a lot to be proud of, and this is just the short list . . .

I would also like to share with our community that despite Clarke County's substantial ability to pay for public education, we are woefully underfunded and have been for years. The fiscal and philosophical challenges we face today are the same ones that Eleanor Smalley, Dennis Kellison, and Wade Johnson also faced. I have talked to each of them, and each has shared that, in one way or another, not much has changed in the last 45 years. It is time to view the education of our children as an investment, not as a burden.

I believe that a community conversation about what is really important to the citizens of Clarke is long overdue. How we pay for and provide services to the young, the disabled, the elderly and everyone in between is essential for the future. And whether we like it or not, it should be a conversation about family wage jobs, affordable housing, economic development, and the creation of a sustainable future, both on and off the farm. It is time to educate, engage, and evolve like never before. This conversation is long overdue, and won't happen unless we talk about it.

I would also like to remind the residents of Berryville that the Nov. 5 School Board election is not about Mike Murphy. It is about electing a leader who will model the values of honesty, integrity, and respect and who will put the needs of children, all children, before the needs of the plutocracy.

As you can imagine, after serving for five-plus years in "the hot seat," the stories are many, and most of them are not only unbelievable, but true. Serving in a community where some consider the education of our children a burden has indeed been a challenge.

But despite the challenges, the anonymous bloggers, and those who hide behind their keyboards twisting the truth with every stroke, we have been more than successful. In fact, I would say we have been victorious. Our legacy is all around us, and they are 2,000 strong. They are the children of this community, and they deserve the best we have to offer.

In closing, let me remind our staff, and share with our children and community, the three most important tools in your tool box: your head, your heart, and your voice. Use your heads to make decisions that embrace the future of an exuberant Clarke County full of love, laughter, and life; use your hearts to remember what our legacy is really all about, and that is the children we love and nurture and send on to a better tomorrow; and use your voices, loud and vibrant, to stand up for what you believe. Above all else, believe in compassion, social justice, and the hope for a better tomorrow for our children. Not somewhere else, but here, in beautiful Clarke County.

Having rambled long enough, I would like to announce that after 36 years of doing what I love, I'm ready for a change. It is time to spend more time with my son, get to know my three stepdaughters a little bit better, plant that long-awaited garden, start a few more bee hives, build the boat I have always dreamed of, and finish reading the stack of books on my night stand. The future belongs to those who create it, and I have plans you can't even begin to imagine.

Retirement beckons, and Marie and I are ready to begin the next chapter in this wonderful life we share. We will do it together, as husband and wife, best friends, and partners.

As such, June 30, 2014, will be my last day as Superintendent of Clarke County Public Schools.

IN RECOGNITION OF EL DIARIO LA  
PRENSA'S 100TH ANNIVERSARY

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. RANGEL. Mr. Speaker, on this day I rise to recognize the 100th Anniversary of the Nation's oldest Spanish-language newspaper, El Diario La Prensa. This important periodical is the result of a historic merger between competing press companies, El Diario de Nueva York and La Prensa in 1963. La Prensa was founded in Brooklyn on October 12, 1913, and has since grown to serve approximately 300,000 daily readers across the country, many of them in my beloved District that includes the Washington Heights, El Barrio and The Bronx. The Spanish press is important, especially today when our U.S. Latino population has grown to nearly 53 million individuals. I congratulate El Diario for its dedication to providing indispensable information to the Latino community, as well as coverage on important issues that affect my dear constituents, such as immigration and health reform.

During its 100 years, El Diario La Prensa has served the several waves of Spanish-speaking immigrants who boldly ventured to the United States in search of a better life. New York City has traditionally served as the "Gateway to Freedom" for many Dominicans, Puerto Ricans, Mexicans and South Americans and this extraordinary company has provided an outlet for these distinct communities. Although this new era of digital communication and the recent economic crisis have brought unprecedented challenges for our local newspapers, el El Diario La Prensa will continue to play a dominant role in news media. Its popularity and reputation for providing quality news coverage has allowed the publication to withstand these blows and strengthen its circulation during the past few years.

El Diario La Prensa also serves to help assimilate Latinos into the greater realm of American culture. Important American milestones and tragedies were covered and printed in Spanish by El Diario, such as the tragic assassination of President John F. Kennedy, the moon landing, and the fall of the Berlin Wall. Moreover, it has documented Hispanic American breakthroughs, including the election of Herman Badillo as the first Puerto Rican to serve in the U.S. House of Representatives and the appointment of Sonia Sotomayor as the first Latina Supreme Court justice. El Diario has also displayed great initiative in preserving Hispanic heritage by installing photo exhibitions at Hostos College and the King Juan Carlos Center at New York University, as well as creating guides for New York City educators who wish to teach their students about Hispanic American culture.

Today, El Diario continues its vigilant watch by focusing on stories related to immigration politics and other issues that greatly influence the lives of Latino and non-Latino citizens. Despite having a limited number of staff and resources, El Diario La Prensa manages to distribute more than 42,000 copies daily in New York City; this allows many undocumented immigrants who rely on El Diario to stay abreast of developments that affect their struggle towards citizenship.

As we celebrate El Dario 's 100th year Anniversary, we are emboldened by its mission to

serve as a voice for America's underrepresented Latino community. We can further advance this goal by passing legislation on comprehensive immigration reform in the House of Representatives. The Spanish press serves a particularly important role in dispelling the rumors and misunderstandings often attached to progressive immigration reform legislation. That it is why I invite all members of our wonderful Congress to form strong partnerships with Spanish-language media in their respective communities.

Mr. Speaker, today I rise, and hope that my colleagues will join me in celebrating El Diario La Prensa's century of outstanding service to our nation's Latino Community. In the meantime, I will continue to fight for all my constituents who strive to build a better life and fulfill of the American Dream. America's immigrants, for generations, have bolstered our economy, enriched our culture, and patriotically defended the United States. We are, by large, a nation of immigrants, and now is the time to pass comprehensive immigration reform legislation that helps grow our economy, prevents families from being separated, and creates a pathway to citizenship.

OUR UNCONSCIONABLE NATIONAL  
DEBT

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$17,151,627,467,959.50. We've added \$6,524,750,419,046.42 to our debt in 4 years. This is \$6.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

IN RECOGNITION OF C.F. MARTIN  
& COMPANY'S 180 YEARS AS A  
GUITAR CRAFTSMANSHIP WORLD  
LEADER

**HON. MATT CARTWRIGHT**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. CARTWRIGHT. Mr. Speaker, I rise to congratulate C.F. Martin & Co. of Nazareth, Pennsylvania on achieving 180 years as a guitar-maker on November 6. C.F. Martin & Co. has been as an icon of craftsmanship in America's rich musical heritage, a stalwart provider of specialty jobs and specialty exports, an inspiration as a legacy family business, a trend-setter in sustainable practices, and a supporter of its local community over its many years of operations.

Since 1833, C.F. Martin & Co. has been producing some of most highly respected and innovative guitars in American history. Blending hand craftsmanship with state-of-the-art technology, Martin guitars were very difficult to match in tone, playability, quality, and enduring value. Embraced by artists in all corners of the globe, Martin guitars helped to define many musical genres including country, folk,

blues, and rock and roll. As the oldest surviving acoustic instrument producer in the world, C.F. Martin & Co. led the charge ever since the guitar began to take hold in the early 1800s and eventually surpassed the piano as the most popular instrument.

Impressively, six generations of the Martin family have continuously owned and operated C.F. Martin & Co. The company persevered through the Civil War, the Spanish-American War, World War I, the Great Depression, World War II, and even the disco decade. C.F. Martin's adherence to high standards of musical excellence and the company's adaptability have helped account for its remarkable longevity. Business conditions and musical trends have changed over the years, but Martin's attitude toward guitar-building clearly has not.

C.F. Martin & Co. is also a commendable corporate citizen, with a long-standing dedication to responsible timber sourcing and a willingness to support its local community of Nazareth and the Lehigh Valley. Nationally and internationally, royalties from more than fifty signature edition Martin guitar projects have been donated to support of an array of charitable causes of various recording artists' choosing.

C.F. Martin & Co.'s achievements are a reflection of its guitars' high quality and the inspiration those instruments imbue in artists' hands. The company's accomplishments are a source of pride for its generations of employees and for Martin guitar players around the globe. I extend my wishes for continued high contributions to the world of music for many years to come.

CONGRATULATING SHARON  
STANLEY

**HON. STEVE STIVERS**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. STIVERS. Mr. Speaker, I rise today to congratulate Ms. Sharon Stanley, my constituent from Circleville, OH, on being inducted into the Ohio Veterans Hall of Fame for 2013. Each year, Governor John Kasich honors a handful of distinguished veterans with this recognition. Throughout her life and career, Ms. Stanley has been unwavering in her dedication and service to our great nation, and I commend her for this distinction.

Sharon Stanley was an Army nurse on both active duty and the reserves, and she continued to serve her community after retirement. From 2009 to August 2013, she served at the national level as Chief Nurse of the American Red Cross, where she led and trained Red Cross nurses in all areas of service, including disaster response and the National Student Nurse Program.

During her time with the Red Cross, Ms. Stanley was responsible for the volunteer management of over 15,000 Red Cross nurses and volunteer nurses. She also increased the presence of Red Cross volunteer nurses in both military hospitals and the health care system at the U.S. Department of Veterans Affairs.

But her service does not stop there. Ms. Stanley has been a part of the Community

Health Resilience Initiative for the Office of Health Affairs and the U.S. Department of Homeland Security. She serves on the editorial board of the American Journal of Nursing, and she is directly involved with Wright State University in developing a national standardized program that will provide nurses with a certificate in Disaster Nursing.

In addition to her recent induction into the Ohio Veterans Hall of Fame, Ms. Stanley was honored in 2013 as one of only five nurses from the United States to be awarded the prestigious Florence Nightingale Medal by the International Committee of the Red Cross in Geneva.

Ms. Sharon Stanley has improved the lives of countless service members and civilians. She is a hero by nature and a true public servant, and for that I respect and appreciate her. Ms. Stanley has rightfully earned her place in the Ohio Veterans Hall of Fame, and I offer my deepest congratulations to her.

TRIBUTE TO TIMOTHY MICHAEL  
REESE, JR.

**HON. MARK SANFORD**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. SANFORD. Mr. Speaker, I rise today to pay tribute to the life of Timothy Michael Reese, Jr. He was a sophomore at Clemson University, I am told a great brother, an even greater son, and a best friend to our son Landon. He lived a short, but remarkable life and in attempting to portray it let me just tell you one story.

I flew home Tuesday afternoon to attend his funeral and in the late afternoon after doing so, but before my flight, I joined maybe a hundred or more close friends to the family in warm remembrances of Michael's life over a meal. It was a perfect South Carolina late afternoon, the sun was light and the sky was blue. There was a light breeze in from the ocean there on Sullivan's Island, and despite the tragedy of a life cut short, there was a mood of peace and warmth and even happiness as we in our different ways reflected on Michael's impact in each of our own lives.

In that setting Tim, his dad, stood up and gave a really special talk about Michael, about God, faith, friendship and love. He talked about after days of tears and grieving, he had come to the point of peace because of his faith and as the crowd in the backyard listened to each word, three thoughts hit me.

One, there are few things in life more extraordinary than the love between a father or mother to a son or daughter. It's ultimately a reflection of God's model of love toward each one of us as a heavenly Father, and that's probably something I've not taken enough time to be appreciative of whether in heavenly or earthly form.

Two, it hit me how significant the gift of life really is . . . and how there can be an even greater gift and inspiration that comes in truly living it. In that regard, Michael, during his nineteen years set the bar. He was infectious in his enthusiasm for life. In the wake of the funeral I had spoken with Landon about Mi-

chael and he made the point that Michael was always positive. That he always added humor or laughter. That as a friend he didn't fight or argue, but instead looked for ways to build up Landon or others around him as they were beginning this journey called life.

He was not only positive, but also had this spectacular sense of adventure that I think would serve as an example for those double, three times or four times his age. Many frankly never find a sense of adventure like his regardless of their chapter in life. This manifested itself in back flips off the dock at our farm, Coosaw. It showed itself in ski jumps out West that frightened me on occasion. It even served as the origin for new words as the boys created "terragoning" as they pulled skateboards behind golf carts at the grandparents' home in Florida. I could give another hundred examples, but I would summarize the thoughts with what I remember reading many years ago on the front cover of Forbes magazine upon the death of Malcolm Forbes. It said simply, "While alive—he lived." Indeed Michael Reese did and in so doing, I believe serves as a vital reminder to every one of us who have been blessed by our Creator with this thing called life, to make the very most of it—and each day in it.

Finally, I was struck by the genuine sense of community. We all yearn for connection. I believe both to those around us and to God above. Sometimes I don't know that we would describe it in those terms, but I believe that the yearning is there in each one of us. This sense of community is as well something with spiritual overtones that I think tie back to being one's brother's keeper. I saw it there in South Carolina that night. Part of it I suspect comes from a local community that's maybe not as transient as some parts of the world, and as a result there are many multi-generational ties that have been there for all the many ups and downs that come with life. There is something special about that kind of community and I am proud to call it home. Maybe it was a reflection of the Reese family. Their roots not only run deep in the community, on a daily basis they've showered it with blessings based on their own warmth and grace. Maybe still another explanation was the spiritual component to what Tim talked about as his prayer and conversation really set the tone for the whole group assembled. So I suspect I could ascribe many different reasons for the sense of community I felt on Tuesday night, October 29th, but I just know that sense of community is vital. It is a reminder to me that if we could get it right in that backyard, we could get it right in my State and in this country and here, even in the halls of Congress.

So Michael Reese has left me with many things to ponder, but more than anything a life that was well and joyously celebrated in each day over his nineteen years of life, and that gives me something to strive for over the next nineteen of mine. My prayer, Mr. Speaker, is that it will do the same for you and for those who hear my voice. Godspeed, Michael. I know Tim and Frannie, Annie, McLean and Baker will miss you. Landon and I along with the rest of the Sanford gang will too, but we will see you soon.

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE VIETNAM WAR

**HON. WILLIAM R. KEATING**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. KEATING. Mr. Speaker, I rise today to recognize the 50th anniversary of the Vietnam War, and to honor the men and women who proudly served in the United States Armed Forces during this turbulent period in history.

Our nation will never be able to fully express the heartfelt gratitude we have for our veterans. The debt that we owe them is immeasurable. Time and again, our servicemen and women have stepped forward to defend the freedoms we enjoy today.

American veterans are a cornerstone of society. Past generations helped build up this great country and did not hesitate to answer the call of duty. As we remember their selfless actions, it is my hope that citizens everywhere take time to speak with the veterans in their family and community. Thank them for their service, and ask them about their role in defending our country. Helping veterans pass on their priceless wisdom and memories to future generations is one of the best ways we can honor them today.

Mr. Speaker, please join me in commemorating this 50th anniversary of the Vietnam War. Ask that my colleagues rise and join me in thanking our veterans, past and present, for the sacrifices they have made in service to the United States of America.

RECOGNIZING THE 80TH BIRTHDAY OF MRS. BERNICE COLEMAN THOMPSON

**HON. G.K. BUTTERFIELD**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. BUTTERFIELD. Mr. Speaker, I rise today to recognize Mrs. Bernice Coleman Thompson on the occasion of her 80th birthday. Mrs. Thompson has been a trailblazer and leader in her church and local community her entire adult life. Mrs. Thompson was born in Salford, Alabama on September 24, 1933, to Daniel and Annie Coleman. At the age of 10, she moved to New York City where she would remain throughout her formative years. Mrs. Thompson earned an AAS degree in secretarial studies with an emphasis on the medical field from Brooklyn College. She also earned a B.A. in Psychology and M.S. in education with a concentration in Guidance and Counseling from Lehman College of the City University of New York.

Mrs. Thompson has been involved in her church for almost seventy years. As a child, she was guided in her faith by her former Pastor, the late Reverend W. L. Harding of St. Luke Baptist Church, in New York City. In 1955 she wed her husband, the Reverend Randolph Thompson, now Pastor Emeritus of the Victory Baptist Church. Through the years, Mrs. Thompson has served in many different capacities within the ministries of a number of churches. She is most proud, however, of her service as a Sunday School Teacher.

Mrs. Thompson has always been a trailblazer. She and her husband were actively involved in the Civil Rights movement and became leaders within the African American community in my hometown of Wilson, North Carolina. In the 1960's she was hired as one of the first African Americans to integrate and work for the Federal Bureau of Investigations (FBI) in Miami, Florida. She was also one of the first African Americans to work at the Wilson Memorial Hospital in Wilson, North Carolina. Mrs. Thompson is the proud mother of five children and three grandchildren. As parents, she and her husband fought for integration of public schools and their two daughters were the first African American girls to integrate the Wilson, North Carolina public school system.

When Mrs. Thompson and her husband returned to New York City, she worked as a medical secretary at Columbia University's Medical School. She later worked as a high school guidance counselor at Walton and Morris High Schools in the Bronx, New York.

Through the years she has received a number of awards including Guidance Counselor of the Year at Morris High School, the National Association of Negro Business and Professional Women's Club Church Woman of the Year, and the Meritorious Service Award for assisting and supporting her husband while he was a seminary school student at Colgate Rochester Divinity School. She has also been a member of the NAACP, United Federation of Teachers and their Guidance and Counselors Chapter.

Mrs. Thompson's extraordinary life has been one of devotion and love for her family, church, and social justice. Mr. Speaker, I salute Mrs. Bernice Coleman Thompson on her 80th birthday and send her best wishes for the years to come.

THE ATTACK AT LAX AIRPORT

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Ms. McCOLLUM. Mr. Speaker, I rise today to express my shock and dismay at the deadly shooting at Los Angeles International Airport on November 1. The gunman deliberately targeted Transportation Security Administration agents, killing Agent Gerardo I. Hernandez and wounding two other TSA agents and a high school teacher.

Mr. Hernandez was a brave and dedicated public servant. He was known for his commitment to his family and cheerful demeanor with travelers passing through his checkpoint. My thoughts and prayers are with his friends and family, especially his wife Ana and their two children.

Also in my thoughts are the over 50,000 TSA agents who work to keep our skies safe every day. They screen nearly 2 million passengers daily at 450 airports nationwide. Many agents will be facing long hours in the next few months as holiday travelers fill our airports and skies. It is their dedication that keeps us safe as we travel home for the holidays and all TSA agents should know that their efforts and sacrifices are deeply appreciated.

TRIBUTE TO DONALD FLOYD

**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. VAN HOLLEN. Mr. Speaker, I am honored to recognize Donald Floyd, who has helped to improve the lives of millions of youth across our country through his outstanding efforts as Chief Executive Officer of National 4-H Council.

Although Don has served as CEO of National 4-H Council for thirteen years, he still describes himself as "a youth worker at heart." From his earliest days as Executive Director for Junior Achievement in Reading, Pennsylvania, to his current position at National 4-H Council, he has been driven by the knowledge that young people who are involved in positive youth development opportunities will create a healthier and more prosperous future for us all. Under Don's leadership, National 4-H Council adopted a new mission in the year 2000: "To advance the 4-H youth development movement to build a world in which youth and adults learn, grow and work together as catalysts for positive change." Don's commitment to see National 4-H Council fulfill that mission is evidenced through his efforts to create the "National Conversation on Youth Development in the 21st Century" and the creation of the first national action agenda for youth policy. Through these activities, 4-H has grown into one of the world's largest youth development organizations, serving more than seven million youth in 50 countries.

During Don's tenure, the 4-H movement has built upon the organization's history of bringing scientific development into rural areas to provide new and exciting programs in science, technology, engineering and mathematics (STEM) education to youth. Through these programs, young people across the country have the opportunity to study alternative energy, robotics and geographic technologies in an effort to get them engaged in STEM education and careers. Don has led 4-H in reaching out to important communities of youth, including those in urban areas, youth at risk of delinquency, children of military families, Native American youth and children of incarcerated parents. He has made a particular impact globally where 4-H is increasing its focus on international communities and identifying the role young people play in addressing the issue of food security. Don is focused on empowering independent country-led 4-H programs to increase their impact on young people; encouraging their youth to be the next generation of farmers, leaders and innovators; and expanding the reach of positive youth development worldwide.

Throughout this growth, Don has maintained a commitment to the principle at the heart of 4-H: young people and adults working together to improve their communities. Through his ability to maintain the successful traditions of the past while identifying and pursuing opportunities for the future, Don has helped 4-H produce a generation of young people who are contributing citizens to their communities, their country and their world.

As Don retires as CEO of National 4-H Council, I ask my colleagues to join me in thanking him on behalf of the millions of youth,

parents and volunteers whose lives have been touched by his steadfast commitment to positive youth development and his outstanding efforts as the ultimate "youth worker."

RECOGNIZING THE IMPORTANCE  
OF THE NATIONAL ENVIRONMENTAL  
POLICY ACT

**HON. MIKE QUIGLEY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. QUIGLEY. Mr. Speaker, we need to do more to protect our environment, not less.

Last month, for the first time in six years, the House passed a water infrastructure bill. For the first time in six years, Congress authorized crucial investments in our ports and inland waterways. And for the first time in six years, we addressed flood risk management, hurricane and storm damage risk reduction, and environmental restoration.

The Water Resource Reform and Development Act will strengthen our national water transportation network to improve our competitiveness, create more jobs, and grow our economy. But unfortunately, Mr. Speaker, it came at a cost.

This vital legislation coupled investments in our nation's aging infrastructure with the further weakening of one of this nation's most important environmental protections: The National Environmental Policy Act.

For more than four decades, the National Environmental Policy Act, or NEPA, has provided the foundation for countless improvements in our environmental laws. It gives us cleaner water, cleaner air, and a safer and healthier environment. It provides critical checks and balances on federal planning and decision making, requiring the federal government to consider environmental impacts. And it gives the public the opportunity to voice their concerns about the impact of federal actions on their health, safety, environment, and community.

This collaborative review process engages millions of Americans along with federal and state agencies, and forces the federal government to think outside the box and consider better alternatives.

Over the years, NEPA has saved money, time, and resources. It has also protected endangered species, public lands and historical sites, all while producing better projects with more public support. For example, when the Army Corps of Engineers planned to repair existing breakwaters and replace the lock gates of Chicago's harbor, NEPA revealed a better method of repairing and extending the life of the breakwaters at a fraction of the cost. NEPA has proven that it's possible to protect the environment and save the taxpayer money at the same time.

Unfortunately, misperceptions about this foundational environmental law are driving congressional attempts to chip it away. NEPA is frequently blamed as the leading cause of project delays when, in reality, lack of funding is actually to blame. We fault NEPA, when we should be blaming ourselves.

We continue to slash funding for Army Corps construction despite the American Society of Civil Engineers' D-minus rating of our nation's inland waterways. We can eliminate

project delays and protect the environment at the same time, but a more serious investment in our infrastructure is needed to do so.

Instead the WRRDA bill passed last week alters the NEPA process, weakening environmental protections at a time when they are needed the most. This WRRDA has made it more difficult for the public to comment on environmental impacts by limiting the comment period to as little as 60 or 30 days, depending on the type of project. Environmental review statements are often hundreds of pages long and full of critical scientific research.

Many critics argue this is barely enough time to read and understand a review, let alone consult experts and submit informed public comments. These new arbitrary and unreasonably short deadlines hurt community voices in speaking out against harmful projects and penalize agencies for fulfilling their responsibility to fully deliberate on important environmental issues.

Good science takes time, and the proposed changes to the environmental review process give experts little time to adequately evaluate the impacts of a project. Environmental reviews are a crucial tool for improving transportation projects and safeguarding the environment.

An informed public engagement process produces ideas, information and even solutions the government might otherwise have overlooked. Streamlining current NEPA provisions carelessly hurts our ability to make better decisions that protect our health, our homes and our environment.

Meeting our transportation needs and protecting our environment are not mutually exclusive objectives.

NEPA, Mr. Speaker, is the solution, not the problem.

THE RETIREMENT OF JEANNE  
STONER

**HON. MICHAEL F. DOYLE**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. DOYLE. Mr. Speaker, one of my constituents, Jeanne Stoner, is retiring this month from her position as Assistant Vice Chancellor at the University of Pittsburgh, after a long and productive career at this highly respected institution. I want to take this opportunity to recognize all the outstanding work that Jeanne has done to help the University of Pittsburgh and our community throughout her career.

Jeanne was born and raised in Chicago, Illinois. She earned a number of academic degrees, including a bachelor of arts degree, summa cum laude from Clarke College in Dubuque, Iowa, a master of arts degree in English Language and Literature from the University of Maryland, College Park, and a Juris Doctorate degree from the University of Pittsburgh School of Law. After law school, Jeanne went to work as an associate attorney for the Pittsburgh law firm of Thomson, Rhodes and Cowie, and she's lived there ever since.

For the last 25 years, Jeanne has worked for the University of Pittsburgh and the University of Pittsburgh Medical Center. Her first position was as the Director of Federal Government Relations for the UPMC Health System from 1989–1998. In 1999, she was appointed

to be the Corporate Secretary for UPMC. In January 2000, Jeanne moved from UPMC to Pitt to become the University's Director of Federal Government Relations, and she was subsequently named Assistant Vice Chancellor and Associate General Counsel. In each of these positions, Jeanne worked diligently on the University's behalf, addressing whatever issues came across her desk with dedication and professionalism.

Jeanne also served on many committees for various higher education professional organizations including the Association of Public and Land Grant Universities and the Association of American Universities. In 2009, in recognition of her many contributions to higher education, Jeanne was awarded the Carolyn Cross Distinguished Service Award from the Association of Public and Land Grant Universities' Council on Government Affairs.

Jeanne and her husband Bill have 4 children and 7 grandchildren, and she is an active member of the St. Thomas More Parish in Bethel Park, Pennsylvania.

I have known and worked with Jeanne for most of her time at Pitt and UPMC on a number of public policy and community-related issues. Consequently, I can say from personal experience what a warm, gracious, intelligent, and skilled professional she is. She always had Pittsburgh's best interests at heart. It's been a great pleasure to work with her over the years, and her retirement will put a big dent in the University's institutional memory.

I have been privileged to know Jeanne and work with her over the many years that I've served in Congress. She has applied great intelligence, energy, and dedication on behalf of both Pitt and Pittsburgh. I want to thank her for her many contributions to our community, congratulate her on the occasion of her retirement, and wish her the best as she begins the next phase of her life.

HONORING THE MARTIN GUITAR  
COMPANY

**HON. CHARLES W. DENT**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. DENT. Mr. Speaker, I rise today with my colleague, Congressman Matt Cartwright (PA–17) to honor the Martin Guitar Company in Nazareth, Pennsylvania, on the occasion of their 180th anniversary. For nearly two centuries, Martin Guitar has contributed to the musical culture of America by producing some of the finest acoustic instruments on the market.

The story of Martin Guitar's beginning is uniquely American. The company's founder, Christian Frederick Martin, Sr., was born in Markneukirchen, Saxony (now Germany) on 31 January 1796. He became an apprentice guitar maker at the age of 15, and after showing much promise in his early years, opened his own shop. After struggling to run a successful business among Europe's warring trade guilds, Martin determined to seek his fortune in the United States. In 1883, he set up a modest shop in New York City. After five years of hard work, Martin was able to sell his humble store and purchase eight acres of land in Nazareth, Pennsylvania, where the company continues to grow and thrive today.

The Martin brand and production line grew steadily through the latter half of the 19th century, during which Martin was responsible for numerous advancements in guitar design, such as a bracing system for guitar stops that is still widely used today. The marriage of innovation and craftsmanship was responsible for creating instruments that would become synonymous with quality among professional and amateur musicians alike.

When C.F. Martin, Sr., passed away in 1873 he left the business to his son, Christian Frederick Martin, Jr. This was the beginning of a proud tradition of family leadership that has continued to this day, with C.F. Martin IV, being the sixth member of his family to run the business. As a 21st century company, Martin Guitar has made a concerted effort to source wood in an environmentally sustainable manner, leading the industry in the acceptance of alternative wood species. Although times have changed, Martin Guitar's commitment to producing outstanding musical instruments has not. Today, Martin Guitar is a pillar of the Lehigh Valley in Pennsylvania, a major employer in the region, and a shining example of American workmanship.

Mr. Speaker, in closing, we would like to extend our sincerest congratulations to the Martin Guitar Company and the Martin Family on 180 years of excellence and wish them all the best in the years ahead.

HONORING THE LIFE OF COLONEL  
TOM NETTLING

**HON. TOM REED**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. REED. Mr. Speaker, I rise today to recognize a true American hero, Colonel Tom Nettling. Colonel Nettling had a distinguished military career with the U.S. Army that spanned twenty-five years before passing away after a courageous battle with cancer on August 29, 2013.

Colonel Nettling was a 1960 graduate of Central Dauphin High School before completing his Bachelor's degree at Shippensburg University in 1964. Less than ten years later, he completed his Master's from the University of Southern California. Colonel Nettling has the rare distinction of joining the U.S. Army as a private and retiring as a full Colonel. He was well respected among his peers as a combat war veteran of the Vietnam War and was ultimately given the honor of leading at both the company and battalion levels.

In addition to his advancement through the Army, Colonel Nettling was the recipient of numerous awards and decorations including the Bronze Star on three separate occasions, a Purple Heart, the Vietnamese Cross of Gallantry with Palm, and the Combat Infantryman's Badge to name a few.

Additionally, Colonel Nettling was a lifelong member of the Army War College Foundation and a proud member of the American Legion, the Elks Club, and the NRA. He enjoyed hunting, fishing, golfing, and spending time with his family. Colonel Nettling leaves behind his wife of forty-five years, Linda, two children, four grandchildren, and many more close family members.

I can state with great pride that Colonel Nettling was interred at Arlington National Ceme-

tery will full military honors on November 6, 2013. It is but a small token of our appreciation for a man who admirably served our nation over such a long and distinguished career.

IN RECOGNITION OF THE 75TH AN-  
NIVERSARY OF THE CENTRE  
LIONS CLUB

**HON. MIKE ROGERS**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to honor a proud and accomplished organization in my district, the Centre Lions Club. This year, the organization has celebrated their 75th Anniversary of serving Cherokee County.

The Centre Lions Club was chartered on February 20, 1938. It is the fourth oldest club in Lions District 34-A, which is composed of 50 clubs throughout North Alabama. For 75 years, members of the Centre Lions Club have dedicated their time and effort to serving the community, county and state. The club holds a luncheon meeting twice a month. During these meetings, there are educational programs and project planning. Their goals and projects closely align with International Lionism.

One of the club's main objectives is to provide eye examinations and eyeglasses for almost 100 needy students and adults each year. To do this, the Centre Lions Club cooperates with local and area optometrists. Club members also contribute funds for services by and equipment for the Alabama Lions Sight Conservation Association. Other projects include a Radio Day, Christmas Child adoptions, the John L. Ellis Sr. Youth Leadership Forum, college scholarship funds, Pancake Days, Leo Club sponsorships at local high schools, Food Pantry donations, assistance to domestic violence prevention programs, disaster relief projects, dementia patients' programs and numerous more charitable activities.

Mr. Speaker, please join me and the rest of East Alabama in thanking the Centre Lions Club for 75 years of outstanding service in the community. We wish them many, many more.

SUPPORT FOR NATIONAL BLAD-  
DER HEALTH WEEK, NOVEMBER  
11-15, 2013

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to express my support for National Bladder Health Week, November 11-15, 2013. Since 1995, the second week in November has been designated as a time to encourage individuals to talk to their friends, loved ones, and health care professionals about bladder health and pelvic floor disorders (PFDs).

An article in the Journal of the American Medical Association (JAMA) demonstrated that nearly one-quarter of all women and more

than one-third of older women reported symptoms of at least one PFD. As the population of older women increases, the national burden related to PFDs in terms of health care costs, lost productivity, and decreased quality of life will be substantial.

It is critical to educate women about PFDs now. PFDs will impact one in three women at some point during their lives, yet most Americans underestimate or are unsure about their prevalence. The lack of awareness continues to affect the millions of women who remain undiagnosed, untreated and whose quality of life remains negatively impacted by these common disorders.

Women need to understand the facts about PFDs and to feel empowered with information on how to pursue individualized solutions for improved quality of life. Unfortunately, we may not realize that someone we know—a sister, mother, daughter, aunt, or another loved one—is suffering in silence not realizing their condition is treatable. This week is the time to raise awareness and begin talking about pelvic floor disorders. Please join me in supporting National Bladder Health Week.

HONORING HOLT INTERNATIONAL  
CHILDREN'S SERVICES DURING  
NATIONAL ADOPTION MONTH

**HON. PETER A. DeFAZIO**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. DeFAZIO. Mr. Speaker, on July 27, 2013 we celebrated the 60th anniversary of the end of the Korean War. By signing the armistice agreement, the border between the Koreas near the 38th Parallel was established. It was in the wake of this armistice that Holt International Children's Services first began its compassionate work, and today continues to be a leader in the field of adoption and child welfare issues.

Harry and Bertha Holt of Eugene, Oregon were from humble means—Harry a lumberjack and a farmer and Bertha a nurse. In 1954, the Holts went to a small high school auditorium to view a film about Amerasian children living in South Korean orphanages. Moved by the film, their faith and a firm belief that all children deserve permanent, loving homes, the Holts began their lifelong mission in 1955 to revolutionize intercountry adoption.

At the time, there were no laws allowing children to immigrate from one country to another for the purpose of adoption. Overcoming legal and cultural barriers, Mr. and Mrs. Holt sought families for children orphaned by the Korean War. The Holts persuaded Oregon United States Senator Richard Neuberger to introduce legislation titled "The Relief of Certain Korean War Orphans." The legislation became law on August 11, 1955, enabling the Holts to adopt eight Korean War orphans: Joseph Han, Mary Chae, Helen Chan, Paul Kim, Betty Rhee, Robert Chae, Christine Lee and Nathaniel Chae. With this act of love and the founding of their agency, Holt International Children's Services, two farmers from rural Oregon pioneered international adoption.

Today, Holt International strives to uphold Harry and Bertha's vision to find loving homes for children regardless of race, religion, ethnicity or gender. Holt is committed to finding

families for children, not children for families, an important distinction that sets the tone and priorities for Holt. Since the 1955 act, Holt has placed 49,630 children from 31 countries with families in all fifty states. As the oldest intercountry adoption agency, Holt is the only organization that has more than three generations of adult adoptees.

Holt continues to play an active and vital role in establishing policy and practice for intercountry adoption. In 1993, Holt adoptees Susan Cox and David Kim were members of the U.S. delegation to the Hague Convention on Intercountry Adoption, an agreement which sets international standards for intercountry adoption that protects the child, the birth family and the adoptive family. Later, in 2008, Holt was a leading advocate in ensuring the U.S. ratify the Hague treaty. Holt believes that adoption is a life long experience and has been at the forefront of developing post adoption services to ensure that adoptees grow and develop to their fullest potential.

In addition to these monumental accomplishments, Holt International has become much more than an adoption agency. When considering a child's future, Holt always keeps the child's best interest at the forefront of every decision. For some children adoption is the only option, but Holt realizes that it is not the first option for children without families. Holt believes that it is best if children can stay with their birth family. Over the years, Holt has worked to develop and maintain programs overseas to give orphaned, abandoned and vulnerable children safe and nurturing environments in which to grow and thrive. These overseas programs include initiatives directed at Family Preservation, Nutrition Support, Child and Maternal Health, Income Generation, Assisting Children with Special Needs, and Shaping and Establishing Intercountry Child Welfare Systems. Through these initiatives, Holt impacts approximately thirty thousand children each year and helps to ensure that children at all stages of need are provided for in an effort to avoid the separation of families.

In November, as we celebrate National Adoption Month, it is appropriate to recognize Holt International Children's Services for its diligent efforts and accomplishments in the field of child-welfare and intercountry adoption that have impacted thousands of children in the United States and around the world.

THANK YOU, JACK

### HON. KERRY L. BENTIVOLIO

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. BENTIVOLIO. Mr. Speaker, I rise today to acknowledge a fellow, now deceased Veteran from the 11th District of Michigan, John Edward Emmett.

John Emmett served four years as a United States Marine, Special Weapons Company, 29th Marine Regiment 6th Marine Division from 1942–1945. He enlisted a few months after the attack on Pearl Harbor.

Legend has it he only joined the Marine Corps to impress his girlfriend, and later, wife of over 60 years, who was far more impressed by the Marine uniform than the army's—as she insisted he wear his dress blues on their wedding day.

“Jack” as he was known by his friends and family, was a gunnery sergeant and marksman. He saw action in Okinawa and was responsible for 30 men who specialized in the operation of four 37mm anti-tank guns.

He was called “the old man” because he was the oldest in his platoon—24 and said he never thought he would make it home. A part of him, even late into his 80's always felt a sense of guilt for surviving when so many of his fellow soldiers did not.

After the War, Jack and his wife built their own home in upstate New York. After the birth of their four children they moved to the 11th district where they lived for over 50 years. Although Jack never talked much about the war, it was obvious how much that time in his life affected him. Jack passed away in 2003 at the age of 86. He left behind a wife, four children, 11 grandchildren and four great grandchildren.

His love of country transcended generations. His son Craig served in Vietnam and currently, his grandson Justin, is in the United States Air Force. His wife Betty, now 95, and daughter, a teacher in Farmington, Michigan, still reside in the 11th district.

Jack was the type of man everyone loved and respected. Always the practical jokester, Jack left a smile on the faces of all he encountered and never missed an opportunity to express his love to friends and family.

A man of courage, honor, loyalty, and kindness, Jack exemplified what it means to be a United States Marine.

On this Veterans Day, the people of the 11th District of Michigan salute John “Jack” Edward Emmett for his sacrifice, dedication, and love of country.

Thank you, Jack.

### IN RECOGNITION OF THE 90TH BIRTHDAY OF FORREST STANLEY JENKINS

### HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. ROGERS of Alabama. Mr. Speaker, I would like to ask for the House's attention today to recognize Forrest Stanley Jenkins who celebrated his 90th birthday on Sunday, August 25th, 2013.

Mr. Jenkins was born on August 25th, 1923 to John Veitch Jenkins and Velma Elizabeth Miller. He graduated from Sidney Lanier High School in Montgomery before beginning active duty in the United States Air Force in 1943. That year he married Ethel “Jinx” Barry Jenkins. Mr. Jenkins served on B–17s, B–24s and C–47s. He completed a number of overseas assignments before retiring from the Air Force in 1967.

On August 24th and 25th, Stan joined friends and family in Rosemary Beach, Florida, to celebrate 90 years of dedication to his family and his country. His children, Stan, Jill and Jennifer, their spouses, grandchildren and great grandchildren celebrated a life of what is rightly called our greatest generation.

Mr. Speaker, we join his family and friends in celebrating Stan's birthday and wishing him many more.

### CELEBRATING JACK MURRAY'S 90TH BIRTHDAY

### HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. REED. Mr. Speaker, I rise today to recognize and honor an extraordinary citizen of my district, my State, and of this great nation. On Christmas Day, Mr. Jack Murray of Elmira, New York, will celebrate a milestone in his life; his 90th birthday.

Mr. Murray's life and career exemplify selfless and tireless commitment to his neighborhood, his community and his noble profession of public education. Jack is the son of the late major league baseball great “Red” Murray, one of the notable stars on the roster of the New York Giants in the early years of the 20th Century. Mr. Murray followed in his father's athletic footsteps through a decades-long career of promoting good health and fitness as a physical education teacher within the Elmira City School District. He was a laudable fixture in the public school system of his community for over thirty years, and his work touched the lives of thousands of young people in a supportive and positive fashion.

Likewise, Jack Murray has been recognized over the years by his neighbors in Elmira as a highly regarded figure in his community. Jack is described as a gregarious and well-regarded friend to many and a man of gentle, companionable warmth whose inherent sense of dignity and personal grace have left him a uniquely beloved man.

It is important that we honor such individuals for their devoted and generous work, for their community leadership and for their service on behalf of their neighbors. People like Jack Murray make our communities better places through their efforts and by their example. It is a true pleasure for me to participate in some small way in the celebration of this happy and significant day in Mr. Murray's life. I join with his friends, neighbors and former students in offering best wishes and good health for many, many years to come.

### HONORING A TRUE HOOSIER HERO, OFFICER ROD BRADWAY

### HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today with a heavy heart to honor the life of an outstanding public servant, Officer Rod Bradway, who served his city and country with principle and integrity. Tragically, Officer Bradway was killed in the line of duty on September 20, 2013.

Rod Bradway served the citizens of Indianapolis honorably for five years as an officer in the Indianapolis Metropolitan Police Department. A lifelong Hoosier, he grew up in the small northern Indiana town of Nappanee and was a decorated member of the police force, having been previously awarded the Indianapolis Metropolitan Police Department's Medal of Bravery. Although I did not have the good fortune of knowing Officer Bradway, I am incredibly proud of his heroic and brave actions to protect the City of Indianapolis.

He made the ultimate sacrifice while saving the lives of a woman and child held at gunpoint inside an Indianapolis apartment complex. Responding to a domestic violence call is one of the most dangerous duties an officer can perform. It is also one that Officer Bradway performed without hesitation and with tremendous courage. Each and every day, officers like Rod Bradway put their lives in harm's way to protect us. His last moments demonstrate the bravery, commitment and sacrifice that he and his brothers and sisters in uniform display every day while trying to make Indianapolis a safer and better city.

As the Chairman of the Committee on Homeland Security's Subcommittee on Emergency Preparedness, Response, and Communications, I am forever grateful to Officer Bradway and to police forces across this great nation who work tirelessly to protect their fellow Americans.

Officer Bradway was a hero. My condolences and well wishes go out to his wife, Jamie; their two children, Jonathan and Sierra; his parents, Thomas and Cheryl; and his brother, Carl. Please know you are in my thoughts and prayers are at this difficult time.

#### A TRIBUTE TO LAURI WYNN

### HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Ms. MOORE. Mr. Speaker, I rise on this occasion to give congratulations to Lauri Wynn, recipient of the 2013 James Howard Baker Award. I am truly honored to pay homage to someone who has contributed so much to Milwaukee and the State of Wisconsin.

I have known Lauri Wynn for over 30 years, well before I began my legislative career in the Wisconsin State Assembly. Ms. Wynn was an educator for many years in the Milwaukee Public School System. She continued this service at the state level becoming the first African American President of the Wisconsin Education Association Council (WEAC), Wisconsin's statewide teachers union. Lauri Wynn worked with Lloyd Barbee on school desegregation. As both an educator and president of WEAC, she influenced the lives of thousands of students many of whom went on to become leaders themselves in the areas of politics and economic empowerment.

Ms. Wynn was an active participant in the "Freedom Walkers for Milwaukee" in the

1960s and marched with Father Groppi in the struggle for open housing and school desegregation. Additionally, she was very active in the NAACP. Lauri Wynn was also a Special Advisor to Governor Tony Earl.

Ms. Wynn's activities included assisting African Americans in obtaining political office, obtaining employment and becoming leaders in every area of civic life. She did all of this without seeking personal gain or public acknowledgement. She has supported the Community Brainstorming Conference from its inception with her attendance and input. Ms. Wynn has been a fearless leader and has been dedicated to advancing the interests of the African American community.

I know that Lauri Wynn is a strong example of leadership and excellence for her children and grandchildren. She is a Milwaukee and Wisconsin treasure, and I value her service. Lauri Wynn, thank you for your service to the 4th Congressional District.

#### RECOGNIZING PENNY CATE

### HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize the many accomplishments of Penny Cate as she retires on December 16th.

An honors graduate of the University of Maryland and Georgetown University, Penny began her career in public service with the United States Department of Agriculture in 1974. In 1979, she started working as a policy analyst in the Congressional Research Service's (CRS) Food and Agriculture Section. When Penny left CRS in 1987, she had risen to the Head of the Food and Agriculture Section.

Following her service in the federal government, Penny joined The Quaker Oats Company where she moved up from Manager of Government Affairs to Vice President of Public Affairs over her twelve and a half year career. After Quaker, Penny worked as Vice President of Public Affairs at Sears Roebuck and Co. from 2000 to 2002.

In 2003, Penny utilized her extensive experience in state and federal government affairs, community relations and communications to open her own firm, Penny Cate & Associates, LLC and has served as Principal of the Illinois Government Affairs Group.

During my time in the House of Representatives, it has been my pleasure to call Penny a friend. After decades of government service and work in government affairs, I wish her all the best in her retirement.

#### IN RECOGNITION OF THE LIFE OF J. HOLLAND POWELL, SR.

### HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 12, 2013*

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to honor Mr. J. Holland Powell, Sr. Mr. Powell was born March 10, 1932, in Birmingham, Alabama. He's the youngest child of Bolling and Marie Powell. Mr. Powell grew up in Birmingham, and after his graduation from Ramsey High School, he enlisted in the United States Navy. He served four years in active duty during the Korean War, and upon distinction and honorable discharge, Mr. Powell attended the University of Alabama. There he received a degree in Accounting in 1956. While at the University of Alabama, Mr. Powell was a member of the Psi Chapter of Delta Kappa Epsilon Fraternity.

Mr. Powell married Claire Malone Powell on September 7, 1956, who preceded him in death on April 22, 2013. Together they had two children James Holland Powell, Jr. (Carolyn) of Selma, Alabama and Alice Claire (Carl Thigpen) of Mountain Brook, Alabama. He has six grandchildren and two great-grandchildren.

Mr. Powell was a longtime senior executive of Liberty National Life Insurance Company. He earned many regional awards and participated in leadership roles for national and international insurance organizations. Mr. Powell undertook a successful second career post-retirement in partnership with his wife Claire through Powell Realty. Mr. Powell's accomplishments include being a founder of the Mountain Brook Swim and Tennis Club, a graduate of Leadership Alabama, an active member of the Pell City Rotary Club, an active member of the Pell City Library Guild and an active member of the Mays Bend Homeowners Association.

Mr. Speaker, please join me and Mr. Powell's family in remembering and celebrating his life and achievements.

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S7937–S7964*

**Measures Introduced:** Eleven bills and two resolutions were introduced, as follows: S. 1677–1687, and S. Res. 290–291. **Pages S7951–52**

#### Measures Reported:

Report to accompany S. 1631, to consolidate the congressional oversight provisions of the Foreign Intelligence Surveillance Act of 1978 and for other purposes. (S. Rept. No. 113–119)

S. 1356, to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, with an amendment in the nature of a substitute.

S. 1681, to authorize appropriations for fiscal year 2014 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System. **Page S7951**

#### Measures Passed:

**Children's Hospital GME Support Reauthorization Act:** Senate passed S. 1557, to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals. **Page S7963**

**Sergeant Cory Mracek Memorial Post Office:** Senate passed S. 1499, to designate the facility of the United States Postal Service located at 278 Main Street in Chadron, Nebraska, as the "Sergeant Cory Mracek Memorial Post Office". **Page S7964**

**Specialist Theodore Matthew Glende Post Office:** Senate passed S. 1512, to designate the facility of the United States Postal Service located at 1335 Jefferson Road in Rochester, New York, as the "Specialist Theodore Matthew Glende Post Office". **Page S7964**

**75th Anniversary of Kristallnacht:** Senate agreed to S. Res. 290, commemorating the 75th anniversary of Kristallnacht, or the Night of the Broken Glass. **Page S7964**

#### Measures Considered:

**Drug Quality and Security Act—Agreement:** Senate resumed consideration of the motion to proceed to consideration of H.R. 3204, to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security. **Pages S7949–50**

During consideration of this measure today, Senate also took the following action:

By 97 yeas to 1 nay (Vote No. 234), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Pages S7949–50**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 11 a.m., on Wednesday, November 13, 2013; and that all time during adjournment, recess and morning business, count post-cloture on the motion to proceed to consideration of the bill. **Page S7964**

**Message from the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency with respect to Iran that was declared in Executive Order 12170 on November 14, 1979; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–24) **Page S7951**

**Pillard Nomination:** Senate resumed consideration of the nomination of Cornelia T. L. Pillard, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit. **Pages S7945–49**

During consideration of this nomination today, Senate also took the following action:

By 56 yeas to 41 nays, 1 responding present (Vote No. 233), three-fifths of those Senators duly chosen

and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the nomination. **Page S7949**

Subsequently, Senator Reid entered a motion to reconsider the vote by which cloture was not invoked on the nomination. **Page S7949**

**Nominations Received:** Senate received the following nominations:

Tommy Port Beaudreau, of Alaska, to be an Assistant Secretary of the Interior.

Neil Gregory Kornze, of Nevada, to be Director of the Bureau of Land Management.

Thomas A. Burke, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency.

Stefan M. Selig, of New York, to be Under Secretary of Commerce for International Trade.

Ericka M. Miller, of Virginia, to be Assistant Secretary for Postsecondary Education, Department of Education.

Caroline Diane Krass, of the District of Columbia, to be General Counsel of the Central Intelligence Agency.

11 Air Force nominations in the rank of general. **Page S7964**

**Measures Placed on the Calendar:** **Page S7951**

**Executive Reports of Committees:** **Page S7951**

**Additional Cosponsors:** **Pages S7952–53**

**Statements on Introduced Bills/Resolutions:** **Pages S7953–62**

**Additional Statements:**

**Authorities for Committees to Meet:** **Pages S7962–63**

**Privileges of the Floor:** **Page S7963**

**Record Votes:** Two record votes were taken today. (Total—234) **Pages S7949–50, S7950**

**Adjournment:** Senate convened at 2 p.m. and adjourned at 7:05 p.m., until 10 a.m. on Wednesday,

November 13, 2013. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7964.)

## Committee Meetings

*(Committees not listed did not meet)*

### CONSUMER FINANCIAL PROTECTION BUREAU REPORT

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine the Consumer Financial Protection Bureau's semi-annual report to Congress, after receiving testimony from Richard Cordray, Director, Consumer Financial Protection Bureau.

### BUSINESS MEETING

*Committee on Commerce, Science, and Transportation:* Committee ordered favorably reported the nominations of Terrell McSweeney, of the District of Columbia, to be a Federal Trade Commissioner, Robert Michael Simon, of Maryland, and Jo Emily Handelsman, of Connecticut, both to be an Associate Director of the Office of Science and Technology Policy, Kathryn D. Sullivan, of Ohio, to be Under Secretary of Commerce for Oceans and Atmosphere, and nominations for promotion in the U.S. Coast Guard.

### PAYROLL FRAUD

*Committee on Health, Education, Labor, and Pensions:* Subcommittee on Employment and Workplace Safety concluded a hearing to examine payroll fraud, after receiving testimony from Daniel Odom, Odom Construction Systems, Inc., Knoxville, Tennessee; Catherine K. Ruckelshaus, National Employment Law Project, New York, New York; Chris MacKrell, Custom Courier Solutions, Rochester, New York, on behalf of the Customized Logistics and Delivery Association; and Matthew Anderson, Ira Township, Michigan.

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# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 15 public bills, H.R. 3446–3460; and 5 resolutions, H. Res. 402, 404–407 were introduced. **Pages H6997–98**

**Additional Cosponsors:** **Pages H6998–H7000**

**Reports Filed:** Reports were filed today as follows:

H.R. 2810, to amend title XVIII of the Social Security Act to reform the sustainable growth rate and Medicare payment for physicians' services, and for other purposes, with an amendment (H. Rept. 113–257, Pt. 1);

Supplemental report on H.R. 982, to amend title 11 of the United States Code to require the public disclosure by trusts established under section 524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos; and for other purposes (H. Rept. 113–254, Pt. 2);

H.R. 2871, to amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes (H. Rept. 113–258);

H.R. 2922, to extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds (H. Rept. 113–259);

H. Res. 196, supporting the Sixth Amendment to the United States Constitution, the right to counsel (H. Rept. 113–260);

H.R. 2728, to recognize States' authority to regulate oil and gas operations and promote American energy security, development, and job creation, with an amendment (H. Rept. 113–261);

H.R. 1965, to streamline and ensure onshore energy permitting, provide for onshore leasing certainty, and give certainty to oil shale development for American energy security, economic development, and job creation, and for other purposes, with an amendment (H. Rept. 113–262, Pt. 1);

H.R. 1548, to facilitate the development of energy on Indian lands by reducing Federal regulations that impede tribal development of Indian lands, and for other purposes, with an amendment (H. Rept. 113–263); and

H. Res. 403, providing for consideration of the bill (H.R. 2655) to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes, and providing for consideration of the bill (H.R. 982) to amend title 11 of the United States Code to require the public disclosure by trusts established under section 524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos; and for other purposes (H. Rept. 113–264).

**Pages H6996–97**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Rooney to act as Speaker pro tempore for today.

**Page H6959**

**Recess:** The House recessed at 2:15 p.m. and reconvened at 5:01 p.m.

**Page H6961**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

**PREEMIE Reauthorization Act:** S. 252, amended, to reduce preterm labor and delivery and the risk

of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity;

**Pages H6961–67**

Agreed to amend the title so as to read: “To reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity, and for other purposes.”

**Page H6967**

**HIV Organ Policy Equity Act:** S. 330, to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV);

**Pages H6967–71**

**Veterans' Compensation Cost-of-Living Adjustment Act of 2013:** S. 893, to provide for an increase, effective December 1, 2013, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans;

**Pages H6971–72**

**Amending title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency:** H.R. 2871, to amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, by a  $\frac{2}{3}$  yeas-and-nays vote of 401 yeas with none voting “nay”, Roll No. 571; and

**Pages H6972–74, H6977**

**Extending the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds:** H.R. 2922, to extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds, by a  $\frac{2}{3}$  yeas-and-nays vote of 399 yeas to 3 nays, Roll No. 572.

**Pages H6974–75, H6978**

**Recess:** The House recessed at 6:21 p.m. and reconvened at 6:29 p.m.

**Page H6977**

**Suspension—Proceedings Postponed:** The House debated the following measure under suspension of the rules. Further proceedings were postponed:

**Supporting the Sixth Amendment to the United States Constitution, the right to counsel:** H. Res. 196, amended, to support the Sixth Amendment to the United States Constitution, the right to counsel.

**Pages H6975–77**

**Notice of Intent to Offer Motion:** Representative Loeb sack announced his intent to offer a motion to instruct conferees on H.R. 2642.

**Page H6978**

**Presidential Message:** Read a message from the President wherein he notified Congress that the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979 is to continue in effect beyond November 14,

2013—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 113–72).

Page H6961

**Senate Messages:** Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H6960–61.

**Senate Referrals:** S. 287 was referred to the Committee on Veterans' Affairs; S. 1561 was referred to the Committee on Energy and Commerce; S. 815 was referred to the Committees on Education and the Workforce, House Administration, Oversight and Government Reform, and the Judiciary; and S. 42 was held at the desk.

Page H6990

**Quorum Calls—Votes:** Two yea-and-nay votes developed during the proceedings of today and appear on pages H6977, H6978. There were no quorum calls.

**Adjournment:** The House met at 2 p.m. and adjourned at 8:56 p.m.

## Committee Meetings

### FURTHERING ASBESTOS CLAIM TRANSPARENCY ACT OF 2013; AND LAWSUIT ABUSE REDUCTION ACT OF 2013

*Committee on Rules:* Full committee held a hearing on H.R. 982, the “Furthering Asbestos Claim Transparency Act of 2013”; and H.R. 2665, the “Lawsuit Abuse Reduction Act of 2013”. The Committee granted, by voice vote, a closed rule for H.R. 2655. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill and provides that it shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one motion to recommit. The rule grants a structured rule for H.R. 982. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill and provides that it shall be considered as read. The rule waives all points of order against provisions in the bill. The rule makes in order only those amendments printed in the Rules Committee report. 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. The rule waives all points of order against the amend-

ments printed in the report. The rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Goodlatte; and Representatives Nadler; and Johnson (GA).

## Joint Meetings

No joint committee meetings were held.

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## COMMITTEE MEETINGS FOR WEDNESDAY, NOVEMBER 13, 2013

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on Appropriations:* Subcommittee on Department of Defense, to hold hearings to examine sequestration and the defense industrial base, 11 a.m., SD–192.

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine the role of manufacturing hubs in a 21st century innovation economy, 2:30 p.m., SR–253.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine the nomination of Jeh Charles Johnson, of New Jersey, to be Secretary of Homeland Security, 10 a.m., SD–342.

*Committee on the Judiciary:* Subcommittee on Privacy, Technology and the Law, to hold hearings to examine “The Surveillance Transparency Act of 2013”, 10 a.m., SD–226.

Full Committee, to hold hearings to examine the nominations of Nancy L. Moritz, of Kansas, to be United States Circuit Judge for the Tenth Circuit, Sheryl H. Lipman, to be United States District Judge for the Western District of Tennessee, Stanley Allen Bastian, to be United States District Judge for the Eastern District of Washington, and Manish S. Shah, of Illinois, to be United States District Judge for the Northern District of Illinois, 2 p.m., SD–226.

*Committee on Small Business and Entrepreneurship:* to hold hearings to examine a review of programs for veteran entrepreneurs, 9:30 a.m., SR–428A.

### House

*Committee on Education and the Workforce,* Full Committee, hearing entitled “Keeping College Within Reach: Simplifying Federal Student Aid”, 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Commerce, Manufacturing, and Trade, hearing on H.R. 1518, to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes, 10 a.m., 2322 Rayburn.

Subcommittee on Environment and the Economy, hearing on S. 1009, the “Chemical Safety Improvement Act”, 10:15 a.m., 2123 Rayburn.

Subcommittee on Communications and Technology, hearing entitled “Challenges and Opportunities in the 5 GHz Spectrum Band”, 2 p.m., 2123 Rayburn.

*Committee on Financial Services*, Subcommittee on Housing and Insurance, hearing entitled “The Future of Terrorism Insurance: Fostering Private Market Innovation to Limit Taxpayer Exposure”, 10 a.m., 2128 Rayburn.

Subcommittee on Monetary Policy and Trade, hearing entitled “What Is Central About Central Banking?: A Study of International Models”, 2 p.m., 2128 Rayburn.

*Committee on Foreign Affairs*, Full Committee, hearing entitled “Examining Nuclear Negotiations: Iran After Rouhani’s First 100 Days”, 10 a.m., 2172 Rayburn.

Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations; and Subcommittee on Terrorism, Nonproliferation, and Trade, hearing entitled “The Continuing Threat of Boko Haram”, 1 p.m., 2200 Rayburn.

Subcommittee on the Middle East and North Africa, markup on H. Res. 147, calling for the release of United States citizen Saeed Abedini and condemning the Government of Iran for its persecution of religious minorities, 1:50 p.m., 2172 Rayburn.

Subcommittee on the Middle East and North Africa, hearing entitled “U.S. Foreign Policy Toward Iraq”, 2 p.m., 2172 Rayburn.

*Committee on Homeland Security*, Full Committee, hearing entitled “Cyber Side-Effects: How Secure is the Personal Information Entered into the Flawed Healthcare.gov?”, 10 a.m., 311 Cannon.

Subcommittee on Counterterrorism and Intelligence, hearing entitled “The Insider Threat to Homeland Security: Examining Our Nation’s Security Clearance Processes”, 2 p.m., 311 Cannon.

*Committee on the Judiciary*, Full Committee, hearing entitled “Implementation of an Entry-Exit System: Still Waiting After All These Years”, 10 a.m., 2141 Rayburn.

*Committee on Oversight and Government Reform*, Full Committee, hearing entitled “ObamaCare Implementation: The Rollout of Healthcare.gov”, 9:30 a.m., 2154 Rayburn.

*Committee on Science, Space, and Technology*, Subcommittee on Research and Technology, hearing entitled “Keeping America FIRST: Federal Investments in Research, Science, and Technology at NSF, NIST, OSTP and Interagency STEM Programs”, 10 a.m., 2318 Rayburn.

*Committee on Veterans’ Affairs*, Subcommittee on Oversight and Investigations, hearing entitled “Correcting Kerfuffles—Analyzing Prohibited Practices and Preventable Patient Deaths at Jackson VAMC”, 10 a.m., 334 Cannon.

Subcommittee on Economic Opportunity, hearing entitled “VA’s Independent Living Program—A Program Review”, 2 p.m., 334 Cannon.

### Joint Meetings

*Conference*: meeting of conferees on S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023, 10 a.m., 1100, Longworth Building.

*Joint Economic Committee*: to hold hearings to examine the current economic outlook, 2:30 p.m., SH-216.

## CONGRESSIONAL PROGRAM AHEAD

Week of November 13 through November 15, 2013

### Senate Chamber

On *Wednesday*, at approximately 11 a.m., Senate will continue consideration of the motion to proceed to consideration of H.R. 3204, Drug Quality and Security Act, post-cloture.

During the balance of the week, Senate may consider any cleared legislative and executive business.

### Senate Committees

*(Committee meetings are open unless otherwise indicated)*

*Committee on Appropriations*: November 13, Subcommittee on Department of Defense, to hold hearings to examine sequestration and the defense industrial base, 11 a.m., SD-192.

*Committee on Banking, Housing, and Urban Affairs*: November 14, to hold hearings to examine the nomination of Janet L. Yellen, of California, to be Chairman of the Board of Governors of the Federal Reserve System, 10 a.m., SD-106.

*Committee on Commerce, Science, and Transportation*: November 13, to hold hearings to examine the role of manufacturing hubs in a 21st century innovation economy, 2:30 p.m., SR-253.

November 14, Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, to hold hearings to examine Southeast regional perspective on “Magnuson-Stevens Act” reauthorization, 10:30 a.m., SR-253.

*Committee on Energy and Natural Resources*: November 14, business meeting to consider S. 753, to provide for national security benefits for White Sands Missile Range and Fort Bliss, S. 1169, to withdraw and reserve certain public land in the State of Montana for the Limestone Hills Training Area, and S. 1309, to withdraw and reserve certain public land under the jurisdiction of the Secretary of the Interior for military uses; to be immediately followed by a hearing to examine the nominations of Steven Croley, of Michigan, to be General Counsel, and Christopher Smith, of Texas, to be Assistant Secretary for Fossil Energy, both of the Department of Energy, and Esther Puakela Kia’aina, of Hawaii, to be Assistant Secretary of the Interior for Insular Affairs, 9:30 a.m., SD-366.

*Committee on Foreign Relations*: November 14, business meeting to consider S. 1271, to direct the President to establish guidelines for the United States foreign assistance programs, an original bill entitled, “Naval Vessel Transfer Act of 2013”, and the nominations of Daniel W. Yohannes, of Colorado, to be Representative to the Organization for Economic Cooperation and Development, with the rank of Ambassador, Anthony Luzzatto Gardner, of New York, to be Representative to the European Union, with the rank and status of Ambassador, Amy Jane Hyatt, of California, to be Ambassador to the Republic of Palau, and Elizabeth Frawley Bagley, of the District of Columbia, Theodore Strickland, of Ohio, and

Stephen N. Zack, of Florida, all to be an Alternate Representative of the United States of America to the Sixty-eighth Session of the General Assembly of the United Nations, all of the Department of State, 11:15 a.m., S-116, Capitol.

November 14, Subcommittee on European Affairs, to hold hearings to examine the Eastern Partnership, focusing on the outlook for Ukraine, Moldova, Georgia, Belarus, Armenia, and Azerbaijan, 2:30 p.m., SD-419.

*Committee on Health, Education, Labor, and Pensions:* November 14, to hold hearings to examine ensuring access to higher education, focusing on simplifying Federal student aid for today's college student, 10 a.m., SD-430.

*Committee on Homeland Security and Governmental Affairs:* November 13, to hold hearings to examine the nomination of Jeh Charles Johnson, of New Jersey, to be Secretary of Homeland Security, 10 a.m., SD-342.

November 14, Full Committee, to hold hearings to examine threats to the homeland, 10 a.m., SD-342.

*Committee on Indian Affairs:* November 14, to hold an oversight hearing to examine contract support costs and sequestration, focusing on Indian country, 2:30 p.m., SD-628.

*Committee on the Judiciary:* November 13, Subcommittee on Privacy, Technology and the Law, to hold hearings to examine "The Surveillance Transparency Act of 2013", 10 a.m., SD-226.

November 13, Full Committee, to hold hearings to examine the nominations of Nancy L. Moritz, of Kansas, to be United States Circuit Judge for the Tenth Circuit, Sheryl H. Lipman, to be United States District Judge for the Western District of Tennessee, Stanley Allen Bastian, to be United States District Judge for the Eastern District of Washington, and Manish S. Shah, of Illinois, to be United States District Judge for the Northern District of Illinois, 2 p.m., SD-226.

November 14, Full Committee, business meeting to consider S. 619, to amend title 18, United States Code, to prevent unjust and irrational criminal punishments, S. 1410, to focus limited Federal resources on the most serious offenders, S. 1675, to reduce recidivism and increase public safety, S. 975, to provide for the inclusion of court-appointed guardianship improvement and oversight activities under the Elder Justice Act of 2009, and the nominations of Carolyn B. McHugh, of Utah, to be United States Circuit Judge for the Tenth Circuit, Pamela L. Reeves, to be United States District Judge for the Eastern District of Tennessee, Vince Girdhari Chhabria, to be United States District Judge for the Northern District of California, James Maxwell Moody, Jr., to be United States District Judge for the Eastern District of Arkansas, and Peter Joseph Kadzik, of New York, to be an Assistant Attorney General, Peter C. Tobin, to be United States Marshal for the Southern District of Ohio, and Amos Rojas, Jr., of Florida, to be United States Marshal for the Southern District of Florida, all of the Department of Justice, 10 a.m., SD-226.

November 14, Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold hearings to examine cartel prosecution, focusing on stopping price fixers and protecting consumers, 2:30 p.m., SD-226.

*Committee on Small Business and Entrepreneurship:* November 13, to hold hearings to examine a review of programs for veteran entrepreneurs, 9:30 a.m., SR-428A.

*Select Committee on Intelligence:* November 14, to hold closed hearings to examine certain intelligence matters, 2 p.m., SH-219.

## House Committees

*Committee on Education and the Workforce,* November 14, Full Committee, hearing entitled "The Effects of the Patient Protection and Affordable Care Act on Schools, Colleges, and Universities", 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* November 14, Subcommittee on Health, hearing entitled "Obamacare Implementation Problems: More than Just a Broken Website", 10 a.m., 2322 Rayburn.

November 14, Subcommittee on Oversight and Investigations, hearing entitled "The Impact of Patent Assertion Entities on Innovation and the Economy", 2 p.m., 2123 Rayburn.

November 14, Subcommittee on Energy and Power, hearing entitled "EPA's Proposed GHG Standards for New Power Plants"; and a measure regarding the Whitfield-Manchin legislation, 9:30 a.m., 2123 Rayburn.

November 15, Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled "Our Nation of Builders: Training the Builders of the Future", 9:30 a.m., 2123 Rayburn.

November 15, Subcommittee on Health, hearing entitled "Reviewing FDA's Implementation of FDASIA", 10 a.m., 2322 Rayburn.

*Committee on Financial Services,* November 14, Full Committee, markup on the following legislation: H.R. 3329, to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes; legislation regarding the "Credit Union Share Insurance Fund Parity Act"; H.R. 1800, the "Small Business Credit Availability Act"; H.R. 2274, the "Small Business Mergers, Acquisitions, Sales, and Brokerage Simplification Act of 2013"; and legislation regarding the "Small Cap Liquidity Reform Act of 2013", 10 a.m., 2128 Rayburn.

*Committee on Homeland Security,* November 14, Subcommittee on Transportation Security, hearing entitled "TSA's SPOT Program and Initial Lessons From the LAX Shooting", 9:30 a.m., 311 Cannon.

November 15, Subcommittee on Oversight and Management Efficiency, hearing entitled "DHS Financial Management: Investigating DHS's Stewardship of Taxpayer Dollars", 9:30 a.m., 311 Cannon.

*Committee on the Judiciary,* November 14, Over-Criminalization Task Force, hearing on Regulatory Crime: Solutions, 10:30 a.m., 2237 Rayburn.

November 15, Subcommittee on Regulatory Reform, Commercial and Antitrust Law, hearing on Oversight of the Antitrust Enforcement Agencies, 9 a.m., 2141 Rayburn.

*Committee on Natural Resources,* November 14, Full Committee markup on the following legislation: H.R. 1308, the "Endangered Salmon and Fisheries Predation

Prevention Act”; H.R. 2798, to amend Public Law 106–206 to direct the Secretary of the Interior and the Secretary of Agriculture to require annual permits and assess annual fees for commercial filming activities on Federal land for film crews of 5 persons or fewer; H.R. 2824, the “Preventing Government Waste and Protecting Coal Mining Jobs in America”; H.R. 3008, to provide for the conveyance of a small parcel of National Forest System land in Los Padres National Forest in California, and for other purposes; H.R. 3188, the “Yosemite Rim Fire Emergency Salvage Act”; and H.R. 3189, the “Water Rights Protection Act”, 10 a.m., 1324 Longworth.

*Committee on Oversight and Government Reform*, November 14, Subcommittee on Government Operations, hearing entitled “Reviewing Alternatives to Amtrak’s Annual Losses in Food and Beverage Service”, 9:30 a.m., 2247 Rayburn.

November 14, Subcommittee on National Security, hearing entitled “Border Security Oversight, Part III: Border Crossing Cards and B1/B2 Visas”, 10 a.m., 2154 Rayburn.

*Committee on Rules*, November 14, Full Committee, hearing on H.R. 3350, the “Keep Your Health Plan Act of 2013”, 3 p.m., H–313 Capitol.

*Committee on Science, Space, and Technology*, November 14, Full Committee, hearing entitled “Strengthening Trans-

parency and Accountability within the Environmental Protection Agency”, 10 a.m., 2318 Rayburn.

*Committee on Small Business*, November 14, Subcommittee on Health and Technology, hearing entitled “Self-Insurance and Health Benefits: An Affordable Option for Small Business?”, 10 a.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure*, November 14, Full Committee, hearing entitled “Progress Report: Hurricane Sandy Recovery—One Year Later”, 10 a.m., 2167 Rayburn.

*Committee on Veterans’ Affairs*, November 14, Subcommittee on Health, hearing entitled “Addressing Operational Challenges to Ensure Accurate and Optimal VA Third Party Collections”, 10 a.m., 334 Cannon.

### Joint Meetings

*Conference*: November 13, meeting of conferees on S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023, 10 a.m., 1100, Longworth Building.

*Joint Economic Committee*: November 13, to hold hearings to examine the current economic outlook, 2:30 p.m., SH–216.

*Next Meeting of the SENATE*

10 a.m., Wednesday, November 13

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Wednesday, November 13

## Senate Chamber

**Program for Wednesday:** After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of the motion to proceed to consideration of H.R. 3204, Drug Quality and Security Act.

*(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)*

## House Chamber

**Program for Wednesday:** Consideration of H.R. 982—Furthering Asbestos Claim Transparency (FACT) Act of 2013 (Subject to a Rule).

## Extensions of Remarks, as inserted in this issue.

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