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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 29, 2014.

I hereby appoint the Honorable BLAKE FARENTHOLD to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2014, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

AFGHANISTAN

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

Mr. JONES. Mr. Speaker, this past Friday was a monumental day in the House of Representatives as we finally had a debate on the merits of sending U.S. troops back into the conflict in Iraq.

Again, I thank the House leadership and the Foreign Affairs Committee leadership for working with Representatives MCGOVERN, LEE, and myself to bring H. Con. Res. 105 to the floor, and I thank the 370 Members who voted in favor of this resolution.

H. Con. Res. 105 states very simply:

> The President shall not deploy or maintain United States Armed Forces in a sustained combat role in Iraq without specific statutory authorization for such use enacted after the date of the adoption of this concurrent resolution.

Mr. Speaker, it is my hope that we will have other debates on the Constitution and the role of Congress in deploying our military, including a debate on repealing both the 2001 and 2002 AUMF.

There is no decision more important than a vote to commit a young man or woman to war to potentially give their life for our country. That is one reason that I am opposed to President Obama's decision to allow U.S. troops to remain in Afghanistan. While he says that we are withdrawing our troops, the fact remains that 32,800 members of the American military remain in harm's way in Afghanistan at this very moment.

We have all read and heard the reports from Special Inspector General for Afghanistan Reconstruction, John Sopko, which details rampant waste, fraud, and abuse of American resources.

We in Congress continue to propose cuts to domestic programs that assist our veterans, children, and senior citizens, yet there are no cuts to the money that is being funneled overseas to prop up a corrupt Afghan regime.

One would think that we would learn from history. No amount of blood or treasure will change Afghanistan. It is what it is, like it or not. It is what it is.

As I close, I want to mention three members of the Army who died on July 25 as a result of their service in Afghanistan. I also want to thank ABC News for faithfully honoring our fallen servicemembers. The names of the three fallen Army members are Staff Sergeant Benjamin Prange, PFC Keith Williams, and PFC Donnell Hamilton.

Why, you may ask, do I continue to speak against the war in Afghanistan? Because American servicemembers are still dying.

Mr. Speaker, I have a poster beside me on the floor today that probably gives a better example of war than even I do with my words. It is a little girl holding the hand of her mom as the United States Army is getting ready to start the caisson. The little girl is wondering why her father is in the casket draped by an American flag.

These are the costs of war. We must always carefully consider where we are going to send our young men and women overseas to fight and give their life.

Mr. Speaker, with that, I will close by asking God to please bless our troops, God to please bless the families, and for God to continue to bless America.

SENATE TRANSPORTATION BILL

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

Mr. BLUMENAUER. Mr. Speaker, as early as this afternoon, the Senate debates transportation funding. It is not just about the money to stop the summer slowdown that is impacting projects and jobs all across America because we have not adequately funded our transportation needs. It is an opportunity to focus our response to the larger infrastructure crisis which is no longer just looming but is upon us.

America is literally falling apart. The American Society for Civil Engineers has famously rated our transportation with a D-plus, with an overall dismal scorecard for other infrastructure categories.

We can no longer afford to maintain our existing system in a state of good

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repair. Eleven percent of our bridges are obsolete or functionally deficient. Ongoing operations, to say nothing of strategic new investments, are increasingly difficult.

This is sad because the Federal Government used to play an essential role for infrastructure throughout our history, from Benjamin Franklin's postal roads to Abraham Lincoln's transcontinental railroad to Dwight Eisenhower's interstate highway system. The ability to even imagine such accomplishments is increasingly a thing of the past. This means we are losing our competitive edge to be able to move goods efficiently. Our families are losing mobility.

Our low level of investment is being dwarfed by competitors overseas: Europe, India, Japan, and especially China.

Shanghai has 14 subway lines, a high-speed Maglev railway, two massive modern airports, 20 expressways, and a high-speed train leaving Shanghai every 3 minutes. China has spent 8½ percent of its gross domestic product for 20 years, while American investment has shrunk to 1.7 percent recently for a system that is variously rated 12th or 27th, depending on what you are looking at.

Is it any wonder that China's economy has expanded 700 percent in 20 years while America struggles to grow at 2 percent a year?

With such an overwhelming, well-established need, it is criminal that Congress is in the process of making a decision that will probably delay any meaningful opportunity to correct this situation in transportation funding for 3 years or longer.

Yes, it is essential that a financial transfer take place to the highway trust fund to stop the summer slowdown and give Congress a chance to work, but hopefully, only with enough money to work through this year. The Senate may well appropriate enough money, as the House did a couple of weeks ago, to slide into the next Congress with new committees, new leadership, perhaps, in the Senate. The situation will get no easier, no less complex, and no less expensive if this Congress abandons its responsibility.

This is a continuation of an unfortunate pattern since 2003, where a series of ever-shorter solutions and 21 temporary extensions have created near permanent uncertainty for communities who rely on the Federal partnership for the big picture, major repair, and new construction of roads, transit, and bridges.

The people who build, maintain, and depend on our transportation infrastructure are in the dark where they stand now, where they will be in 6 months, where they will be 2 years from now. It is absolutely unacceptable.

I will fight for this Congress to get on with its job now. If it means we have to work in October instead of campaigning, so be it. If it means we have to come back after the election and work into the holidays, we should do so. Congress should not recess for vacation, for campaigning, or adjourn for the year unless it has met its responsibilities for a long overdue, 6-year, robust transportation bill provided with enough sustainable, dedicated funding to stop this chronic uncertainty.

The Senate will be debating limiting funding for this year or sliding into next. They will even debate Senator LEE's proposal to slash the Federal partnership and turn it back to the States as an unfunded mandate, eliminating the gas tax and, with it, any thoughtful, overall Federal transportation system.

These are the choices that really need to be drug out into the light. They need to be talked about in the open to find out what the public thinks, and then we make a decision, let them know, and move on. America deserves no less.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to refrain from trafficking the well while another Member is under recognition.

OBAMACARE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, the recent decision in Halbig v. Burwell held that ObamaCare ''makes tax credits available . . . to individuals who purchase health insurance through . . . exchanges . . . established by the State.''

Supporters of the law predictably decried judicial partisanship. They claimed the reasoning of the Court was spurious because it led to an absurd result which was not in line with the intended policy of the law.

Also recently, video surfaced of MIT health economist Jonathan Gruber, a prominent architect of and supporter of ObamaCare, clearly stating that States have an incentive to set up exchanges so that their citizens will have access to Federal subsidies. So much for the charge that the Court's reasoning led to an absurd result.

Mr. Speaker, it is quite obvious that someone at some point in the legislative drafting of ObamaCare thought using Federal subsidies as an incentive to get States to set up insurance exchanges was a good idea, and that was the view that was codified as law. But at a fundamental level, the issue here isn't the way the statute was written; it is the way the statute was passed. The extremely partisan nature of ObamaCare's passage has made the administration unwilling or unable to seek fixes via the normal legislative process because doing so would necessitate working across the aisle and compromising.

We all remember that ObamaCare was hastily passed after an election which cost the Democrats their supermajority in the Senate. They couldn't edit this law because the people of Massachusetts denied them that privilege. But that didn't stop Democrats from ramming this poorly drafted law through using some very questionable legislative tactics. Now they are asking the courts to let them make edits to the plain language of law without consulting Congress.

As this case moves forward on appeal, judges should ask themselves this question: Is it my role to shield the Democratic Party from the consequences of a republic form of government? I don't recall ever reading that particular clause in my copy of the Constitution.

THE LEGISLATURE'S JOB IS TO PASS LEGISLATION

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

Mr. QUIGLEY. Mr. Speaker, as the House uses what little legislative time is left in the year to sue the President, I am reminded of what Benjamin Disraeli once said: ''How much easier it is to be critical than to be correct.'' That is the reason why the American public thinks that the lawsuit against the President of the United States is a political stunt, because it is a political stunt.

The majority argues that the President's executive actions give them no choice but to sue the President; that it is the legislative branch's job to defend against the executive branch's supposed overreaches.

But I will tell you what the job of the legislature is. The job of the legislature is to pass legislation.

For 112 Congresses before this one, the fight over the separation of powers has endured, with each Congress before us using the powers allocated to it in our Constitution to pass legislation to counter the actions of the President.

□ 1015

It is not a unique idea: You don't like the job the President is doing? Well, then let's do our job. You don't like the President's policy? Well, then let's enact some policies of our own. Rather than litigating, we should be legislating.

My colleagues on the other side of the aisle have been so busy trying to prevent the President from doing his job, they have forgotten to do their own. For years, their number one legislative priority was making President Obama a one-term President, to discredit him, to delegitimize him. Time and time again, with every issue, from extending unemployment insurance to comprehensive immigration reform to climate change, to name a few, this Congress has punted the ball. Instead of finding the courage to tackle the tough issues the American people are

begging us to take on, we have retreated.

For many issues, we even refuse to allow a simple up-or-down vote on the floor. We are afraid that if we actually allowed a vote, we might actually pass something.

This Congress makes Truman's ''do-nothing Congress'' seem downright busy. No wonder why our approval numbers are so low. It is ironic that a Congress that refuses to get anything done has the audacity to accuse the President of getting too much done.

The President isn't taking our power away from us. We have abdicated it to him.

Since George Washington, our Presidents have used executive actions to get things done, yet the majority argues that this President is the exception to the rule. President Obama may be the exception, but not in the way that they think. Out of the last 10 Presidents, President Obama has signed the least number of executive orders, on average, per year. So far, the President has even signed half as many as President Reagan did.

Yet despite this, let's remember what the President has been able to accomplish over the last 6 years. President Obama brought our economy back from the brink of depression, lowering unemployment from 10 percent in 2009 to 6.1 percent today. We have had 52 straight months of private sector job growth, with the last month being the fifth month in a row of adding 200,000 jobs or more to the economy.

The President passed health care reform, achieving what every President since Teddy Roosevelt has tried and failed to do. Now millions of Americans who were previously barred from health insurance coverage because of preexisting conditions or because they simply could not afford it can access the care they desperately need.

And the President has taken unprecedented action to protect our environment. He has proposed the toughest fuel economy standards for passenger vehicles in U.S. history, put a plan in place to cut carbon pollution from new and existing power plants, and significantly increased production of renewable energy.

In 6 years, President Obama has accomplished more than many who have come before him, despite a do-nothing Congress whose stated mission has been obstruction.

Mr. Speaker, Malcolm X used to say that if you have no critics, you likely have no successes.

The intent of the majority's lawsuit may be to spotlight the President's critics, but I am confident that what it will actually do is prove his successes.

HELPING FAMILIES IN MENTAL HEALTH CRISIS ACT

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, the Helping Families in Mental Health Crisis Act reforms our broken and harmful mental health system. Here are some reasons why we need it.

For some who are experiencing the most serious mental illnesses, like bipolar disorder or schizophrenia, they don't think their hallucinations are real; they know they are real. Their illness affects their brains in such a way that they are certain, beyond all doubt, their delusions are real. It is not an attitude or denial. It is a very real brain condition.

With that understanding, we are left with a series of questions: Do these individuals have a right to be sick, or do they have a right to treatment? Do they have a right to live as victims on the streets, or do they have a right to get better? Do they have a right to be disabled and unemployed, or do they have a right to recover and get back to work? I believe these individuals and their families have the right to heal and lead healthy lives.

But they are sometimes blinded by a symptom called anosognosia, a neurological condition of the frontal lobe which renders the individual incapable of understanding that they are ill.

Every single day, millions of families struggle to help a loved one with serious mental illness who won't seek treatment. Many knew that Aaron Alexis, James Holmes, Jared Loughner, Adam Lanza, and Elliot Rodgers needed help.

Their families tried, but the individual's illness caused them to believe nothing was wrong, and they fought against the help. These families watch their brother, their son, or their parent spiral downward in a system that, by design, only responds after crisis, not before or during. The loved one is more likely to end up in prison or living on the streets, where they suffer violence and victimization, or cycle in and out of the emergency room or commit suicide.

In a recent New York Times article about Rikers Island prison, they report that over an 11-month period last year, 129 inmates suffered injuries so serious that doctors at the jail's clinics were unable to treat them; 77 percent of those inmates had been previously diagnosed with mental illness.

Rikers now has as many people with mental illness as all 24 psychiatric hospitals in New York State combined, and they make up nearly 40 percent of the jail population, up from about 20 percent 8 years ago.

Inmates with mental illnesses commit two-thirds of the infractions in the jail, and they commit an overwhelming majority of assaults on jail staff members. Yet, by law, they cannot be medicated involuntarily at the jail, and hospitals often refuse to accept them unless they harm themselves or others.

Is that humane? Shouldn't we have acted before they committed a crime to compel them to get help?

According to the article, correctional facilities now hold 95 percent of all institutionalized people with mental illness. That is wrong. Yet with all we know about mental illness and the treatments to help those experiencing it, there are still organizations, federally funded with taxpayer dollars, that believe individuals who are too sick to seek treatment will be better off left alone than in inpatient or outpatient treatment. It is insensitive. It is callous. It is misguided. It is unethical. It is immoral. And Congress should not stand by as these organizations continue their abusive malpractice against the mentally ill.

The misguided ones are more comfortable allowing the mentally ill to live under bridges or behind dumpsters than getting the emergency help that they need in a psychiatric hospital or an outpatient clinic because they cling to their fears of the old asylums, as if medical science and the understanding of the brain has not advanced over the last 60 years.

We would never deny treatment to a stroke victim or a senior with Alzheimer's disease simply because he or she is unable to ask for care. Yet, in cases of serious brain disorders, like schizophrenia, this cruel conundrum prevents us from acting even when we know we must because the laws say we can't. We must change those misguided and harmful laws.

The system is the most difficult for those who have the greatest difficulty. Why are some more comfortable with prison or homelessness or unemployment, poverty, and a 25-year shorter life span?

I tell my colleagues: Do not turn a blind eye to those that need our help. The mentally ill can and will get better if Congress takes the right action.

Tomorrow, Representative EDDIE BERNICE JOHNSON of Texas and I will hold a briefing at 3 p.m. on the rights of the seriously mentally ill to get treatment. I hope my colleagues will attend and understand that we have to take mental illness out of the shadows by passing the Helping Families in Mental Health Crisis Act, H.R. 3717, because where there is no help, there is no hope.

HONORING TED RUBIN

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

Mr. LOWENTHAL. Mr. Speaker, I stand here today to honor the military service and the life of Tibor—known to us as Ted—Rubin, a Korean war veteran, a Holocaust survivor, and a prisoner of war survivor.

Mr. Rubin received the Congressional Medal of Honor in 2005, and he will be the guest of honor at a ceremony in the city of Garden Grove at their post office in Orange County, California, on August 8, 2014.

Ted was born on June 18, 1929, in Hungary. He spent 14 months in a concentration camp in Austria, which was

liberated by the United States Army. Inspired by the work of the United States Army who saved him, he enlisted and became a member of the U.S. Army's 8th Cavalry Regiment, 1st Cavalry Division, on February 13, 1950, and he was soon deployed to Korea.

Despite facing religious discrimination from his sergeant, who sent him on the most dangerous missions in South Korea's Pusan Perimeter and who withheld his commendation, he fought valiantly. Corporal Rubin enabled the complete withdrawal of his comrades by solely defending a hill under an overwhelming assault by North Korean troops.

He inflicted a staggering number of casualties on the attacking force during his personal 24-hour battle and helped capture several hundred North Korean soldiers. During a massive nighttime assault, he manned a .30-caliber machine gun and slowed the pace of the enemy advance.

On a later assignment, Corporal Rubin was severely wounded, and he was captured. He disregarded his own personal safety and immediately began sneaking out of the camp at night in search of food for his comrades.

Risking certain torture or death if he was caught, he provided food to the starving soldiers, and he provided desperately needed medical care for the wounded in the prisoner of war camp. He used improvised medical techniques to save his fellow soldiers and provided critical moral support. His brave, selfless efforts were directly attributed to saving the lives of as many as 40 of his fellow prisoners.

Corporal Rubin's gallant actions in close contact with the enemy and unyielding courage and bravery while a prisoner of war are in the highest traditions of military service and reflect great credit upon himself and the United States Army.

Corporal Rubin states: ''I always wanted to become a citizen of the United States, and when I became a citizen, it was one of the happiest days in my life. I think about the United States, and I am a lucky person to live here. When I came to America, it was the first time I was free. It was one of the reasons I joined the U.S. Army, because I wanted to show my appreciation. It is the best country in the world, and I am part of it now. I do not have to worry about the gestapo knocking on my door tonight. I have shalom, peace. People die for it.''

HAS LAST CHRISTIAN LEFT IRAQI CITY OF MOSUL AFTER 2,000 YEARS?

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

Mr. WOLF. Mr. Speaker, I want to read the following piece that was posted on nbcnews.com yesterday. The headline was: ''Has Last Christian Left Iraqi City of Mosul After 2,000 Years?''

Samer Kamil Yacub was alone when four Islamist militants carrying AK–47s arrived at his front door and ordered him to leave the city. The 70-year-old Christian had failed to comply with a decree issued by the Islamic State of Iraq and Syria, ISIS.

Yacub's hometown of Mosul had boasted a Christian community for almost 2,000 years. But then the al Qaeda-inspired fighters who overran the city last month gave Christians an ultimatum. They could stay and pay a tax or convert to Islam—or be killed.

Yacub, 70, was one of the few Christians remaining beyond last Saturday's noon deadline. He may have even been the last to leave alive. ''A fighter said, 'I have orders to kill you now,'" Yacub said just hours after the Sunni extremists tried to force their way into his home at 11 a.m. on Monday. ''All of the people in my neighborhood were Muslim. They came to help me—about 20 people—at the door in front of my house. They tried to convince ISIS not to kill me.''

The rebels spared Yacub but threw him out of the city where he had spent his entire life. They also took his Iraqi ID card before informing him that elderly women would be given his house.

Mr. Speaker, this is but one example of what is unfolding in Iraq right before our eyes. The end of Christianity, as we now know it, is taking place in Iraq. This is the fifth time I have come to the floor over the last week to try to raise awareness of what is happening, to talk about the genocide.

It is genocide that is taking place. Yes, genocide: the systematic extermination of a people of faith by violent extremists seizing power in a region. Churches and monasteries have been seized. Many of them have been burned down.

Last week, it was widely reported that ISIS had blown up the tomb of the prophet Jonah.

Christians, threatened with their lives if they do not leave the region, are being robbed as they leave a land they have lived on for more than 2,000 years.

With the exception of Israel, the Bible contains more references to the cities, regions, and nations of ancient Iraq than any other country. The patriarch Abraham lived in the city of Ur. Isaac's bride, Rebekah, came from northwest Iraq. Jacob spent 20 years in Iraq, and his sons—the 12 tribes of Israel—were born in northwest Iraq. The events of the book of Esther took place in Iraq, as did the account of Daniel in the lion's den.

Many of Iraqi's Christians still speak Aramaic, the language of Jesus. The Pope has spoken out. His Beatitude Ignatius Ephrem Joseph III Younan, the overseer of Syriac Catholics around the globe, has spoken out.

□ 1030

His Grace Bishop Angaelos, general bishop of the Coptic Orthodox Church in the United Kingdom, has spoken out. Archbishop Justin Welby, the archbishop of Canterbury and leader of the world's 80 million Anglicans, has spoken out. Russell Moore, a key leader in the Southern Baptist Convention, has spoken out.

Despite these Christian leaders speaking out about the systematic extermination of Christians in Iraq, the silence in this town, in Washington, is deafening. Does Washington even care? Where is the Obama administration? The President has failed. Where is the Congress? The Congress has failed.

Time is running out. The Christians and other religious minorities in Iraq are being targeted for extinction. They need our help. Literally, during our time, we will see the end of Christianity in the place it began.

INSTITUTIONAL LITIGATION IS UNPRECEDENTED

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

Mr. BUTTERFIELD. Mr. Speaker, as many of my colleagues know, I spent 30 years in a courtroom, one-half of those as a judge, including 2 years on the North Carolina Supreme Court. I have taken particular interest in House Resolution 676, and I have spent considerable time researching the standing of the House to initiate litigation against a President or Department heads or Federal agencies to seek ''appropriate relief for failure to act in a manner consistent with the duties of the executive branch.''

Never before, Mr. Speaker, in the history of the Congress, has there been ''institutional litigation'' between two coequal branches of government—never. There have been prior cases involving individual Members of Congress who have alleged that their vote had been nullified by Presidential action, but none of them succeeded.

This bill will clearly authorize institutional litigation between the legislative and executive branches—unprecedented, Mr. Speaker.

The Republicans have chosen to proceed with a one-Chamber resolution. The Affordable Care Act, I remind you, was a two-Chamber enactment. The House, as an institution, as a subset of the Congress, Mr. Speaker, cannot by itself enforce a legislative enactment. It must be bicameral.

This misguided and politically-motivated resolution will establish a precedent that is unknown in our jurisprudence. It is an abuse of power on the part of House Republicans.

If this bill passes and this Republican-controlled House initiates a lawsuit without Senate authorization, it will threaten the separation of powers principle and the checks and balances that we have long cherished in our country.

I ask my colleagues: Do you want the judiciary to become the arbiter of disputes between the Congress and the President? Do you really want to cede to the courts the authority to resolve disputes between the branches?

If you set this precedent, then, in the future, the House or the Senate, acting alone, could simply allege a constitutional violation against the President and get its day in court.

Well, what happens if a President is unhappy with the House or with the Senate? Could she just allege a constitutional violation and have the courts settle the dispute? If this precedent is established, will the House be able to sue the Senate or the Senate sue the House? Where does this end?

I call on my Republican friends to talk to objective legal scholars and read the literature and prior court decisions, protect the integrity of our Federal system, and reject this resolution.

Finally, I ask the proponents of this legislation to tell me two things:

Tell me, what relief are you asking the court to impose? I suppose your answer would be, well, we want the court to tell President Obama that he lacked authority to extend the employer mandate.

Why are you upset about that? I thought you didn't like the employer mandate.

Well, tell me, how do you plan to pay for this frivolous litigation? Under this resolution, Mr. Speaker, the Speaker of the House will have unbridled discretion to pay legal costs and expert costs. I did not know that the House of Representatives has the authority to pass a bill that will require unbudgeted spending that will add to the deficit that you constantly bemoan. How much will this litigation cost the taxpayers?

Mr. Speaker, this is a very sad day in this House. I know what you are doing, and the American people know what you are doing. You are using this legislation in your constant effort to discredit President Obama and set the stage for a despicable impeachment proceeding should you hold the majority in the House and gain the majority in the Senate.

Shame on House Republicans. Shame on you for this type of politics.

The SPEAKER pro tempore. The Chair will remind the Members that remarks in debate must be addressed to the Chair and not to others in the second person.

HOUSE PASSAGE OF ENDANGERED SPECIES ACT BILLS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this week, the House will be advancing solutions to some significant issues that are facing this Nation.

Among those, I rise today to discuss one of those, a piece of legislation set for consideration by the House later this week, H.R. 4315, the Endangered Species Transparency and Reasonableness Act. It is a package of reform bills that will modernize and improve the Endangered Species Act.

In 1973, the Endangered Species Act was first enacted to protect and recover key domestic species that are under threat of distinction. Although the ESA was written with the best of intentions, areas of the law hinder, rather than enhance, our ability to effectively manage ecosystems and conserve species as initially intended. Today, the law is failing, failing to achieve its primary purpose of species recovery and has only a 2 percent recovery rate.

In April, the House Natural Resources Committee advanced this package of bills through committee with support from both sides of the aisle.

As a member of the House Endangered Species Act Working Group, which developed the findings and recommendations for these proposals, I encourage my colleagues to support these reforms that promote greater transparency and accountability under the Endangered Species Act, while ensuring the ecological and economic needs of our local communities are being met.

HOUSE REPUBLICANS' SHAMEFUL DIVERSION TECHNIQUES

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

Mr. NADLER. Mr. Speaker, 6 years ago, President Obama and the Democratic Congress took office. When they took office in January of 2009, the economy was in free fall, and we were losing 800,000 jobs a month—losing 800,000 jobs a month, but the Congress went to work, and under the guidance of President Obama, we passed the American Recovery Act, we saved the American automobile industry, and within 14 months, we were gaining 250,000 jobs a month. We turned around over 1 million jobs a month, from losing 800,000 to gaining 250,000 in 14 months.

The President knew that that wasn't sufficient to continue the progress, so he proposed the American Jobs Act, and he proposed a major investment in American infrastructure. But the newly-elected Republican Congress—the obstructionist Republican Congress—stopped the American Jobs Act, wouldn't pass the infrastructure bill, and stopped every job initiative the President and Democrats proposed, and we have had a slow recovery from that recession.

We are gaining about 200,000 to 250,000 jobs a month. It is up a little, and that is good, but our economy is about $2 trillion below its productive capacity, below what it should be because every proposal from the President has been stopped by the Republican Congress, which shouldn't have time for it, but they had time for other things.

We had plenty of time to take 50 votes on repealing the Affordable Care Act at a cost to the taxpayers of about $79 million to repeat that vote 50 times. We had time for the Republicans to shut down the government. That cost the economy about $24 billion.

We had time when the administration knew that the Defense of Marriage Act could not be defended in court, the House of Representatives wasted $3.5 million trying to defend the indefensible in court and lost in front of the Supreme Court. We have had, in that time, no minimum wage increase, no extended unemployment insurance, and no pay equity for women because it costs too much money. This House has passed $850 billion in unpaid-for tax loopholes for large corporations—unpaid for.

Now, they want to waste more money. The Speaker wants to waste more money on a meritless lawsuit against the President for not taking care that the law be faithfully executed.

What did he do? In implementing the Affordable Care Act—which the Republicans have tried to repeal 50 times—he postponed implementation of one provision by a year—a provision the Republicans opposed, so they now want to waste money to go into court and sue the President to say he had no power to postpone this for a year, even though no one opposed President Bush when he postponed for a year a provision of the Medicare drug act when he was President.

It is well within the discretion of Presidents, in implementing a law, to postpone parts of it in order to get it done right. That has been very clear, and it becomes another question. Let's assume the Republicans went into court and overturned the standing question that Mr. BUTTERFIELD talked about—which they will not—what is the remedy they seek?

By the time it got to court, that provision will have been implemented, so the Republicans want to waste $5 million or $6 million of taxpayers' money to go into court and say, Judge, order the President to implement what has been already implemented—totally ridiculous.

So what have we got? We have got a Congress with no highway bill, no minimum wage bill, no unemployment extension bill, no pay equity for women bill, no action on campaign finance reform, no action to reduce the burdens of student loans, no action to make sure that women continue to have access to contraceptive services—despite the Supreme Court's Hobby Lobby decisions—no action on all the emergencies that face the American people, but we are going to waste money on a meritless lawsuit that will go nowhere, but simply will serve the single function of diverting attention from all the real problems the House Republicans want to continue to ignore.

That is not a proper use of the taxpayers' money, more wasted money for political purposes—for shame.

HONORING THE LIFE AND SERVICE OF WALDWICK, NEW JERSEY, POLICE OFFICER CHRISTOPHER GOODELL

The SPEAKER pro tempore. The Chair recognizes the gentleman from

New Jersey (Mr. GARRETT) for 5 minutes.

Mr. GARRETT. Mr. Speaker, I rise today to honor the life and service of Waldwick, New Jersey, Police Officer Christopher Goodell. Officer Goodell was killed in the line of duty on July 17, 2014, when a truck hit his police cruiser. He was just 32 years old.

Although Officer Goodell's life was tragically cut short, he lived a life of purpose, serving both his community and his country as well.

Officer Goodell was raised up in Waldwick and graduated from Waldwick High School, just back in the year 2000. Shortly after September 11, Officer Goodell enlisted in the U.S. Marines. Officer Goodell served in the military for 5 years, even including a tour of duty over in Iraq.

After his military service, Officer Goodell returned back to his hometown of Waldwick, New Jersey, and joined the Waldwick Police Department. He took a special interest, if you will, in discouraging teens from drinking and driving.

He spoke about the dangers of drunk driving back at Waldwick High School, and he also ran an annual DWI prevention course.

It was on June 11 of this year that Officer Goodell was recognized in the State by the State chapters of Mothers Against Drunk Driving, doing this for all of his good service.

Thinking about it, Officer Goodell truly had a bright future ahead of him. Just last month, he had proposed to his girlfriend, and they had plans to get married in 2016, but now, he is survived by his fiancee, a loving family, and an endless number of friends.

Officer Goodell was truly a hometown hero. He lived a life of purpose, and he died serving and protecting the community where he grew up. So I come here today and I ask my colleagues here in the House of Representatives to join me today in paying tribute to Officer Goodell.

We recognize, as we do this, that words alone may be of little comfort to the family and the friends of Christopher Goodell. It is my hope that they may find some solace, knowing that our thoughts and our prayers will be with them.

JOURNEYING THROUGH THE 23RD DISTRICT OF TEXAS, THE TOWN OF COTULLA

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

Mr. GALLEGO. Mr. Speaker, today, I would like to continue the journey through the vastness of the 23nd District of Texas and pass through a Texas town with an early reputation for infamy. ''Cotulla! Everybody get your guns ready,'' that is what train conductors would yell as they approached the town of Cotulla, which was established in 1881.

In spite of its infamous start, Cotulla emerged from the roughness that is common to early Texas towns and became an early indicator of the social change that was to come to America, taking on issues such as civil rights and women's education.

Life in Cotulla inspired a very young teacher, a man by the name of Lyndon B. Johnson, who went on to serve as our country's 36th President, and inspired him to lead the fight for change. President Johnson taught Mexican Americans in Cotulla's segregated public schools.

□ 1045

Early on, he understood how education could pull a family out of generations of poverty and push them into the middle class. LBJ, after his experience in Cotulla, once said:

> This Nation could never rest while the door to knowledge remained closed to any American.

Education, the key that opens the locks of success, found an early ally in Cotulla. The town itself was founded by a young entrepreneur by the name of Joseph Cotulla, who was a Polish immigrant and a veteran of the Union Army. He was willing to take the risk of establishing a town after learning that the International-Great Northern Railroad intended to expand into La Salle County. This willingness to risk is still what makes our country great today.

The town grew from an early farming and ranching community into an energy boomtown in the 1950s. That still continues today in the Eagle Ford Shale area. Today, as in the past, the folks in Cotulla work to secure America's energy future, and by 2035, our energy deficit will be reduced to 4 percent.

Today, many of the descendants of Joseph Cotulla still live in the town. The town has seen tremendous change since its founding and its infamous early reputation. In truth, we find a small reflection of America in Cotulla: a willingness to overcome adversity and take risks to find success and to achieve. Cotulla's history also points out that the fabric of American society doesn't always match our founding values, but in Cotulla, it set in place a desire to change that.

I invite anyone who is visiting south Texas to stop by Cotulla, to learn its history, and to enjoy its hospitality.

PREVENTING EXPANSION OF DACA

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

Mrs. BLACKBURN. Mr. Speaker, today I rise in support of a bill I introduced to prevent the expansion of the Deferred Action for Childhood Arrivals program that was unlawfully created by executive memo on August 15, 2012. H.R. 5160 is the House companion to legislation introduced by Senator TED CRUZ of Texas and would freeze DACA by defunding it.

DACA promotes amnesty by using prosecutorial discretion to allow illegal immigrant children and those who came here illegally as children a deportation deferral to remain in the country for up to 2 years. The deferral period is subject to renewal.

DACA also permits illegal aliens to obtain work authorization, despite the fact that they are not in the country legally. This takes jobs away from hardworking American taxpayers and hurts our economy. According to ICE, remittances from El Salvador, Guatemala, and Honduras are estimated to cost the U.S. taxpayer $10 billion a year.

Last month, DHS Secretary Johnson announced that DACA would be extended and that those who have been protected from deportation would have a chance to renew their applications.

Democrats say that DACA is irrelevant because it only applies to illegal immigrants who have been here since 2007, but let me tell you why DACA reform does matter.

First, the administration will expand DACA. President Obama has instructed DHS Secretary Johnson and Attorney General Holder to come up with a list of executive actions to address immigration reform. DACA is going to be on that list.

Second, DACA has given Central American children false hope that they will be able to obtain amnesty as those before them have done.

DACA began in 2012, and the numbers tell the story. In fiscal year 2013, there was a 305 percent increase in the number of unaccompanied alien children that came to the U.S. That figure is expected to increase by 1,381 percent in fiscal year 2014. Yes, you heard me right: 305 percent in 2013; 1,381 percent in 2014. Those numbers are evidence of the correlation between DACA and the influx of unaccompanied alien children coming to the U.S.

Just recently, I learned that the administration secretly placed 760 unaccompanied alien children into Tennessee. This was done despite assurances I had received from the administration that alien children were not in Tennessee. Indeed, the administration appears extremely organized and eager when it comes to resettling the illegal immigrants in this country. I wish they were as eager and organized about addressing the concerns of our veterans, some who have died while on the VA waiting list.

Sadly, the President and the Democrats have moved from the party of ''yes, we can'' to the party of ''because we can.'' DACA provides another example of how the President is using executive action to circumvent Congress.

Soon, if he continues on this path, we won't need legislators or the courts. The President will make the law, interpret the law, and then, if he chooses, enforce the law. The Obama doctrine of lawlessness is cracking the foundation of our democracy. It is shredding the Constitution and consolidating power within the executive branch.

Mr. Speaker, I ask, if the President has the power to tell illegal immigrants that they can stay in the country, does he have the power to tell legal citizens to leave the country? If the President can delay part of a law, does he have the power to delay the entire law? Where does his authority begin and end?

The President's immigration policies are causing every town to be a border town, every State to be a border State. And not only is it turning America into a country without borders, it is turning it into a country without laws.

Mr. Speaker, President Obama's inability to secure the southern border is also placing America's national security in a pre-9/11 posture. The Department of Homeland Security estimates that 90,166 unaccompanied children will arrive in the U.S. in 2014. If 90,000 unaccompanied children can sneak into our country, how difficult will it be for a terror cell to infiltrate America and plan an attack?

We need to be concerned about securing our borders. We must secure our border. We must end the cruelty of providing children with false hope, and we must stop the lawlessness of this President.

WHAT HAVE REPUBLICANS DONE FOR YOU LATELY?

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

Mr. JOHNSON of Georgia. Mr. Speaker, I rise this morning to talk about the issue of impeachment; and in connection with that topic, I would use as my text the song some of us may remember by Janet Jackson, ''What Have You Done for Me Lately?''

That is what we should ask the House Republicans: What have you done for me lately?

Well, I will tell you what Congress has been doing. Congress has been wasting your time and your tax dollars. At a time when Congress should be working on the issues that matter most to the pockets and pocketbooks of America's citizens, instead we have, for the last 3 weeks, been wasting taxpayer time and money.

During that 3-week period, over $800 billion in tax cuts have been awarded to the rich people of this country. And guess what. The Republicans have once again violated their own rule and failed to find an offset in the budget to pay for this gift to the wealthy. This means that Republicans have just added—just like that—almost $1 trillion to the Nation's debt.

What have you done for me lately?

This session of Congress, the 113th Congress, which threatens to go down in history as the least productive Congress in the history of this great Nation, this Congress has produced a government shutdown, which cost the American people $24-plus billion. And we have spent in this House of Representatives $79-plus million shuffling paper and voting 50 times to repeal the Affordable Care Act.

And how much is it going to cost the American taxpayers when the Republicans embark upon this effort to impeach President Obama? How much will it cost? Well, they won't let you know that. I will tell you, shutting down the government and repealing ObamaCare did not work, so we just wasted money. The Republicans came up empty-handed.

So what are they doing now? In fact, working people should ask their Representatives during this upcoming 5-week August recess which we have worked so hard to earn, you should ask your Representative: What have you done for me lately?

Congress has spent the last 3 weeks preparing to impeach President Obama. You see, over the past 3 weeks, the Republicans in the House have been talking up and taking legislative action, at the same time mounting a FOX TV and hate-radio campaign in support of their effort to file a lawsuit against the President of the United States. Now, is this lawsuit simply an attempt to mollify and pacify those Republicans who have turned up the volume on the drumbeat towards impeachment, or, more cynically, is this lawsuit a precursor to the filing of articles of impeachment so they can remove this twice-elected President from office prior to the end of his term?

Either way, it does not look good for America if, in November, voters put Republicans in control of both Houses of Congress. Just like the government shutdown, cooler heads will not prevail. TED CRUZ and the other Tea Party Republicans who were so willing to drive America off the fiscal cliff will not hesitate to do what has never been done throughout the course of our history, and that is to pull off a coup.

So the lawsuit against President Obama should be looked upon as being synonymous with impeachment.

FAILED ENERGY POLICIES

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

Mr. DUNCAN of Tennessee. Mr. Speaker, President Obama told the San Francisco Chronicle editorial board in 2008, under his environmental policies ''electricity rates would necessarily skyrocket.''

To be even more specific, he said:

> If somebody wants to build a coal-fired power plant, they can. It is just that it will bankrupt them. Under my plan, electricity rates would necessarily skyrocket.

Now listen to this story from The Washington Post just last week:

> Pueblo, Colorado. Sharon Garcia is stumbling around her dining room in the dark, trying to find Post-it notes.
>
> As she has for years, Garcia wants to affix the notes, marked with dollar signs, to light switches all around her house. The message to her five kids: light is expensive.
>
> ''Why do you need to turn the lights off?'' she asks her son, Mariano.
>
> ''Because otherwise there's no money,'' he answers, dutifully.
>
> ''And when there's no money?''
>
> ''You can't feed us or take us anywhere.''

Bingo, again.

□ 1100

I am still quoting from the Post story:

> It's not just the light switches, though. Ever since her power was shut off in 2010, Garcia has adopted a Depression-era obsessiveness: she doesn't use the oven in the summer, because it heats up the house, and uses only one small air-conditioner. Even the aquarium goes dark when someone's not in the room.
>
> And yet, no matter how much she rations and cuts, Garcia cannot keep ahead of the fast rise in rates. In Pueblo, the residential rate per kilowatt hour has risen 26 percent since 2010, and on a per-household basis, is now among the highest in the State.
>
> But in Pueblo, it happened in a way that has left poor consumers gasping for relief.
>
> To a wealthy community, skyrocketing electricity rates might not have much of an impact. When you have a decent-paying job, what's a few more dollars a month on your utility bill?
>
> Pueblo is not that kind of place. With a poverty rate of 18.1 percent, incomes far below the State average, and a third of the population on some sort of public assistance, those few dollars can make a big difference here.

Now, I realize that almost all environmental radicals come from wealthy or upper-income families. Perhaps they just do not realize how harmful all these environmental rules and regulations and red tape are to poor and lower income people.

As Charles Lane, The Washington Post columnist, said, climate change is ''a rich man's issue.''

Perhaps it doesn't matter to wealthy environmentalists that all this environmental overkill has sent millions of good jobs to other countries over the last 40 or 50 years.

Now we have ended up with the best-educated waiters and waitresses in the world as millions of college graduates or very intelligent non-college graduates are having to work at jobs far below the levels of their education or below the level of their skills, talents, and abilities.

Perhaps it doesn't matter to rich or upper-income environmentalists if utility bills or prices for everything go way up, but it sure does matter to millions of people like Sharon Garcia.

Perhaps it doesn't matter to wealthy environmentalists that their policies over the years have driven very small- and medium-sized companies out of business.

Perhaps they are pleased that their policies have helped give job security to bureaucrats and have helped extremely big businesses and foreign energy producers.

This administration even had a Secretary of Energy until a few months ago who said we need to be paying the same price for gas as they do in Europe—$8 or $9 a gallon.

Then, of course, all the wealthy environmentalists would have to fight a

whole lot less traffic because they would be about the only ones who could afford to drive.

We have made tremendous progress over the past many years in cleaning our air and water. I have voted for many of these laws and voted many years ago for the toughest clean air law in the world.

But as Charles Krauthammer said: If we shut our whole country down, it would make almost no difference on carbon emissions because China and India together are opening coal-fired plants at rate of almost one per week, and Indonesia is the third-largest emitter.

Some environmental groups hate to admit how much progress we have made—how much cleaner our air and water are—because it would reduce their contributions. They have to keep telling people how bad everything is so their contributors will keep sending them money, especially money and contributions from foreign energy producers.

But we need to make people realize that only a prosperous country that allows free enterprise can generate the excess funds to do good things for the environment that everybody wants done.

Communist and socialist countries have been some of the biggest polluters in the world because their economies have been barely able to feed, clothe, and house their people. And certainly they have been unable to spend the kinds of money that it costs to help the environment.

We must not allow big government environmental regulators at both the Federal and State levels to cause our country to move so far to the left that it destroys our economy.

HOUSE REPUBLICAN SUBTERFUGE

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

Mr. CLYBURN. Mr. Speaker, I rise this morning to denounce the unprecedented political attack House Republicans are bringing to the floor of this House. This week, this body will consider a measure to bring a lawsuit against the President of the United States for doing the job that the people of this country elected him to do.

This highly partisan lawsuit is a subterfuge. It is a subterfuge by House Republicans aimed at achieving their political goals that they were not able to achieve at the ballot box. Make no mistake about it. This is not a frivolous matter. Nothing could be more serious than House Republicans attempting to get the taxpayers of this country to finance their misuse and abuse of the legal system. The ultimate goal of this exercise is to try to discover some peg upon which they can hang an impeachment resolution.

This is very simple. Republicans could not defeat this President in back-to-back elections, and now they are looking for other means to their ends. This wasteful Republican lawsuit is their prelude to impeachment. It is a vendetta, a direct attack on the heart of our democratic form of self-government launched by House Republicans who got over a million less votes from the American people in the last national elections than their Democratic counterparts. Nothing could be more serious.

This lawsuit is a measure by House Republicans to use taxpayer money to further their partisan attempts to besmirch and destroy a President they couldn't beat in the elections. It is unfair to the American people, it is undemocratic, it is un-American.

Mr. Speaker, the American people need to know what is going on here. Rather than focusing on creating jobs, fixing our broken immigration system, rebuilding our crumbling infrastructure, and other sensible measures that can help hardworking families struggling to make ends meet, House Republicans are obsessed with political gamesmanship on a historic scale. Nothing could be more serious.

LET'S NOT WASTE PRECIOUS TIME SUING THE PRESIDENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. VELÁZQUEZ) for 5 minutes.

Ms. VELÁZQUEZ. Mr. Speaker, with 3 legislative days left before Congress leaves for a 5-week vacation, Democrats are working to advance the priorities of the American people: creating jobs, jump-starting the middle class, and working to reform our broken immigration system. The majority, however, seems only interested in advancing a lawsuit against the President of the United States.

Mr. Speaker, this is wrong, very wrong. Suing the President—for what, for doing his job? This is the first time in the history of our Nation that one branch of government is bringing a lawsuit against another branch of government. What an incredible way to uphold the separation of power among branches of government.

Mr. Speaker, the American people sent us here to tackle big problems and do real work on their behalf. This lawsuit is only further proof that House Republicans have lost touch with the American people.

Not only is this lawsuit a waste of time, but it is a serious waste of taxpayers' money. Just as House Republicans spent $2.3 million defending discrimination during the DOMA case, and the $3 million they are spending on the Select Committee on Benghazi, they are now poised to waste yet more money on a political stunt that is deeply unpopular with the American people.

Mr. Speaker, we have critical work to do. I strongly urge my colleagues to do what is right. We should stay here in Washington to deal with issues like immigration reform, veterans' health care, and the economy. Let's not waste precious time and money on political stunts like suing the President. We owe it to the American people.

RECESS

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

Accordingly (at 11 o'clock and 10 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

Reverend Jeff Parish, First Baptist Church of Indian Rocks, Largo, Florida, offered the following prayer:

Lord, we come before You today and pray for our elected officials.

God, I pray for wisdom for them in areas that they need it and guidance to follow You, Lord, in all things.

God, we do pause today and ask You to use us as Your servants.

We realize our dependence on You and look to You for answers to the problems that face our country. I pray that the discussion and the decisions made in this Chamber today, God, will reflect Your heart and Your direction.

Lord, we pray in Jesus' name.

Amen.

THE JOURNAL

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

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

Mr. MESSER. 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. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Maryland (Mr. HARRIS) come forward and lead the House in the Pledge of Allegiance.

Mr. HARRIS led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND JEFF PARISH

The SPEAKER. Without objection, the gentleman from Florida is recognized for 1 minute.

There was no objection.

Mr. JOLLY. Mr. Speaker, I rise today to introduce to my colleagues and to this House our guest chaplain for the day, Pastor Jeff Parish.

Pastor Jeff serves as the senior pastor of First Baptist Church of Indian Rocks, Florida. Pastor Jeff first entered the ministry in 1986, sharing with others the message of Christian salvation and of the redeeming love and grace of the God in whom we put our trust, and counseling fellow believers along their personal faith journey.

Pastor Jeff is joined in his ministry by his wife, Martha, and by the congregation and community of believers at First Baptist Indian Rocks, a church family that, for 50 years, has shared its message of faith with the Pinellas County community but also in remote lands around the globe.

I welcome Pastor Jeff today, and I thank him personally for the ministry he leads every day that has had an impact on the life of this Member but, likewise, on many thousands of others he has touched during his career of service to our loving God.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

ACA FAILURES

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

Mr. HARRIS. Mr. Speaker, over half of Americans view the President's health care law unfavorably, according to a new Rasmussen report. But this is no surprise. What started only as a failed Web site has turned into even more logistical failures: problems about applications, questions about subsidies, and lots of confusion.

But the policy behind ObamaCare is equally flawed. Premiums are rising. Americans are losing the coverage they liked. They are unable to see the doctors they were previously visiting. And they are finding that many of the services or drugs that they need are not covered. President Obama promised the opposite of this, and Americans should not be misled by their leaders.

House Republicans will continue to pursue patient-centered reforms so Americans can get the care they need and want, the care they were promised.

LAWSUIT AGAINST PRESIDENT OBAMA

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

Mr. KILDEE. Mr. Speaker, so there are just 3 legislative days left before we go on recess, and the most pressing issue that the House Republican leadership has decided that we need to devote our legislative time to is a resolution to sue the President of the United States.

Not to bring up a jobs bill, not to deal with comprehensive immigration reform, not to extend emergency unemployment benefits for the millions of people who have lost their benefits, but to debate a dangerous and unprecedented lawsuit with the House of Representatives suing the President. What is next—the Senate suing the House? I mean, this is really ridiculous.

And after all that is done, what we are going to do is recess for 5 weeks. Instead of taking up the issues that the people have sent us here to deal with, we are going to leave for 5 weeks after taking action—presumably, the majority will vote to sue the President of the United States.

It is a waste of our time. It is a horrible waste of money. It is unconscionable. We ought to stay here and do the work of the American people that we were sent here to do.

DEFENDING THE CONSTITUTION

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

Mr. MESSER. Mr. Speaker, the President has taken the oath of office two times. Twice he has sworn to faithfully execute the laws. Twice he has sworn to protect and defend the Constitution. Yet he has unilaterally delayed the employer mandate of his own health care law twice. On topic after topic, this President has violated the law through overreaching executive action, often not even bothering to issue an executive order.

Our former constitutional law professor-turned President should know that it is Congress' job to make the laws, and it is his job to carry them out, not make them up.

That is why the House is asking the judicial branch to step in and referee this dispute. Champions of the President's choices today may regret when future Presidents are empowered to run roughshod over the people's representatives. Let's defend the Constitution and support the House lawsuit.

The SPEAKER pro tempore. Members are reminded to refrain from improper references toward the President.

RESOLUTION TO SUE THE PRESIDENT

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

Mr. COURTNEY. Mr. Speaker, 9.5 million Americans are unemployed. America's roads and rails are crumbling. College graduates are saddled with $1 trillion in debt that they can't refinance. Ukraine and the Middle East are on fire. And what does the Speaker have lined up for us in the final 3 days before his 5-week recess for August? He wants us to pass a resolution to sue the President for actions he doesn't like. Mainstream legal experts have said repeatedly this lawsuit is both ludicrous and dangerous, but what it mostly is is wasteful.

The Speaker's shutdown cost the American economy $24 billion. The 50 ACA repeal votes have cost $79 million. The DOMA lawsuit lined pockets of lawyers at $500 an hour, billable hours.

We should cancel the recess. We should go to work in terms of addressing the issues of jobs in this country. We should stop lining the pockets of politically connected lawyers. Let's stand up for the middle class. Let's fix America's infrastructure, and let's get this country moving again and skip the lawsuit.

HUMAN TRAFFICKING PRIORITIZATION ACT

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

Mr. HULTGREN. Mr. Speaker, I rise today in support of the Human Trafficking Prioritization Act, H.R. 2283, and commend my friend and colleague from New Jersey, Representative CHRIS SMITH, for introducing it.

The State Department's Office to Monitor and Combat Trafficking in Persons, or J/TIP, does a fantastic job of maintaining U.S. leadership and accountability in the worldwide effort to combat human trafficking.

More than 130 countries have created or strengthened their antitrafficking laws largely due to J/TIP's work. Among other provisions, this bill raises the status of the J/TIP office to that of a bureau, preventing countries and other bureaus from gaming the tier ranking system. It also achieves this without any additional bureaucracy or cost to the taxpayers.

As a member of the Congressional Human Trafficking Task Force, working with the congressional leadership, J/TIP, and antitrafficking groups, I know it is crucial to keep this fight from being consumed in a bureaucratic shuffle.

I thank Congressman SMITH for his leadership and look forward to Senate passage of H.R. 2283.

HALTING THE GOP MARCH TOWARD IMPEACHMENT

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

Mr. VEASEY. Mr. Speaker, this week House Republicans will be considering a resolution that would authorize the Speaker of the House to sue President Obama. This lawsuit is frivolous. It is also wasteful and without merit.

We must focus on critical legislative priorities instead of political lawsuits that will do nothing but waste millions

of the taxpayers' dollars. There are critical issues that need action now. How about creating some jobs, raising the minimum wage, or maybe fixing our broken immigration system before we leave here?

I can tell you that the constituents in my district could use a raise in the minimum wage. There are also people out there that are hurting, that need their unemployment benefits extended.

This lawsuit disregards the priorities of the American people. I do not support this lawsuit. It is frivolous. And I suggest that we use our time to address critical issues that will positively impact Americans.

I will be voting ''no'' on this lawsuit and urge the House leadership to use their time wisely this week—like we are taught early in elementary school—to bring up bills that will put hardworking Americans back to work.

CONGRATULATING GENERAL WILLIAM L. SHELTON ON HIS RETIREMENT FROM THE AIR FORCE

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

Mr. LAMBORN. Mr. Speaker, I rise today to recognize General William L. Shelton on the occasion of his retirement from the U.S. Air Force.

Over the course of his career, General Shelton has served with great distinction and made countless sacrifices for our country. We commend his service and the sacrifices of his wife, Linda, and their two children, Sara and Joel, in support of his service.

General Shelton has been a vigilant advocate for national security space programs. As the commander of Air Force Space Command, he was responsible for more than 40,000 military and civilian personnel who assure space and cyberspace protection for our Nation. He established an unmatched level of success during a time of increasing challenges. His frank and informed discussions on space systems have helped leaders and citizens around the world appreciate the value of our Nation's space capabilities.

General Shelton deserves our most heartfelt gratitude and praise. Thank you, General Shelton, and best wishes to you and your family.

PAYCHECK FAIRNESS ACT

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

Ms. HAHN. Mr. Speaker, while the House Republicans are busy wasting taxpayer dollars on conspiracy theories and a lawsuit to nowhere, Democrats have unveiled an agenda to put working families and the middle class first.

For millions of Americans struggling to make ends meet on the current minimum wage, times have gotten harder and harder as the cost of living rises and wages stagnate. Our plan puts families first and expands opportunity for all Americans by fighting to create good-paying jobs here at home, supporting equality for women, both in their workplaces and in their doctors' offices, and creating a sustainable future for students by helping to slow down the ballooning costs of college.

Now is the time to empower our workforce by showing them that they can make ends meet and provide for their families by working hard. Now is the time to pass the Paycheck Fairness Act, to ensure that women finally receive equal pay for equal work. Now is not the time to be suing the President. Now is the time for action and dedication to making our country stronger.

□ 1215

DAY THREE, WASHINGTON UNDER SIEGE

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

Mr. MASSIE. Day three, Washington under siege—3 days ago, a Federal judge struck down D.C.'s unconstitutional ban on the right to bear arms. D.C. went from having the most restrictive gun laws in the country to having virtually no restrictions on carrying a handgun in public.

Did gun-toting tourists commence to shoot-outs? Did residents cower in their homes? Did vigilante posses maraud about the city? Did politicians revert to dueling at 10 paces? No, none of these things are happening. History will show the streets are safer today as more law-abiding residents and visitors are armed.

Contrary to apocryphal warnings from D.C. leaders, no one is panicked—except for the city's leaders. Why are the city's leaders apoplectic, and why are they asking for an immediate stay from the judge's ruling? Because the emperor has no clothes and all of the lies about gun control are being exposed right here in the District of Columbia on day three.

CORRECTING THE CRISIS AT THE VA

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

Mr. HIGGINS. Mr. Speaker, our Nation's obligation to our veterans should go far beyond simply thanking them for their service. We must also make sure that they are being properly cared for and supported when they return home. That is why I—like so many others—was outraged by the news that the VA health system had broken down.

I am pleased that the House and Senate leaders have come together and drafted legislation to address some of the most fundamental issues to this crisis, like access to timely medical care, upgraded facilities, and consequences for misconduct and poor performance.

Mr. Speaker, I am hopeful that future reforms to our VA medical system will include a unified electronic health records system between the VA and the Department of Defense. In today's hyperconnected world, we ought to be doing much better than shuffling large paper files between facilities.

Mr. Speaker, I call on my colleagues to put partisanship aside and take action to correct this crisis at the VA now.

CONGRATULATING MOOSE LODGE NO. 1568 IN ANGOLA, INDIANA

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

Mr. STUTZMAN. Mr. Speaker, I rise today to recognize Moose Lodge No. 1568 in Angola, Indiana, for its 100th anniversary celebration.

Mr. Speaker, on August 26, 1914, the Loyal Order of Moose Supreme Council officially issued a charter for the Angola Lodge, and over the past 100 years, the lodge has grown in membership and has become a recognized service and volunteer organization in the Angola community.

Importantly, the organization's robust community service program has been engaged in countless humanitarian efforts through the lodge's own work, as well as annual donations to other community groups, health support organizations, and local services, such as food banks and homeless shelters.

In closing, Mr. Speaker, I would like to recognize, for the record, Mr. Ed Palmer, Angola Lodge's first governor.

In addition, I would like to recognize Tony Culver, Eric Henion, Ron Nusbaum, and Richard Gens for their recent leadership of the organization, as well as the rest of the Moose Lodge's membership as they begin their next 100 years of service to the Angola community.

Congratulations and happy 100th anniversary.

REPUBLICANS IGNORE AMERICA'S PROBLEMS

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

Ms. TITUS. Mr. Speaker, in 2 days, we will go home, leaving behind a long list of unfinished business, but it is not for lack of trying on the part of Democrats.

We have introduced bills, signed discharge petitions, protested on the steps of the Capitol, and fasted on the Mall, all to try to prompt or at least shame the Republicans into some kind of action, but they are shameless.

Apparently, they just don't care. They don't care if women get paid less, as long as CEOs get record salaries. They don't care if children stack up at the border and families are divided, as long as they can sue the President.

They don't care if people struggle to get by on low wages or with no unemployment insurance, as long as corporations can keep their tax loopholes, and they don't care if the environment is raped, as long as big polluters can continue to circumvent regulations that protect our air and water.

Before we go home, we need to show the American people that Congress does care about them, and we need to pass important measures that jump-start the middle class, so we can say we did something while we were here.

OBAMACARE PREMIUM HIKES ARE HURTING FAMILIES

(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, the failing Affordable Care Act has proven not to be affordable for American families. Health care premiums have increased with confusing coverage destroying jobs.

When Stepheni from Monetta went to the doctor, she found her ''copay for each therapy session is $250. However, I can be an uninsured self-pay patient and get the same therapy for $85 per visit.''

Connie from Aiken says, ''I was more than shocked to learn what used to be an $89 prescription was now more than $300.''

America's devoted mothers know firsthand of the failure of ObamaCare. Small businesses are hiring more part-time workers than full-time workers because ObamaCare costs are too high. Longtime employees are having hours reduced, putting families at risk.

We must repeal and replace ObamaCare, so that people like Stepheni and Connie receive relief from unworkable mandates.

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

Best wishes for continued success for Chad Sydnor, Military Legislative Assistant of the Second District, for continued service with Senator JOHN BOOZMAN of Arkansas.

LITIGATING THE EXECUTIVE BRANCH

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

Ms. JACKSON LEE. Mr. Speaker, often, the American people hear the term ''Congress,'' but I think it is important to let all of my colleagues know and remind them what the Republicans will be doing over the next 48 hours.

It is important to know that there will be a resolution—a bill—on the floor of the House, H. Res. 676, and it says that they are looking for the power to intervene in one or more civil actions to file suit against the President, to seek any appropriate relief against the President, the head of any department or agency, or any other officer or employee.

Let me be very clear. The Republicans are looking to sue the secretary who didn't order enough paper clips and indicate that we need to sue the President for not doing his job, while veterans are suffering and need a whole reformation and a new bill, while people are still not getting their unemployment insurance, while we are not able to expand Medicaid to help those who need health care, and while we are not raising the minimum wage.

Democrats want to work for the American people, but Republicans want to sue the secretary, meaning the secretary who orders paper clips, because the President is not doing his job. Let's work for the American people.

LET'S UNITE TO FIX THE VA

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

Mr. YODER. Mr. Speaker, the Sunflower State has a long and proud history of Kansans answering a call of duty to serve their country. From pre-Civil War battles to keep Kansas a free State, to brothers joining arms to fight for democracy in wars around the globe, to today's battles fighting terrorism in remote and dangerous places, Kansans proudly step up to serve when asked, time and time again.

Kansas is now home to more than 220,000 veterans, courageous men and women who have honored our Nation by sacrificing and serving; yet, sadly, our Nation does not always honor them. I have been heartbroken to see how some of our veterans are treated when returning home from service.

Mr. Speaker, it is past time that Democrats and Republicans, House and Senate, unite on legislation that would fix the problems in the VA, that would give our veterans in long waiting lines options to receive quicker and better care when needed and legislation that would ensure that adequate resources are available to care for posttraumatic stress disorder and other injuries sustained in today's battles.

Mr. Speaker, our veterans have honored and fought for us. How about we, as a Congress, honor and fight for them.

PROVIDING FOR CONSIDERATION OF H.R. 4315, 21ST CENTURY ENDANGERED SPECIES TRANSPARENCY ACT

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 693 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 693

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4315) to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-55. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York by way of Kentucky, Ms. SLAUGHTER, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members have 5 legislative days in which they may revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, this resolution provides for a structured rule for the consideration of H.R. 4315, the Endangered Species Transparency and Reasonableness Act, and

makes in order four separate amendments for floor consideration.

In fact, this rule is generous in making all filed amendments which were germane and otherwise met the rules of the House in order. Only four were filed, and they are all made in order, so it is hard to see how anyone could vote against this resolution as not being fair.

The resolution also provides for 1 hour of general debate on the bill equally divided and controlled by the chairman and ranking minority member from the House Committee on Natural Resources.

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

Ms. SLAUGHTER. Mr. Speaker, I thank my good friend from Utah (Mr. BISHOP) for yielding me the time. I yield myself such time as I may consume.

Mr. Speaker, the bill before us today is actually a package of four bills—H.R. 4315, H.R. 4316, H.R. 4317, and H.R. 4318—which aim to derail the Endangered Species Act.

The four bills are a product of the House Natural Resources Committee's Endangered Species Working Group, a committee working group which had not one Democrat Member on it, so that there was no bipartisan discussion. There is always room to discuss how we can improve legislation, but the negotiations should not be limited to backroom negotiations with a select few from a single party.

It is ironic the bill is entitled ''21st Century Endangered Species Transparency Act'' when the process to create the bill was anything but transparent. If the Endangered Species Act needs to be improved in order to better achieve the bill's purpose, then let's have a robust bipartisan conversation in an open forum, which is what we call the committee process.

Now, the package we are considering today, however, does not have any bipartisan support because it would create additional red tape that undermines essential protections provided for the Endangered Species Act.

The Endangered Species Act was passed over 40 years ago to protect imperiled animals and plants from extinction, and it is one of the most important tools we have to ensure our Nation's wildlife is protected for future generations.

These bills today do nothing to continue that wonderful background, and I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I want to introduce you to an individual in history by the name of John Gochnaur. John Gochnaur was the shortstop for the Cleveland Indians in 1902 and in 1903. In 1902, he played the entire year, and his batting average was .185, as he committed also 48 errors, but was still good enough to be the shortstop in 1903 as well, where he completed a second season, once again hitting .185, but this time committing a still record 98 errors as shortstop, which means one out of every five times he touched the ball, he threw it away.

□ 1230

John Gochnaur probably has the record now of being the most inept major league player we have ever had in history, never hitting above the Mendoza Line and setting the standard for errors. The worst major league player—which is still quite an achievement to be a major league player—but the worst major league player we have ever had in history hit .185. The Endangered Species Act batting average would be .010 if you round it up. They have had 1,500 species listed, only 12 have actually passed the test and been recovered, for an actual batting average of .008, or .010 if you really want to round up.

The Endangered Species Act, quite frankly, is the most ineffective and inefficient piece of legislation that we have in the history of this country. It does not work. It does not meet its goals. It never has and it never will. The sad part is, though, this act does not go into significant changes to the Endangered Species Act, which would change that batting average. Instead, Chairman HASTINGS has to be commended for getting a group of people to work together that did a study, got testimony, produced a report, and came up with the most basic of reforms that have to be necessary before anything significant can go on past that.

What these reforms are is simply saying, look, if you are going to have an Endangered Species Act, for heaven's sake, make sure that the data that is used to come up with the realization of the program you have is open to the people, it is transparent and it is public knowledge. They are paying for it. You might as well make sure that they have the opportunity to see it.

The President of the United States recognized this when he said in 2008:

> Democracy requires accountability; accountability requires transparency.

And then he quoted Justice Brandeis, who said that ''sunlight is said to be the best of disinfectants.'' That is the concept that is here. The data used to make these decisions should be available to the public, and presently, it is not.

One of the witnesses in the committee, when it was a full committee markup on this bill, was a long-time biologist by the name Mr. Ramey, who said:

> What are the effects of this lack of transparency on the public when data are not possible or accessible? Legitimate scientific inquiry and debate is effectively eliminated, and no independent third party can produce the results. This action puts the basis of some ESA decisions outside the realm of science.

We have the issue that if there is data making these decisions, people should know about it. It should be transparent. All of the data that they use to make these decisions should be transparent. That is not what is happening today.

In an exchange between the director of Fish and Wildlife and the ranking member, the ranking member asked:

> Okay. But again, why would a scientist wish to withhold that data? I mean, if we gave them the public funds, I guess we could require they publish the data; right? I mean, we could change. We could put that into the language.

The Fish and Wildlife official said:

> Congress could do that.

The ranking member said:

> Okay. That might be something we would want to do. I don't understand why we would go down the path of withholding the data.

That is what this bill does. There are two elements to it. The most significant part is the first of transparency. If there is data that is going to be used, we need to make sure that we have access to that particular data.

This is a bill that was passed almost four decades ago. This is a bill the last time it was addressed I was still wearing saddleback jeans and platform shoes and my hair had color and it was parted down the middle and it covered more than just my ears. We haven't touched it since that time. They didn't have iPods back then the last time we touched it. It is a new era that requires new information and new data, and there is no reason that should be withheld from the American people, and that is what this bill tries to do.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I have no requests for time, and I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield 3 minutes to the gentleman from Montana (Mr. DAINES), who has had to live with the realities of the Endangered Species Act.

Mr. DAINES. Mr. Speaker, I want to thank the chairman for his leadership on this important issue. I rise in support of the rule and H.R. 4315, the 21st Century Endangered Species Transparency Act.

My home State of Montana is called the Treasure State, where we found settlers. In fact, my great-great-grandmother came out and homesteaded in Montana. They found productive ag lands. They found riches of minerals to sustain our industries among the many species that are important to our fishing and hunting heritage.

When the Endangered Species Act became law, Congress committed to helping to sustain our unique ecosystems and our way of life. However, too often ESA decisions are not based on sound science and it is about political science, unfortunately, and the law results in encouraging habitual litigation. The result has been fewer jobs and deteriorating forest health. And, as Mr. BISHOP mentioned, the species aren't actually recovering with a batting average of .008. Frankly, the Endangered Species Act is like a 40-year-old ranch pickup: it once served a useful purpose but is in bad need of repair.

By increasing transparency—and this is about repairing the Endangered Species Act, bringing it forward to the 21st century so it actually delivers the outcomes we all desire, and that is recovering the species versus just listing them. H.R. 4315 begins an important process toward modernizing this well-intentioned but out-of-balance and out-of-date law. I urge the House and Senate to pass it.

Ms. SLAUGHTER. I continue to reserve the balance of my time.

Mr. BISHOP of Utah. I yield 5 minutes to the gentleman from Georgia (Mr. COLLINS) because he also is faced with the unique situation, because this is not just a Western issue. This is an issue that affects all of us.

Mr. COLLINS of Georgia. Mr. Speaker, as we come here today, one of the things that strikes me—and, of course, I support the rule and the underlying bill, H.R. 4315, because it really strikes a balance and, as part of the working group that has been meeting under Chairman HASTINGS and others, including Mr. BISHOP, dealing with this, as my friend from Utah said, it is an issue that has not been touched in many, many years. There is nothing that really, from our perspective of government, should not be looked at every once in awhile, and especially when you get things such as the Endangered Species Act, which has grown and multiplied and just really expanded to where not only does it affect Western States, but it affects States like Georgia.

To come to the floor today to take issue with a bill that simply permits the concept—and my friend from Utah said we could have actually gone after a lot more than this. We could have taken on the Endangered Species than this. We could have taken on the Endangered Species Act and said: Let's make it better for the 21st century. Instead, we went to targeted reform, targeted aspects of it. We said: Let's look at transparency. Let's look at capping attorneys' fees. Instead of paying pockets of attorneys, it is okay to still sue. We are saying it is okay if you want to sue, but we are not going to pay unlimited amounts just so you can sue for maybe dubious data or devious wins. This is an issue of transparency.

Wouldn't we want to put that money into protecting actual endangered species? Is that not what the Endangered Species Act is about? Is it actually protecting endangered species?

The problem with the Endangered Species Act, however, is that it has expanded to where now the Endangered Species is jobs. It is people. It is the people who are affected by the Endangered Species Act, and all we are saying is let's shine a little light on it. That is a song from back when the ESA was first passed. Let's shine a light. ''This little light of mine, I'm gonna let it shine.'' Well, let's shine a little bit of light on this as we go forward.

A ''no'' vote on this legislation to me is simply a ''no'' vote, whether it is the rule or the bill. It is a ''no'' vote for the status quo. If there is anything that this country is screaming, whether it is Republican or Democrat, they are tired of the status quo, and especially in something like this, because when they hear about it, they don't understand it.

I am going to tell a little story that comes from Georgia, and it involves the Indiana bat. The Indiana bat is on the endangered species list. A few years ago—oh, oh, be quiet. A few years ago, a transmitter went off. It was a little beep. Oh, oh. You might hear it on your phone. It was a beep in southern Tennessee. It only went off one time from everything that we can gather, but that transponder hit said the Indiana bat is moving south.

Well, we expanded the net and said nothing north of Atlanta. All of a sudden we have to start checking for the Indiana bat. We checked. We have looked. I have it on my phone here. I brought one to the floor today. I have a compass. I have a map. I asked this before and nobody stepped forward, but I will take my compass. I will take my map, and if you help me, come to northeast Georgia and find the Indiana bat, there is probably a prize. I will take you to the Waffle House and buy you whatever you want, because so far it hasn't been found. In fact, the last time the Indiana bat was actually seen in Georgia was in Athens in the 1940s.

Now, Athens is home to a wonderful, fine, upstanding institution called the University of Georgia. Go Dawgs. But it was probably found or seen maybe after one of the celebrations of our great victories on Saturday on the gridiron when everyone is partying, and they may have seen the Indiana bat and said, ''There's the bat,'' but we haven't seen it since.

So I am not sure what we are looking for, but I tell you what we are doing. We are paying almost $100,000 on every road project over and above the cost for hard-earned taxpayer dollars on the Federal and State level looking for a bat that may have existed in a fraternity party in Athens 45, 50, 60 years ago because nobody knows. But it came because, listen—those in the gallery, those watching on TV, listen—the transponder may go off, and we may just block off all kinds of areas and say ''pay more'' because the transponder went off.

Now, many times our friends across the aisle say we on our side, we just want business and we don't care about endangered species, we don't care about the environment. There is no other Republican, and when you come to the Ninth District of Georgia—and I know my friend from Colorado feels that his State is beautiful, and it is. It is great. But the Ninth District of Georgia is pretty nice, too. And I want clean water and I want good roads. I want the things that matter because the environment in north Georgia is great. But what I do not want is an overreaching regulation that is not addressed when we are simply asking for transparency. We are simply asking for transparency. When you are asking for transparency, my question not only is where is the bat, but where is the problem. Where is the bat? Where is the problem?

The problem with this bill is nothing. The problem with this bill is it begins to shine light on the things that need shining light on. Disinfectant, I am not sure what we are doing here because right now there is no disinfectant. We need transparency to shine a light. ''This little light of mine, I'm gonna let it shine.'' I am going to let it shine on something that protects taxpayer dollars, that protects transparency and does the things that it is supposed to do.

And by the way, if you happen to be coming by, the problem with this is simply transparency. It protects taxpayer dollars and protects endangered species by using the latest in science and being open to the public.

□ 1245

But let me ask all who may be watching: if you are driving through the great State of Georgia, if you are in north Georgia in the Ninth District, I have got a lot of places for you to come, but when you get there bring your binoculars, bring your compass, bring a map, and if you find the bat I will see you at the Waffle House.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and to refrain from addressing occupants of the gallery.

Without objection, the gentleman from Colorado will control the time.

There was no objection.

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

To be clear, the goal of the Endangered Species Act doesn't exist just to get species off the list, it exists to keep species on the planet, and has a tremendous track record of success—99 percent effective at preventing the extinction of species that have been listed on the endangered species list.

There is strong precedent in passing bipartisan Endangered Species Act measures. Last Congress, I was very proud to be an original cosponsor of Mr. BISHOP's Endangered Fish Recovery Programs Extension Act, which became law in January of 2013. The Endangered Fish Recovery Programs Extension Act facilitated the recovery of four endangered species native to the Upper Colorado River Basin. The bill ensures compliance with the Endangered Species Act for over 200 projects that use water from the Colorado River and provided enough water for agricultural and municipal water use as well.

I salute Representative BISHOP's efforts to pull together a bipartisan group from Utah, Colorado, New Mexico, and Wyoming to work together on that successful modification to the Endangered Species Act.

What we have before us today is not an example of that same bipartisan spirit and open process of work that

can build upon, rather than take a step back from, protecting species that are an important part of our ecosystem.

This bill in its current form would not only waste taxpayer dollars and Federal Government agency time by creating additional red tape and bureaucracy, but it is also a waste of our limited remaining time in session. Here we are, Mr. Speaker, with a border crisis, crises breaking out across the Middle East, and yet we are debating a particular change to the Endangered Species Act, which, regardless of its merits, is simply not one of the top two issues, five issues, 10 issues, even top 100 issues that I have heard from my constituents about over the last year.

People wonder why this legislative body is as unpopular as we are, with an approval rating of 12 percent. One need look no further than what we are working on. Rather than addressing the budget deficit or restoring fiscal stability to our country, rather than securing the border and passing comprehensive immigration reform, we are instead discussing a bill that weakens the Endangered Species Act. And regardless of whether Members want to strengthen it or weaken it or modify it—Americans care about jobs, the economy, fiscal responsibility, addressing our border crisis—having problems with the Endangered Species Act is simply not on the minds of most everyday American families. I think most American families think the Endangered Species Act is a fine thing, maybe they think it should move this way or that way or be better or stronger or weaker, but that is not the issue that they want us addressing with our limited time in session.

This is our last week in session in the month of July. In the month of August, this esteemed body won't even meet once. In September, we will come back for 2 or 3 weeks. I don't know—are we going to be discussing endangered species for those 2 or 3 weeks as well?

It kind of reminds me of the historical precedent of Emperor Nero fiddling while Rome burned. Here we are in record deficits, war and threatened wars are enveloping the Middle East with the Islamic state and ISIS occupying much of Syria and Iraq, with the uncertainty in eastern Ukraine and separatists engaged in battle, with the precarious recovery of the economy, with things getting harder and harder for middle class American families to get by and support themselves and their family, and here we are with only 3 days left in session before September discussing relatively minor changes that add another bureaucratic layer of red tape to the Endangered Species Act. It is simply not what the people in my district hired me to fight for them on, and I don't think it is what the people in this country want Congress to do at this point.

There are so many issues that the American people, the people who sent us here to represent them, agree on, where there is common ground.

One example is immigration reform. Polls have shown that 87 percent of Americans support comprehensive immigration reform. Perhaps we found that last 13 percent of people who approve of Congress, maybe it is those same people who don't want to see immigration reform. The only people left who approve of these obstructionist tactics with regard to immigration reform, the tactics which are tearing families apart, hurting our economy, bloating our deficit, and preventing us from securing our border, are an ever-dwindling percentage of Americans.

Now that we are dealing with this Endangered Species Act, I hope that we can get back to addressing immigration reform. Let us have a vote on comprehensive immigration reform, a vote on raising the minimum wage, a vote on a comprehensive plan to balance the budget. Let's have a real debate and exchange real ideas to move our Nation forward.

There are a number of flaws in this modification of the Endangered Species Act which prevent it from being a true piece of bipartisan legislation with wide support from this body, like I had the opportunity to work on with Mr. BISHOP last session. But I think even more importantly, Mr. Speaker, we just need to ask ourselves why, with days left before Congress adjourns for the summer, are we considering a topic that, while surely worthy of debate, hardly raises to the level of these pressing issues, like our budget deficit, the border crisis, or the Middle East, in which I hope that this body can have a substantive debate around resolving?

While we are here debating a partisan, politically charged bill that threatens to undermine the Endangered Species Act, 32 wildfires larger than 5,000 acres are burning in seven Western States. My district had several last summer, and we are worried about this summer. These fires cover a total of 1.4 million acres and are a serious threat to homes, lives, livelihoods, and health.

If we defeat the previous question, I will offer an amendment to the rule to bring up the Wildfire Disaster Funding Act of 2014. Already 196 Members have signed a discharge petition to bring this legislation to the floor of the House.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, I cannot support this rule or the underlying bill.

The Republicans are committed to partisan politics over progress for our country, and this bill is yet another example of that agenda.

In the last 3 days of legislative business before a summer recess of 1½ months, House Republicans are using this valuable time in the people's Chamber to simply pass a bill that obstructs the Endangered Species Act rather than deals with any of the critical issues facing our country.

Congress should be considering legislation to secure the border or deal with the crisis of unaccompanied minors on our southern border, to balance our budget, to reform our broken immigration system, to deal with wildfires, to raise the minimum wage, to protect workers. But instead, here we are debating partisan changes to a piece of legislation that has, frankly, served us well and our ecosystems well over the prior decades.

We do have an emergency on our southern border with regard to unaccompanied minors from El Salvador, Honduras, and Guatemala. We need to have a comprehensive strategy to deal with that and make sure that we are not overwhelmed by people from other countries.

Before we adjourn for recess, Congress could and should address immigration reform. The American people want us to pass bipartisan immigration reform. The bill passed the Senate with over two-thirds majority. That is very rare. Democrats and Republicans came together to pass a commonsense immigration reform bill that more than 80 percent of the American people support, and more than two-thirds of the Senate support it.

If we can schedule that bill for a vote this week, I am confident it would pass right here on the floor of the House of Representatives. We have a bipartisan House bill, H.R. 15, that is ready to come to the floor and be voted on, and I believe it would pass.

I am honored to be a sponsor of H.R. 15, the bipartisan immigration reform bill. The bill would create jobs here, reduce our budget deficit, ensure America is more competitive in the global economy, unite families, and secure our borders. Just as importantly, it will make sure that our immigration system reflects our values as Americans, a Nation of laws and a Nation of immigrants.

House Republicans have refused to allow a vote on immigration reform and it failed to bring forth a single bill to help improve our broken immigration system or our dire crisis at the border. Instead, we are left with time that we could use to debate minute changes that add bureaucracy and red tape to an already encumbered Endangered Species Act.

Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question so that we can discuss the Wildfire Disaster Funding Act of 2014. It is so important to my home State and so many others in the West and Mountain West.

I also will oppose the rule and the underlying bill and encourage my colleagues to do the same.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to talk about the Endangered Species Act here because we need to make sure that the purpose of the Endangered Species Act is not to make sure that the government is always funding the listing and the maintenance of these species, but to make sure that they are healthy enough so that the government doesn't have to do that, in which case, I am sorry, the batting average is still .008. The Endangered Species Act is failing in that effort.

The methods don't work. But we are not discussing the methods here today. We are discussing something that is simply a commonsense solution to how we move forward with the Endangered Species Act.

The Governors understand that as well. I received a letter from the Western Governors' Association, signed by the Governor from Nevada, as well as the Governor from my friend's home State of Colorado, urging us to have transparency in this action, transparency in the Endangered Species Act. It is important that we simply know what is or is not taking place.

The Endangered Species Act, unfortunately, has an impact on real people. It is a regulatory taking by the Federal Government. It impacts real people's ability to use their property, it impacts real people's ability to have jobs and maintain them. To say that talking about this impact on these people is not good enough, that this is not a high enough version, this is not raising to the level, we don't care enough about these people who are impacted by that act, is something we in Congress should never say. It is significant, it is important, and to make commonsense improvements to the Endangered Species Act should be the goal.

Let me explain a couple of different areas in which these reforms are going to be significant and important.

The first one is this tries to cap the amount of money we spend wasted on litigation costs that should be actually going to the enforcement of the Endangered Species Act and recovery of these species. This act tries to set a limit on what an attorney can get for engaging in a petition against the government for the Endangered Species Act. It is mind-boggling to me that in most of the agencies of the government we put caps on what can be obtained in attorney fees who sue the government, but we don't in the Endangered Species Act.

So in San Diego, the Jonas Salk Elementary School was postponed indefinitely. The firm that actually did that postponement so the kids didn't have their school charged the Federal Government six figures, and I promise you the first number in that six figures was not 1.

In the Clinton administration, they were averaging 20 petitions a year on this act. Today, we are averaging 1,200 petitions a year. So obviously, we have a problem, as no one has a total concept of what the total cost of this litigation is or how many full-time employees we are using simply for this litigation, although we do know that the Fish and Wildlife Service allotted in 2013 $21 million and 86 full-time employees just to handling the issue of litigation.

The Ag Department has told us that the litigation cost was the third-largest cost that they were running at that time. We don't have that data. We need to have that particular data, and we also need to put in caps so we are not wasting our money on litigation, we are putting the money in the program where it should be.

That is a significant commonsense element of this particular bill. But the most significant commonsense element is simply saying people should know what data is being used to reach the decisions. The bill itself says the Federal Government shall cooperate—shall cooperate—to the maximum extent practical with the States. That simply is not being done.

Let me give you a couple of examples.

First of all, the dunes sagebrush lizard—a wonderful little lizard, Mr. Speaker, in your home State of Texas—that is trying to be listed by the Federal Government, they were using data from the 1960s, determined that they were locally extinct, the lizard was locally extinct in an area where it flatout was not extinct. Had they gone through with this listing, 47,000 jobs in this district in Texas would have been impacted by this particular listing, and the data was inaccurate.

The Governor of Idaho asked for a FOIA request dealing with the sagebrush. He got back the emails in the FOIA request, and to summarize those emails that dealt with the national technical team report, the emails basically said: This is our approach—does anyone out there have any kind of data we can use? And if there was no data, then their next step was to use the best guess of the elements of the members who were actually working in that particular department.

That is not the way you make decisions. You collect the data first, make it public, let people know about it, then you create the decisions on where you want it to go. In Colorado, Garfield County, Colorado, actually had to go to court to try to get the department to give them the data they were using for the decisions they were going to try to use on the endangered species in that county, and that simply is not an example of how you cooperate to the maximum extent possible with the States.

We have an issue with prairie dogs in southern Utah. The problem is the Federal Government only counts prairie dogs on Federal lands to determine if they are a viable species or not. Prairie dogs are very abundant on private lands and State lands, to the point that you can actually get a permit to hunt them on private lands. Notwithstanding the fact that there is an abundance of prairie dogs, the rural electric co-op down there had to spend $150,000 to airlift transmission lines to build a transmission line so they went over Federal habitat for prairie dogs, even though other people hunting prairie dogs happened to be on the private property.

This is silly, this is unrealistic, this should not take place if we were actually having a commonsense approach to it.

The bladderpod up in Franklin County, Washington, was threatened to be listed on the endangered species. A local university came up with its own study that proved the DNA of this bladderpod was no different than another flower that was not endangered in that area.

□ 1300

Nonetheless, the Fish and Wildlife Service rejected that particular piece of data. They ignored it. They said it wasn't peer-reviewed, but the sad part is that they ultimately refused to tell us the data that they were using to reach their own decision. Even when that data was subpoenaed, they refused to comply with that particular subpoena.

We simply have a problem here, in that decisions are being made on the Endangered Species Act without having public access to the data being used to make those decisions, and that is wrong.

That is not the way you run a government. That is not the way transparency has to be. The people of the United States are paying for all this data. They have a right to see what it is. They have a right to look at it. They have a right to question it.

All this bill does is simply make the data that is being used public—so people know exactly what you are making those decisions on—and try to limit the amount that we are spending on needless litigation, so you put some kind of caps on them. That is the first step.

Does that solve all the problems of the ESA? Of course not, but it is the first and most important step. This is a commonsense approach that is rational. It is where we need to go. If we can't get this done, no other reforms of a system that is failing can possibly take place.

I urge adoption of this bill. I support the underlying bill. I urge the adoption of the rule that would do it.

Mr. Speaker, in closing, I want to reiterate this is a fair rule, and it is appropriate to the underlying piece of legislation.

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

AN AMENDMENT TO H. RES. 693 OFFERED BY MR. POLIS OF COLORADO

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

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House

resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3992) to provide for wildfire suppression operations, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on the Budget, the chair and ranking minority member of the Committee on Agriculture, and the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3992.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 224, nays 192, not voting 16, as follows:

[Roll No. 458]

YEAS—224

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

NAYS—192

Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings (FL)
Heck (WA)
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes

Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—16

Brady (TX)
Carson (IN)
Cartwright
Cassidy
Cleaver
DesJarlais
Graves (MO)
Hanabusa
Hinojosa
Issa
Miller, Gary
Nunnelee
Perlmutter
Pitts
Pompeo
Ryan (OH)

□ 1331

Messrs. GRIJALVA, CONYERS, and GARCIA changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 458, had I been present, I would have voted "no."

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

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

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 225, noes 192, not voting 15, as follows:

[Roll No. 459]

AYES—225

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

NOES—192

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

NOT VOTING—15

Barton
Brady (TX)
Carson (IN)
Cartwright
Cassidy
Cleaver
DesJarlais
Graves (MO)
Hanabusa
Issa
Miller, Gary
Nunnelee
Perlmutter
Pitts
Pompeo

□ 1339

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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.

□ 1345

LONGSHORE AND HARBOR WORKERS' COMPENSATION CLARIFICATION ACT OF 2014

Mr. WALBERG. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3896) to amend the Longshore and Harbor Workers' Compensation Act to provide a definition of recreational vessel for purposes of such Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3896

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 ''Longshore and Harbor Workers' Compensation Clarification Act of 2014''.

SEC. 2. DEFINITION OF RECREATIONAL VESSEL.

(a) DEFINITION.—Section 2 of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 902) is amended—

(1) by redesignating paragraph (22) as paragraph (23); and

(2) by inserting after paragraph (21) the following:

''(22)(A) The term 'recreational vessel' means a vessel—

''(i) being manufactured or operated primarily for pleasure; or

''(ii) leased, rented, or chartered to another for the latter's pleasure.

''(B) In applying the definition in subparagraph (A), the following rules apply:

''(i) A vessel being manufactured or built, or being repaired under warranty by its manufacturer or builder, is a recreational vessel if the vessel appears intended, based on its design and construction, to be for ultimate recreational uses. The manufacturer or builder bears the burden of establishing that a vessel is recreational under this standard.

''(ii) A vessel being repaired, dismantled for repair, or dismantled at the end of its life will be treated as recreational at the time of

repair, dismantling for repair, or dismantling, provided that such vessel shares elements of design and construction of traditional recreational vessels and is not normally engaged in a military, commercial, or traditionally commercial undertaking.

''(iii) A vessel will be treated as a recreational vessel if it is a public vessel, such as a vessel owned or chartered and operated by the United States, or by a State or political subdivision thereof, at the time of repair, dismantling for repair, or dismantling, provided that such vessel shares elements of design and construction with traditional recreational vessels and is not normally engaged in a military, commercial, or traditionally commercial undertaking.''.

(b) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Labor shall—

(1) amend the regulations in section 701.501 of title 20, Code of Federal Regulations, by deleting the text of subsections (a) and (b) of such section and replacing it with only the text of the definition of recreational vessel in section 2(22) of the Longshore and Harbor Workers' Compensation Act, as added by subsection (a); and

(2) make no further modification to such definition in another regulation or any administrative directive.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. WALBERG) and the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. WALBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3896.

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

There was no objection.

Mr. WALBERG. Mr. Speaker, I rise today in support of H.R. 3896, the Longshore and Harbor Workers' Compensation Act of 2014, and yield myself as much time as I may consume.

The bill before us today provides an opportunity to correct a bureaucratic mistake by the Obama administration that is creating a great deal of confusion and anxiety among certain maritime employers, including a lot of small business owners.

For more than 85 years, the Longshore and Harbor Workers' Compensation Act has provided relief to maritime workers who sustain an injury or illness through work-related activity. Under current law, individuals who repair or dismantle recreational vessels, as well as those who build recreational vessels less than 65 feet long, are covered by an available State workers' compensation program, not the Federal Longshore Act.

It is a bit confusing, especially for maritime employers. In 2009, Congress tried to simplify the law by stipulating any maritime worker providing maintenance of recreational vessels is covered by a State workers' compensation program, regardless of the size of the vessel. Unfortunately, no good deed goes unpunished. The Obama administration issued regulations that further muddied the waters.

Now, employers are forced to engage in a complicated analysis to determine which employees are covered by which workers' comp program, Federal or State coverage. It is a mess that is forcing employers to spend even more time and money managing their workers' comp programs.

As the National Marine Manufacturers Association warns in a letter to Congress, the administration's regulatory approach has led to higher rates that could ''cause businesses to lay off employees or to decide to buy no insurance coverage for their employees at all.''

Members of Congress have raised concerns with the administration's implementation of the 2009 law and to no avail. So we are here once again, Mr. Speaker, clarifying what was already made clear in the hopes the Department of Labor will finally get it right.

H.R. 3896 amends the Longshore Act to define what a ''recreational vessel'' is in order to convey the true intent of the 2009 law. The bill cleans up any regulatory ambiguity and helps ensure maritime employers have access to affordable workers' compensation coverage for their employees.

With that, Mr. Speaker, I urge my colleagues to support H.R. 3896, and I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, first, as the prime sponsor of this legislation, let me thank Chairman KLINE, Ranking Member MILLER, and the talented staff on the Education and the Workforce Committee for their leadership and guidance in bringing forth this bipartisan piece of legislation.

This is a project that has been bipartisan from the start, and I think it is unfortunate that my colleague, although speaking in favor of the bill, has chosen to stray from the bipartisan commentary that we should be working together on this legislation.

The bill before us, the Longshore and Harbor Workers' Compensation Act, would reinstate the intent of Congress to ensure that workers in the recreational marine repair industry have adequate workers' compensation coverage. That is the crux of the matter that is before us.

In 2009, Congress passed section 803 of the American Recovery and Reinvestment Act, which expanded an existing exception that allowed more recreational marine repair workers to receive workers' compensation coverage under State law, rather than under the Longshore and Harbor Workers' Compensation Act. This was necessary because repair workers were simply not buying the more expensive policies and, thus, they were left undercovered. Businesses found that it was difficult for marine underwriters to determine what law their employees fell under. Therefore, section 803 expanded the exception for the recreational marine repair industry from the requirement to purchase higher cost workers' compensation insurance under the Longshore Act. And as part of this provision, a repair worker was required to be covered by the lower-cost State compensation insurance in order to take full advantage of the exception. As a result, more workers would be covered—a good thing.

The Recovery Act, signed into law in 2009, provided the clarity for workers to get the coverage they needed under State workers' compensation laws. And marine insurance underwriters began to write State policies because of this clarity.

Unfortunately, new regulations were issued in 2011 that adopted a definition of recreational vessel which was far more complicated and onerous than the existing law. In so doing, this new regulatory definition ran counter to what Congress intended. It contracted the exception, rather than expanding it to ensure that we could get more employees covered. It muddied the waters of when longshore coverage was required and when the new congressionally mandated exception to use State law applied. And as a consequence, these new regulations caused the underwriters to simply stop writing policies under State law, leaving many recreational workers in the same predicament that they were in before passage of section 803.

The bill that we are considering today establishes a workable definition for a recreational vessel. In doing so, it restores the intent of Congress in the original 2009 enactments to get coverage for these workers under less expensive State workers' compensation insurance. Put simply, this bill is about protecting jobs and keeping workers covered.

In Broward County, Florida, alone, there are over 90,000 jobs in the recreational marine industry. We are the yachting capital of the entire world in Broward capital, particularly in Fort Lauderdale.

These jobs allow workers to buy homes, provide for their families, and contribute significantly to local economies. And 95 percent of these marine businesses have fewer than 10 employees, Mr. Speaker. Congress intended in 1984 and in 2009 to make sure these workers and their families were covered. And this bill keeps that promise. It does so in a bipartisan way. I urge my colleagues to support this bill.

At this time, I have no further requests for time. So in closing, I will, again, simply say that I appreciate Chairman KLINE and Ranking Member MILLER's support and the work of all of the Members who have significant marine industries in their congressional districts. I am really pleased that we are going to be able to finally make sure that the intent of Congress is carried out and that these marine workers, who are vital and a part of the backbone of so many economies, will have the coverage that they need, rather than forgoing that coverage, and

that we will be able to make sure that the employers who employ them will be able to provide less expensive coverage. It is a win-win, and I look forward to seeing it become law.

With that, I yield back the balance of my time.

Mr. WALBERG. Mr. Speaker, I yield myself the remainder of my time.

I couldn't have said it better than my colleague from Florida. Having a district that borders the Great Lakes, having marinas and harbors in my district, having the opportunity to use the resources and to make sure that the intent of Congress is followed and that we have employees and employers who are treated fairly under workers' comp laws, that they are cared for completely at the lowest cost that we intended, with the original intent of Congress, this bill does that.

So I urge my colleagues to vote ''yes'' on H.R. 3896 and yield back the balance of my time.

Mr. PETRI. Mr. Speaker, I rise today to express my support for H.R. 3896, a bill that would provide an important technical fix to the Longshore and Harbor Workers' Compensation Act to ensure that workers in the recreational repair industry have access to affordable workers' compensation insurance.

In 2009, Congress expanded an exception for the recreational repair industry that allowed workers in that industry to purchase less expensive state workers compensation insurance. However, in issuing regulations for this expanded exception, the Department of Labor modified the definition of a recreational vessel in a way that actually narrowed the exception's scope. The complexity of this new definition has led insurance underwriters to stop issuing workers compensation policies for repair workers, leading many workers to go without coverage entirely.

H.R. 3896 would enact a definition of recreational vessel that more accurately reflects the intent of Congress. The bill is supported by the recreational marine and marine insurance industries and has the support of both the Chairman and the Ranking Member of the House Education and Workforce Committee.

I want to thank Rep. WASSERMAN SCHULTZ, Chairman KLINE, and Chairman WALBERG for their support and work on this bill, as well as the committee staff who worked diligently to see it through the process.

I urge my colleagues to support this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. WALBERG) that the House suspend the rules and pass the bill, H.R. 3896, as amended.

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

A motion to reconsider was laid on the table.

SAFE ACT CONFIDENTIALITY AND PRIVILEGE ENHANCEMENT ACT

Mrs. CAPITO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4626) to ensure access to certain information for financial services industry regulators, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4626

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 ''SAFE Act Confidentiality and Privilege Enhancement Act''.

SEC. 2. CONFIDENTIALITY OF INFORMATION SHARED BETWEEN STATE AND FEDERAL FINANCIAL SERVICES REGULATORS.

Section 1512(a) of the S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5111(a)) is amended by inserting ''or financial services'' before ''industry''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from West Virginia (Mrs. CAPITO) and the gentleman from Colorado (Mr. PERLMUTTER) each will control 20 minutes.

The Chair recognizes the gentlewoman from West Virginia.

GENERAL LEAVE

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous materials for the RECORD on H.R. 4626, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

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

Mr. Speaker, I rise today in strong support of the Safe Act Confidentiality and Privilege Enhancement Act, legislation that I introduced this year.

One of the lessons learned from the financial crisis of the last decade was there were significant gaps in communication between State regulators. Duplicitous mortgage originators were able to move from State to State, virtually undetected, perpetuating fraud on consumers. In response, Congress passed the SAFE Act, which required all mortgage loan originators to be licensed and registered through the National Mortgage Licensing System and Registry. The SAFE Act also set minimum licensing standards that States must meet.

Since its creation in 2008, this registry has allowed State regulators to efficiently search a mortgage loan originator's history and detect previous fraudulent behavior.

The success of this registry has not gone unnoticed. Since April 2012, State regulators have been working with other financial services providers to use the NMLS as a platform for the licensing and registry of other financial services providers, like money service businesses, debt collectors, pawnbrokers, and check cashers. In fact, my home State of West Virginia is now using this platform for their money service businesses.

The use of this national licensing system not only provides efficiencies for the regulated businesses, but it also strengthens consumer protections for the licensed products. The licensing of these providers and the sharing of information between State regulators helps ensure that the consumers are properly protected from fraudulent lending. These registries will allow State regulators to better track fraudulent actors, making it less likely that these fraudsters can obtain a license to do business and harm consumers.

H.R. 4626 provides a minor amendment to the SAFE Act, ensuring that information shared between the State financial services regulators is protected. My legislation simply clarifies that information that is shared with these State regulators receives the same privileged and confidential treatment that is currently afforded to State banking and mortgage regulators. Without this minor change, there will be gaps in the system that could limit information sharing.

During a hearing in the Financial Institutions and Consumer Credit Subcommittee 2 weeks ago, West Virginia Division of Financial Institutions Commissioner Sally Cline said: ''This possible gap limits the States' ability to use NMLS as a licensing system for nonmortgage financial services providers. The change proposed by H.R. 4626 addresses this uncertainty and would provide me and West Virginia-regulated entities with certainty that confidential or privileged information shared through NMLS would continue to be protected under State and Federal law.''

□ 1400

Ensuring the confidentiality of the shared information will bolster the effectiveness of these national registries. Expanding licensing to new lines of business and tracking those that are licensed will better protect consumers in my State and across the country.

Mr. Speaker, I urge support of this legislation, and I reserve the balance of my time.

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

Mr. Speaker, H.R. 4626, introduced by Chairwoman CAPITO, aims at protecting shared information in the mortgage and financial services industry by putting safeguards on confidentiality.

The bill is very simple. It applies the same confidentiality standards to information shared with State regulators regarding nondepository financial services companies that it enjoyed prior to being entered into the national mortgage licensing system, as long as that information is shared through the Nationwide Mortgage Licensing System among all mortgage regulators.

In the lead-up to the financial crisis, State regulators and Congress recognized the need to oversee the mortgage industry more comprehensively and efficiently by promoting smart and efficient financial regulations to State-licensed, nonbank financial services providers.

H.R. 4626 helps develop the Nationwide Mortgage Licensing System, NMLS, so that regulators retain the ability to keep track of bad actors and provide responsible mortgage providers with greater efficiency and consistency in the licensing process.

H.R. 4626 does not create any additional privilege or confidentiality rights, but the SAFE Act currently provides that information shared through the Nationwide Mortgage Licensing System among mortgage industry regulators retains existing State and Federal privilege and confidentiality protections.

The bill makes it so that these privileges and confidentiality protections remain as long as the information is shared with another mortgage regulator.

Mr. Speaker, the bill addresses uncertainty of confidentiality by clarifying that confidential or privileged information shared through the NMLS would continue to be protected under State and Federal law.

This bill will increase the cooperation—and I think this is the key piece—this bill will increase the cooperation between Federal and State regulators while ensuring that the NMLS fulfills its mission to enhance consumer protection and stability in the mortgage lending industry.

This is a good bill. It should be passed by the House of Representatives. It provides for safety for the home mortgage lending system and the licensure system. It provides for cooperation between Federal regulators and State regulators while preserving confidentiality rights of folks who are part of the licensing system, so I think a number of different goals are achieved.

I thank the gentlewoman from West Virginia for introducing this bill. With that, I urge its passage, and I yield back the balance of my time.

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

I would like to thank my friend from Colorado for his support of this and for his service on the committee. He is a great member of the Financial Services Committee.

Mr. Speaker, I would just like to reiterate that ensuring confidentiality will bring about more effectiveness with the national registers. We are responding basically to what a lot of our State regulators have asked us to do, to make sure that they better protect consumers and are able to keep the information in a privileged and confidential manner.

With that, I would urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from West Virginia (Mrs. CAPITO) that the House suspend the rules and pass the bill, H.R. 4626.

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.

EXAMINATION AND SUPERVISORY PRIVILEGE PARITY ACT OF 2014

Mrs. CAPITO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5062) to amend the Consumer Financial Protection Act of 2010 to specify that privilege is maintained when information is shared by certain nondepository covered persons with Federal and State financial regulators, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5062

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 ''Examination and Supervisory Privilege Parity Act of 2014''.

SEC. 2. PRIVILEGE OF INFORMATION SHARED BY CERTAIN NONDEPOSITORY COVERED PERSONS.

Section 1024(b)(3) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5514(b)(3)) is amended—

(1) by striking ''regulators and the State bank regulatory authorities'' and inserting ''regulators, the State bank regulatory authorities, and the State agencies that licence, supervise, or examine the offering of consumer financial products or services''; and

(2) by adding at the end the following: ''The sharing of information with such regulators, authorities, and agencies shall not be construed as waiving, destroying, or otherwise affecting any privilege or confidentiality such person may claim with respect to such information under Federal or State law as to any person or entity other than such Bureau, agency, supervisor, or authority.''.

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). Pursuant to the rule, the gentlewoman from West Virginia (Mrs. CAPITO) and the gentleman from Colorado (Mr. PERLMUTTER) each will control 20 minutes.

The Chair recognizes the gentlewoman from West Virginia.

GENERAL LEAVE

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit any extraneous materials for the RECORD on H.R. 5062, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

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

Mr. Speaker, this bill is very similar to the previous bill that we just passed. I rise in support of H.R. 5062, the Examination and Supervisory Privilege Parity Act of 2014—we always want to have a nice, long name for everything—and congratulate my colleagues on the Financial Services Committee, Mr. PERLMUTTER and Mr. BARR, for their hard work on advancing this legislation.

This bill clarifies that the sharing of information between Federal banking regulators and State agencies that license, supervise, or examine the offering of consumer financial products or services will not be construed as waiving, destroying, or otherwise affecting any privilege or confidentiality right that a person could claim.

Americans are familiar with the concept of privilege. Under current law, legal privilege exists with respect to certain communications, so long as they are not shared with a third party. Attorney-client privilege, for example, is destroyed if the client shares what he communicated to his attorney with his colleague at work.

This legislation provides assurance for financial institutions that privileged information shared between Federal banking regulators and State regulatory agencies will be protected and remain confidential.

This will encourage a greater amount of sharing between institutions and their regulators and will allow our Nation's financial regulators to do their jobs to ensure that our financial institutions are operating lawfully while, at the same time, able to offer consumer credit products that are critical to Americans to finance their everyday purchases and start small businesses.

The Examination and Supervisory Privilege Parity Act is a simple bipartisan bill that clarifies that this is not always the case. I, again, congratulate Mr. BARR and Mr. PERLMUTTER on their work, and I would reserve the balance of my time.

Mr. PERLMUTTER. Mr. Speaker, I yield myself as much time as I might consume.

Mr. Speaker, I rise in support of H.R. 5062, the Examination and Supervisory Privilege Parity Act, which is difficult to say, but easy to understand. It is to provide for full cooperation, discourse, and communication among regulators while, at the same time, preserving some confidentiality and protections for those whose books and records are being reviewed. I want to thank my friend, Congressman BARR, for working with me on this legislation.

This legislation accomplishes two important things. First, it reduces regulatory burden by ensuring Federal regulators; the CFPB; State banking agencies; and, now, nonbank agencies may coordinate their respective examination schedules. Two, it provides parity to ensure privilege is not compromised when regulated entities turn over sensitive information to their regulators and when that information is subsequently shared among State and Federal agencies.

The Dodd-Frank legislation empowered the Consumer Financial Protection Bureau to regulate, supervise, and examine providers of consumer credit and financial products. Among these companies, nonbank financial institutions are typically State-licensed, and their primary regulator is often the State banking commissioner.

However, in 15 States, such entities are overseen by a nonbank agency, such as the attorney general, the Department of Consumer and Regulatory Affairs, or a dedicated consumer credit commissioner.

The bill extends the same protections that apply to all consumer creditors to ensure an effective and equitable examination and investigatory process.

Under the Federal Deposit Insurance Act, similar protections exist for banks which benefit from express legal protection that provides the confidence and legal certainty to turn over privileged information and documents at the request of their regulators.

This protection encourages regulated entities to comply with the examinations and mitigates their anxiety about disclosing sensitive proprietary information to regulators. Sharing of information will not waive attorney-client, work product, or other privileges recognized under Federal or State law.

Let me be clear, a firm cannot turn over any information to their regulators they choose to benefit from the extension of privilege and shield themselves from third-party lawsuits. Privilege of information only extends to the information requested by the regulators during the course of supervisory examinations per State and Federal law.

Additionally, the bill codifies the CFPB guidance bulletin and regulation that says the ''confidential treatment of information that would provide that any person's submission of information to the Bureau in the course of the Bureau's supervisory or regulatory processes will not waive any privilege such person may claim with respect to such information.''

They go on to state that the rule is intended to ''provide protections for the confidentiality of privileged information substantively identical to the statutory provisions that apply to the submission of privileged information to the prudential regulators and State and foreign bank regulators.''

However, this bill will extend protections to nonbank State regulators, such as the attorney general in Colorado and those regulated entities.

I am a strong supporter and believer in the Dodd-Frank Wall Street Reform and Consumer Protection Act, but I also know certain technical fixes need to be made. That is why I urge passage of this bill introduced by my friend, Mr. BARR.

With that, I will reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I now yield such time as he may consume to the gentleman from Kentucky (Mr. BARR), the author of the bill and a great member of the Financial Services Committee.

Mr. BARR. Mr. Speaker, I thank the gentlewoman for yielding, and I appreciate her leadership as the chairman of the Financial Institutions Subcommittee and for her support of this important legislation.

Mr. Speaker, I rise in support of H.R. 5062, the Examination and Supervisory Privilege Parity Act, and I want to thank the gentleman from Colorado, my friend, Mr. PERLMUTTER, for working with me in a bipartisan fashion to introduce and advance this legislation.

In central Kentucky, one of our signature industries is the auto manufacturing industry, and no place exemplifies this proud fact more than Toyota Motor Manufacturing of Kentucky and the plant that is located in my district in Georgetown, Kentucky.

With over 7,300 Toyota team members and their families dependent on these high-quality jobs in that facility, I am committed to doing everything I can to support these Kentucky workers. This legislation does that.

H.R. 5062 is, as my friend from Colorado said, a technical fix, but it is an important piece of legislation because it helps automobile finance companies like Toyota Financial Services, which finances over two-thirds of new vehicle sales for Toyota customers.

This legislation assures these consumer lenders that when they provide confidential and privileged information to their regulators in the course of supervision, the customary privilege or confidentiality of that information is not waived when shared with the State regulatory agencies.

This is necessary because the unintended fragmented structure of current law leaves privileged and confidential status of this information in question, and that poses a significant risk to auto finance companies.

Consumer access to finance is vital for new car sales and a healthy car market, and a healthy car market is good for the 7,300 automobile manufacturing workers in central Kentucky and all around America.

Mr. Speaker, I urge support for this legislation which, again, simply guaranties that when the Consumer Financial Protection Bureau asks for confidential and privileged information from a captive finance company and then shares that information with a State regulator, that information shared will continue to be treated as privileged and confidential. I urge support for this legislation.

Mr. PERLMUTTER. Mr. Speaker, I first would like to introduce into the RECORD, speaking of Toyota, a letter dated July 14, to myself and to Mr. BARR; a letter from the Financial Services Roundtable dated July 29, 2014; a letter from Honda dated July 15; a letter from the Conference of State Bank Supervisors dated July 15; and a letter from the American Financial Services Association dated July 25.

TOYOTA MOTOR NORTH AMERICA, INC.,
Washington, DC, July 14, 2014.

Hon. ED PERLMUTTER,
Longworth House Office Building,
Washington, DC.
Hon. ANDY BARR,
Longworth House Office Building,
Washington, DC.

DEAR CONGRESSMEN PERLMUTTER AND BARR: On behalf of the over 30,000 Toyota Team members in the U.S., thank you for introducing H.R. 5062, the Examination and Supervisory Privilege Parity Act of 2014. We appreciate your commitment to common sense regulatory reform.

Consumer access to finance is the life blood of new car sales. To maintain competitiveness, automobile manufacturers must have a strong vehicle finance division. These ''captive finance companies'', like Toyota Financial Services, provide tailored financing options to our customers, whether they be individual consumers or franchised dealers. As a captive, Toyota Financial Services exist solely to support the auto manufacturer in selling vehicles and are designed to maintain a long-term, positive, customer relationship with the consumer.

As you know, the Dodd-Frank Act placed captive finance companies under the jurisdiction of the newly created Consumer Financial Protection Bureau (CFPB). However, in a technical oversight, the Act did not extend the traditional protections of privilege over nonpublic, proprietary information—often disclosed in the course of supervision—to either the CFPB or the state agencies that jointly oversee captive finance companies under the CFPB's jurisdiction.

A strong supervisory privilege plays an important role in supporting an effective and open examination process. Straightforward communications between regulators and the regulated entities are critical, and are made possible by the extension of privilege. Once lost, privilege cannot be restored.

H.R. 5062 corrects this oversight by simply guaranteeing that when captive finance companies produce information to the CFPB, the privileged status of that information is preserved when the CFPB shares the information with state regulation agencies.

At Toyota, we support H.R. 5062 and appreciate your taking the time to learn about this issue.

Sincerely,

STEPHEN CICCONE,
Group Vice President, Government Affairs.

FINANCIAL SERVICES ROUNDTABLE,
Washington, DC, July 29, 2014.

Hon. ED PERLMUTTER,
House of Representatives,
Washington, DC.
Hon. ANDY BARR,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES PERLMUTTER AND BARR: The Financial Services Roundtable (FSR) commends your sponsorship of H.R. 5062, ''The Examination and Supervisory Privilege Parity Act of 2014'', which seeks to ensure the protection of shared privileged information. FSR supports this legislation and urges the House to pass it at the earliest possible date.

The legislation provides assurance for financial institutions that privileged information shared between federal banking regulators and state regulatory agencies will be protected and remain confidential. While the Consumer Financial Protection Bureau (CFPB) has acted to protect confidential information obtained through the supervisory process, this legislation provides additional assurance that when the CFPB shares supervisory information with federal and state regulators—including any state agency that licenses, supervises or examines the offering of consumer financial products or services, that the confidential nature of the information will be protected.

We strongly support H.R. 5062 and urge its passage. Thank you for the consideration, and please do not hesitate to contact me if you would like to discuss this matter further.

Sincerely,

FRANCIS CREIGHTON,

Executive Vice President, Government Affairs, Financial Services Roundtable.

HONDA NORTH AMERICA, INC.,
Washington, DC, July 15, 2014.

Hon. SHELLEY MOORE CAPITO,
Chairwoman, Subcommittee on Financial Institutions and Consumer Credit, Committee on Financial Services, Washington, DC.

Hon. GREGORY W. MEEKS,
Ranking Member, Subcommittee on Financial Institutions and Consumer Credit, Committee on Financial Services, Washington, DC.

DEAR CHAIRWOMAN CAPITO AND RANKING MEMBER MEEKS: Thank you and the Subcommittee on Financial Institutions and Consumer Credit for considering H.R. 5062, the Examination and Supervisory Privilege Parity Act of 2014, introduced by Congressmen Ed Perlmutter and Andy Barr during today's hearing entitled, ''Examining Regulatory Relief Proposals for Community Financial Institutions Part II.'' Honda supports H.R. 5062 because its passage would ensure the protection of privileged supervisory information shared with and by the Consumer Financial Protection Bureau (CFPB) for nondepository financial institutions.

The Dodd-Frank Wall Street Reform and Consumer Protection Act (the ''Act'') gave the CFPB the authority to regulate and supervise a number of institutions that provide consumer financial products or services, and to the extent the CFPB may finalize its ''larger participant'' rule for the auto finance market (expected in 2015), we anticipate these institutions will include captive vehicle finance companies like Honda. However, state agencies also regulate captive vehicle finance companies, and it is important to preserve the privilege of supervisory information that regulated entities share with the CFPB, particularly because the CFPB is expected to share such information and coordinate examinations with state regulatory agencies.

Although Congress passed H.R. 4014 in late 2012 (P.L. 112–215) to address the privilege issue, that law only protects the privilege of information in those states where state bank supervisors regulate the consumer financial product or service. However, there are 15 states where a state agency, other than a state bank supervisor, has jurisdiction over the offering of consumer financial products or services; for example, in Texas, the governing body is the Office of the Consumer Credit Commissioner (OCCC). As a result of these differences in regulatory regimes, a question remains as to whether the sharing of supervisory information with those types of agencies would result in a waiver of privilege. H.R. 5062 would clarify that such sharing between the CFPB and prudential regulators, state bank regulatory authorities, as well as other state agencies that license, supervise, or examine the offering of consumer financial products or services, would not be ''construed as waiving, destroying, or otherwise affecting any privilege'' a financial institution could claim. With the CFPB working to develop its supervisory program for ''larger participants'' in the auto lending market, it has become critical to establish parity for the protection of privileged information among all financial institutions.

We hope that the Subcommittee and the Full Committee on Financial Services can take immediate action on H.R. 5062. Thank you again for your consideration. If you need any additional information, please contact me.

Sincerely,

TARA HAIRSTON,
Government & Industry Relations, Honda North America, Inc.

CONFERENCE OF STATE BANK SUPERVISORS,
Washington, DC, July 15, 2014.

Representative ED PERLMUTTER,
Longworth House Office Building, Washington, DC.

Representative ANDY BARR,
Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVES PERLMUTTER AND BARR: On behalf of the Conference of State Bank Supervisors (''CSBS''), I am writing to express our support of your bill, H.R. 5062, which ensures privileged information is protected when shared with and among regulators. As state regulators responsible for overseeing a variety of depository and nondepository financial services providers, our members strongly support your effort to ensure consistent treatment across regulated entities and regulatory agencies.

Effective and efficient financial regulation requires collaboration between state and federal regulators. Information sharing is the lynchpin of this partnership. The creation of the Consumer Financial Protection Bureau (''CFPB'') with jurisdiction over an array of entities regulated at both the federal and state level makes this coordination and uniform treatment of information even more critical. By correcting current gaps in the law, this bill improves regulators' ability to coordinate and provides regulated entities with greater confidence that privileged information provided to regulators retains federal and state legal protections.

As you and your colleagues consider this bill, CSBS recommends improving the bill by adding confidentiality to the covered information protection. Not all states confer privilege upon information shared with regulators. Instead, such information is usually treated as confidential under state law. By adding ''and confidentiality'' after ''privilege'' the bill will address all intended scenarios for protection of sensitive information.

CSBS is committed to working with you to ensure that H.R. 5062 becomes law and urge you and your colleagues to pass the bill.

Sincerely,

JOHN W. RYAN,
President & CEO.

AMERICAN FINANCIAL SERVICES ASSOCIATION,
JULY 25, 2014.

Re H.R. 5062, ''Examination and Supervisory Privilege Parity Act of 2014''

Hon. ED PERLMUTTER,
House of Representatives, Washington, DC.

Hon. ANDY BARR,
House of Representatives, Washington, DC.

DEAR CONGRESSMEN: On behalf of the American Financial Services Association (AFSA) and our more than 350 members, write in support of your legislation, H.R. 5062, the ''Examination and Supervisory Privilege Parity Act of 2014.'' We applaud your efforts to ensure that the nonpublic, proprietary information of nonbank consumer finance companies remains privileged, wherever applicable, throughout the course of supervision at the federal and state levels. AFSA believes this to be a key step in promoting a candid and efficient supervisory relationship between financial regulators and the entities they oversee.

BACKGROUND ON SUPERVISORY PRIVILEGE

A strong supervisory privilege plays an important role in supporting an effective and open examination process. Straightforward communications between regulators and the regulated entities are critical, and are made possible by the maintenance of privilege. There is precedent for this degree of protection in the longtime practice by bank regulators of asserting the confidentiality of records related to entities under their supervision, and resisting the efforts of third-party litigants to discover such information.

STATUS OF THE NONPUBLIC, PROPRIETARY INFORMATION OF NONBANKS

In establishing the Consumer Financial Protection Bureau (CFPB), Congress neglected to extend bank supervisors' historical protections over privileged information to either the CFPB or the state regulators of nonbanks, with whom the Bureau is expected to share information and coordinate examinations. Therefore, the proprietary information of nonbank consumer finance companies does not enjoy the same legal protections as that of banks when disclosed during the course of supervision or other regulatory processes.

Recognizing the importance of promoting effective supervision, Congress enacted H.R. 4014 in December 2012 to protect privileged information disclosed to the CFPB by covered persons. H.R. 4014 amended the Federal Deposit Insurance Act (FDI Act) to add the CFPB to the list of federal regulators with whom no applicable privilege is waived when disclosing privileged information by or about a company under supervision. The FDI Act also permits enumerated agencies to share such privileged information with ''state bank supervisors'' without waiving the privilege. However, in the case of a nonbank institution, federal law currently provides comprehensive protection of existing privilege if and only if the company does business exclusively in states where it is regulated by state bank supervisors, per se.

CURRENT LAW PROVIDES UNEVEN PROTECTIONS FOR NONBANKS

Across the country, nonbank consumer finance companies do not always fall under the jurisdiction of state bank supervisors. In fact, there are at least 15 states where an agency other than the state bank supervisor currently has either partial or full jurisdiction over nonbanks offering consumer credit in that state. This exposes such entities to significant legal risk, given the uncertainty surrounding whether privilege will withstand the transfer of information by the CFPB to, and among, state agencies not specifically referenced in federal law. Such uncertainty will necessarily chill communications between the CFPB and the companies it supervises, undermining the agency's effectiveness.

With the CFPB conducting examinations of state-regulated nondepository financial institutions, it is imperative for Congress to extend all applicable privileges to the range of institutions subject to supervision by the Bureau. Congress should ensure that the same protections apply to all consumer creditors to ensure an effective and equitable examination and investigatory process.

AFSA URGES CONGRESS TO ENACT H.R. 5062

H.R. 5062 would amend the Consumer Financial Protection Act of 2010 to specify that privilege is maintained when information is shared by certain nondepository covered persons with federal and state financial regulators. AFSA believes this bill will achieve parity in the statutory treatment of nonpublic, proprietary information disclosed by nondepository financial institutions with that of their depository peers, and will thereby promote greater candor with regulators and more efficient regulation. AFSA urges Congress to advance this legislation at the soonest possible opportunity, as covered persons face greater risk to the sanctity of their proprietary information as they disclose more documents to the CFPB with each passing day.

AFSA looks forward to working with you to address this matter. If you have any questions, please contact me.

Sincerely,

BILL HIMPLER,
Executive Vice President,
American Financial Services Association.

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Mr. PERLMUTTER. Since there are no other speakers on the majority side of the aisle, I will close as well.

Mr. Speaker, this is very similar to the bill we just heard. It really is trying to do two things. One, add the cooperation among Federal and State regulators and potential companies, individuals who might be under examination by those regulators, so that the individual or company who is providing information to the regulators knows that that information maintains protections and confidentiality and privilege in those respects. So we are seeking additional cooperation and additional communication.

This bill that Congressman BARR and I have introduced I think gets to those two key goals. Again, the purpose is so that the regulators understand what it is that they are examining and have as much information as possible, and that they get full cooperation from those that are being examined. So I thank my friend for introducing this bill.

With that, I yield back the balance of my time.

Mrs. CAPITO. Mr. Speaker, I again would like to thank the sponsors of the legislation, Mr. BARR and Mr. PERLMUTTER, for working together to seek a fix that will result in good things for the coordination aspect of the State regulators and Federal regulators. I encourage passage of the bill.

With that, I yield back the balance of my time.

Mr. PERLMUTTER. Mr. Speaker, I submit the following letter of support of H.R. 5062.

JULY 25, 2013.

Re Supervisory Privilege for Nondepository Consumer Lenders

Hon. TIM JOHNSON,
Chairman, Senate Banking Committee, Washington, DC.
Hon. MIKE CRAPO,
Ranking Member, Senate Banking Committee, Washington, DC.
Hon. JEB HENSARLING,
Chairman, House Financial Services Committee, Washington, DC.
Hon. MAXINE WATERS,
Ranking Member, House Financial Services Committee, Washington, DC.

DEAR CHAIRMEN AND RANKING MEMBERS: The American Financial Services Association (''AFSA'') and the undersigned automobile finance companies ask for your support to ensure the privilege protection for state licensed and regulated nondepository consumer lenders under the jurisdiction of the Consumer Financial Protection Bureau (''CFPB'' or ''Bureau'') is fully extended to all such companies and their privileged information—regardless of which state agency happens to be their regulator.

THE DODD-FRANK ACT AND PRIVILEGE

While the Dodd-Frank Act (''Act'') granted the CFPB authority to regulate and supervise a wide range of depository institutions and nondepository consumer lenders, the Act neglected to extend the historical protections over privileged information submitted to bank supervisors, during the course of supervision, to either the CFPB or certain state agencies with whom the Bureau is expected to share information and coordinate examinations.

A FLAWED SOLUTION

The enactment of H.R. 4014 during the 112th Congress sought to resolve the problem by amending the Federal Deposit Insurance Act (''FDI Act'') to add the CFPB to the list of federal regulators approved to share information without waiving any applicable privilege. The FDI Act also permits enumerated agencies to share privileged information with ''state bank supervisors'' without waiving privilege. However, in the case of a nondepository consumer lender, H.R. 4014 provides comprehensive protection of privilege if and only if the company does business exclusively in states where it is regulated by state bank supervisors.

Nondepository consumer lenders, however, do not always fall under the jurisdiction of state bank supervisors. According to an informal survey conducted by AFSA, there are at least 15 states where a state agency other than the state bank supervisor currently has either partial or full jurisdiction over the financial activities of nonbanks doing business in that state. For example, in Texas, the Office of the Consumer Credit Commissioner regulates nondepository consumer lenders, and in Colorado, the state Attorney General regulates such entities. In addition, states periodically reorganize their regulatory regimes—raising the issue of whether a nondepository consumer lender currently under a state's banking agency would be protected if the state changes its regulatory regime in the future.

We ask that nondepository consumer lenders are universally afforded the customary and historical protections of privilege when the CFPB and other regulators share such privileged information with any applicable state agency with supervisory oversight over such companies. Our goal is to provide parity among financial institutions of all types, and we do not seek to advantage any class of creditor.

THE NECESSITY OF PRIVILEGE

It is important to emphasize the critical role that privilege plays in supporting a more effective and transparent supervisory process between regulators and regulated entities, as effective examinations are enhanced by the privilege. Indeed, the Court of Appeals for the D.C. Circuit expounded as follows:

The bank examination privilege is firmly rooted in practical necessity. Bank safety and soundness supervision is an iterative process of comment by the regulators and response by the bank. The success of the supervision therefore depends vitally upon the quality of communication between the regulated banking firm and the bank regulatory agency. This relationship is both extensive and informal. It is extensive in that bank examiners concern themselves with all manner of a bank's affairs. . . Because bank supervision is relatively informal and more or less continuous, so too must be the flow of communication between the bank and the regulatory agency Bank management must be open and forthcoming in response to the inquiries of bank examiners, and the examiners must in turn be frank in expressing their concerns about the bank. These conditions simply could not be met as well if communications between the bank and its regulators were not privileged. (Emphasis added.)

We believe the same policy should apply to all consumer creditors to ensure effective and equitable examination and investigatory processes.

PARTIAL PRIVILEGE IS NO PRIVILEGE

The CFPB operates under a rather rigid document called the Enforcement Action Process, which provides that an investigation begins with a civil investigative demand (CID), ''which can easily be 20 or 30 pages long, [and] request almost every imaginable relevant piece of documentary evidence.'' Companies typically have ten days to draft an initial response, and companies like automobile finance companies that operate under all 50 state regulatory regimes could be compelled to provide information that, while privileged in some states in which the company is licensed, would not be in other states.

Once lost, privilege cannot be restored, leaving formerly privileged documents produced to the CFPB subject to discovery by third parties. Moreover, the consequences of privilege waiver can be significantly compounded if a court rules that the privilege was waived not only as to the individual document or documents actually produced to the CFPB, but as to all information relating to that subject matter. The following example illustrates the point: in responding to a CID issued by the CFPB, an automobile finance company might feel compelled to produce an otherwise privileged internal memorandum on Topic X; the CFPB shares this memorandum with non-banking regulators in States A, B and C, all of which regulate the finance company. Assume for this hypothetical that the CFPB and States A, B and C all ultimately agree with the memorandum's conclusions on Topic X, and decide to take no action against the finance company. Under the current framework, the privileged nature of that memorandum is likely lost and any private litigant can seek (and possibly obtain) production of the memorandum. This is bad enough, essentially eviscerating the privilege. Worse is the possibility that a court might conclude that not only is the privilege waived as to the memorandum, but also as to all finance company documents relating to the topic in question.

CONGRESSIONAL INTERVENTION IS PARAMOUNT

Even in an instance where the CFPB may agree to respect privilege in all states, it is unclear whether the Bureau could effectuate that protection. For example, although the CFPB promulgated a rule governing privilege, it has not addressed this particular issue regarding gaps in its statutory authority. Further, even if so inclined, it is unclear that the CFPB could assist a company attempting to defend privilege in a law suit brought by a third party attempting to discover privileged material.

We note that, while the federal banking agencies had similar rules in place, Congress—believing a statute was necessary to safeguard privilege—enacted 12 U.S.C. 1828(x) to ensure that any privileged work product or protected materials that banks disclose in the course of supervision remain privileged as to all other parties.

We respectfully request that the House Financial Services Committee and the Senate Banking Committee act decisively and without delay to establish parity among all lenders by advancing legislation to reaffirm full privilege protection to all types of financial institutions.

Thank you for your consideration. Should you need any additional information, please contact AFSA's Executive Vice President, Bill Himpler, at (202) 466–8616 or bhimpler@afsamail.org.

Sincerely,

Katherine Adkins, General Counsel and Vice President, Legal & Compliance, Toyota Financial Services, Torrance, California;

Stephen P. Artusi, Vice President and General Counsel, World Omni Financial Corp., Deerfield Beach, Florida;
Alan Ray Hunn, General Counsel, Nissan Motor Acceptance Corporation, Franklin, Tennessee (Headquarters), Irving, Texas (Operations);
Doug Johnson, Executive Vice President, Chief Legal Officer, GM Financial, Fort Worth, Texas;
Katherine M. Kjolhede, Executive Vice President & General Counsel, Ford Motor Credit Company LLC, Dearborn, Michigan;
Kevin McDonald, Chief Compliance Officer, General Counsel & Secretary, VW Credit, Inc., Herndon, Virginia;
Catherine M. McEvilly, Compliance Officer, American Honda Finance Corporation, Torrance, California;
Carol J. Moore, Vice President and Executive General Counsel, Hyundai Capital America, Irvine, California;
RJ Seaward, Vice President, General Counsel, Harley-Davidson Financial Services, Chicago, Illinois;
Michelle Spreitzer, General Counsel, Mercedes-Benz Financial Services, Farmington Hills, Michigan.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from West Virginia (Mrs. CAPITO) that the House suspend the rules and pass the bill, H.R. 5062, 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 of the bill was amended so as to read: ''A bill to amend the Consumer Financial Protection Act of 2010 to specify that privilege and confidentiality are maintained when information is shared by certain nondepository covered persons with Federal and State financial regulators, and for other purposes.''.

A motion to reconsider was laid on the table.

REAUTHORIZATION OF THE DEFENSE PRODUCTION ACT

Mr. CAMPBELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4809) to reauthorize the Defense Production Act, to improve the Defense Production Act Committee, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4809

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

SECTION 1. REAUTHORIZATION.

Section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended—

(1) by striking ''2014'' and inserting ''2019''; and

(2) by striking ''on or after the date of enactment of the Defense Production Act Reauthorization of 2009''.

SEC. 2. DEFENSE PRODUCTION ACT COMMITTEE IMPROVEMENTS.

Section 722 of the Defense Production Act of 1950 (50 U.S.C. App. 2171) is amended—

(1) in subsection (a)—

(A) by striking ''advise the President'' and inserting ''coordinate and plan for''; and

(B) by striking ''the authority'' and inserting ''the priorities and allocations authorities'';

(2) in subsection (b), by amending paragraph (2) to read as follows:

''(2) The Chairperson of the Committee shall be the head of the agency to which the President has delegated primary responsibility for government-wide coordination of the authorities in this Act.'';

(3) by amending subsection (c) to read as follows:

''(c) COORDINATION OF COMMITTEE ACTIVITIES.—The Chairperson shall appoint one person to coordinate all of the activities of the Committee, and such person shall—

''(1) be a full-time employee of the Federal Government;

''(2) report to the Chairperson; and

''(3) carry out such activities relating to the Committee as the Chairperson may determine appropriate.''; and

(4) in subsection (d)—

(A) by striking ''Not later than'' and all that follows through ''Committee shall submit'' and inserting the following: ''The Committee shall issue a report each year by March 31'';

(B) by striking ''each member of the Committee'' and inserting ''the Chairperson'';

(C) in paragraph (1)—

(i) by striking ''a review of the authority under this Act of'' and inserting ''a description of the contingency planning by''; and

(ii) by inserting before the semicolon the following: ''for events that might require the use of the priorities and allocations authorities'';

(D) in paragraph (2), by striking ''authority described in paragraph (1)'' and inserting ''priorities and allocations authorities in this Act'';

(E) by amending paragraph (3) to read as follows:

''(3) recommendations for legislation actions, as appropriate, to support the effective use of the priorities and allocations authorities in this Act;'';

(F) in paragraph (4), by striking ''all aspects of'' and all that follows through the end of the paragraph and inserting ''the use of the priorities and allocations authorities in this Act;''; and

(G) by adding at the end the following:

''(5) up-to-date copies of the rules described under section 101(d)(1); and

''(6) short attestations signed by each member of the Committee stating their concurrence in the report.''.

SEC. 3. UPDATED RULEMAKING.

Section 101(d)(1) of the Defense Production Act of 1950 (50 U.S.C. App. 2071(d)(1)) is amended by striking ''not later than'' and all that follows through ''rules'' and inserting the following: ''issue, and annually review and update whenever appropriate, final rules''.

SEC. 4. PRESIDENTIAL DETERMINATION.

(a) IN GENERAL.—Section 303(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2093(a)) is amended—

(1) in paragraph (5)—

(A) by striking ''determines'' and inserting the following: '', on a non-delegable basis, determines, with appropriate explanatory material and in writing,'';

(B) in subparagraph (A), by striking ''and'' at the end;

(C) in subparagraph (B), by striking the period and inserting ''; and''; and

(D) by adding at the end the following:

''(C) purchases, purchase commitments, or other action pursuant to this section are the most cost effective, expedient, and practical alternative method for meeting the need.''; and

(2) in paragraph (6), by adding at the end the following:

''(C) LIMITATION.—If the taking of any action or actions under this section to correct an industrial resource shortfall would cause the aggregate outstanding amount of all such actions for such industrial resource shortfall to exceed $50,000,000, no such action or actions may be taken, unless such action or actions are authorized to exceed such amount by an Act of Congress.''.

(b) EXCEPTION.—Section 303(a)(6)(C) of the Defense Production Act of 1950, as added by subsection (a)(2), shall not apply to a project undertaken pursuant to a determination made before the date of the enactment of this Act.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 711 of the Defense Production Act of 1950 (50 U.S.C. App. 2161) is amended—

(1) by striking ''are hereby authorized to be appropriated such sums as may be necessary and appropriate'' and inserting '' is authorized to be appropriated $133,000,000 for fiscal year 2015 and each fiscal year thereafter''; and

(2) by striking the second and third sentences.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. CAMPBELL) and the gentleman from Colorado (Mr. PERLMUTTER) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. CAMPBELL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous material on H.R. 4809, as amended, the bill currently under consideration.

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

There was no objection.

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

This bill today, H.R. 4809, is a bill to reauthorize the Defense Production Act. Simply put, the Defense Production Act is a bill that is intended to minimize distortions to the economy when it is necessary for the government to take action to aid speedy recovery from large natural or man-made disasters or to protect our servicemen and -women during combat situations. The underlying legislation was used in the recoveries from Hurricanes Katrina and Sandy and used to get new body armor in a hurry for troops in Iraq and Afghanistan when supplies ran dangerously low.

Shortly after the outbreak of the Korean war was when Congress first enacted the Defense Production Act, DPA, granting the President broad powers to access prompt, adequate, and uninterrupted supplies of industrial resources to satisfy national security needs. During that war, the DPA was used to establish a robust national defense infrastructure which later provided the U.S. strength in the ensuing cold war.

Since then, the DPA has been used only sparingly. In recent years, Congress expanded the Executive's use of the DPA to include the protection of critical infrastructure and needs arising from civil emergencies, such as

hurricanes, in addition to its defense purposes. When it was enacted, the DPA consisted of seven titles, including some controversial wage and price controls. As the Korean war wound down, four of those titles were allowed to expire. The remainder of the law, the remaining three titles, have operated effectively and without much controversy since.

There are three remaining titles. First, title I, which grants the President authority to meet urgent defense or disaster recovery requirements. This authority essentially allows the government to move to the head of a company's production and delivery schedule and indemnifies that company against breach of contract lawsuits by nongovernment entities.

Title III authorizes the President to use loans, purchase commitments, and grants to encourage contractors to establish or expand industrial capacity and produce items that are essential to the national defense that must be domestically produced but are otherwise not economically attractive enough to have a domestic producer. These programs are usually small, typically less than $15 million, and in the history of the DPA, going back to the Korean war, only three have exceeded $50 million, each of which was specifically authorized by Congress.

Title VII authorizes the President to provide antitrust exemptions for voluntary agreements and joint activities among private entities intended to address production and distribution problems that might impair defense preparedness.

While the first two titles and the rest of title VII expire at the end of September, title VII also contains the authorization of the Committee on Foreign Investment in the United States, which scrutinizes the foreign direct investments process, to ensure that they do not threaten national security. That authority does not sunset. It did not before, and it does not in this reauthorization.

Mr. Speaker, the bill before us reauthorizes the DPA for 5 years and reinstates some modest reforms, the reforms that were in place prior, adds back the guidelines for the use of title III that clarified that title III must be the most cost-effective solution to the defense industrial base shortfall, and it has a requirement for a separate congressional authorization for projects greater than $50 million. As I just described, all previous projects greater than $50 million since the Korean war have all received congressional reauthorization, so this really is not changing what has been existing practice.

The reforms also stipulate that the use of title III may only be approved by the President and makes some changes to improve the effectiveness of an interagency coordinating committee on the uses of the DPA.

Mr. Speaker, this bill preserves the vital and important authorities of the DPA while preventing any abuse or perception of misuse. It passed the Financial Services Committee in June by voice vote. I would urge immediate passage of this bill and its commonsense reforms.

I reserve the balance of my time.

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

I thank the gentleman from California for working on this bill and getting it reintroduced and, hopefully, today getting it passed. I thank him, too, for working with a number of us on certain provisions.

When the Defense Production Act was initially enacted in 1950 in the aftermath of World War II and in the midst of the Korean war, it contained seven separate titles that granted broad authority to the President to control national economic policy. Following the Korean war, three of the Defense Production Act titles remain in effect and two of the act's titles need to be reauthorized.

First, there is title I of the DPA, which authorizes the priority treatment of contracts and orders to meet urgent defense or readiness requirements. It does so by allowing the government to move to the head of a company's line of production and delivery schedule while indemnifying the company against breach of contract lawsuits by nongovernment entities.

Title III is the other key provision of the law that Congress needs to reauthorize. This title empowers the President to support the private sector through the use of financial incentives, including loans, guarantees, purchase commitments, and grants to ensure that the U.S. domestic industrial base has the production capabilities that the President has determined are essential to our national security.

Congress has reauthorized the DPA on a bipartisan basis approximately 50 times since its first enactment in 1950. It has been used by all administrations since President Truman during both peace and times of conflict to support the national security programs of the United States of America.

The measure includes several reforms. First, the measure would restructure and refocus the Defense Production Act Committee, an interagency advisory body on the priorities and allocation authorities contained in title I. Agency heads are also required to issue and review rules that would establish the standards and procedures by which title I authorities can be used.

In closing on this subject, let's be very clear. The Defense Production Act is a law of great national significance. It has been reauthorized many times. It provides powerful authorities for purposes of our national defense and security. I urge the adoption of the Defense Production Act as we have modified it.

I would state, Mr. Speaker, we have other bills very similar to this that need to be acted on by the Republican majority, starting with the Export-Import Bank, which itself has been reauthorized numerous times by both parties, whoever was in the majority. Yet the Export-Import Bank is sitting there holding fire when it is a benefit—a strong benefit—to this country and to the businesses of this country so that we can be on even footing with all of the other countries competing for business around the world.

Secondly, the TRIA, which is the Terrorist Risk Insurance Act, it too is sitting there without any action having been taken by the Republican majority of this Congress. It too has been reauthorized on several occasions, and it benefits this country in many ways and needs to be acted upon. But instead, the Republican majority has chosen to bring a lawsuit against the President of the United States, which has absolutely no merit, and has given their lawyers in the proposed legislation a blank check to sue the President when we have important legislation, whether it is the Export-Import Bank, terrorist risk insurance, looking at immigration issues, comprehensive immigration reform, transportation, we have many, many items that need to be addressed. But instead, we are going to take up litigation that is unheard of in the history of the United States against the President of the United States because he has taken actions when this Congress has sat silent.

This bill, the Defense Production Act, I thank my friend from California for bringing it. It needs to be passed. I urge its passage. So many other things need to be passed and not just ignored in the face of doing something so political as suing the President of the United States.

I urge my friend from California, I urge the Speaker to dispose of what we are supposed to take up tomorrow or Thursday in this lawsuit against the President of the United States for taking steps that we here in Congress apparently are refusing, and I would say to the Republican majority, you are refusing to bring up and have heard and voted on—transportation issues should be a bipartisan matter; immigration should be bipartisan; the Export-Import Bank which benefits our companies and our businesses and has been authorized since the 1930s, makes money for the country, that should be brought up. We should be bringing up the Terrorist Risk Insurance Act so that companies across the country know in the terrible event of another attack like we had on 9/11 that there is a backstop for them and their properties and their people. But, no, we are taking up litigation, not legislation.

□ 1430

That is just wrong, Mr. Speaker. I can't object to it in any greater terms. It just makes no sense. It does not advance the ball for America. It doesn't advance the ball for middle America. People are looking for jobs and want to see that their kids go to college and

want to have retirement security. It is just a political statement when we could be doing a lot more.

This Congress can do so much more. Passage of this Defense Production Act is doing something, and I thank my friend for that. I urge its passage, and I yield back the balance of my time.

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

First of all, let me thank the gentleman from Colorado and my friends on the other side of the aisle for their work on and support of this Defense Production Act, for which I will call the vote in just a moment.

But as to comments that my friend from Colorado made, first of all, I think he knows I agree with him on Export-Import Bank and on terrorism risk insurance, so you are not going to have any debate from me there.

Clearly later this week, the action to sue the President will come on the floor. There will be plenty of time to debate on that.

Just one comment I would like to make. You mentioned bipartisanship, and I agree with you, there is not enough around here and there needs to be. In the end, you can never move the country forward sustainably without getting something that has support on both sides. So I agree on that.

But when I first got here almost 10 years ago, George W. Bush was President, and I saw a number of your colleagues, the Democrats, had a button that said ''article I.'' I am like, what is that? They said: Well, this is to show that we, Congress, are article I in the Constitution, the executive branch is article II, and we believe that President George W. Bush is treading upon the rights enumerated in the Constitution that rightly belong to the first branch of government, Congress.

Now, we, Republicans, believe that the current President, President Obama, is doing the same thing.

Here is a place where I think maybe we can have some bipartisanship at some point. When George W. Bush was President you thought he went too far. Many of us probably did too, but didn't say so because of sort of party loyalty. Now we believe this President is going too far. I would wager to guess that some of your side believe that too but aren't saying so because of party loyalty.

At some point, Republicans and Democrats in this institution, in this body, need to protect its constitutional responsibilities.

Mr. PERLMUTTER. Will the gentleman yield?

Mr. CAMPBELL. How much time do I have remaining, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from California has 11½ minutes remaining.

Mr. CAMPBELL. I am happy to yield to the gentleman from Colorado.

Mr. PERLMUTTER. Mr. Speaker, I thank my friend.

The gentleman from California is absolutely right that to have sustainable movement of this country forward, it does take both sides of the aisle—Republican side of the aisle and Democratic side of the aisle.

I would suggest to my friend that Democrats did not have control of the House, did not bring legislation, or litigation, if you will, against President Bush. And I would suggest to my friend, take a look at the number of executive orders that Ronald Reagan issued, that Bill Clinton issued, that George H. W. Bush, and George W. Bush issued, compared to President Obama.

I appreciate your willingness to let me speak and just get that in.

Again, I urge the passage of the Defense Production Act.

Mr. CAMPBELL. I thank the gentleman from Colorado.

I understand the point. Some individual Members, I believe, did introduce—the House didn't per se—but did introduce some charges, if you will, against President Bush.

The point I am simply trying to make is, each side of the aisle has felt that the rights under the Constitution of this institution have been trodden upon by a President of the other side of the aisle. What the right response to that is and what the right remedy to that is we can debate. I am retiring at the end of this year, so I am leaving all of this for you all. But as we grow the executive branch, as we add more departments, and we add more things, we continue to concentrate power there and take it away from here.

This place, for all its faults and foibles, and it has plenty of them, it is accountable to the people. It is accountable to the people in a way that the executive branch can't ever be. That is why we on a bipartisan basis, if it is not with this President then with the next one, we need to start clawing some of those rights and responsibilities back to article I of the Constitution.

With that, Mr. Speaker, I thank again the cooperation and involvement of my friends on the other side of the aisle for the Defense Production Act, and I would ask for its passage.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. CAMPBELL) that the House suspend the rules and pass the bill, H.R. 4809, 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. MASSIE. 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.

ENSURING PATIENT ACCESS AND EFFECTIVE DRUG ENFORCEMENT ACT OF 2014

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4709) to improve enforcement efforts related to prescription drug diversion and abuse, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4709

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 ''Ensuring Patient Access and Effective Drug Enforcement Act of 2014''.

SEC. 2. REGISTRATION PROCESS UNDER CONTROLLED SUBSTANCES ACT.

(a) DEFINITIONS.—

(1) FACTORS AS MAY BE RELEVANT TO AND CONSISTENT WITH THE PUBLIC HEALTH AND SAFETY.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended by adding at the end the following:

''(i) In this section, the phrase 'factors as may be relevant to and consistent with the public health and safety' means factors that are relevant to and consistent with the findings contained in section 101.''.

(2) IMMINENT DANGER TO THE PUBLIC HEALTH OR SAFETY .—Section 304(d) of the Controlled Substances Act (21 U.S.C. 824(d)) is amended—

(A) by striking ''(d) The Attorney General'' and inserting ''(d)(1) The Attorney General''; and

(B) by adding at the end the following:

''(2) In this subsection, the phrase 'imminent danger to the public health or safety' means that, in the absence of an immediate suspension order, controlled substances—

''(A) will continue to be intentionally distributed or dispensed—

''(i) outside the usual course of professional practice; or

''(ii) in a manner that poses a present or foreseeable risk of serious adverse health consequences or death; or

''(B) will continue to be intentionally diverted outside of legitimate distribution channels.''.

(b) OPPORTUNITY TO SUBMIT CORRECTIVE ACTION PLAN PRIOR TO REVOCATION OR SUSPENSION.—Subsection (c) of section 304 of the Controlled Substances Act (21 U.S.C. 824) is amended—

(1) by striking the last two sentences in such subsection;

(2) by striking ''(c) Before'' and inserting ''(c)(1) Before''; and

(3) by adding at the end the following:

''(2) An order to show cause under paragraph (1) shall—

''(A) contain a statement of the basis for the denial, revocation, or suspension, including specific citations to any laws or regulations alleged to be violated by the applicant or registrant;

''(B) direct the applicant or registrant to appear before the Attorney General at a time and place stated in the order, but no less than thirty days after the date of receipt of the order; and

''(C) notify the applicant or registrant of the opportunity to submit a corrective action plan on or before the date of appearance.

''(3) Upon review of any corrective action plan submitted by an applicant or registrant pursuant to paragraph (2), the Attorney General shall determine whether denial, revocation or suspension proceedings should be discontinued, or deferred for the purposes of modification, amendment, or clarification to such plan.

''(4) Proceedings to deny, revoke, or suspend shall be conducted pursuant to this section in accordance with subchapter II of

chapter 5 of title 5. Such proceedings shall be independent of, and not in lieu of, criminal prosecutions or other proceedings under this title or any other law of the United States.

''(5) The requirements of this subsection shall not apply to the issuance of an immediate suspension order under subsection (d).''.

SEC. 3. REPORT TO CONGRESS ON EFFECTS OF LAW ENFORCEMENT ACTIVITIES ON PATIENT ACCESS TO MEDICATIONS.

(a) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs and the Director of the Centers for Disease Control and Prevention, and in consultation with the Administrator of the Drug Enforcement Administration and the Director of National Drug Control Policy, shall submit a report to the Committees on the Judiciary of the House of Representatives, the Committee on Energy and Commerce of the House of Representatives, the Committee on the Judiciary of the Senate, and the Committee on Health, Education, Labor and Pensions of the Senate identifying—

(1) obstacles to legitimate patient access to controlled substances;

(2) issues with diversion of controlled substances; and

(3) how collaboration between Federal, State, local, and tribal law enforcement agencies and the pharmaceutical industry can benefit patients and prevent diversion and abuse of controlled substances.

(b) CONSULTATION.—The report under subsection (a) shall incorporate feedback and recommendations from the following:

(1) Patient groups.

(2) Pharmacies.

(3) Drug manufacturers.

(4) Common or contract carriers and warehousemen.

(5) Hospitals, physicians, and other health care providers.

(6) State attorneys general.

(7) Federal, State, local, and tribal law enforcement agencies.

(8) Health insurance providers and entities that provide pharmacy benefit management services on behalf of a health insurance provider.

(9) Wholesale drug distributors.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, the bill before us today is important and necessary legislation to bring greater clarity to the requirements for the safe and secure distribution and dispensing of controlled substances to combat the abuse of prescription drugs. H.R. 4709, the Ensuring Patient Access and Effective Drug Enforcement Act, introduced by my colleagues, Representative TOM MARINO of Pennsylvania, MARSHA BLACKBURN of Tennessee, PETER WELCH of Vermont, and JUDY CHU of California, will facilitate greater collaboration between industry stakeholders and regulators in an effort to combat our Nation's prescription drug abuse epidemic.

Safeguarding our prescription drug supply chain is important to protect against diversion and abuse of prescription medicines. H.R. 4709 will clarify key terminology in the Controlled Substances Act to give registrants a better understanding of their responsibilities under the law.

Further, the bill will allow DEA-registered companies to submit corrective action plans to address potential violations in the absence of an imminent danger, creating a more robust and meaningful dialogue about addressing drug diversion.

That should in turn curtail unnecessary supply chain disruptions that adversely affect patient access to much-needed medications.

Additionally, the legislation requires that a report be submitted to Congress by the Secretary of HHS in consultation with the DEA and other government and industry stakeholders about how collaboration between enforcement agencies and industry can benefit patients and prevent diversion and abuse.

Equally important, H.R. 4709 will improve enforcement efforts regarding the complex and challenging problem of prescription drug diversion and abuse. It will ensure patient access to necessary medications by creating a more collaborative partnership between drug manufacturers, wholesalers, retail pharmacies, and Federal enforcement and oversight agencies such as DEA and the FDA.

After hearings last April in the Health Subcommittee of the Energy and Commerce Committee, which I chair, we heard that a more feasible and practical solution to this serious problem of drug diversion and abuse is attainable, and those provisions are included in H.R. 4709. The legislation is supported by the National Community Pharmacists Association, the National Association of Chain Drug Stores, the Healthcare Distribution Management Association, as well as the Alliance to Prevent the Abuse of Medicines, among others.

I would like to acknowledge and thank my good friend, Congressman TOM MARINO, for his excellent work with this legislation. My friend from Pennsylvania is a former district attorney and former U.S. attorney. He understands the importance of law enforcement in this area. But he also understands that we will be more effective if we proceed in a collaborative, communicative, and transparent fashion. He has done excellent work here.

Mr. Speaker, by approving this legislation, we will be giving our Nation's law enforcement additional tools while protecting our patients and securing our drug supply chain in a reasonable, commonsense way.

I urge all of my colleagues to support this bill and vote for H.R. 4709.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, July 28, 2014.

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

DEAR CHAIRMAN UPTON: On June 10, 2014, the Committee on Energy and Commerce ordered reported H.R. 4709, the ''Ensuring Patient Access and Effective Drug Enforcement Act of 2014.'' As you know, the Committee on the Judiciary was given an additional referral on this measure upon introduction. As a result of your having consulted with the Judiciary Committee concerning provisions of the bill that fall within our Rule X jurisdiction, I agree to discharge the Committee on the Judiciary from further consideration of H.R. 4709.

The Judiciary Committee takes this action with our mutual understanding that, by foregoing consideration of H.R. 4709 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our committee will be appropriately consulted and involved as the bill or similar legislation moves forward. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding with respect to H.R. 4709, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the legislation on the House floor.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, July 29, 2014.

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

DEAR CHAIRMAN GOODLATTE: Thank you for your letter regarding H.R. 4709, the ''Ensuring Patient Access and Effective Drug Enforcement Act of 2014.'' As you noted, the Committee on the Judiciary was given an additional referral on this measure upon introduction, and I appreciate your willingness to discharge the Committee from further consideration of H.R. 4709.

I agree that this action 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. In addition, I understand the Committee reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and you will have my support for any such request.

Finally, I will include a copy of your letter and this response in the Congressional Record during consideration of H.R. 4709 on the House floor.

Sincerely,

FRED UPTON,
Chairman.

Mr. PALLONE. Mr. Speaker, at this time, I yield as much time as he may consume to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, I thank the gentleman, and I endorse everything that the chairman just spoke about.

I am proud that the House is taking up this bipartisan action today to address an issue that impacts each of our districts, and that is prescription drug abuse.

I want to thank especially Mr. MARINO, who is using his experience to bring this legislation to the floor, and it was great working with him, Mrs. BLACKBURN, and also with Congresswoman CHU.

Vermont is facing an opiate epidemic. That is true in many States around the country. In addition to the alarming increases in heroin abuse, we have had admissions in Vermont for prescription drug abuse that have increased 361 percent from 2005 to 2013.

As we have seen in my State, we are most effective in dealing with this public health crisis when everybody who has a stake in this works together. That is the collaborative approach that Mr. PITTS mentioned. That has got to be the providers, the public health officials, law enforcement, distributors, pharmacists. They have all got to come together to tackle this problem.

If we don't have flexibility and collaboration we can do something that might make enforcement tighter, but access to legitimate prescription drugs tougher. So the goal here is to get the balance right. We want to help folks get access to the prescription medication that they need. It alleviates suffering and it eliminates pain, but we want to make sure that the enforcement is solid so there isn't the abuse.

Today, distributors, like Burlington Drug Company in Vermont, and local pharmacies face very unpredictable enforcement from the DEA. DEA has a job, but so do the drug distributors and the doctors. That inconsistent enforcement—that unpredictable enforcement, I should say—can lead to disruptions in the supply chain, which end up limiting patient access to legitimate prescription drugs.

□ 1445

The Ensuring Patient Access and Effective Drug Enforcement Act will encourage collaboration between law enforcement, members of the supply chain, and public health providers and officials, while ensuring that patients have the access to the treatment their doctor has prescribed.

So this is, as you mentioned, Mr. PITTS, common sense. It is collaboration. It is working together and having mutual respect that each entity in this process has its own job to do, but for all of us to do it together, we have got to work together and communicate.

It has been great to work with Representatives MARINO, BLACKBURN, and CHU on this bill. I thank them for their leadership. I want to also thank Chairman UPTON and Ranking Member WAXMAN for their leadership, and, of course, Mr. PALLONE and Mr. PITTS.

I urge my colleagues to support H.R. 4709.

Mr. PITTS. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), vice chairman of the Energy and Commerce Committee and another leader on this issue.

Mrs. BLACKBURN. Mr. Speaker, I want to thank the chairman for his work on this issue and for working with Congressmen MARINO and WELCH and Congresswoman CHU as we sought to move the issue forward. We also thank Chairman UPTON for working with us as we brought the issue forward.

The gentleman from Vermont mentioned the epidemic and the widespread abuse that is taking place in prescription drugs and the need to do something about that. We all agree on this, and here are some stats that really back this up and show why it has become an epidemic.

In 2013, more people died in the U.S. from prescription drug abuse than from heroin and cocaine combined. Deaths involving prescription pills quadrupled between 1999 and 2010.

In 2012, the number one cause of death in 17 States was prescription drug abuse. In 2008, more than 36,000 people died from drug overdoses. Most of these death were caused by prescription drugs. That 36,000 number isn't a number to be taken lightly. It is associated with names and faces and serves as a stark reminder to every family member who has lost a loved one to an overdose.

More can and must be done to treat this growing epidemic. That is why we have all worked together on H.R. 4709, the Ensuring Patient Access and Effective Drug Enforcement Act of 2014. Our bill seeks to facilitate greater collaboration between industry stakeholders and regulations in our Nation's effort to combat prescription drug abuse.

There are three things that we set out to accomplish in this bill. Number one is to provide clarity to the phrase ''imminent danger to the public health or safety'' to ensure the law is crystal clear for both the DEA and legitimate businesses who want to understand what the rules of the road are, so they can do the right thing. Definitions matter and have real consequences.

Number two is require the Secretary of HHS to consult with industry players in the pharmaceutical supply chain; key regulatory agencies; Federal, State, local, and tribal law enforcement agencies; and public health experts to create a report to come to Congress within 1 year of enactment.

Number three is establish procedures for companies registered with the DEA to work together to develop corrective action that addresses concerns and clarifies key terminology in the Controlled Substances Act, so that everyone knows and has a better understanding of how to comply with the law.

This bill will not solve every problem that prescription drug abuse faces. It is one that is important that we take this meaningful step. It is a good step.

Congressman MARINO, who has led on this issue, is to be commended. We have appreciated the opportunity to work with him to address what is an epidemic in so many of our communities and States.

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

Mr. Speaker, I rise in support of H.R. 4709, the Ensuring Patient Access and Effective Drug Enforcement Act of 2014. This bill would help prevent prescription drug abuse, establish clear and consistent enforcement standards, and ensure patients have access to needed medications by promoting collaboration between government agencies, patients, and industry stakeholders.

It will help drug distributors and others work with the Drug Enforcement Administration to keep controlled substance prescription drugs out of the hands of drug abusers. It will also help them avoid inappropriately limiting legitimate access to these same drugs by patients who need them. Achieving that balance is a difficult challenge.

H.R. 4709 would provide definitions in the Controlled Substances Act for the phrases ''consistent with the public health and safety'' and ''imminent danger.'' It also would require the DEA to provide registrants an opportunity to submit an action plan to correct any violations of law or regulation for which DEA is considering revoking or suspending their controlled substance.

It would require FDA, in consultation with DEA, to submit a report to Congress 1 year after enactment on collaborative efforts to benefit patients and prevent diversion and abuse of controlled substances.

I want to commend Energy and Commerce members MARSHA BLACKBURN and PETER WELCH, as well as Representatives TOM MARINO and JUDY CHU, for their sponsorship of this bipartisan legislation. Of course, I also thank my colleagues, Chairman UPTON, Chairman PITTS, Ranking Member WAXMAN, and all other staff who have all been instrumental in bringing H.R. 4709 to the floor today.

I urge my colleagues to join me in supporting this legislation, and I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, I am pleased to yield such time as he may consume to my friend, the gentleman from Pennsylvania (Mr. MARINO), the leader on this issue.

Mr. MARINO. Mr. Speaker, in early 2013, a pharmacist told me about problems he was having accessing necessary prescriptions for his customers, many of whom were older cancer patients suffering with chronic pain.

What started out as a simple conversation with a constituent soon turned into serious concerns about problems in the prescription drug supply chain, problems that we aim to address here today by passing H.R. 4709, the Ensuring Patient Access and Effective Drug Enforcement Act.

Any legitimate business involved in distributing or dispensing prescriptions welcomes appropriate oversight and regulation. Further, we know these businesses value a collaborative working relationship with agencies like the Drug Enforcement Administration.

Manufacturers, distributors, and pharmacies alike are on the front lines every day in the fight to end the prescription drug abuse epidemic. They are making efforts to educate prescribers and patients about the safe use and disposal of prescriptions and working to implement prescription drug monitoring programs that will reduce the illegal diversion of powerful opioid pain relievers.

Despite a strong commitment to being part of the solution, distributors and pharmacists are finding that the unnecessary adversarial regulatory environment created by the DEA is putting effective enforcement outcomes in jeopardy.

As a former district attorney and United States attorney, I have fond memories of working with DEA agents to put away drug dealers. To say that I have the highest regard for the DEA and the work they do does not even begin to convey my respect for the agency and its front-line employees.

I actually went with agents and busted down drug houses. They were watching my back. I trusted them then, and I trust them now. That is why I am so passionate about this subject and why I think it is necessary to pass H.R. 4709 today.

This bill will bring much-needed clarity to critical provisions of the Controlled Substances Act. In doing so, we will ensure that the DEA's authorities are not abused and threatened by future legal challenges; foster greater collaboration, communication, and transparency between the DEA and supply chain; create more opportunities to identify bad actors at the end of the supply chain; and, most importantly, be certain that prescriptions are accessible to patients in need.

We are all in this together. We cannot enforce our way out of this epidemic. Education, treatment, and enforcement are all critical to addressing the problem, but so is collaboration.

The clarity that H.R. 4709 brings will ensure that the current regulatory culture evolves into one that rewards cooperation and brings more successful diversion control efforts in the future.

I want to thank my friend, Congresswoman BLACKBURN, for working closely with my team and me to develop the bill. I want to thank our champions on the other side of the aisle, Dr. JUDY CHU and Representative PETER WELCH, for their leadership and efforts to bring us here today.

We could not have achieved this without the efforts of Chairman PITTS and Chairman UPTON and their staff on the Energy and Commerce Committee. I also must thank House Judiciary Committee Chairman GOODLATTE for his forthright suggestions that made this a more effective measure worthy of consideration by this House.

Mr. PITTS. Mr. Speaker, I urge all of my colleagues to support this bipartisan legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MCCLINTOCK). The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 4709, as amended.

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

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

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

21ST CENTURY ENDANGERED SPECIES TRANSPARENCY ACT

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 4315.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 693 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4315.

The Chair appoints the gentleman from Illinois (Mr. RODNEY DAVIS) to preside over the Committee of the Whole.

□ 1457

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4315) to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes, with Mr. RODNEY DAVIS of Illinois in the chair.

The Clerk read the title of the bill.

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

The gentleman from Washington (Mr. HASTINGS) and the gentleman from Oregon (Mr. DEFAZIO) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to bring before the House legislation that would help update and improve the Endangered Species Act, a law that was passed initially 40 years ago, but has not been reauthorized since 1988.

H.R. 4315 melds together four commonsense and focused bills introduced earlier this year by myself and my colleagues, Mrs. LUMMIS of Wyoming, Mr. NEUGEBAUER of Texas, and Mr. HUIZENGA of Michigan. While respecting the original intent of the ESA to conserve species, this bill would help make the law more effective for both species and people.

□ 1500

Because of the more than 500 ESA-related lawsuits that have been filed against the government during this administration alone, it has become clear that costly litigation is not only driving ESA priorities but that litigation has become an impediment to species recovery.

I should also note that, regardless of what some groups are saying, this is not a comprehensive bill. It is four sections that aim to increase transparency; to enlist greater consultation by States, localities, and tribes; and to reduce taxpayer-financed attorneys' fees to help invest more funding in actual species recovery.

For example, section 2 of the bill requires data used by Federal agencies that decide which species should be added to the threatened or endangered list to be publicly available and accessible through the Internet. What a remarkable idea—transparency. The last significant update to the ESA was when the Internet was in its infancy stages. Posting data supporting key ESA decisions online will greatly enhance transparency and data quality. The American people should be able to access such data before Federal listing or delisting decisions are final.

It is troubling that hundreds of sweeping listing decisions by the Fish and Wildlife Service and the National Marine Fisheries Service cite unpublished studies, professional opinions, and other sources that are inaccessible to the public, yet this data would be used to regulate the very people who don't have access to this information. This secrecy goes against the grain of good science and transparency. Data transparency is not only good for the American public, in that it makes our government more accountable, but it is also good for species because it allows for an open conversation about improving species science.

As biologist Rob Roy Ramey testified at a Natural Resources Committee hearing:

> When the data are not publicly accessible, legitimate scientific inquiry and debate is effectively eliminated, and no independent third party can produce the results. This action puts the basis of some ESA decisions outside the realm of science, and species recovery is no better off. Withholding data does not further the goal of species recovery.

I couldn't agree more with that statement, especially when over 700 species could potentially be listed over

the next few years throughout the country. These potential listings are due to this administration's megalawsuit settlement with the Center for Biological Diversity and WildEarth Guardians, groups, I might add, Mr. Chairman, that have filed hundreds of lawsuits against the government at taxpayer expense.

One of these species could include the northern long-eared bat, and I have a map here to show. This listing could impact 39 States. As you can see, Mr. Chairman, it is nearly all of the Eastern States. Information on data when it comes to this species listing can only help and not hurt. The bill before us today fosters the release of this information.

Section 3 of the bill would enhance State, local, and tribal involvement in ESA decisions by requiring that, before any listing decision is made, the Federal Government must disclose its data to States affected by such actions. In addition, section 3 ensures that data from local, State, and tribal entities—those are the entities that are closest to the ground, Mr. Chairman—be factored into ESA listing decisions.

Section 4 would require the administration to track and make available online the costs, in time and in resources, to the taxpayers as a result of ESA-related litigation.

Finally, section 5 would seek to reduce taxpayer-financed attorneys' fees to help ensure Federal resources are focused more on species protection and recovery than on lucrative legal fees for serial litigants. Such fees now, Mr. Chairman, are awarded as high as $600 an hour. This provision in section 5 puts in place the same reasonable hourly caps on attorneys' fees used in another Federal law—the Equal Access to Justice Act—which deals with veterans, Social Security disability, and other such claims.

Mr. Chairman, H.R. 4315 starts with modest, sensible updates to the ESA by promoting transparency, greater State, local, and tribal involvement, and by bringing ESA litigation fees in line with another Federal law.

With that, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

I rise today just before Congress goes on a 5-week recess for the entire month of August and the first week of September. During that time, we will celebrate Labor Day. There are a lot of reasons to celebrate Labor Day, but it has particular context to this debate today.

One hundred years ago this Labor Day, Martha died.

Now, perhaps not everybody here knows about or has heard about Martha. Martha was the last passenger pigeon. She died in the Cincinnati Zoo. None of us remember passenger pigeons, but they were in numbers so great—billions—that they would darken the sky for hours or days as they passed. Yet, within a very short period of time, they became extinct. I believe she is stuffed and on display at the Smithsonian. I think they have a special exhibit on this that I would recommend to people to remember the way things used to be.

We did then, 50 years later, pass the Endangered Species Act. So this is kind of symmetrical in that, 100 years ago, there was the last passenger pigeon, and 50 years later, we adopted a law to try and preserve species. I think the most eloquent words I have ever heard on endangered species were from Justice Douglas on the Mineral King decision. This doesn't do all of his decision justice, but here is just one sentence:

> When a species is gone, it is gone forever. Nature's genetic chain—billions of years in the making—is broken for all time. Conserve water. Conserve land. Conserve life.

Then he went on to speculate about what might be lost with any individual species, what potential it might have had. Could it cure cancer? If we lose these species, who knows?

So Congress 50 years ago—in a very different time and in a very bipartisan way—passed the Endangered Species Act.

Today, we have before us yet another missed opportunity. I am not going to look at the Endangered Species Act and say it is perfect. It isn't. I believe a 50-year-old law could use some revision. A lot has been learned. A lot of real science has changed in the interim, in particular, the individual listing of species, and particularly when they occupy the same space. It becomes very problematic, as opposed to taking more of an ecosystem-based approach. There are some who are modifying the whole idea of how we deal with critical habitat, but that is not before us today. It wasn't considered by the so-called ''working group'' of the committee or ''special group'' or whatever it was.

They concluded that the Endangered Species Act is a failure because it hasn't recovered enough species. They did leave out a little fact that 90 percent of the species that are listed are recovering at the rate specified in their Federal recovery plans. This doesn't happen instantaneously. There are years of degradation of environment, years of overharvesting or of overhunting. Those things don't get changed in a short period of time, but 90 percent are on target. They left that out probably because it didn't support their conclusion that the act just isn't working at all.

We have an estimate, actually, that without the Endangered Species Act passed by a more enlightened Congress—bipartisan—50 years ago, there would be 227 species that would have gone extinct since the law's passage. They include gray wolves—although, there are some trying to turn around that recovery effort, including some in this administration—green sea turtles, humpback whales, and, of course, the iconic bald eagle. Without the Endangered Species Act, they, in all probability, would all be extinct, a memory for our generation—gone.

As I said, it is not perfect, and I think there are changes we could make. It is truly a deliberative process in the committee, but that wouldn't be just a small group from one side of the aisle going around the country, holding so-called ''hearings'' or ''listening sessions.'' We could assure greater transparency in ways that weren't considered and won't be proposed here today. We could promote better the use of best science. We could improve cooperation and coordination with the States that are committed to species protection and recovery.

However, none of the legislation before us will do that. It will do nothing to improve species recovery. It will do nothing to improve the science underlying listing decisions. Instead, actually, contravening what the Republicans espouse to wish, these bills will, instead, increase the amount of red tape that is involved, create more reporting requirements, divert agency resources from recovery efforts, and most oddly—and, I think, perhaps, it is the oddest and most objectionable and nonsensical part of this legislation—it will deem that any data submitted by any Native American tribe, any city, county, or State, will be deemed to be the best available science.

Now, there are 16,000 counties in America. Let's say a couple of them come to a different conclusion. Suddenly, the agency is confronted with: we have the best available science from this county, and we have the best available science from this county, and we have the best available science from this county. Hmm. Wow. Haven't we created an unbelievable potential for litigation over any decisions that are made given that mandate? I think we have. Of course, that may be why they go on later in the bill to limit attorneys' fees—because they are anticipating that there will be a huge proliferation of litigation, and they want to mitigate the costs of the problem that they are going to create with this nonsensical ''this is the best available science.'' I think it is going to create a lot of tension, potentially, between States and counties—rural counties and urban counties—because they are all vying to submit the best available science.

Here we are, yet again, taking up time on the floor, and I guess we need to do that before we get to real things, like the suing of the President of the United States despite the fact that courts have definitively decided we can't do that. We have political tools, and it is a controversy, but that is not before us today—that is tomorrow—so we are trying to kill time to build up to that end just before we go off on recess. But I am going to raise another topic, and it is a bit sensitive.

About 12 years ago, I had massive fires burning in my district—the Biscuit Fire—and the committee just happened to be holding a hearing on

wildfires. It devolved into the usual partisan ''you go to your corner, and I will go to mine. We need to do a forest supplemental. We need to do this.'' As sometimes I do, I expostulated a bit in the committee, and I went and used my entire 5 minutes to say how wrong I thought this was and that I thought fires were very bipartisan in their destruction and that we should cut it out.

A few Members—oddly enough, from very different perspectives—came to me afterwards. That would have been GEORGE MILLER. It is predictable that GEORGE would side with me, but also we had Scott McInnis, we had John Shadegg, and, ultimately, we had GREG WALDEN involved. We sat down, and we hammered out something that, ultimately, didn't pass through the House, but our framework was adopted by the Senate—HFRA. Then it came back to the House and was adopted. It was an attempt to expedite fuel reduction and prevent the intensity of future fires.

I look at that as a model of how we should deal with fires. We do need to do more fuel reduction work, and we do need to do more preparation and prepositioning, but we also have to fight the fires that are burning today.

□ 1515

Now there is the rarest of rare things in Washington, D.C., even rarer than the rarest endangered species, which would be a bill which is bipartisan. I guess a lot of people don't know what that means anymore.

It means it is supported by both Democrats and Republicans, bicameral, by both Democrats and Republicans in the House and in the Senate in substantial numbers, and is supported by the President of the United States.

Now, that is a pretty endangered thing. It has been around for quite a number of months. We have yet in the House. And it is a bill that is designed both to mitigate for future fires and to more efficiently fight fires.

The agencies that are tasked with fighting fires are about to run out of money. It happens every year. Who cares if they run out of money? Well, they have got to keep fighting the fires.

All right. Well, what do they do? They gut all their other programs—including the fuel reduction program, the forest health program, the timber program, the recreation program—things that are going to bring about more intense and more fires in the future and impact anybody who has a national forest or interior lands in their State or their area.

Now, this bill has yet to have a single hearing or any consideration, except for a mention in the Ryan budget which said he didn't support it. That is it. That is the total action by the House of Representatives on this issue. That is very sad. That is what we should be here on the floor today considering.

There are, as of this moment—I just checked it out because it is worse every day. We have, currently, nationally, 25 major fires: seven in Oregon—these are all uncontained or partially uncontained—six in California; four in Washington, including the largest in the State's history; three in Utah; two in Idaho; one in Colorado; and phenomenal lightning storms are predicted over the next 2 days, which means many, many, many more fires. Yet Congress is going to pass, I expect the House will pass, this ESA, so-called ESA bill today and leave town without dealing with the firefighting issue. I think it is very sad.

Now, some say, well, we have already done our job. We passed a bill, a couple of bills, a number of bills that could deal with forest health, future mitigation, fuel reduction. That is true. But even if they became law today, they wouldn't deal with today's problem that the agencies are going to run out of fire. And even if they became law today, it would take many years to get there.

I have got some pretty good estimates. We have somewhere around 75 million acres of land at high risk of wildfire in the West. And if we use the most conservative possible estimate, one that estimates there is a lot of commercial value there that reduces thinning cost, one that assumes that there is a lot of biomass available that is economic, you could get it down to, say, $300, $500 an acre. Well, that would be $20 billion to go out and do that work. We are about to spend the paltry budget for this year, $300 million for fuel reduction on fighting current fires. So we aren't exactly getting there.

It is a real issue, and that is what we should be dealing with here today.

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

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 minutes to the gentleman from Texas (Mr. NEUGEBAUER), who is the author of one of the provisions within this bill.

Mr. NEUGEBAUER. Mr. Chairman, I rise today in strong support of H.R. 4315, the 21st Century Endangered Species Transparency Act.

I also want to thank Chairman HASTINGS for all of the work that he has done on this issue, and I also want to thank him for inviting me to be a part of the ESA Working Group and for including my bill, H.R. 4317, the State, Tribal, and Local Species Transparency and Recovery Act, in the final version of this bill.

In the 19th District, we have been facing a lot of these issues with the Endangered Species Act. We had the lesser prairie chicken. We had the Dunes Sage Lizard and some of the areas dealing with minnows. But one of the things that this bill does in the part of the bill that I introduced is something that is very simple and straightforward and very commonsense, and that is to say we need to make sure, before we make some of these decisions, that we have the facts.

Now, that is kind of a novel idea. When we have a lawsuit, everybody gets to present the facts. And so what we are saying, and when we begin to go down the road of listing, causing millions of dollars' worth of expense and, in some cases, encumbering millions of acres of private property, we need to deal with the facts.

Now, why are we bringing this bill up? Well, it has been pointed out that this bill is like over 40 years old and over 1,500 species have been listed, and only 2 percent of those have been recovered.

Now, imagine going to a doctor and you say: Doctor, what is your outcome ratio? He says: 2 percent of the time I have good outcomes. Or imagine buying a product where you say this product works 2 percent of the time. So, basically, the ESA, Endangered Species Act, does need reform, and my bill, this bill, begins to do that.

What does it do? It just says that when the Federal Government has collected data and they are making the decision, they have to make all of the findings, all of the data that they used to reach that decision available to the States and local governments and to the stakeholders.

That seems fair to me.

The other thing it says is that the local stakeholders and the local State governments and the local county governments have the right to present their facts.

Now, one of the things that is important about that is that, I know a lot more about Lubbock, Texas, than maybe somebody that lives in the State of Oregon or the State of New Jersey. So that local knowledge of the habitat, the conditions is an important part of the data.

So when you are dealing with the facts, then I think we are going to have better outcomes. And if that is the goal of the Endangered Species Act, then why are we trying to suppress the facts? I don't get it. So that is the reason that this is an important part of that.

I notice that the gentleman mentioned that he thinks that this bill somehow dictates what is the best science. Not true. What it says, though, is that all of the data that they collect they have to present to the other stakeholders. What it also says is that the data that the stakeholders and the county and local and State governments present, they have to consider that data.

The CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 15 seconds.

Mr. NEUGEBAUER. Now, if somebody has got a study about what they think the conditions in Lubbock, Texas, are, we think the people on the ground in Lubbock, Texas, or in west Texas probably have better information and ought to be a part of that consideration.

I encourage my colleagues to support H.R. 4315.

Mr. DEFAZIO. Mr. Chairman, I yield myself 1 minute.

The gentleman made a point with which I would agree, which is they should consider and give due weight to local submissions and people in the area. But unfortunately, and perhaps the gentleman is unaware, this bill elevates that, and it does say all science submitted by States, tribes, and local governments is, by definition, the best scientific and commercial data. Then, if you refer back to the law, under basis for determinations on endangered species and a number of other things, the Secretary shall rely on the best scientific and commercial data.

Well, now, suddenly everybody who is submitting something has the best commercial and scientific data, and the Secretary is somehow supposed to sort out between 10 different counties, five States, 14 cities, and 18 Indian tribes who all have different disagreeing best available commercial data and science. You are creating a standard which, given the existing law which you didn't change, is going to be impossible to meet.

Mr. Chairman, I yield 4 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Chairman, first of all, I want to associate myself with my good friend from Oregon. I agree completely with everything he said, and I am going to agree with our subsequent speaker, Mr. MILLER, who played an essential role in getting the original Endangered Species Act passed. It has been wildly successful, Mr. Chairman, preventing species extinction.

More than 99 percent of listed species still exist today. Species recovered under the Endangered Species Act are also off the charts. The latest analysis found that 90 percent of listed species are recovering at the rate specified by their Federal recovery plan.

Successful species delistings are also increasing—delistings. Five years ago this month, the Fish and Wildlife Service finalized its rule to remove the bald eagle from the endangered species list. What a success story.

But for those who want to open up even more of our public lands to resource extraction, the law is a major inconvenience. So a working group, comprised entirely of Republican Members of the House of Representatives, was established by the House leadership to come up with legislative proposals to weaken the act. Today's bill is drawn directly from those recommendations.

It would deem whatever data that States, local governments, and Indian tribes submit to the Federal Government as the best available science.

It would undermine the ability of public citizens to contribute to the efficacy of the act, and it would compel the Fish and Wildlife Service to put online all data, regardless of merit, regardless of whether it contains proprietary or private information, and notwithstanding the fact that to do so will provide poachers and criminals with a road map to further endanger endangered species.

Mr. Chairman, the net effect of this bill before us today would be to force the Service, the Fish and Wildlife Service, to squander its limited conservation resources on meritless requirements to become tied up in legal challenges and to diminish its ability to protect endangered species.

I guess if this body can outlaw Federal agencies from using scientific findings related to climate change in their decisionmaking process, then it is no stretch of the imagination for this body to define what constitutes best available scientific and commercial data.

This bill states that data submitted by a State, tribal, or county government is automatically deemed as the best available scientific and commercial data. The quality of the data is immaterial. What matters is who is sending it.

Let me say that again a different way. The quality of the information that State, tribal, and local governments submit is irrelevant under this bill. The bill says it shall be deemed the best available scientific and commercial data. The Fish and Wildlife Service would be required to include this data, even if it is not the best, even if it were not developed by scientists, even if it were developed for purely commercial purposes, and even if it is contrary to fact. The Service would be forced to include it and it will, thus, alter its decisions on listings, recovery plans, and other policies related to the conservation of endangered species.

It is also unclear how the Service would resolve a situation where States, tribal, or county governments submit conflicting data.

This is no hypothetical situation. During hearings on the Endangered Species Act, one of the witnesses, a Mr. Tom Jankovsky, Commissioner of Garfield County, Colorado, was very critical of State officials for the information they were providing the Bureau of Land Management on sage grouse habitat.

The CHAIR. The time of the gentleman has expired.

Mr. DEFAZIO. I yield the gentleman an additional minute.

Mr. MORAN. Commissioner Jankovsky found the State maps inaccurate, overstating the area of sage grouse habitat. The map he commissioned for Garfield County showed 70 percent less habitat for sage grouse.

Whose map should the Federal Government accept as the best available science, the Colorado State map or Garfield County's? This bill gives equal weight to both.

Mr. Chairman, this is a bad bill, and no amendment can make it a good bill. It should be rejected.

Rather than addressing some of the compelling challenges that this Nation is confronting, we are wasting time on a bill that may pass the House but will go nowhere in the Senate and certainly will not become law. I urge its defeat.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from Michigan (Mr. HUIZENGA), an author of another provision of this bill.

Mr. HUIZENGA of Michigan. Mr. Chairman, I rise in support of H.R. 4315, and I appreciate my colleague from urban northern Virginia for his insight on the Endangered Species Act. But those of us from more rural areas actually understand that the challenges that are presented in this law as it currently stands beg for reform.

This bill contains important reforms to the act, and it has been authored by Chairman HASTINGS, Congresswoman LUMMIS, Congressman NEUGEBAUER, and myself. Within that is a provision that I had authored, which is commonsense legislation that makes the Endangered Species Act consistent with current law.

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It reforms the ESA litigation process while enhancing wildlife preservation, improving government efficiency, and protecting taxpayer dollars. And I know that is something that my colleagues on the other side have expressed, they are concerned with wasting precious dollars that have been appropriated to the EPA.

Well, for too long, litigating attorneys have taken advantage of the Endangered Species Act, raking in millions of taxpayer-funded money. In many ESA cases, lawyers' fees climb as high as $300, $400, or even $500 an hour, with hardworking American taxpayers left to foot the bill.

In fact, I have a 2013 quote here from David Hayes, the Deputy Secretary of the Interior, who was so concerned about this waste of resources, that he said this: ''My major concern is timing, resources needs, the fact this has been fish-in-the-barrel litigation for folks who, because there is a deadline and we miss these deadlines and so, we've been spending a huge amount of, in my mind, relatively unproductive time fending off lawsuits in this arena.''

And I couldn't have said it better.

But even worse, these rates can be awarded in cases where the Federal Government has settled with these groups that may not have even prevailed in the court system. This does absolutely nothing to benefit the species or the people and is not productive. My section of the bill seeks to remedy this unconscionable problem.

Currently, the Equal Access to Justice Act limits the hourly rate for prevailing attorney fees to $125 per hour for veterans, small businesses, and the Federal benefit recipients. So it is time that we apply the same cap to the ESA citizen suits as well.

So in times of tight fiscal budgets and escalating national debt, taxpayer dollars should be prioritized for the protection and recovery of species, not

lining the pockets of highly priced lawyers.

With that, Mr. Chair, I urge my colleagues to vote in favor of H.R. 4315 and for the commonsense updates that are so desperately needed.

Mr. DEFAZIO. Mr. Chair, I yield myself 1 minute.

Well, tomorrow I fully expect the Republicans to prevail on the floor of the House to authorize litigation against the President of the United States for nonjusticiable controversy, all per all the previous precedents of the court.

I would note they spent $525 an hour on attorneys to defend the indefensible Defense of Marriage Act, which was ultimately found unconstitutional. And I expect they will spend well over $500 an hour for a nonjusticiable political stunt suing the President.

But beyond that, during this Congress, the requests, subpoenas, et cetera, by the committee to the Department of the Interior for purported conspiracies, which have yielded nothing, cost $2.5 million. The total award to attorneys was $1.7 million. So if we reined in the subpoenas a little bit, you could save more money than by limiting the attorneys and people's access to justice.

With that, I yield such time as he may consume to the gentleman from California (Mr. MILLER).

Mr. GEORGE MILLER of California. Mr. Chair, I thank the gentleman for yielding the time, and I thank him for his defense of the Endangered Species Act. And I thank him for how he administers his position as the ranking member of the Resources Committee.

This is an old argument. We have been around here time and again. Time and again, people who don't like the Endangered Species Act have tried to put their thumb on one side of the scale of justice whenever these arguments come forward. They have tried to empower junk science and give it the status of thoughtful, proven science to get in.

But now they are suggesting that the science would be based upon the party that submits it. If the right parties—if a local entity submits it, then it will be judged as the best science. Whether or not it is science at all won't matter. It will simply be deemed that by the Congress of the United States, and the Department will have to follow that.

That just, obviously, takes you right back to the courtroom, where they now inspire litigation. When the citizens want to sue, then the citizens will have to go back to the courtroom because they have deemed junk science as real science. And then they will try to limit the amount that the citizens can be compensated in terms of their lawyers.

And yet, as the gentleman from Oregon just pointed out, they are going to spend millions of dollars suing the President of the United States, and they are not going to pay for any of it. They are going to charge it to the deficit. They will charge it to the deficit. So how is this justice coming out of the House of Representatives?

The fact of the matter is, the Endangered Species Act has been effective. It has worked. It saves species. It has returned species off of the list. And the American people truly support it in great numbers. They truly support it in great numbers because they recognize that this is about one generation taking care of what we inherited and passing it on to another generation. People are most often pleased with the public spaces that have been preserved to protect it, to protect the various species.

Has every decision been exactly right? Of course not. And that is why people go to court on both sides of the law.

Nobody is suggesting that you limit it equally. This is a question of the science being used and who gets a leg up in that argument in the courts, which leads to more litigation. So the idea is that you are trying to get away from litigation.

But the fact of the matter is, the fact of the matter is that this is an act that has caused us to pause and wait and think about what we are doing, and what the impact of that is, whether that is development, whether that is forced practices, whether that is public infrastructure. Whatever it is, what is the impact beyond that project? And is that adverse and is it detrimental to these species? Is it detrimental to the health of the neighborhoods, to the health of the communities? And very often, the Endangered Species Act has resulted in better projects being designed, very often better projects being designed because of those considerations, more sustainable projects being designed because of those considerations.

But the fact of the matter is, many people just hate the Endangered Species Act. So we come here Congress after Congress with these meat-ax approaches.

I spent one of the longest negotiations on a bipartisan basis trying to arrive at a conclusion on a section of the Endangered Species Act. In the eleventh hour, my Republican partner, the chairman of the committee, walked out the door. I don't know why that happened. It wasn't communicated, but that was that. That morning, we were supposed to have a press conference to announce the agreement, but it never happened. With the hours and hours that were spent, I thought we had reached a good agreement between those areas.

But the idea of frustration builds up, and you can just swing away at the Endangered Species Act. Yes, it is very popular, and it can be very controversial.

I am more concerned about what local agencies do in the name of endangered species sometimes when they ask for mitigation that I find is very unfair, that I have complained about, that I have written the agencies about.

I think very often, it is not so much the Federal protection of endangered species. Very often, it is people who then want to use it at another level of government to extract from developers, from land use, for the purposes of mitigation that I think is hard to justify.

And I would just hope that, once again, this Congress would use its good judgment, it would support the American people, it would support the Endangered Species Act, and it would, in fact, reject this legislation.

This is really bad legislation, and you can't pretend that you care about science and at the same time say you get to deem the best science based upon the party of submission.

I have fought with agencies to get the science that people have worked on, that universities have worked on, introduced into the discussion. I have never suggested that they would have to accept it as the best science. I thought it would broaden the discussion. I thought it would bring another consideration to those debates.

So this is a bill that should be rejected, and the gentleman from Oregon is quite right. I would have been so much happier spending our time here on the floor today dealing with the issue of wildfires, and not just those wildfires that are burning in California today, but by all projections, we are already ahead of the worst wildfire seasons this year already, and we expect it to get much worse with the persistence of this drought. And as the chairman and ranking member know, in those three States, we are way out ahead here on wildfires, and I wish at some point, we would make a decision that we could deal with these in an institutional fashion so that the firefighting assets would know what is available to them. We wouldn't scramble around. We wouldn't put other agencies in jeopardy by stealing money from their accounts. But we would deal with this in an adult fashion. We would set aside money for the purposes and replenishment of that money to fight wildfires because the alternative cannot be not to try to control this wildfire and stop the damage that they do both to the natural environment and to the private environment and the local economies that are so severely impacted by the aftermath of those fires.

But we are not going to do that. We are just going to stand up here and take another meat-ax approach to the Endangered Species Act, which is going to be unsuccessful, in the time we could have been talking about wildfires, in the time we could have prepared for the remainder of this wildfire season, giving notice to State agencies, to local agencies, to our Federal agencies on what they can do to prepare and the assets that they can have in place for those wildfires. We have missed that opportunity today in the name of this continued attack on the Endangered Species Act, which the American people have rejected over and over. And fortunately, this Congress has rejected over and over.

Mr. DEFAZIO. I would inquire of the time remaining on both sides.

The Acting CHAIR. The gentleman from Oregon has 3½ minutes remaining. The gentleman from Washington has 18¾ minutes remaining.

Mr. DEFAZIO. I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 minutes to the gentlewoman from Wyoming (Mrs. LUMMIS), another person who is the author of another section of this bill.

Mrs. LUMMIS. Mr. Chairman, I thank the chairman of the House Natural Resources Committee for working with us on this working draft.

I also support the Endangered Species Act, and I rise in enthusiastic support of the Endangered Species Act and enthusiastic support of this bill because this bill embodies much of the ethos that the American people have embodied during the years the Endangered Species Act has been in effect.

This act was passed in 1974 with goals that were admirable and goals that the people of this country have embedded in their DNA to achieve. To conserve species, to have habitat for species so we can have rich, diverse populations of flora and fauna.

This bill will help those goals because we will know what science is being used to base these decisions upon. Right now, science that is undisclosed is being used. Right now, we have tribal governments, county governments, and State governments, through these incredibly impressive wildlife agencies, who have had this ethos embedded in them since they were little kids, trying to administer these laws, trying to save these species.

We want their knowledge shared with the U.S. Fish and Wildlife Service. We want to know what science is being used to make these decisions so it can be vetted by third parties, so people who have specialized scientific knowledge about a habitat area or a subspecies can share that knowledge with agencies so that we are not making decisions with litigants behind closed doors with no public input by the people whose dream is to have an Endangered Species Act that works, that works for the people on the land, the people who love these species, who love the habitat, who care for it every day, the people who want the Endangered Species Act administered in a way that is transparent and fair and will recover species.

I am of the opinion that an act that has less than a 2 percent recovery rate or a delisting rate is not a success. I think we can have better models to succeed to delist species or, better yet, not list species in the first place.

These small steps that are embedded in this bill—transparency of science, involving tribal, State, and local governments and their base of knowledge about what they see on the ground, is critical to having an Endangered Species Act that works, that takes advantage of the American people who care about conserving habitat and saving species.

Mr. Chairman, this is a commonsense, rational approach to recovery that has the kind of transparency that we were promised by this administration. Let's help them achieve it.

Mr. DEFAZIO. I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 1½ minutes to the gentleman from Oklahoma (Mr. LANKFORD), a member of the working group.

Mr. LANKFORD. Mr. Chairman, if I were to ask most Americans, why do we have the Endangered Species Act?, just about all of them would say, so we can protect endangered species and increase those population numbers. But then you ask the question of each specific species, what is the goal? And very rarely now will you hear the goal being to increase population. You will hear things like protection of habitat, expansion of the species and such, but you are not going to hear population numbers.

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What effect does that have? Well, come to Oklahoma some time. In western Oklahoma, we deal with a beautiful little ground chicken called the lesser prairie chicken. The lesser prairie chicken in the past month and a half has been listed as a threatened species now.

So what is the result of that? Well, the first question we ask is: What is the number that we need to have to recover? I don't know. We are just going to try to recover habitat.

What that means is they are now trying to block in 8,000 to 9,000 acres at a time of grassland and say no one can do development on these 8,000 to 9,000-acre blocks of land—that is no building, that is no construction, that is no energy, and that is no wind power, blocking it off and leaving it natural, up to 70 percent of that area. Suddenly, private lands have suddenly become the ownership of public lands.

The simple question is: How many lesser prairie chickens do we need to have before these restrictions go away? We don't know.

The latest survey that just came out showed a 20 percent increase from last year to this year. Is that enough? No. Fish and Wildlife Service is not required to take in that specific study. If it came from a State and from the people that lived there and know it best, shouldn't we take that advice?

For some strange reason—I am not opposed to scientists from New York—but if scientists from New York can pop in on Oklahoma and can say, I am going to give you the best science, and when we ask for the data behind it, they can say, no, it is secret and proprietary, and we can't do a thing about it, that doesn't make common sense.

Mr. Chairman, this bill fixes that. I encourage the House to pass it and support commonsense legislation.

Mr. DEFAZIO. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I would like to thank my colleague for giving me time to speak on this important legislation. The Endangered Species Act is a fundamental environmental law, one that was enacted because we, as a society, decided that we have a responsibility to our generation and to future generations to protect species that are threatened with extinction, as we did with the American bald eagle, our Nation's symbol.

Unfortunately, its implementation has had a profound impact on many human activities in many areas of the country, including my own district in the San Joaquin Valley of California. This year, people that I represent will be standing in food lines due in part to the way the ESA is being implemented in the San Joaquin Valley as it relates to water.

Let me be clear, I support targeted reform of the Endangered Species Act and the use of best science. However, the reform must strengthen the policy goals of the ESA. We need to be improving its performance, not reducing its protections.

Unfortunately, as I have said too many times on the floor of this House, this bill, unfortunately, is going nowhere. It is going nowhere because the process to develop it was not transparent and was not bipartisan. It is going nowhere because this is another example of a single-Chamber bill to score political points that has no Democratic support.

If we are going to create law that benefits the American people, bipartisanship is no longer an option. It is a requirement. I will vote for this bill in spite of the flawed process on how it was developed and my serious reservations regarding the definition of best science.

I will vote for it because it is past time to roll up our sleeves and get to work on crafting serious proposals to reform the Endangered Species Act that ensures greater transparency, provides for more stakeholder input into the process, ensures that best science is used regarding species management, and creates a better balance between species protection and human impacts.

Mr. Chairman, I will vote for this bill because, for me, hope springs eternal that we can come together and become legislators that work together between the House and the Senate in a bipartisan fashion.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK), a member of the Natural Resources Committee.

Mr. MCCLINTOCK. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, the Endangered Species Act serves a great cause, to prevent the extinction of any species because of human activity, but as Eric Hoffer warned:

Every great cause begins as a movement, becomes a business, and eventually degenerates into a racket.

Unfortunately, in the last 4 years, the ESA has become the basis for an explosion of lawsuits seeking to force hundreds of new species listings. Many of these suits are funded at taxpayers' expense, which in turn require Federal, State, and local agencies to spend even more taxpayer money to respond.

In northern California last month, this kind of litigation resulted in designating 2 million acres of the Sierra as critical habitat for three amphibians, despite overwhelming evidence that human activity is not to blame. The cause of the decline is nonnative predators and a virus affecting all amphibian species in the region.

The Natural Resources Committee has heard hours of testimony of how these decisions are based on highly questionable data from advocacy groups that include major mathematical errors, rank speculation, and selective suppression of data in order to arrive at predetermined conclusions.

This measure before us begins to address these abuses. It requires that supporting data be readily available to the general public, thus assuring greater scrutiny, and it requires that the government use the best available science and data from all sources.

It addresses the litigation crisis by requiring that legal costs be tracked and publicly reported, and it conforms those costs to the Equal Access to Justice Act that prevents extravagant claims for legal fees.

Louis Brandeis said that sunlight is the best of disinfectants. This bill places the data for implementing the ESA back into the sunlight where it can be fully scrutinized, and it places a modicum of restraint on the legal fees sought by out-of-control litigants.

Mr. DEFAZIO. Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from Michigan (Mr. BENISHEK), another member of the Natural Resources Committee.

Mr. BENISHEK. Mr. Chairman, I rise today in support of H.R. 4315, the Endangered Species Transparency Act.

Mr. Chairman, as a doctor and lifelong resident of northern Michigan, I have been supportive of conservation my entire life. Like many on the floor today, I understand there is more work to be done in the arena of conservation and recovery of species. However, the Endangered Species Act, as written, isn't working.

When the Endangered Species Act, or the ESA, was signed into law 40 years ago, it was meant to save species, not lawyers. Today, more money is being spent on frivolous lawsuits than recovering or conserving species that actually need saving. These lawsuits result in listings or proposed listings for very questionable species. As a result, the taxpayers, the environment, and the economy all lose.

In my district, the northern long-eared bat is currently a candidate for listing. As this decision is being considered, local and State officials, as well as businesses in northern Michigan, must be able to know how the decision will be made and what information is being used to make it.

I believe that local residents and officials know what is better for northern Michigan than bureaucrats or high-paid attorneys in Washington. That is why I am here today to support commonsense reforms to the Endangered Species Act. The bill goes a long way towards improving the Endangered Species Act by requiring good government through transparency and capping attorneys' fees.

If you truly support the environment, then you realize funds should be spent on conservation and recovery, not $500-an-hour attorneys.

Mr. Chairman, I believe this legislation is a win-win for the taxpayer and for conservation of truly endangered species, and I urge my colleagues to support this bill.

Mr. DEFAZIO. Mr. Chairman, I would reserve the balance of my time, since I only have 1 minute remaining, until that side has no further speakers.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 1 minute to the gentleman from Arizona (Mr. GOSAR), another member of the Natural Resources Committee.

Mr. GOSAR. Mr. Chairman, I rise today to speak in strong support of H.R. 4315, a commonsense package comprised of four bills that seek to update and improve the Endangered Species Act.

These bills make commonsense changes that increase transparency, save taxpayer money, ensure local involvement in species conservation and the designation process, limit the hourly rate attorneys can charge the taxpayers for Endangered Species Act lawsuits, and require the Federal Government to make available to Congress and the public any data it uses to determine which species to list as endangered. All of these are common sense.

Mr. Chairman, for far too long, the Federal Government has been making listing decisions based on secret and pseudoscience, including studies that do not allow for peer review of the underlying data.

Even more troubling is the fact that attorneys have been making millions of dollars based on frivolous lawsuits associated with the Endangered Species Act, and the Federal Government doesn't even know how much money has been paid out.

It is time to update the Endangered Species Act that involves America, is accountable to America, and is a win-win for everybody concerned.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from California (Mr. LAMALFA), another member of the House Natural Resources Committee.

Mr. LAMALFA. Mr. Chairman, this bill brings a portion of the Endangered Species Act back in to the 21st century and much-needed transparency.

Under this bill, the public will have access to data used to determine which species are listed as endangered. Backroom decisions made by regulators at the behest of nongovernment organizations with secret data is the sort of policymaking you might find in the Soviet Union or communist China, not in the United States.

Astoundingly, you will hear arguments that this data should remain secret. This is the data used to decide whether Americans can build a home on their own property, farm their own land, or simply going hiking in their national forest.

The bill includes also much county data used in ESA decisions, which is key. It is important that all economic information is available so locals get a fair shake. Had this bill been in place, my district would have had more input in an ESA listing that will hurt the economy across the Sierra Nevadas.

This measure also tracks and caps attorney fees paid in ESA lawsuits. Of the 75 Federal agencies surveyed, just 10 even tracked their payouts to lawsuit factories like the NRDC and the Center for Biological Diversity.

Mr. Chairman, I happen to think Americans deserve to know how their government makes their decisions. Let's pass H.R. 4315 to bring transparency and fairness back to the ESA process.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE), a former member of the House Natural Resources Committee.

Mr. PEARCE. I thank the gentleman for yielding and appreciate his leadership on this issue.

Mr. Chairman, I rise in support of H.R. 4315. New Mexico used to have 123 mills that processed timber. Today, that number is zero because of an endangered species called the spotted owl.

Now, 20 years after declaring the spotted owl to be endangered because of logging, last year, the U.S. Fish and Wildlife Service came out and said: oops, we made a mistake, it is not the logging at all.

We killed 123 mills in New Mexico. Eighty-five percent of the Nation's timber industry is gone because of a mistake. That sounds like the junk science that our opponents are arguing that we should be avoiding.

Mr. Chairman, last year, a lizard was going to be named as threatened or endangered in my district, and an ad hoc committee of scientists came together. They looked at the science that the Fish and Wildlife Service was going to use to list, they proved all of it to be false, and the listing did not occur—but only because of peer review.

That is what this bill is trying to do, to establish a process where others can

get to see what is going on inside those hidden dark doors of the Fish and Wildlife Service.

This year in New Mexico, the lesser prairie chicken was listed as threatened which, again, put people out of jobs. Ben Tuggle, the Fish and Wildlife Service director in New Mexico said they felt pressured by the lawsuits—not by the science, but by the lawsuits. This is what it looks like dealing with the Endangered Species Act in the West today.

It kills jobs, takes away the future, and takes away tax base—all for junk science that is currently being used by the department. This bill simply says let's get some transparency and let's get peer review. I urge the Members to vote for this bill.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 1 minute to the gentleman from Arkansas (Mr. CRAWFORD), in whose district we had a field hearing on the impact of the Endangered Species Act.

Mr. CRAWFORD. I thank the chairman. I am glad to be here today in support of H.R. 4315 and to emphasize the point that this is not just a Western thing. We certainly hear a lot about Oregon's northern spotted owl, about California's delta smelt, and we have heard about—the lesser prairie chicken has been cited, but I doubt many of you have heard about the rabbitsfoot mussel.

I have a map here that indicates the range of the rabbitsfoot mussel, and I can assure you the folks in Arkansas, Mississippi, Oklahoma, Louisiana, and Missouri have become very well familiar with the rabbitsfoot mussel.

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What the critical habitat designation proposal could do, and certainly in States like Arkansas where 70 percent of Arkansas' rivers and streams would be impacted, it would have a direct and costly impact on farmers and ranchers and municipalities who rely on those waterways for drinking water, private landowners and local governments who are trying to build and improve roads and bridges, and small and large businesses across the State of Arkansas that use water in manufacturing the products that help keep Americans employed.

The 21st Century Endangered Species Transparency Act will go a long way to bringing some common sense and sanity back to the protection of vulnerable species, and that is what we should be about.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Georgia (Mr. COLLINS) who is also experiencing the effects of this act.

Mr. COLLINS of Georgia. Mr. Chairman, I do appreciate the chairman of the Natural Resources Committee yielding me this time.

You know, it is amazing when you even mention dealing with reforming the Endangered Species Act how people all of a sudden think—and it is just a matter of putting some controls or limiting it—that you are antispecies, you are terrible on the environment. Really what we are talking about here is just basically like all of the things in life that are updated from time to time, this is something that needs to be updated. I have been pleased to work in this working group, together with the chairman and others, to bring about some sensible reforms.

The reason we do this, farmers, ranchers, folks back home, my Farm Bureau, have been hit by lawsuits. And I appreciate what the gentleman just said. It is lawsuits, not science, that seems to be pressuring some of this along. In fact, in 2011, the WildEarth Guardians and Center for Biological Diversity entered into an agreement with Fish and Wildlife that added 1,000 species. Now, the only problem with that is that no one in the ag community and others who were affected were allowed to participate. Now, I have another bill called Sue and Settle that would have taken care of that when we passed it out of this House.

It was said earlier that, when you take the ESA, you don't take a meat cleaver approach. Well, I think the problem is not a meat cleaver approach here. It is the fact that many don't want to take an approach at all. They want to just leave it alone. They don't even want to take up having reasonable caps on attorneys' fees. Instead of putting money into lawyers' pockets at a cap of just $125 an hour, they would rather go on—which, by the way, in that same 2011 case, the attorneys' fees went over $300,000 in this situation.

You see, the problem here is not wanting to deal with ESA. The problem is wanting to continue an ideological bent that says leave it alone even at the expense of jobs, even at the expense of saying that maybe we messed up, even at the expense of saying maybe we can find a different point of view, maybe we can have valid science, or maybe just addressing it.

For those of us in northeast Georgia, we want good, clean water, clean air, and protection of our wildlife. But also, we understand that taxpayer dollars spent on this needs to happen. We need to do this reform.

By the way, Mr. Chairman, I still have no takers on my bat.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Utah (Mr. STEWART), a former member of the Natural Resources Committee.

Mr. STEWART. Mr. Chairman, H.R. 4315 is simply a no-brainer. Its primary purpose is to require that ESA be available to the public. This is nothing but a commonsense reform in the application of a law that is subject to extensive bureaucratic manipulation. Some opponents wrongly assume that the American people don't need to see this data, but how can anyone argue against transparency in our Federal Government?

Let me quickly list an example in my district. We have the Utah prairie dog, a species that was listed under the ESA in 1973. U.S. Fish and Wildlife says there needs to be at least 1,500 prairie dogs before they can be considered for delisting as recovered, but the Federal Government only counts those dogs living on Federal lands, about 442 of them. In 2013, there were almost 5,000 of these prairie dogs living on private land that went uncovered.

Earlier this year, I introduced H.R. 4256, the Endangered Species Improvement Recovery Act, something which would help in this effort as well. H.R. 4315 is a commonsense approach, and I urge my colleagues to support it.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 1 minute to the gentleman from California (Mr. VALADAO), a very active Member on this issue.

Mr. VALADAO. Mr. Chairman, this bill brings a lot of common sense to Washington. In my district currently today, they have basically shut down agriculture because of this tiny fish there. We have seen food products coming in from other countries, and we see people standing in a food line.

What has caused all of this? Under the Endangered Species Act, a species was added to the Endangered Species Act list.

And do we know if that listing actually helped that fish, if turning off the pump has actually helped save that fish? We know it has put people out of work. We know it has changed where we are getting our food from. And for all we know, it hasn't even saved that little fish. That is something that needs to be looked at. What this bill does, it brings some transparency to this.

When we pass these rules and regulations on these industries that affect these people at home and put them in the food line, are we actually basing it on real science? Are we basing it on the fact that we are actually going to save this species?

This is a tragedy. What we see going on in my hometown right now, in my district is a tragedy. We have an opportunity to actually make a difference today with some common sense. Make sure that we know that the science is honest and transparent before we pass these laws.

Mr. HASTINGS of Washington. Mr. Chairman, I advise the gentleman from Oregon that I am prepared to close, so if he wants to use his time, then I will close.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield myself the balance of my time.

I will close where I ended my opening remarks, 25 major fires burning in the West: seven in Oregon, six in California, four in Washington, two in Utah, two in Idaho, and one in Colorado. And by this time next week, probably twice as many, but next week Congress will be out of session.

The agencies will run out of money. They can't stop fighting the fires. So

what they will do is they will pull back money that would prevent future intense wildfires from prevention programs. They will pull back money from recreation programs. They will pull back money from a host of things that Americans care about and want to have funded just to fight these fires. It is an endless cycle. We need to deal with it.

We could have dealt with it here today instead of spending multiple hours on a bill which is going nowhere, which is poorly drafted to the point where anybody, any city, county, tribe, State who writes on the back of a napkin can submit that to the agency and it must be considered the best available science and commercial data. And under the law, the Secretary has to use that to make a decision.

How the heck is that going to work? You are saying you are worried about attorney's fees; you are creating a universe for new litigation with this misguided approach.

So I wish we would return to a bipartisan addressing of the forest fire issue because I know there is bipartisan concern on it. There is a bill pending in the House—54 Republicans, 54 Democrats. We should take that bill up today, tomorrow, or Thursday before we leave town and fund our firefighting efforts.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me make a couple of points on issues that have been raised. First of all, H.R. 4315 is not a comprehensive reform to the Endangered Species Act. It is very targeted.

I might mention that several Members on the other side talked about species going extinct. I just want to say, Mr. Chairman, that during testimony in the House Natural Resources Committee, nobody testified that they are in favor of species going extinct.

Several Members said this bill weakens the Endangered Species Act. Mr. Chairman, how does transparency weaken a bill? I do not see how that works.

Finally, there seems to be a lot of discussion about allowing local entities and tribes to use their data in the listing of species. Several Members on the other side said the act deems that should happen. It does not at all. In fact, let me read it. It says:

> The best scientific and commercial data available includes all such data submitted by State, tribal, or county government.

Now, we will have more debate on this because there are two amendments that address this section, but I just wanted to mention that this is a targeted look at the Endangered Species Act. It is not a comprehensive reform, but it certainly will, I think, get more people involved, especially because of this megasettlement, the impact that this will have on the rest of the country.

Mr. Chairman, I urge adoption of H.R. 4315.

I yield back the balance of my time.

Mr. HOLT. Mr. Chair on December 28, 1973 the Endangered Species Act was signed into law, meaning we are currently commemorating the 40th anniversary of one of our nation's strongest and most successful environmental laws: the Endangered Species Act.

Passed with overwhelming bipartisan support and signed by President Richard Nixon, the Act was the first comprehensive law to address the global extinction crisis.

The Endangered Species Act took a zero-tolerance approach to achieving its goals: no new extinctions, no exceptions.

As a result, 99 percent of listed species have been saved from extinction and are on the path to recovery.

Some iconic American species, such as the bald eagle, the American alligator, and the Pacific gray whale, have recovered from the brink of extinction and are now thriving in their natural habitats.

Beyond the preservation of individual species, the Endangered Species Act helps to keep the strong interdependent web of life.

Today, conservation efforts under the Endangered Species Act are a model for preserving biodiversity around the world.

Unfortunately, here in the House today we are proceeding with reforms that would undoubtedly weaken provisions of the Act with the belief that doing so will somehow yield greater benefits for the species it was designed to protect.

As a member of the House Natural Resources Committee, I've been committed to protecting our nation's strongest and most successful environmental laws.

Let us reject the bill before us and in doing so commerate the 40th Anniversary of the Endangered Species Act.

Ms. LEE of California. Mr. Chair, I rise to today in strong opposition to H.R. 4315—the "21st Century Endangered Species Transparency Act."

Mr. Chair, there is nothing reasonable about this bill.

This bill is an assault on citizen enforcement and the rule of law.

If enacted, the bill would place an unreasonable cap on the recovery of attorneys' fees in suits brought under the Endangered Species Act (ESA).

By limiting fee recoveries, this bill would make it difficult for many citizens to obtain effective legal representation—and undermine the enforcement of the law.

The Endangered Species Act is one of our country's most important tools for protecting endangered fish and wildlife populations.

The fact of the matter is, the bill before us, would increase the likelihood of future extinctions.

Mr. Chair, we are here to protect not only our wildlife, but also the very foundation of our justice system—equal access to adequate representation.

I urge a no vote.

Mr. THOMPSON of Pennsylvania. Mr. Chair, I rise today in support of this legislation.

H.R. 4315 is an important first step in reforming the Endangered Species Act, and undertaking long overdue.

This legislation is about three things: increasing government ransparency, requiring better state and local data and input, and limiting excessive payments for lawyers who sue the Federal government under ESA.

First, the bill requires the Federal Government to publish on the internet and make publicly available the data that was used to make the determination that a species should be considered for listing under the ESA.

Secondly, the legislaion would require the Federal Government to include and consider data provided by state, local and tribal governments. The purpose of this is to ensure that the best "on the ground" input is taken into account when making such listing.

Finally, H.R. 4315 would limit attorneys' fees when individuals or organizations sue the government under the ESA and prevail.

In my home state of Pennsylvania, we are currently seeing firsthand why these changes need to be legislated. The U.S. Fish & Wildlife Service recently proposed the Northern Long-Eared bat for listing under ESA—despite significant scientific debate over its population levels.

While the species is unquestionably being impacted by White Nose Syndrome, considerably more research still is needed before sweeping federal regulations go into effect.

This species has an enormous geographical footprint and is found in 38 states. Listing this bat species would have an enormous impact, including harming a large number of economic sectors that pose no threat to this population.

During the open public comment period, the Fish &

Wildlife Service received a significant number of public comments discussing this lack of adequate data, and since then, the Service has acknowledged that the economic activities most affected by the proposed listing have had little impact on population numbers or the decline of the species.

As a result, the agency has now decided to extend the comment period to further review these disparities.

H.R. 4315 is a package of commonsense reforms that will improve local control and increase government transparency and accountability.

I strongly urge my colleagues to support this legislation.

The Acting CHAIR (Mr. POE of Texas). All time for general debate has expired.

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

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–55. That amendment in the nature of a substitute shall be considered as read.

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

H.R. 4315

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 "Endangered Species Transparency and Reasonableness Act".

SEC. 2. REQUIREMENT TO PUBLISH ON THE INTERNET THE BASIS FOR LISTINGS.

Section 4(b) of the Endangered Species Act (16 U.S.C. 1533(b)) is amended by adding at the end the following:

''(9) The Secretary shall make publicly available on the Internet the best scientific and commercial data available that are the basis for each regulation, including each proposed regulation, promulgated under subsection (a)(1), except that, at the request of a Governor or legislature of a State, the Secretary shall not make available under this paragraph information regarding which the State has determined public disclosure is prohibited by a law of that State relating to the protection of personal information.''.

SEC. 3. DECISIONAL TRANSPARENCY AND USE OF STATE, TRIBAL, AND LOCAL INFORMATION.

(a) REQUIRING DECISIONAL TRANSPARENCY WITH AFFECTED STATES.—Section 6(a) of the Endangered Species Act of 1973 (16 U.S.C. 1535(a)) is amended—

(1) by inserting ''(1)'' before the first sentence; and

(2) by striking ''Such cooperation shall include'' and inserting the following:

''(2) Such cooperation shall include—

''(A) before making a determination under section 4(a), providing to States affected by such determination all data that is the basis of the determination; and

''(B)''.

(b) ENSURING USE OF STATE, TRIBAL, AND LOCAL INFORMATION.—

(1) IN GENERAL.—Section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532) is amended—

(A) by redesignating paragraphs (2) through (21) as paragraphs (3) through (22), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) The term 'best scientific and commercial data available' includes all such data submitted by a State, tribal, or county government.''.

(2) CONFORMING AMENDMENT.—Section 7(n) of such Act (16 U.S.C. 1536(n)) is amended by striking ''section 3(13)'' and inserting ''section 3(14)''.

SEC. 4. DISCLOSURE OF EXPENDITURES UNDER ENDANGERED SPECIES ACT OF 1973.

(a) REQUIREMENT TO DISCLOSE.—Section 13 of the Endangered Species Act of 1973 (87 Stat. 902; relating to conforming amendments which have executed) is amended to read as follows:

''SEC. 13. DISCLOSURE OF EXPENDITURES.

''(a) REQUIREMENT.—The Secretary of the Interior, in consultation with the Secretary of Commerce, shall—

''(1) not later than 90 days after the end of each fiscal year, submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an annual report detailing Federal Government expenditures for covered suits during the preceding fiscal year (including the information described in subsection (b)); and

''(2) make publicly available through the Internet a searchable database of the information described in subsection (b).

''(b) INCLUDED INFORMATION.—The report shall include—

''(1) the case name and number of each covered suit, and a hyperlink to the record or decision for each covered suit (if available);

''(2) a description of the claims in each covered suit;

''(3) the name of each covered agency whose actions gave rise to a claim in a covered suit;

''(4) funds expended by each covered agency (disaggregated by agency account) to receive and respond to notices referred to in section 11(g)(2) or to prepare for litigation of, litigate, negotiate a settlement agreement or consent decree in, or provide material, technical, or other assistance in relation to, a covered suit;

''(5) the number of full-time equivalent employees that participated in the activities described in paragraph (4); and

''(6) attorneys fees and other expenses (disaggregated by agency account) awarded in covered suits, including any consent decrees or settlement agreements (regardless of whether a decree or settlement agreement is sealed or otherwise subject to nondisclosure provisions), including the bases for such awards.

''(c) REQUIREMENT TO PROVIDE INFORMATION.—The head of each covered agency shall provide to the Secretary in a timely manner all information requested by the Secretary to comply with the requirements of this section.

''(d) LIMITATION ON DISCLOSURE.—Notwithstanding any other provision of this section, this section shall not affect any restriction in a consent decree or settlement agreement on the disclosure of information that is not described in subsection (b).

''(e) DEFINITIONS.—

''(1) COVERED AGENCY.—The term 'covered agency' means any agency of the Department of the Interior, the Forest Service, the National Marine Fisheries Service, the Bonneville Power Administration, the Western Area Power Administration, the Southwestern Power Administration, or the Southeastern Power Administration.

''(2) COVERED SUIT.—The term 'covered suit' means any civil action containing a claim against the Federal Government, in which the claim arises under this Act and is based on the action of a covered agency.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of such Act is amended by striking the item relating to such section and inserting the following:

''Sec. 13. Disclosure of expenditures.''.

(c) PRIOR AMENDMENTS NOT AFFECTED.—This section shall not be construed to affect the amendments made by section 13 of such Act, as in effect before the enactment of this Act.

SEC. 5. AWARD OF LITIGATION COSTS TO PREVAILING PARTIES IN ACCORDANCE WITH EXISTING LAW.

Section 11(g)(4) of the Endangered Species Act of 1973 (16 U.S.C. 1540(g)(4)) is amended by striking ''to any'' and all that follows through the end of the sentence and inserting ''to any prevailing party in accordance with section 2412 of title 28, United States Code.''.

The Acting CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in House Report 113–563. Each such amendment shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. HASTINGS OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113–563.

Mr. HASTINGS of Washington. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, line 13, insert '', State agency,'' after ''Governor''.

Page 1, strike line 16 and all that follows through the first period on line 17 and insert ''determined public disclosure is prohibited by a law or regulation of that State, including any law or regulation requiring the protection of personal information; and except that within 30 days after the date of the enactment of this paragraph, the Secretary shall execute an agreement with the Secretary of Defense that prevents the disclosure of classified information pertaining to Department of Defense personnel, facilities, lands, or waters.''.

The Acting CHAIR. Pursuant to House Resolution 693, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I offer this manager's amendment which would clarify two important items relating to section 2 and public disclosure of the Federal Government's ESA data.

First, the amendment would provide an important but technical clarification that the intent of the bill is for any Federal public disclosure of ESA data on the Internet under the bill to be completely consistent with data privacy laws of States, including those that protect personal identifiable information from disclosure.

A significant amount of the ''best available scientific and commercial data'' currently used by the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for ESA listing decisions is derived from States which have diverse laws protecting the privacy of their citizens and sensitive species data.

While some make completely baseless suggestions that more data disclosure on the Internet could lead to poaching of species, this amendment would allow States an added layer of confidence that the information they choose to share with the Federal Government does not compromise their own data privacy laws.

Second, the amendment clarifies that the bill would not require disclosure of classified Department of Defense information related to lands, personnel, installations, or waters within their jurisdiction.

The Endangered Species Act has a significant impact on U.S. military activities. According to the Fish and Wildlife Service Web site, more than 300 ESA-listed species are located on the more than 25 million acres spread across hundreds of Department of Defense installations across the Nation. While greater data transparency related to U.S. Fish and Wildlife Service or National Marine Fisheries Service listing decisions is important, branches of the American military should not have to disclose information that would in any way compromise national security.

So my amendment would make clear that the Fish and Wildlife Service's or the National Marine Fisheries Service's disclosure of best available scientific and commercial data on the Internet can be accomplished while safeguarding classified or sensitive Defense Department information.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

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

There was no objection.

Mr. DEFAZIO. This is similar to an amendment offered by the chairman in committee which carved out an exemption for private individuals. This would carve out another amendment for the Department of Defense.

Unfortunately, crafting legislation so it doesn't have unintended impacts is often a difficult, deliberative process. In this case, the overly broad language in this section would still require commercial data from timber and oil and gas companies. That is not covered by the exemptions in the bill. And also, it could require data containing business activity locations, operation plans, information regarding species found on their lands, and they would be published on the Internet, which would be an invitation to trespass in the case of private timber companies having to publish that sort of invitation.

So I don't think the exemption goes far enough. I think the entire provision should be stricken. But again, I will not bother to oppose this amendment, but I will oppose the underlying bill.

With that, I yield back the balance of my time.

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Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of my time.

I thank the gentleman from Oregon for his support of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. HASTINGS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. DEFAZIO

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113–563.

Mr. DEFAZIO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 1, strike ''The term'' and insert ''(A) Except as provided in subparagraph (B), the term''.

Page 3, at line 3 strike the closing quotation marks and the second period, and after line 3 insert the following:

''(B) Such term does not include any data, study, or survey that has been published solely in an internal Department of the Interior publication.''.

The Acting CHAIR. Pursuant to House Resolution 693, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, as I said earlier, and it was mentioned by a number of Democrats on this side, we don't think the Endangered Species Act is perfect and we could work on a bipartisan basis on modernization-type reforms to bring it into the 21st century, compliant with current science. However, that is not before us today. But I am hopeful that this amendment, because of a very unsettling precedent by the Obama administration, will get bipartisan support.

Now, the Republicans may, in this case, agree with the objectives of an agency of government which has gone rogue in this case, which is Fish and Wildlife. They have been trying for years to remove the gray wolf from the Endangered Species Act. Unfortunately, science isn't on their side. Wolves have not recovered throughout much of their range. Oregon and Washington have a few packs; California, Colorado, Utah, and New York have none. However, they have cooked up a little bit of science to justify their determination to delist.

Now, in the case of Oregon, OR–7, his mate, and pups, might be pretty safe. They are down in the corner of the State. California won't be hunting wolves because of their own Endangered Species Act. But his relatives up in the northeast corner of Oregon, should they cross the border into Idaho, they will be immediately assassinated. That is the result of what Fish and Wildlife and Congress combined have done.

They cooked up the science. Unfortunately, science has to be peer-reviewed and published in journals. No journal would publish it. Not even some of the captive industry journals or the livestock association journal. Nobody would publish it. They said this is junk.

So what did they do? Well, they came up with a zombie journal. They revived an internal journal called North American Fauna, which was an internal Fish and Wildlife little newsletter, and it hasn't been printed previously since 1991.

Now, again, I imagine most Republicans are saying: So what, if this helps us get rid of the wolf—which many on that side of the aisle would like to do—so be it, that is good.

Well, just think what is going to happen when Fish and Wildlife and this administration, or another administration, wants to make a decision contrary to what you care about? What if they want to cook up a phony science on the sage-grouse, the lesser prairie chicken, or on some of these other species that have been talked about today? They drag out the North American fauna label and they say: Hey, it has been published, and that is what we based our decision on.

This is a very disturbing trend by an administration—inexplicable that this administration would go down this particular path. And again, even if you may agree with delisting the wolf and greatly reducing the populations, which are nowhere near what they should be for a full recovery, threatening again a future, more comprehensive, listing—again, a bit shortsighted if you support that, but you may.

But just think if you let this stand. If you let these people these Federal bureaucrats, these hacks, get away with this. They cooked something up. I mean, really? You can't even get the sheep journal to publish this because they really hate the wolves, or the cattleman's journal, they really hate the wolves. No, they wouldn't publish it. They had to come up with a phony internal journal, because it was so bad that they knew they would be subject to ridicule and violating essentially their own morals and ethics by doing that.

I would hope that the Republicans can support this amendment, because even though they may agree with the ends here, they surely should disagree with the process.

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. HASTINGS of Washington. Mr. Chairman, I yield as much time as he may consume to the gentleman from Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. Mr. Chairman, as I was listening to the gentleman, I was wondering if he was talking about the amendment that he had actually offered, because actually he is making the case that I stood up to make today.

Let me tell you what this amendment would do. It would exclude scientific information published solely in the internal Interior Department publications from the definition of ''best available science,'' which would allow the Department of Interior to avoid transparency requirements in section 2 of the bill, which requires that the data used by the Federal agencies for the Endangered Species Act listing decisions to be made publicly available and accessible through the Internet.

So what the gentleman was saying is they cooked the books, they cooked the information, and he doesn't want that to be made available. So here we are making important decisions about the potential taking of people's land, spending millions of dollars in mitigation for what may be false science.

This gentleman's amendment defeats the whole purpose of transparency, the intention of this bill.

What we are trying to do is we are going to say: Let's take the facts, let's take the best available science that the Fish and Wildlife and some of these agencies say that they have, let's compare it with what is the best available science from the stakeholders and come up with the truth.

But the gentleman's amendment, which I urge Members to defeat, defeats the whole purpose of that transparency. The American people deserve that. Their tax money is being used

against them in the fact that the tax money is going out and being used to determine what is the best available science. Now if we have got the best available science—in fact, as the gentleman referred to it as ''cooking the science,'' then the American people ought to have an opportunity to dispute that and it not be hidden from them in some agency memo.

With that, I encourage Members to defeat the amendment.

Mr. DEFAZIO. Mr. Chairman, well, I didn't understand that.

Look, a Federal agency revived a journal that had been extinct for 23 years. It is an internal document. They took phony science and published it in that, and then they based a delisting decision on it. If they based a listing decision on it, you guys would be going berserk over there.

What I am precluding is future Federal agencies, no matter where they come down on a listing decision, from using phony science which is only self-published. This is like whack nuts who write books about crazy things and they publish it themselves and say: Look, it was a book. Yeah, it is a book. You paid to publish it.

In this case, they used taxpayer money to publish a phony study to justify a decision they had already made, which you might happen to agree with.

But what happens when they use that same tactic to do that with a decision you disagree with, to actually list something?

This has nothing to do with transparency. It doesn't need to be transparent because they couldn't use it. It is phony science. They would not be allowed to use phony science by self-publishing it. That is simply what the amendment does, and I can't believe you guys are going to oppose it.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, when I listen to my good friend from Oregon's arguments, in many respects, maybe indirectly, he is making precisely the argument that we are making with this bill. That is, whatever data is being used to list or delist should be made available to the public so they can ascertain if that data is correct.

Now, the gentleman talked about data that was made up. Okay, that is his interpretation. If it is made up, shouldn't we know that? Shouldn't we know that that is what the data is being used to make these decisions rather than just accepting it?

Mr. Chairman, that is precisely what this bill is all about, to have transparency on this scientific data. That is really all we are asking about.

The argument got shifted to other things, like we are destroying the Endangered Species Act and so forth. Nothing could be further from the truth.

His amendment, however, does something that I think violates the principle we are trying to do. He wants to exclude certain stuff from us being transparent with it, or for the people having transparency to that data.

So, Mr. Chairman, I urge also rejection of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. HOLT

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113–563.

Mr. HOLT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 3, strike ''(a) REQUIRING DECISIONAL TRANSPARENCY WITH AFFECTED STATES.—''.

Beginning at page 2, strike line 16 and all that follows through page 3, line 7.

The Acting CHAIR. Pursuant to House Resolution 693, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, I yield myself such time as I may consume.

The bill before us today has many problems, but one of the most egregious and obvious is in section 3, where the bill declares that any and all data submitted by States, tribes, or local governments shall be considered the ''best scientific data available.''

I am offering here an amendment with my friend from California (Mr. HUFFMAN), which would strike that provision and would force Federal agencies to accept as the best available science actual science.

The language in question says:

The term ''best scientific and commercial data available'' includes all such data submitted by a State, tribal, or county government.

The Endangered Species Act is one of our Nation's strongest and most successful environmental laws. One reason for that success is that the law has been based on scientific evaluation using peer-reviewed science by trained scientists, not the whims and ideological wishes of legislators.

The Endangered Species Act is not a shouting match or a fight for power and influence among interested parties; it is a look at the need to protect endangered species as determined by the best science. This language that the best scientific and commercial data available includes all such data submitted is as preposterous as it is impractical. Where is the quality control?

Now, what happens if a locality submits something that is not, in fact, true, or not, in fact, established within the scientific community? Or how about if a State or a tribe submits one thing and another State or tribe submits conflicting views? Are they both the best available evidence? What about where a county thinks its data is better than the State's data? These are all situations that not only might occur, but are likely to occur.

A witness at the committee hearing on this bill—in fact, a witness that was invited by the Republicans—testified to this very point, saying that all does not equal best, highlighting the fact that this bill creates more problems than it solves.

Agency decisionmakers must evaluate data from all sources to ensure that they are making determinations based on the best information available, and we should encourage them to do so.

Let's not have another case of congressional malpractice where Members of Congress play scientists and try to present political restrictions on the science.

The peer review process is the best tool available, and that is how we draw out the best science. Maybe scientists occasionally make mistakes, no doubt about it, and new findings can call for a revision of the science. But surely we don't think that Members of Congress are better at determining what is scientifically factual than the biological and environmental scientists.

I reserve the balance of my time.

□ 1630

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. Mr. Chairman, basically, what the gentleman's amendment would do is strike the language in the section of this bill that requires the Fish and Wildlife Service to consider all data submitted by State, tribal, or county governments as best scientific and commercial data available.

Let me dispel one of the myths. It says that all of this data has to be considered best scientific and commercial data. That is not necessarily true. The Fish and Wildlife Service still has discrimination over what data that it considers. What it does say is that it must consider the data that is submitted.

The other thing that you hear my friends on the other side of the aisle say is that I guess all of the best data and all of the smartest people in the country must be in Washington, D.C., but we have Mr. DEFAZIO, the gentleman from Oregon, stand up and say:

no, sometimes they cook the books. So I wondered if that memo that the gentleman was talking about was the best commercial and available science for the wolf. Obviously, he was saying it was not.

What we are really saying about all of this is it is just about transparency. It is about recognizing that the people in the States and the local governments may actually have better information on the ground about a lot of these issues than somebody sitting in Washington, looking at some model or some report that someone has drawn up.

I will talk about my State of Texas, for example. The Texas Parks and Wildlife service has developed over 8,000 wildlife management plans covering over 30 million acres. I would probably tell you that those people have some of the best available and commercial science on a lot of the issues facing Texas probably a little bit more than maybe somebody sitting in Washington, D.C., or some other State.

So one of the things that I am a little perplexed about is my colleagues keep fighting the transparency. This President said he was going to have one of the most transparent administrations in history, but that has been far from the truth.

I would encourage my colleagues to defeat this amendment. It defeats the whole purpose of the bill and the intention of letting the American people know the facts.

If you go to a trial, you don't get to use only your facts. You have to hear everybody's facts. Since this is a trial that determines whether these species are in fact endangered or not endangered anymore, we should be able to deal with the facts, but we can't deal with one set of facts. We have to deal with all of the facts.

So if you want to hear all of the facts, defeat this amendment.

Mr. HOLT. Mr. Chairman, I ask the Chair the time remaining on each side.

The Acting CHAIR. The gentleman from New Jersey has 1½ minutes remaining, and the gentleman from Washington has 2½ minutes remaining.

Mr. HOLT. Mr. Chairman, I yield 45 seconds to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, I am bemused by this.

It is simple. It says:

> The term ''best scientific and commercial data available'' includes all such data submitted by a State, tribal, or county government.

That means all the data. That means if all the counties, States, and tribes don't agree, you have conflicting best available data. That is what we are saying. We want them to take all data into account, but you can't deem that theirs is the best.

In the case of nitrification in the Columbia River, Oregon and Washington disagree. They have competing science, but now, they would have to weigh it equally. I have heard tribes say to save salmon and delist them, you have to take all the dams out of the river. That becomes the best available science, if submitted by a tribe?

What are you guys thinking? We want them to listen to everybody. Everybody can submit something, but we don't then deem it to be the best available data. That is nuts.

Mr. HASTINGS of Washington. Mr. Chairman, I am prepared to close, so I reserve the balance of my time.

Mr. HOLT. Mr. Chairman, my colleague from Oregon said it well: All does not equal best.

The other side evidently is embarrassed by the language in the bill. There are many problems with this bill, but this particular section has some language that they should be embarrassed about, and so they are saying what they wish the language said or what they want it to say.

The best scientific data includes all such data. It does not say we will consider all data. It says all equals best. That cannot be true. That should be removed from the bill. That is what this amendment does.

Decisions on whether or not a particular study or data set have scientific merit with respect to an individual species listing should be made in the context of peer-reviewed science, not because one State wants one thing and one county wants another thing.

It should be based on the best scientific data. That is what this amendment would ensure.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of my time.

First of all, Mr. Chairman, I am not embarrassed by this piece of legislation. Let me walk through this and explain why this language says what it says because I think our friends on the other side of the aisle are leaving out a very important word when they are debating this issue.

The language in question is the term ''best scientific and commerce data available includes all such data submitted,'' and so forth.

They are arguing as if the word ''such'' was taken out, where it would read ''scientific and commercial data available includes all data.'' We didn't say ''all data.'' We said ''all such data.''

What does that mean? How does that relate? All such data that relates to scientific and commercial data coming from the local communities—what is wrong with that argument?

By the way, the agency still has discretion to use that data, but it should be part of it because lacking having this language in the bill means that the only data is what my friend from Oregon criticized when we were discussing the wolves.

Mr. Chairman, I think this language is pretty straightforward. It says ''all such data that relates to it, as developed by local communities and tribes.'' That should be part of the transparency.

So I urge my colleagues to reject this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HOLT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. DUFFY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113–563.

Mr. DUFFY. Mr. Chairman, I have an amendment at the desk

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

> Page 4, line 22, strike ''and''.
>
> Page 5, at line 4 strike the period and insert ''; and'', and after line 4 insert the following:
>
> ''(7) any Federal funding used by a person or a governmental or non-governmental entity in bringing a claim in a covered suit.

The Acting CHAIR. Pursuant to House Resolution 693, the gentleman from Wisconsin (Mr. DUFFY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. DUFFY. Mr. Chairman, I want to thank Chairman HASTINGS for all of his work on this legislation.

I am from Wisconsin. I have the central to northern part of the State. In my part of the State—and for the State as a whole—we value our natural resources. We value our wildlife. We have people who love to hunt, fish, bike, ski, and hike. It is part of our culture and our community.

We have many organizations that work hard to promote conservation. We have hunting groups, sportsmen groups, conservation organizations, State and local DNR organizations. Many of them have come together to protect the gray wolf population in Wisconsin, so much so that it has become healthy, and the gray wolf has been taken off and delisted from the Endangered Species Act.

However, not all organizations come at this with a pure heart. We have some whose main purpose and priority is filing lawsuits and suing the government under the Endangered Species Act. It is these sue-and-settle tactics that don't advance the cause of preserving our environment, and they aren't good for the American taxpayer.

What is more, many of these lawsuits are funded by way of Federal tax dollars to support the litigation, so in essence, we are spending tens of millions of dollars of hardworking Americans' tax dollars to sue ourselves.

So I think it is important that we have transparency in government. If an

organization is suing the Federal Government under the Endangered Species Act and they are using Federal money, let's disclose it. Let's all see it.

We might come together and say that is a good use of our Federal tax dollars, or we might say that is outrageous that we should be funding suits against ourselves.

This is a commonsense amendment. I would ask my colleagues to support it.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. DUFFY. I yield to the gentleman.

Mr. HASTINGS of Washington. I thank the gentleman for yielding and for bringing this issue to the floor. I think it adds very much to what we are trying to do with this underlying legislation, which is adding transparency to our efforts.

I support the gentleman's amendment.

Mr. DUFFY. Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. I just wonder if the gentleman can name one piece of litigation which was sponsored by Federal tax dollars, and I yield to the gentleman.

Mr. DUFFY. Mr. Chairman, that is the purpose of my legislation. We don't know.

Mr. DEFAZIO. Reclaiming my time, the gentleman can't name one lawsuit, one organization using Federal tax dollars. I guess that is probably because he is familiar with OMB Circular A–87 that says neither a State, local government, or an Indian tribal government can use money provided by the Federal Government for legal expenses for prosecution of claims against the Federal Government.

Well, okay, that leaves a big hole. What about nonprofits? They get Federal money. That would be OMB Circular A–122, ''Cost Principles for Nonprofit Organizations,'' which says, ''Costs of legal, accounting, and consultant services, and related costs, incurred in connection with defense against Federal Government claims or appeals, antitrust suits, or the prosecution of claims or appeals against the Federal Government, are unallowable.''

So we are now going to have the agency chase a Chimera—that is, something that has never happened and can't happen under law. They have got to go out and spend a bunch of money trying to unearth it.

If the gentleman could just name one instance, then that might change the argument, but he can't.

With that, I reserve the balance of my time.

Mr. DUFFY. Mr. Chairman, I would just note that money is fungible. To the point that this is going to cost a lot of money, I would disagree.

All we are asking for is that if you receive Federal money and you are suing the Federal Government, that you disclose it. You don't have to go on a witch-hunt. You don't have to go find it.

If you receive these dollars and you are suing the Federal Government, tell us. If the gentleman is correct, there won't be any disclosure, but if what I suspect is true, there will be a lot of disclosure, and the American people will see how their tax money is being used to sue themselves.

Mr. Chairman, I would note in closing that good government is a government that has transparency, and we should know how our tax dollars are being used. This is not overburdensome. This is a simple request that if you use hard-earned taxpayer money to sue the Federal Government under the Endangered Species Act, the Federal taxpayers know how their money is being spent.

This makes sense. It doesn't cost any money. It is not a hardship, so let's stand together. Let's work together, and let's make sure we have full knowledge in how this money is being used.

I yield back the balance of my time.

Mr. DEFAZIO. Mr. Chairman, unfortunately, the gentleman misstated what his amendment does. It doesn't say that individuals filing litigation under the Endangered Species Act must disclose whether or not they receive any Federal funds and are using any Federal funds in this case. It doesn't say that.

It says that Fish and Wildlife Service must determine. How is the Fish and Wildlife Service going to determine whether or not someone used Federal funds?

As he said, money is fungible. He is saying they may be violating the circular that prohibits nonprofit organizations from doing this. They may be violating the circular.

These are, of course, criminal offenses, that prohibit State, local, and Indian tribal governments from using Federal money for such litigation. He is saying that may be go going on, so then Fish and Wildlife should just discover it themselves.

How is that going to work? It sends Fish and Wildlife on a mission that it is not equipped to handle. They can't say: pretty please, tell us.

If someone is violating the law, they are probably not going to volunteer it to Fish and Wildlife.

□ 1645

If you wanted to do this, you would have to write an amendment that amends the Rules of Civil Procedure or whatever—I am not a lawyer—that would require that these litigants disclose at the time of filing their litigation. Saying Fish and Wildlife should find out after it has been filed is absolutely absurd.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. DUFFY).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 113–563 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. DEFAZIO of Oregon.

Amendment No. 3 by Mr. HOLT of New Jersey.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. DEFAZIO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 188, noes 227, not voting 17, as follows:

[Roll No. 460]

AYES—188

Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clyburn
Cohen
Connolly
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)

Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Welch
Wilson (FL)
Yarmuth

NOES—227

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

NOT VOTING—17

Brady (TX)
Cassidy
Clay
Cleaver
Conyers
DesJarlais
Diaz-Balart
Garcia
Graves (GA)
Graves (MO)
Hanabusa
Israel
Nunnelee
Pelosi
Pompeo
Ros-Lehtinen
Waxman

□ 1712

Messrs. WALDEN, MULLIN, COTTON, DUNCAN of South Carolina, DUNCAN of Tennessee, WESTMORELAND, and MATHESON changed their vote from ''aye'' to ''no.''

Ms. CLARKE of New York changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. WAXMAN. Mr. Speaker, on rollcall No. 460, had I been present, I would have voted "yes."

AMENDMENT NO. 3 OFFERED BY MR. HOLT

The Acting CHAIR. The unfinished business is the request for a recorded vote on amendment No. 3 printed in House Report 113–563 offered by the gentleman from New Jersey (Mr. HOLT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 204, noes 215, not voting 13, as follows:

[Roll No. 461]

AYES—204

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

NOES—215

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

NOT VOTING—13

Brady (TX)	Diaz-Balart	Pompeo
Cassidy	Granger	Ros-Lehtinen
Clay	Graves (MO)	Stivers
Cleaver	Hanabusa	
DesJarlais	Nunnelee	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining.

□ 1717

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. WOMACK). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. POE of Texas) having assumed the chair, Mr. WOMACK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4315) to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes, and, pursuant to House Resolution 693, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

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

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

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

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mrs. KIRKPATRICK. Mr. Speaker, I have a motion at the desk.

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

Mrs. KIRKPATRICK. I am opposed to it in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Kirkpatrick moves to recommit the bill H.R. 4315 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

SEC. ___. CONSULTATION WITH INDIAN TRIBES.

(a) REQUIREMENT.—The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) is amended by adding at the end the following:

"SEC. 17. FULFILLMENT OF FEDERAL TRUST RESPONSIBILITY WITH RESPECT TO INDIAN TRIBES.

"In carrying out this Act, the Secretary shall consult with affected Indian tribes to ensure that the Federal trust responsibility with respect to Indian tribes is fulfilled.".

(b) CLERICAL AMENDMENT.—The table of contents in the first section of such Act is amended by adding at the end the following:

"Sec. 17. Fulfillment of Federal trust responsibility with respect to Indian tribes.".

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

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

Mrs. KIRKPATRICK. Yes, I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

The SPEAKER pro tempore. The gentlewoman from Arizona is recognized for 5 minutes.

Mrs. KIRKPATRICK. Mr. Speaker, this is the final amendment to the bill. It will not kill the bill, nor send it back to committee. If it is adopted, the bill will immediately proceed to final passage.

Mr. Speaker, I am honored to represent a district that has more Native American tribes that own tribal land than any other district in the country. I have 12 tribes in my district, including the Navajo nation, where the people speak a beautiful language called Diné. So I am going to start my speech tonight in Diné.

(English translation of the statement made in Diné is as follows:)

Hello, my esteemed elders, my relatives, and my Navajo friends. It's your Congresswoman speaking, ANN KIRKPATRICK, and I work for you.

YA'ATEEH SHI' NANTAI SHI'KE SHI'DINE' ADO. AHE'HEE. NI'HI' CONGRESSWOMAN ANIH, ANN KIRKPATRICK. ADO NI'HA NASHNISH.

Mr. Speaker, I grew up on tribal land, on the White Mountain Apache where my father ran the general store, and my mother was a schoolteacher. My father spoke Apache. My first words were in Apache. And it is important that we know that the language of our Native American tribes addresses their spirituality, their culture, and their land.

What I want to talk about tonight is tribal sovereignty, because all of our tribes have their own culture, their own history, and their own language, but what they share is a deep respect for tribal sovereignty. What that means is that they are entitled, they have a right to government-to-government negotiations.

So what I want my colleagues to do tonight is do not turn your backs on our Native American people. Do not turn your backs and shut the door to our tribes. I urge you to push for the inclusion and the respect of tribal sovereignty in this legislation and that there be abundant government-to-government negotiations. Our tribes deserve that. They have that right. Let's stand with our Native Americans and make sure that we do everything possible to strengthen those government-to-government relationships, conversations, negotiations, tribal sovereignty.

I will close my remarks tonight as I began, in Diné.

(English translation of the statement made in Diné is as follows:)

Okay. Let's move forward. Thank you.

HAGONEE, AHE'HEE!

The SPEAKER pro tempore. The gentlewoman from Arizona will provide the Clerk a translation of her remarks.

Mr. HASTINGS of Washington. Mr. Speaker, I rise in opposition to the motion to recommit.

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

Mr. HASTINGS of Washington. Mr. Speaker, of course this body should recognize the treaties that we have made with our Native American neighbors. And I say that with the privilege of representing a central Washington district that has two Indian tribes and reservations within my district. So that goes without saying.

However, we have had on this floor I don't know how many motions to recommit. And sometimes I wonder exactly what these motions to recommit are trying to do, other than maybe just make a political point. And I have to say, Mr. Speaker, that is probably so true with this motion to recommit.

Now why do I say that? I say that because this motion to recommit implies that tribal members should be part of the discussion. Well, of course they should. But apparently my friend from Arizona did not read the bill because section 3 in the bill says very specifically that consultation should be made with locals, including tribes.

And to add insult to injury, Mr. Speaker, the last amendment that was offered, offered by my friend from New Jersey (Mr. HOLT), would take out the section that says tribal respect ought to be in the underlying bill, and the gentlewoman from Arizona voted for it. Now she comes down to the floor and says we ought to insert into the bill something for tribal authorities that we already had in the bill.

I have no idea, Mr. Speaker, where these motions to recommit are going, but I will say this. This bill deals with transparency in the Federal Government to the citizens of the United States. That ought to be number one on our minds, and that is what this bill does.

I urge my colleagues to vote against the motion to recommit and for the underlying bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mrs. KIRKPATRICK. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on the passage of the bill, if ordered; the motion to suspend the rules and pass H.R. 4809; and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 197, noes 225, not voting 10, as follows:

[Roll No. 462]

AYES—197

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

NOES—225

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

NOT VOTING—10

Brady (TX)
Cassidy
Clay
Cleaver
DesJarlais
Graves (MO)
Hanabusa
Nunnelee
Pompeo
Rogers (KY)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1734

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. DEFAZIO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 190, not voting 9, as follows:

[Roll No. 463]

AYES—233

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

NOES—190

Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)

Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garcia
Gibson
Grayson
Green, Al
Grijalva
Grimm
Gutiérrez
Hahn
Hanna
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Brady (TX)
Cassidy
Clay
Cleaver
DesJarlais
Graves (MO)
Hanabusa
Nunnelee
Pompeo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1741

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. HORSFORD. Mr. Speaker, during roll-call vote No. 463 on H.R. 4315, I mistakenly recorded my vote as "yes" when I should have voted "no."

REAUTHORIZATION OF THE DEFENSE PRODUCTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4809) to reauthorize the Defense Production Act, to improve the Defense Production Act Committee, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 386, nays 32, not voting 14, as follows:

[Roll No. 464]

YEAS—386

Aderholt
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clyburn
Coble
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Granger
Graves (GA)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matheson
Matsui
McAllister
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Waxman
Weber (TX)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IN)

NAYS—32

Amash
Bentivolio
Broun (GA)
Burgess
Duncan (SC)
Duncan (TN)
Garrett
Gohmert
Gowdy
Grayson
Harris
Huelskamp
Jones
Jordan
Labrador
Lummis
Massie
McClintock
Mulvaney
Perry
Poe (TX)
Polis
Posey
Ribble
Rohrabacher
Sanford
Schweikert
Sensenbrenner
Stockman
Stutzman
Tipton
Webster (FL)

NOT VOTING—14

Amodei
Brady (TX)
Cassidy
Clay
Cleaver
Coffman
DesJarlais
Graves (MO)
Hanabusa
Lowenthal
Nunnelee
Pompeo
Rice (SC)
Yoho

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PITTENGER) (during the vote). There are 2 minutes remaining.

□ 1748

Messrs. POE of Texas and STUTZMAN changed their vote from "yea" to "nay."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore (Mr. PITTENGER). The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. RES 676, AUTHORIZATION TO INITIATE LITIGATION FOR ACTIONS BY THE PRESIDENT; PROVIDING FOR CONSIDERATION OF H.R. 935, REDUCING REGULATORY BURDENS ACT OF 2013; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM AUGUST 1, 2014, THROUGH SEPTEMBER 5, 2014

Mr. NUGENT, from the Committee on Rules, submitted a privileged report (Rept. No. 113–566) on the resolution (H. Res. 694) providing for consideration of the resolution (H. Res. 676) providing for authority to initiate litigation for actions by the President or other executive branch officials inconsistent with their duties under the Constitution of the United States; providing for consideration of the bill (H.R. 935) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes; and providing for proceedings during the period from August 1, 2014, through September 5, 2014, which was referred to the House Calendar and ordered to be printed.

MOMENT OF SILENCE HONORING M. CALDWELL BUTLER

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

Mr. GOODLATTE. Mr. Speaker, our Nation has lost a true public servant. Congressman Caldwell Butler, who represented the Sixth Congressional District of Virginia from 1972 to 1983, passed away last night. He will be remembered for many things, including his sharp legal mind and an integral role in the Watergate investigation and the Nixon impeachment proceedings.

A genuine family man, he treasured his wife, June, and their four sons. I am especially thankful to have served as a member of his staff many years ago and to serve the same Sixth District today. My thoughts and prayers are with the Butler family during this difficult time.

Mr. Speaker, I ask that my colleagues join me and members of the Virginia delegation in a moment of silence in honor and in the memory of M. Caldwell Butler.

SUPPORTING KURDISH ALLIES

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in support of our Kurdish allies in the Middle East.

The Kurdish people are one of America's strongest allies in the Middle East. In 2003 leading up to the Iraq war, the Kurdish people, positioned in the northern part of Iraq, opened their arms to American troops and welcomed their liberation after decades of oppression from Saddam Hussein's regime.

Recently, with the ISIS insurgency in Iraq, the Kurdish Regional Government has remained firm in protecting Iraq and have managed to maintain stability in a volatile region.

Currently, a Kurdish tanker is anchored off the coast of Texas with an estimated $100 million worth of crude oil aboard. The KRG presently maintains federal control over their region despite the objections of the Iraqi central government. Even though the ship was cleared on Sunday by the U.S. Coast Guard, a Federal judge ruled that the cargo could be seized by U.S. Marshals at the request of the Iraqi oil ministry.

The claim of misappropriation by the Iraqi oil ministry could be viewed as exclusionary. Congress and the administration need to pressure the Maliki government to be more inclusive.

The Kurdish Regional Government, at present, exports billions of dollars each year in crude oil to major allies of the United States all over the world. It should always be our mission to support our allies in the Middle East and move in the right direction in our relationship with the Kurds.

THE IRS

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

Mr. WENSTRUP. Mr. Speaker, if a Cincinnatian were audited tomorrow, the IRS would expect my constituent to have the last 7 years of records to simply prove their compliance with the law. The IRS? Not so much. It is a different standard for them.

After spending years politically targeting Americans, and trampling the First Amendment to silence opposition, the IRS is hiding from the American people. Now, instead of coming clean, the IRS is essentially saying: Sorry, the dog ate my homework. They say: Our emails are missing.

It would appear that Lois Lerner knew what she was doing. In April 2013 she warned staff to be cautious about what information they put in emails.

The Federal Government cannot and should not expect to live above the rules that govern every hardworking American. The breach of trust is devastating. The American people expect a government that is answerable to the people, not one that shirks any accountability or responsibility for blatant political abuse.

A viable special prosecutor must be appointed to get answers. We can't continue to let bureaucrats hide from justice.

HELPING FLORIDA'S MARINE INDUSTRY

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

Ms. FRANKEL of Florida. Mr. Speaker, south Florida has a booming marine industry, from our huge freighters to our Sunday boaters, generating over $8.9 billion a year to our local economy. So I am very proud to join with DEBBIE WASSERMAN SCHULTZ and Kristy Hebert, owner of Ward's Marine Electric, in trying to fix a problem.

Businesses like Kristy's have to pay upward of $200,000 a year for providing recreational boat services, the same as companies that are providing services to 100,000-ton petroleum vessels. Obviously, the risks are different, and so H.R. 3896 is going to fix this problem. Workers are still going to be protected, and at an affordable cost for the employers.

SECURING THE SOVEREIGNTY OF THE UNITED STATES

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

Mr. POE of Texas. Mr. Speaker, I was down on the Texas-Mexico border this weekend. I met with Federal officials, and I met with State officials as well.

I want to commend the work that the State of Texas is doing to protect and secure the sovereignty of the United States, including the Department of Public Safety, local law enforcement, Parks and Wildlife law enforcement, the Texas Rangers, and soon to be the National Guard. It is obvious to me that they are on the border and they are protecting the sovereignty of our country for all Americans.

While meeting with the Border Patrol, I asked them where are these people coming from that are so quickly coming to the United States. They told me they are coming from 144 countries. Most recently, 2 weeks ago, there were three Ukrainians who crossed into the United States. The reason why is because the word is out to the world that if you can cross into the United States through Texas, you are going to get to stay. That is too bad. That is tragic.

It is the first duty of government to secure the national borders of any country. That is the obligation of our country, and it is the obligation of this administration. We protect the borders of other nations. It is about time we protect the border of the United States of America.

And that is just the way it is.

IN MEMORY OF MOST REVEREND ROBERT W. DONNELLY

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

Ms. KAPTUR. Mr. Speaker, today in Toledo, Ohio, in the 19-county diocese

to which he dedicated his selfless life, the beloved most Reverend Roman Catholic Bishop Robert W. Donnelly was laid to rest. This ''priest of priests,'' gentle soul, humble leader, and compassionate shepherd passed from this life on July 21, 2014. With loving gratitude, our entire community extends its deepest appreciation for his life and deepest sympathy to his family and friends at his passing.

Bishop Donnelly's religious life spanned 57 years, and he served as parish priest for seven congregations and taught in two Catholic high schools. Everywhere, he was of the people and revered.

What a priest, what a bishop, what a shepherd was he—a gentle and holy man and a powerful religious leader. The thousands upon thousands of homilies and religious messages he shared were not bombastic but wise. He touched thousands upon thousands of people across generations with baptisms, graduations, communions, marriages, funerals, and confirmations. Bishop Donnelly was a man of peace. He was hardworking and always present when it mattered.

With his extraordinary brother priest, Father Martin Donnelly, with whom he retired, their service cannot be measured in years but, rather, in devotion to imbuing real meaning to the faith to which they devoted their lives.

May God grant him eternal rest as the joy of his spirit is released to eternity.

MOST REV. ROBERT W. ''BISHOP BOB'' DONNELLY

Most Reverend Robert William Donnelly passed on to eternal life on July 21, 2014, surrounded by his family after a short illness. Born in Toledo March 22, 1931, to Agnes (Quinn) and Leonard Donnelly, he was a son of West Toledo's Most Blessed Sacrament Parish, living close by and attending elementary school there—the tallest kid in the 8th grade. As a teen he worked summers as a day camp supervisor at Close Park. During his high school years in the Class of 1949 at Central Catholic he played football and CYO basketball and baseball, and was an avid CCHS tennis player; he captained the tennis team there. Later, at Quinn Family reunions he was the pitcher for the annual softball games. He enthusiastically donned costumes for family reunions and the Blessed Sacrament Halloween Parades. And he had golf in his blood, avidly playing the game.

Bishop Bob earned a Bachelor's degree in Philosophy at St. Meinrad College Seminary. Ordained a priest May 25, 1957, he loved his years in pastoral ministry at Sandusky St. Mary, Landeck St. John, Spencerville St. Patrick, Rossford Ss. Cyril & Methodius, Toledo St. Clement, Toledo St. Charles, and Fostoria St. Wendelin; and teaching at Delphos St. John and Oregon Cardinal Stritch high schools. In every assignment, his heart was always with the people.

He earned a Master's degree in Theology at Saint John's University, Collegeville, Minnesota and attended graduate school programs at Mount Saint Mary Seminary, Norwood, Ohio; Xavier University, Cincinnati; and the University of Toledo. He was ordained Bishop on May 3, 1984. As Toledo Auxiliary Bishop he was appointed to several diocesan positions, serving as Vicar General for 20 years and diocesan administrator following the death of Bishop James Hoffman; he was chairman of the diocesan Ecumenical Commission, a Pro-Synodal consultant, a director of RENEW, and a member of the diocesan board of consulters. He also served on the National Council of Catholic Bishops' committees for Pastoral Practices, Evangelization, and African America Catholics as well as local boards of St. Vincent's Hospital, United Way, and Advocates for Basic Legal Equality (ABLE). He retired in May 2006.

Brother priests have known him as ''a priest of priests.'' He is remembered as a truly gentle man, a warm and loyal friend, a wonderful mentor, respectful, humble, a people person. His friends and family say that he was always open and would give his full attention to whatever they had to say, putting them at ease; he could always find something good in everyone. When he presided at Mass, people knew it wasn't ''his'' Mass; it was a prayer of, and for, and by, everyone. He gathered often with life-long friends for cards and camaraderie, loved to vacation with family, and cherished friendships with brother priests. He enjoyed cooking and was good at it, taking special care with holiday dinners of crown roast, apple dumplings, and caesar salad. He later shared and traded secret recipes with his beloved cousin, cook, housekeeper, and friend Dorothy ''Buck'' Taylor.

With subtle wit and care, Bishop Bob loved his family and friends and took delight in children. His many cousins, nieces, and nephews affectionately call him ''Uncle Father Bishop Bob.'' He had a seemingly endless line of advice seekers who he couldn't be more excited and willing to tend to. His Irish heritage inspired him to take a group of the younger generation of family members to Ireland to meet their blood kin. When asked a question, his responses were well-thought-out, detailed, and explained.

Bishop Bob was predeceased by his parents, brother Quinn Donnelly, sister Mary Hendricks, and cousins Fr. Tom Quinn and Betty Mears. He is survived by his brother, Fr. Marty Donnelly, his brother-in-law Pat Hendricks, nieces and nephews Ann (Tim) Doran, Larry (Sharon) Hendricks, Jim (Julie) Hendricks, Mike (Kaye) Hendricks, Kay (Bill) Byrne, and David (Betsy) Hendricks; 24 great nieces and nephews; and 12 great-great nieces and nephews.

Friends may visit Monday, July 28, from 2 to 8 p.m. at Our Lady Queen of the Most Holy Rosary Cathedral, 2535 Collingwood Boulevard, Toledo, where a Vigil Service will be celebrated at 7 p.m. Rosary will be prayed Tuesday, July 29, at 10 a.m., with visitation until 11:45 a.m. The Funeral Mass of Resurrection will be celebrated at noon Tuesday, followed by burial at Resurrection Cemetery. Arrangements by Blanchard-Strabler Funeral Home (419–269–1111) The family would appreciate that any memorial donations be sent to St. Martin de Porres, 1119 W. Bancroft Street, Toledo, OH 43606. Online condolences: blanchardstrabler.com.

□ 1800

SUPPORT OF ISRAEL

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

Mr. ROKITA. Mr. Speaker, I rise today to reaffirm my support for one of our closest allies, Israel, as they combat a surge of violence against their sovereign country from the terrorist group Hamas.

The history of the Jewish people is one of faith, honor, and most importantly, survival. This situation is no different.

Hamas claims that Israel has no right to exist and uses tactics that are beneath the dignity of the human race as they carry out these attacks.

Israel has proven time and time again it is a willing and a waiting partner in the struggle for peace in the region. It continues to endure and defend against attack after attack, however, quite often without retaliation. Yet, faced with the pure evil that Hamas represents, no one should find fault in Israel's measured response and efforts to ensure these attacks are halted and halted for good.

We must continue to show our unwavering support for our friend and ally, Israel.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO LEBANON—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113–142)

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 90 days 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 Lebanon that was declared in Executive Order 13441 of August 1, 2007, is to continue in effect beyond August 1, 2014.

Certain ongoing activities, such as continuing arms transfers to Hizballah, which include increasingly sophisticated weapons systems, undermine Lebanese sovereignty, contribute to political and economic instability in the region, and continue to constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13441 with respect to Lebanon.

BARACK OBAMA.

THE WHITE HOUSE, *July 29, 2014.*

ISRAEL'S RIGHT TO PROTECT ITSELF

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Utah

(Mr. STEWART) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. STEWART. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of my Special Order.

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

There was no objection.

Mr. STEWART. Mr. Speaker, we live in a very dangerous world. It seems like there is chaos and darkness all around us. As a former Air Force pilot, I have seen the results of abusive power in a very real way.

It seems like every time we turn on the television or we read the news, we get the feeling that the world is being turned upside down. The wheels have come off the train and we seem to be careening towards the cliff: Russia takes Crimea and then sends un-uniformed troops into eastern Ukraine; tens of thousands of deaths in Syria, with millions of refugees; the recent evacuation of our own Embassy in Libya; Iran working toward a nuclear weapon; ISIS in Iraq creating essentially a terrorist state; the crisis of Chinese power threatening significant parts of the Eastern world. The list of concerns is very long, indeed.

But nowhere is the strife and uncertainty more dangerous, more strategic, and more critical to U.S. interests than what we are witnessing in Israel and their military operations in Gaza.

Israel is the most important ally in the region that we have. It has the only democratically elected government in a very unstable and violent part of the world. It has a vibrant, free capitalistic society that respects human rights, that respects women's rights, that respects minority rights, even the religious minorities.

Let me say this as clearly and as unambiguously as I can: Israel is our friend and our ally. So tonight we stand with Israel and state without equivocation that Israel has a right to defend itself.

Let me set the stage for the crisis that is happening right now, very quickly.

September 2005: Israel withdraws from Gaza Strip, home to some 1.8 million people. Thousands of Israelis are uprooted and missile fire from Gaza into Israel increases dramatically.

A few short months later, in January 2006, Hamas deposes Fatah, wins elections, and becomes the ruling party of Gaza. The United States, Britain, and all the European Union consider Hamas a terrorist organization.

June 2007: Hamas seizes power in Gaza with Mahmoud Abbas and the Palestinian Authority.

Skipping ahead now to May 2014: rocket attacks from Gaza to Israel increase.

June 12, 2014: Three Israeli teenagers are kidnapped and killed on the West Bank. The PA aids Israel Defense Forces in clamping down on Hamas in the West Bank and tension increases significantly. As a result of that, Hamas unleashes hundreds of rockets in Israel.

Finally, July 7, 2014: the Israel Defense Forces launch Operation Protective Edge. Its goal is to stop the insistent rocket attacks in Israel. Within a week, they expand to an offensive ground war. Its purpose is to destroy Hamas tunnels built for military use against Israel. Now, we will talk more about these tunnels, but let me mention just briefly that, to date, Israel has uncovered more than 66 access shafts to 30 tunnels. Palestinian militants have fired, to date, more than 2,000 rockets since the fighting began on July 8.

Let me put that in perspective before I turn the time over to some of my colleagues.

Imagine, if you will, that al Qaeda or ISIS in Iraq has pledged the destruction of the U.S., something which is not hard to imagine. Now imagine they placed a military frigate off our eastern shore. Now, they claim that it is a supply ship, they say that it has no military purpose, that it only has civilian and peaceful purposes. But then imagine they start lobbing not a few and not dozens, but hundreds of rockets and missiles along our eastern shore, specifically targeting cities where millions of innocent families live.

What would we do? What should we do. Would you expect your government, your President, to protect you? Of course, we would. We would defend ourselves. We would seek the elimination of the threat. We would protect our own people, our values, our way of life. Any Nation would, and every Nation should be able to do that.

That is all the State of Israel is asking: the right to defend itself. That is why we are here tonight, to defend a friend and ally against not only missiles and rockets, but against an onslaught of deception in the world of public opinion. We want our friends in Israel to know that they do not stand alone.

I have invited some of my friends and colleagues to share the floor with me this evening as we stand firm and united in the defense of Israel and their right to protect themselves.

I would like to begin with my colleague Dr. WENSTRUP from Ohio. He is a fellow veteran, he has served in the Army Reserves since 1989, and served a tour in Iraq. He sits on the House Armed Services and the Committee on Veterans' Affairs. I yield to Dr. WENSTRUP.

Mr. WENSTRUP. Thank you. I appreciate my friend, the gentleman from Utah, for putting this together tonight to allow us to share our message in support of Israel.

The fear that has engulfed innocent civilians in this conflict is really unthinkable. In southern Ohio and across America, could you imagine rockets raining down indiscriminately on Cincinnati or Chillicothe or Portsmouth? Ohioans know the fear that they feel when they hear tornado sirens blare and the impending threat of possible destruction. Imagine that fear amplified and extended continuously over weeks by an enemy that seeks to eliminate your country and your countrymen.

The continued success of the Iron Dome has protected countless innocents and weakened the perpetual threat posed by the terrorist organizations that surround them. I am proud to say that America has been a strong partner in pioneering this technology.

While Israel continues to protect their people with the Iron Dome, Hamas urges Palestinians to become human shields to protect their Hamas rockets.

We all hope for a peaceful resolution to the current conflict. Unfortunately, Hamas continually rejects cease-fire deals. Hamas refuses to recognize Israel's right to exist and is dedicated to destroying the State of Israel.

Just yesterday, Hamas used tunnels to burrow into Israel and ambush Israeli soldiers, killing many. Can you imagine a terrorist group with tunnels built to infiltrate your town, your village, your city?

The construction materials used to build these terrorist tunnels were intended to construct schools and hospitals, but Hamas would rather continue its perpetual aggression with Israel than better the lives of the Palestinian people. Hamas would rather fire rockets from playgrounds and homes than work towards peace.

The American public stands with Israel on a foundation of shared democratic values and a commitment to a free society, especially in the face of rising anti-Semitism across the globe.

Israel cannot draw down while Hamas continues to dig tunnels, giving them unfettered access to towns.

Every Nation has the right and responsibility to defend itself, and Israel is no different.

Mr. STEWART. Thank you, Dr. WENSTRUP.

Next, I would like to yield to Mr. STEVE KING, a colleague and gentleman from Iowa. Mr. KING sits on the Agriculture, Small Business, and Judiciary Committees, and he has always been a strong defender of Israel.

Mr. KING of Iowa. I thank the gentleman for yielding and for leading on this Special Order to have this discussion about the sovereignty and the safety and the protection of Israel, our strongest ally in the Middle East, the place where there is a rule of law, where there are property rights, where they are available to everyone that is an Israel citizen, whether they happen to be of Arabic descent, whether they happen to be of Jewish descent, or any other descent.

The allies that Israel have been deserve on our side that similar kind of support, in fact, a stronger support.

There have been so many messages that have been sent from this administration to the contrary, we need to be standing on the floor of the House of Representatives sending a message to Israel, Benjamin Netanyahu, and the leaders that are there, the members of the Israel Defense Forces: We stand with you, Israel. Any Nation that is surrounded by enemies, that is infiltrated by tunnels that are dug through to be able to infiltrate and kill innocent people on the streets of Israel, kidnap them, celebrate that, any government that is formed for the purposes of eradicating Israel from the face of the Earth—and, Mr. Speaker, I would point out that this new government that was formed among the Palestinian Authority, the Palestinian unity government, includes Hamas terrorist leaders in the cabinet.

Finally, the political arm of Hamas, which always was the Palestinian Authority, has openly now embraced Hamas itself. This Congress and the administration itself and the American people need to understand that there is a Palestinian Anti-Terrorism Act of 2006 which prohibits the U.S. from sending foreign aid to the Palestinian Authority government. That includes Hamas terrorists. It says that we are not going to fund any terrorist organizations, and Hamas has been declared a terrorist organization.

We are watching now as the operations that were so utterly necessary, the Israel Defense Forces going into Gaza, losing Israeli soldiers, and, yes, they have to defend them since thousands of rockets have been fired into Israel. Living under that threat of a people that outside your borders would raise their children to carry suicide vests, to kill themselves to try to kill Israelis, to teach the things that they teach to the young people in that culture and in that climate, that hatred is on one side of that border of Gaza, it is not on both sides. It is on the Gaza side, it is in the West Bank, and it is all around Israel, it is not from within Israel out.

I am amazed at how forgiving they are, how patient they are, how tolerant they are, how they have suffered the way they have, and they waited until it absolutely had to be before the order was given to go in and eradicate the tunnels and to try to take out some of the rocket locations. These rockets are in schools around children. They are using human shields of the children. They are hoping—I guess I can't quite say hoping—but willing to accept the casualties of children, because that is a media message to the world.

This is an appalling set of neighbors that Israel has. They want to live in peace. They have a right to live in peace. We stand with Israel. Israel stands to defend itself. We need to make sure that they have the resources to do so and the moral support from the United States.

I would point out also the statement that was made by Ari Shavit in the newspaper in Israel. He said of Secretary Kerry's latest attempt for a cease-fire over the weekend that ''very senior officials in Jerusalem described the proposal that Kerry put on the table as a strategic terrorist attack.''

□ 1815

That is not a very strong message, I would say, Mr. Speaker. It is not a very strong message representing the policy of the United States coming from our Secretary of State. Our policy is we stand with the Israeli people. We stand for their self-defense.

I thank the gentleman for setting up this Special Order tonight.

Mr. STEWART. Thank you, Mr. KING.

Mr. KING mentioned the tunnels. I would like to illustrate this, if I could, and just interject very quickly. This is a photograph of the tunnels. These aren't dark 2-foot holes dug into the ground.

These are sophisticated, expensive, complicated contraptions that have been put together—30 tunnels, not including the more than two dozen that were discovered prior to Operation Protective Edge. They run for miles.

They are dug more than 60 feet beneath the ground, so that they avoid seismic detection. Some of them are large enough that you can drive a vehicle through them.

You think: What is their purpose? Is it to smuggle men, weapons, or material? It is to in some cases, unfortunately, smuggle and hide those who have been captured and are being kidnapped. Hamas operatives have been intercepted emerging from the tunnels with tranquilizers and handcuffs—obviously, to kidnap Israeli soldiers.

Once again, how much better would the situation have been for the citizens of Gaza if these resources and this money had been diverted? Instead of building tunnels, build infrastructure and schools and hospitals and other things that the citizens there could use.

Thank you, Mr. KING, for your comments.

I would like now to yield to my good friend, Mr. DAINES from Montana. He is a successful businessman who sits on the Homeland Security, Natural Resources, and Transportation and Infrastructure Subcommittees.

Mr. DAINES. I want to thank the gentleman from Utah for putting together this Special Order. I also want to thank you, Congressman STEWART, for your service to our country. As a B–1 bomber pilot, you in fact hold the record for the fastest nonstop flight around the world. Thank you for your service to our country, Chris.

As our closest ally, Israel's security is critical not only for the future of Israeli people, but also for the security of the United States. Both of our nations were founded by those seeking political and religious freedom.

Israel is the beacon of democracy in the Middle East. Our continued support for Israel is crucial to bringing peace, stability, and security to this most important region of the world.

Daily rocket fire from Gaza is one of the many threats facing the Israeli people. I was in Israel last year. As I stood at the border with Syria, I could hear mortar and rocket fire in the distance.

Since its founding in 1948, Israel has faced a number of existential threats from all sides, including invasion by its neighbors and terrorism from radical groups operating within Israel, Gaza, and the West Bank.

This past March, representatives from Montana's Crow Tribe presented a formal resolution to Israeli Ambassador Ron Dermer in my office here in Washington. The resolution from the Crow Legislature to the Israeli people affirmed their support of Israel's right to exist and recognized their shared challenges of maintaining political and territorial independence and a deep connection to their ancestral homelands.

During this meeting in my office with Crow Tribal leaders and Israeli Ambassador Dermer, his cell phone went off. It wasn't a call. It wasn't a text message. It wasn't an email.

It was an app he had on his phone that many Israelis have to warn them of impending rocket attacks. It was a sober realization that each time his phone made that noise, fearful Israeli families had seconds to scramble for their lives.

As the Israeli people remain steadfast in confronting these threats, they deserve our unyielding support now and in the future. America's commitment to Israel must never waver. We must stand with Israel.

Mr. STEWART. Mr. DAINES, I agree that we must stand with Israel. All of us here tonight agree that we must stand with Israel.

I now yield to my colleague and good friend, Mrs. HARTZLER from Missouri.

Mrs. HARTZLER. I thank the gentleman from Utah. I appreciate you leading this critical Special Order tonight.

It has been a dangerous few weeks in Israel. We have been watching the developments between Israel and Hamas in Gaza, as Israel shows restraint while still protecting its citizens.

Quite simply, Israel is under siege by a radical faction that displays blatant disregard for its citizens. Hamas is using its citizens as human shields, building bombs in the basements of schools and homes, and prohibiting families from evacuating areas where rockets are being launched.

Israel has shown tremendous restraint and has every right to defend itself against these unwarranted attacks. Over 2,000 rockets have been launched into Israel, reaching even Tel Aviv and Jerusalem. Over 80 percent of the country's citizens have had to huddle in bomb shelters for parts of 3 weeks now.

Over 6 million men, women, and children are endangered, yet Israel has

agreed to cease-fire after cease-fire. Unfortunately, Hamas has not abided by these calls, firing dozen of rockets into Israel, even when Israel was ceasing its efforts to protect its citizens, so that humanitarian assistance could arrive to the people in the Gaza Strip.

Israel has gone above and beyond for years now to help the people of Gaza and give them an opportunity for a better life. Nine years ago, Israel moved totally out of Gaza, giving the land and farms and greenhouses to people of Gaza. 10,000 Israeli lives were disrupted as they moved to Israel.

Generous people all over the world raised money to buy the tractors and farm equipment for the people of Gaza. The area could have become the jewel of the Mediterranean and a peaceful neighbor to Israel—a model of a two-state solution. Instead, they tore down the greenhouses. Instead of building roads and homes, they built tunnels with the intent to attack and kill Israelis. They voted Hamas in power and turned the area into a terrorist military outpost.

So here we are today, while Hamas is bent on killing innocent Israelis, Israel is intent on preserving their lives. As they seek to stop the rocket fire in the Gaza Strip, Israel goes to great lengths to save innocent lives. It drops leaflets into the neighborhoods, warning of an impending military attack to take out the rocket launchers, which are often strategically placed by Hamas in the neighborhoods.

It then calls the residents of the house to warn them, then sends text messages to the home, then ''knocks'' on the house by dropping a small non-penetrating bomb on the roof to let people know they are serious. Unfortunately, Hamas has responded by stopping people from fleeing and even forcing them onto the rooftops as human shields.

Thankfully, the Iron Dome missile defense system has stopped rockets from reaching their targets in Israel. As Prime Minister Benjamin Netanyahu said:

> Israel uses its missile defense system to save human lives. Hamas uses its people to save its missiles.

We need to be standing strong for the only democracy and our greatest ally in the Middle East. We need to let other nations know we will never abandon Israel, and they need to join us in speaking out against the affront to national sovereignty and to human decency. We need to be offering assistance to stop these attacks and help Israel stay safe.

It is time for Hamas to agree to a total cease-fire. Any loss of life is tragic, and Hamas needs to end their blatant disregard for their citizens and agree to end the attacks.

Please join me in praying for the peace of Jerusalem.

Mr. STEWART. Thank you. We have so many people who want to join in this conversation tonight. We are grateful for many of those who participated.

It is my honor to yield to Mr. ENGEL, who represents New York, the ranking member of the Foreign Affairs Committee.

Sir, we are glad to have you with us.

Mr. ENGEL. I thank the gentleman for yielding to me, and I want to thank all my colleagues for their excellent remarks. I agree with every word that has been said.

I think perhaps I will start off with a bit of good news because everyone can see this tonight. At a time when the pundits say that the two parties can't agree on anything, that nothing gets done, and that there is too much fighting, there is one thing on which we can agree, and that is that the support for Israel in this Congress is strong and it is bipartisan, and that is the way it should be.

It is bipartisan for a number of reasons. First of all, Israel is the only democracy in the Middle East. We share common values with Israel, and we understand that the people of Israel, right now, are besieged.

Hamas is a terrorist group. It is not a fight between Israelis and Palestinians. It is a fight between Israel and a terrorist group. As someone who was in New York on that fateful day of September 11, 2001, Israel has endured many September 11, 2001s.

My colleague said it right before. The difference between the Hamas terrorists and Israelis is that Israel uses its missiles to protect its citizens and Hamas uses its citizens to protect its missiles.

It is terrible when any civilians die, and my heart breaks for casualties on both sides, but Hamas uses their citizens as human shields. They build their bomb factories, and they build their missile factories in mosques and schoolyards. Missiles were even found in United Nation schools. They do this deliberately because they apparently don't value human life at all.

Let's just imagine if we, in the United States, had a terrorist group over the border in Canada firing rockets, hurting people in New York or Michigan. Wouldn't we respond?

If there were terrorists in Mexico that were firing into Arizona, Texas, or California, would we just simply let our people be targets? Wouldn't we respond? Wouldn't we go over the border and try to root out the terrorists, root out their missiles, root out their tunnels if there were? That is precisely what Israel is trying to do.

I am introducing the emergency Iron Dome replacement act. The Iron Dome, which has been Israeli-created and American-funded, has saved countless numbers of Israeli lives, and by the way, Hamas has the nerve to talk about civilian casualties when it has targeted, day after day, week after week, month after month, year after year, Israeli civilians. That is what they do.

Israel targets the missiles—and there are some civilian casualties because of the way the Palestinians put their missiles right in the densely-populated areas—but Hamas has deliberately been trying to kill innocent Israeli civilians.

So we hope we will continue funding the Iron Dome, and I know there will be strong bipartisan support on both sides.

Any cease-fire should contain the total disarming of Hamas. Any cease-fire should contain the destruction of the tunnels which, as my colleague very adeptly pointed out, were made for terrible purposes.

With the concrete that was coming into Gaza, they could have built schools and mosques and skyscrapers; but what did they do? They built terror tunnels, so they can try to kill Israelis.

And the media? Shame on some of the coverage we have seen in the media. There is no moral equivalency between a terrorist group and a nation that values its citizens and wants to protect its citizens. There is no moral equivalency whatsoever.

Israel is trying to protect its citizens. Hamas only wants to kill. Read their charter. Read what they say about Jews. Read about Israel. They want to destroy every last person in Israel. So I think the media ought to be a little more evenhanded and not the way it has been portraying things up until now.

So let me conclude by saying this: the bond between Israel and the United States is unbreakable, unshakeable. It has always been and will always be. The United States will always stand by the people of Israel, particularly in their fight to exist and in their fight against terrorism.

I thank my friend.

Mr. STEWART. Thank you, Mr. ENGEL. Thank you for your service on the Foreign Affairs Committee.

You bring up such a great point. This is a bipartisan issue. There is agreement on both sides of the aisle. We have got servicemembers, military members, school teachers, and businessmen. We have got people from all backgrounds who want to speak on this tonight. Frankly, we have got more people who want to join in this Special Order than we have time for.

I would like to now yield to Mr. COLLINS from Georgia. He has a unique perspective as a member of the House Foreign Affairs Committee as well. He served as a chaplain in the Air Force since 2002 and a combat tour in Iraq in 2008.

Mr. COLLINS, thank you for your service.

□ 1830

Mr. COLLINS of Georgia. Thank you as well for yours, and thanks for doing this tonight.

Mr. Speaker, this is an easy one for me. I stand with the State of Israel as well as her right to defend herself. It is amazing to me at times that that is even called into question, because Israel has proven time and time again that it is very capable of defending herself, and it is amazing to me that the

world doesn't want to acknowledge that.

This commitment that I have to Israel is here now and will continue to be unwavering even in the midst of this conflict between Israel and Hamas that is taking place mainly in Gaza. I am in firm support of Israel's decision to launch a ground operation, and I hope this conflict will be resolved quickly and negotiations for a permanent cease-fire will occur soon for this area.

Currently, Israel's strategic objective is to eradicate Hamas' ability to terrorize Israel. Prime Minister Netanyahu gave the go-ahead to send ground troops into Gaza after a 10-day air operation failed to diminish Hamas' rocket barrage.

Think if the U.S. were being targeted. Do you think we would wait a day to execute a ground incursion, let alone 10 days? Absolutely not.

In fact, Israel and Egypt tried to negotiate a cease-fire with Hamas, but Hamas was unwilling to accept it. We see the true stripes of Hamas when they will not come to the table and when they, instead, want to basically put their own citizens up as human shields.

I have received a lot of feedback from folks in the Ninth District who feel very strongly about the United States' support for Israel from the beginning, when the three young Israeli teens were kidnapped. Georgians empathized with the pain of the nation and with the hope that the three teenagers would be returned to Israel, unharmed. Unfortunately, their bodies were discovered in a Palestinian-controlled area. They had been brutally murdered at the hands of Hamas.

I think my constituents would agree when I say a peaceful solution to end this conflict between Israel and the residents of the Gaza Strip is preferred. Hamas, on more than one occasion, however, has rejected the cease-fires that Israel was more than willing to agree to. We as Americans understand fighting terrorism is a constant fight, and this is yet another reason we must continue to work towards combating terrorism, not just on American soil, but by supporting our allies in their fights against terrorism.

Our support is shown in many ways, but the biggest is in the Iron Dome defense system. Hundreds of Hamas' rockets have been intercepted by the Iron Dome, and it has protected those in Israel who are being terrorized by Hamas. Hamas is hiding behind Palestinians—their own people—to protect their rockets while Israel is protecting their people with the Iron Dome. These are the things that must be reported, and these are the things that must be looked after. A peaceful solution needs to be found soon.

The administration needs to get its priorities correct. Israelis understand this, and that is why they need to continue to protect themselves. The resources going to Gaza should be used to build schools and hospitals and infrastructure instead of the things that the Palestinians are not getting. This is why the United States must continue to support Israel. We must continue to support their fight against terrorism, and we must continue to maximize our efforts towards a peace that will last in Israel in this area.

Mr. STEWART. I thank you for your comments and for your support, Mr. COLLINS.

I now am happy to introduce the newest Member of Congress, Mr. CLAWSON from Florida.

Mr. CLAWSON of Florida. Thank you very much for this time.

Mr. Speaker, we are living in a time of significant crisis at home and worldwide.

We have a humanitarian and a national security crisis on our own border, and all Americans are deeply concerned and are looking for solutions. Simultaneously, we see a border crisis in the Middle East that makes our own border crisis pale by comparison. We see our friend and ally Israel attacked physically but also, sadly enough, attacked in the media. It is our solemn duty, I believe, to address this crisis as well as our own crisis on our own border.

Israel's borders have been attacked by over 2,000 rockets, launched by Hamas, with a total disregard for innocent lives. Within Gaza, Hamas sets up their rocket launchers in the midst of apartment buildings, mosques, and U.N.-sponsored schools—using civilians as human shields. Hamas is not seeking to minimize collateral damage but, rather, to maximize it. Meanwhile, elements of the media fuel anti-Israeli propaganda with scenes of innocent dead and wounded Palestinians, adding to Israel's dilemma—falsely asserting that the Israel Defense Forces are committing war crimes.

The fact is that Israel is responding with careful precision, taking extraordinary steps that few nations would take to protect lives on both sides of this fight. Israel's Iron Dome is shooting down rockets that would otherwise kill Israelis. Israel is warning civilians in Gaza in advance of attacking terrorist infrastructure there. Israel takes extraordinary steps to minimize collateral damage. Israel wants peace. Hamas seeks the destruction of Israel. This cannot happen.

The United States must stand firmly with Israel and against Hamas and take a leadership role in convincing the world to do likewise.

We must remember the threats extend beyond Gaza and Hamas. Hezbollah, the Islamist militant group and Iranian surrogate based in Lebanon, possesses thousands of rockets on another part of Israel's border. ISIS—evolved from al Qaeda in Iraq—has declared an Islamic caliphate in major areas of Syria and Iraq, threatening the entire region, but especially Israel. Iran, the world's exporter of terrorism—committed to the destruction of Israel—continues to hold nuclear ambitions, raising security issues not only for Israel but for the entire world.

We cannot waver in leading the international community towards a long-term, verifiable solution. The Middle East is arguably a more dangerous place than at any time in history, with Israel threatened on several fronts by well-armed and well-funded terrorists who are distressingly close to possessing weapons of mass destruction. This cannot happen.

This is not a time for partisan bickering between Democrats and Republicans or between the Congress and the administration. It is a time for a national discourse to educate the public about the dangers out there, with the goal of national unity and resolve to stand behind Israel—the only democratic state in the world's most dangerous neighborhood.

Speaking as a freshman Congressman—the newest Congressman—I pledge to work with my colleagues to seek better ways of working together in support of the State of Israel and its right to exist.

In these times of peril, I believe it is our duty to work as a team and to stand with Israel. Together, we can seek a path to lasting solutions in the Middle East. The alternative cannot happen. America must come together to support Israel.

Mr. STEWART. Thank you, Mr. CLAWSON. We look forward to serving with you in the future, and we, once again, welcome you.

It is now my honor to introduce my good friend and someone I have come to respect and admire, Mrs. WALORSKI from Indiana. She is the daughter of an Air Force veteran and serves on the House Armed Services and Veterans' Affairs Committees.

Mrs. WALORSKI. I thank the gentleman from Utah for yielding.

Mr. Speaker, as with past conflicts in the Middle East, much of the media focus in this current conflict between Israel and Hamas has been on the death tolls on both sides, but what this reporting neglects to mention is Hamas' destruction of its own people. Legitimate governments understand that one of the most important duties of any nation is the protection of its people and the protection of innocent civilians.

Israel goes to great lengths to avoid targeting civilians, from its use of precision-guided weapons to sending out phone and text warnings to evacuate buildings before it carries out a strike. Yet Hamas' leaders are willing to sacrifice their own people in an attempt to score political points. Hamas continues to force civilians, including women and children, to stand in harm's way and literally act as human shields for the terrorist leaders and properties, causing Israeli strikes on legitimate military targets to result in the loss of innocent lives.

As General Conway, the 34th Commandant of the United States Marine Corps, recently wrote in The Wall Street Journal, there is a clear and obvious ''moral chasm,'' he says, between

Hamas and Israel. Hamas has always targeted civilians, and they continue to target civilians. It is their standard operating procedure, and it is one of the reasons it makes them a terrorist organization.

Sadly, though, what we are seeing in this conflict is nothing new. This is the third time in less than 6 years that fighting has broken out between Israel and Hamas.

In order to secure peace and stability in the Middle East, America, our allies, and anyone else truly concerned about the safety of civilians on both sides of the border should focus on keeping weapons out of the hands of Hamas' leaders. We must condemn anyone—perhaps, most importantly, Iran—who is supporting and arming Hamas. Iran supplies Hamas with rockets and training. Just yesterday, Iran's supreme leader declared on Iranian national TV:

> Everyone, whoever has the means—especially in the Islamic world—should do what they can to arm the Palestinian nation . . . The Zionist regime deeply regrets starting this war, but it has no way out.

We must stand strongly with Israel as it exercises its legitimate right to self-defense. We must call on the international community to join us in condemning Hamas for their human rights violations.

Everyone wants the current conflict in Gaza to end, but how it ends is critically important. The conflict can only be truly over when there are no rockets, when there are no tunnels, and when Hamas has been completely disarmed and defeated militarily and politically.

Mr. STEWART. We thank you, Mrs. WALORSKI. Beautifully said.

I now would like to introduce someone I have come to have tremendous respect for. He brings not only a unique perspective but great experience to this question as chairman of the House Appropriations Defense Subcommittee. He is also a U.S. Army Vietnam veteran; although, he appears to be far too young for that.

Mr. Chairman, I yield to you.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Mr. Speaker, I stand with Israel.

There are certain principles that govern the conduct of nations that are so basic—so fundamental—that the world should never have to be reminded of them. The most fundamental of these is simple and straightforward: a nation has the right and the obligation to defend its people and its territory from attack. Unfortunately, however, this fundamental principle does not bear repeating tonight because too many around the world seem to have forgotten it or too many seem to think it only applies to every nation but one—the State of Israel.

Make no mistake. It applies to Israel just as it applies to every nation on the face of the Earth.

Every nation—every one—has the right and the obligation to defend its people and its territory. The thousands of rockets launched against Israel by the terrorist group Hamas are a deliberate attack on the State of Israel and the Israeli people.

I stand with Israel's right to exist in peace and to protect itself. I stand with Israel in terms of its efforts to defend itself, and I support the very important Iron Dome, Arrow program, and David's Sling program, which keep the Israeli people safe. I stand with Israel in its effort to destroy the ability of Hamas' to attack Israel's people and its territory.

Mr. Speaker, I stand with Israel.

Mr. STEWART. Thank you, Chairman FRELINGHUYSEN, for your comments and for your leadership.

It is now my honor to introduce Mr. LANCE from New Jersey. He served for many years in the New Jersey State Legislature and now serves on the powerful House Energy and Commerce Committee.

Mr. LANCE. Thank you very much.

Mr. Speaker, for those of us in the United States who value Israel, its people and its value—symbolic and real—these are heartbreaking times. Our world's most sacred lands are again brutalized by terror as evil tries to extinguish the Jewish state. Though we may be far in distance, our spirit, support, and resources are needed. The United States stands in solidarity with Israel and its fundamental right to defend itself.

The ongoing crisis in Israel may feel a world away to some, but the significance cannot be understated: a free people and democratic ally of our Nation faces continued war by elements of hate and intolerance similar to those who have claimed the lives of millions, forever scarred the face of the Earth, and brought this battle to our shores 13 years ago.

To know terror, look at their tactics. While Israel uses weapons to shield women and children, Hamas uses women and children to shield weapons.

□ 1845

When Israel offers a cease-fire, Hamas orders more rocket launches. When Israel offers compromise, Hamas calls for more bloodshed. Israel needs and deserves the support of the world community, not a lecture from media commentators. If the United States were under daily rocket assault, assuredly, the press would not question our right to keep Americans safe.

Many of us in Congress have worked together in a bipartisan fashion to support Israel. Look no further than the Iron Dome capability at the center of Israel's current defense apparatus. The Iron Dome has been the guardian of a people under siege, and it was constructed with the help of American ingenuity, American technology, and American funds.

Countless other measures have sought to assist Israel, including legislation recently passed here in the House, to disrupt to the greatest extent possible international financing capabilities of terror networks.

How can Israel negotiate with entities on a mission for its destruction? The answer is moral authority. Israel stands for peace, democracy, the rule of law, human rights, liberty, an eventual two-state solution, and peace through strength.

In this time of great moral crisis, now is not the time for neutrality. Nearly 800 people proudly stood in solidarity with Israel earlier this month at the New Jersey headquarters of the Jewish Federation of Greater MetroWest as we rallied for Israel. Tonight, that same energy is here in Washington, where I join many other lawmakers in further conversation as how best the United States can assist our friend in need.

Israel must never lose its resolve, its mission, its purpose, or forget its proud history, and the United States must support our great ally as it fights to preserve its very existence.

Mr. STEWART. Thank you, Mr. LANCE.

As the manager of this Special Order, I have to be prepared to fill the time if we need to, to fill any gaps in the conversation, and very clearly that has not been necessary tonight. We have so many eloquent Members who are anxious and are stating this case so powerfully.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. FRANKS), who also serves on the Armed Services Committee and Judiciary Committee and is also chairman of the Constitution Subcommittee.

Mr. FRANKS of Arizona. Mr. Speaker, Congresswoman MICHELE BACHMANN and I recently introduced H. Res. 622 to defund the Palestinian Authority. We have now 27 bipartisan cosponsors in the House of Representatives, and just today we received nearly 28,000 signatures supporting this policy.

Mr. Speaker, may we all remember that Yasser Arafat, the founder of the Palestinian Authority, proclaimed early on: ''We plan to eliminate the State of Israel and establish a purely Palestinian state. We will make life unbearable for the Jews by psychological warfare and population explosion. We Palestinians will take over everything, including all of Jerusalem.''

Mr. Speaker, Mahmoud Abbas, the current head of the Palestinian Authority, has taken this mantra to its insidious end by publicly uniting with the terrorist group Hamas, which is really the Muslim Brotherhood.

Let me make this very clear, Mr. Speaker. The Hamas and Palestinian Authority have now become one and the same. Yet, even as Hamas has continued to launch cowardly attacks from neighborhoods in Gaza, hiding behind innocent women and children and making civilian casualties a deliberate strategy, this President has responded by heralding President Mahmoud Abbas as a man of peace.

Mr. Speaker, in spite of the President's astonishing failure to do so, Congress must continue its steadfast

commitment of supporting Israel to protect against Hamas' thirst for death, and the first step in doing that is to defund the Palestinian Authority.

Mr. STEWART. Thank you, Mr. FRANKS.

Mr. Speaker, I am happy now to yield to the gentleman from Pennsylvania (Mr. PERRY), a good friend of mine, someone, once again, that I have come to respect greatly. For one thing, he is a colonel in the Army National Guard. I was only a major when I separated from the Air Force, so, of course, I salute him every time I see him. He sits on the Homeland Security and also Foreign Affairs Committees.

Mr. PERRY. Mr. Speaker, I would like to start by thanking the great gentleman from Utah who is, indeed, a friend, and I thank him for his service.

We have heard much tonight about Israel and the rockets and everything that is happening in that part of the world, but one thing we haven't talked about much is the United Nations Human Rights Council, which really can't be taken seriously as a human rights organization, and I will tell you why.

Let's talk about some of the members on that: Cuba, Russia, Congo, Ivory Coast, Venezuela, and China.

When you think about Cuba and Venezuela, they outlaw political demonstrations in their country, but yet they are on the Human Rights Council judging Israel. When you think about Ivory Coast or Congo, they allow genital mutilation in their country, yet they are judging Israel.

Now, this commission established a commission to probe alleged war crimes in violation of international law by Israel for defending its citizens against rocket attacks and terror tunnels. I mean, really? A competition to probe the war crimes from Israel.

Now, what they should be doing, instead, is focusing on Hamas, which uses its citizens as human shields while its commanders flee to bunkers. If Hamas uses human shields to protect its rockets, I mean, is that Israel's fault for defending itself? But somehow, as Americans, we are told that that is what we should believe.

Everybody—everybody—in this Chamber, every American is saddened by the tragic loss of innocent life on both sides of the conflict. However, let's be clear. It is Hamas, a designated terrorist organization, that has refused to deescalate this conflict.

Recently, I heard a reporter and some other folks saying: Well, in Gaza, where should the Palestinians go? It is small. There is nowhere to go to avoid the rockets from Israel. Where should they go?

They should stay right there and quit firing on Israel, quit digging tunnels into Israel. That is what they should do, and then this problem would relieve itself. I mean, who dug these tunnels? Who has fired over 2,000 rockets into Israel? They don't have to go anywhere. They just need to quit attacking Israel.

No U.S. funds should go towards the Palestinian Authority or its institution so long as Hamas is part of a unity Palestinian Government.

Secretary Kerry's recent actions have actually hampered a cease-fire. This administration continues to befriend our enemies and make enemies of our friends, and it must stop, Mr. Speaker. It is critical for the U.S. to reiterate our support for our ally, our only ally there, which is Israel, including its right of its people to live in peace and to defend itself.

Mr. STEWART. Thank you, Mr. PERRY.

Once again, I have the honor of yielding to the gentleman from Michigan (Mr. BENTIVOLIO), a Member with a unique background, who, while stationed in Iraq with the Michigan Army National Guard, he, himself, experienced rocket attacks. This happened on a regular basis, so I think he speaks with some authority on the subject tonight.

Mr. BENTIVOLIO. I thank the gentleman from Utah (Mr. STEWART). He is a true friend of Israel and a friend of mine as well.

Mr. Speaker, I rise in strong support of Israel and its right to self-defense as it faces the ongoing threat of terrorist rockets from Gaza.

Picture the scene. You are walking down the streets of Tel Aviv. You look around you. You see men, women, and children of all ages. To your right is an elderly man with a walker. A few paces ahead is a mother with her stroller. It is peaceful. It is calm. It is the embodiment of urban normality. And suddenly you hear it. Everyone instinctively knows what it is and, in a split second, everything changes. It is the red alert siren. A rocket is racing toward the city at breakneck speed. Only seconds remain to find refuge in a bomb shelter. And the rocket could land anywhere: on a preschool, on a hospital, on a random family home, or perhaps on the mother and her stroller up ahead.

Mr. Speaker, this is the threat that Israel faces from Hamas and other terrorist groups in Gaza, which deliberately target Israeli civilians, which indiscriminately kill, maim, and terrorize, and whose sole purpose is to destroy the State of Israel.

When faced with such a complete absence of basic moral inhibition by a brutal enemy, it is Israel's right—nay, its duty—to forcefully respond in order to eliminate the threat. It is not disproportionate. It is self-defense, pure and simple, and it is precisely why the State of Israel deserves our unwavering support at this time.

It is also why no government that claims to be interested in peace can credibly partner with a group like Hamas. It is past time for the Palestinian Authority's president to dissolve his unity governing arrangement with this appalling terrorist group.

We can't have it both ways. We can choose to make peace with Hamas or with Israel.

As for me, I have made my choice. I am proud to support the Jewish State, and I stand with Israel because Israel embodies all the values I embrace—peace, democracy, tolerance—while the values of Hamas—hate, extremism, violence—violate everything I believe.

Mr. STEWART. I thank the gentleman from Michigan. He has stated it, once again, like many others, very powerfully.

Mr. Speaker, in conclusion tonight, I yield to the gentleman from New Jersey (Mr. SMITH), who, once again, as a senior member of the Committee on Foreign Affairs, has great experience and is unquestionably like many of us, a strong supporter of Israel.

Mr. SMITH of New Jersey. I thank my good friend from Utah. I thank him for his service to our country and for, again, bringing us all together this evening.

Mr. Speaker, I rise today to call on the President of the United States to give Israel the robust and vigorous support it deserves.

Since the latest round of unprovoked rocket barrages were launched on July 6 by Hamas, Israeli citizens have lived under a relentless rocket attack, mortar fire, even attack from Hamas drone aircraft and a foiled sea raid.

Israel itself has lived under a media attack, a calculated campaign to isolate Israel for defending itself. Major articles in international newspapers around the world take a grossly anti-Israeli slant.

Make no mistake about it, Mr. Speaker. A major purpose of Hamas' rocket attacks is to provoke counterattacks, thereby to use the inevitable civilian deaths to set up an international media campaign against Israel. Hamas is guilty of sacrificing Palestinian lives and is guilty of using women and children as human shields in a brutally cynical attempt to manipulate world public opinion and isolate Israel.

Mr. Speaker, the facts on the ground of Hamas attacks were clear from the start and follow long-established patterns. It is time our government sent a much more powerful and unambiguous message that the U.S. fully supports Israel's right to defend itself.

The administration should emphasize that Israel's actions in its own defense are legal, that they are right, and that the U.S. stands with Israel without any ifs, ands, or buts, or so longs or any other qualifiers.

As of yesterday, since the start of Israel's Operation Protective Edge, 2,500 rockets have been fired at Israel from Gaza. 1,875 of these have landed in Israel; 495 have been shot down by Iron Dome. Also, as of yesterday, the IDF has uncovered in Gaza 32 tunnels, with more than 60 access shafts, some of which were in mosques and houses.

Anyone who has read today's feature in The New York Times, ''Tunnels Lead Right to the Heart of Israeli Fear,'' understand what these tunnels mean. The tunnels are about 50 feet underground, mostly undetectable like

this one to my left, and underground equipment cannot even discover their whereabouts.

The story quotes Eyal Brandeis, who lives in Kibbutz Sufa, and he says:

> It is a very pastoral environment. I live in the quiet of the green grass, the trees. It is not pleasant, though, that you sit one day on the patio drinking coffee with your wife and a bunch of terrorists will rise from the ground.

That is exactly what happened a mile from his kibbutz at dawn on July 17.

Many Israelis are more concerned about the tunnels than the rockets. Perhaps that gives us some insight into the dimension of the Hamas terrorist.

I note, Mr. Speaker, that despite these rocket attacks by Hamas and tunnels, Israel continues to permit the transfer to the Gaza of humanitarian supplies and goods. Israel's humanity while under terrorist fire, its continued effort to do everything it can to separate terrorist militants from Palestinian civilians, only underscores the evil nature of Hamas.

□ 1900

Mr. Speaker, Hamas was designated a foreign terrorist organization in 1997, and it has adopted its charter, the famous Covenant of the Islamic Resistance. That charter remains its ideological program.

Only yesterday, Khaled Meshaal, the leader of Hamas, spoke on the Charlie Rose show in response to a question, ''Do you want to coexist with the State of Israel?'' He said, ''No.'' He said, ''No.'' Hamas doesn't want peace or reconciliation or coexistence. It wants to utterly destroy the State of Israel.

I have further comments I will be saying later on this evening about the charter. Please read the charter. It couldn't be clearer. Hamas wants to destroy Israel.

Mr. STEWART. Mr. Speaker, that was powerfully said.

In conclusion, as we wind down our time tonight, let me just finalize with these thoughts.

There is a great line from a speech that would have been given by John F. Kennedy in November 1963 if he had been allowed to give that speech before he was assassinated. And he said: ''This people, this generation, not by choice, but by destiny, are set to be the watchmen on the wall of world freedom.''

We may not like the fact that we have to lead in the world. We may not like the responsibility. We may not like the cost. We may not like the hassle or the criticism or sometimes the hatred that is directed toward us. But it doesn't matter. We have to lead. If we don't do it, who will? If we don't lead, we give power to our enemies, and we weaken our friends.

We have a chance here tonight to make a statement to the world. To the people of Israel, we stand by your side. To the peace-loving people of Gaza, we stand with you as well. But to the terrorists who seek for the destruction of Israel and to the leaders of Hamas who seek only for death and destruction, we, the American people, will always stand in your way.

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

ANTI-SEMITISM

The SPEAKER pro tempore (Mr. MCALLISTER). Under the Speaker's announced policy of January 3, 2013, the gentlewoman from New York (Ms. MENG) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. MENG. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. MENG. Mr. Speaker, we gather this evening to discuss anti-Semitism. It is a plague that has ravaged the world for thousands of years, yet in the last few weeks, it has reared its ugly head globally in a way we have not seen in a long time.

It is truly shocking. From Berlin to New York, we are hearing chants of ''Gas the Jews.'' And this is not hyperbole. We are actually hearing chants of ''Gas the Jews'' around the world.

And these are not isolated incidents. We are seeing hundreds and thousands of people rallying and sometimes attacking synagogues in Europe. It is one thing to protest against events going on in the Middle East, but there is simply no justification and no reason for doing it right outside any Jewish place of worship. These are brazen acts of anti-Semitism.

Now, I cannot possibly understand anti-Semitism to the same extent as my Jewish friends. But I think it is crucial that non-Jews speak out forcefully against this disease because to effectively combat anti-Semitism, we need non-Jews to step up and also lead on this issue.

I would like to focus my remarks today on two related issues, the international and domestic dimensions of anti-Semitism.

With regard to anti-Semitism beyond our borders, I would like to focus on one case, that of France. I am focusing on France because I think it is really the front line right now in the war against global anti-Semitism, and I think it is an instructive case for how policy leaders here can face this issue.

In France right now, there is a war. On the one hand, we see some of the most widespread and atrocious acts of anti-Semitism, but on the other hand, we see a government—most particularly, Prime Minister Valls—acting forcefully against anti-Semitism. The words and actions of the French Government, most particularly Mr. Valls' recent assertions that anti-Zionism is anti-Semitism, are unprecedented and should be acknowledged as such.

So what we have here are two sides: virulent anti-Semites on one side, and on the other, a democratically elected government that appears resolved to take them on. Rather than throw our hands in the air and say that France is a horribly anti-Semitic place and that all the Jews should leave, we ought to get in this fight.

Anti-Semitism is a complicated issue, not a black-and-white issue. Yes, France has a deep history of anti-Semitism, but it is also a country that has had a Jewish President and one that nearly elected another a couple of years ago. It has the third-largest Jewish population in the world, and there is a reason for that. It is also a country that historically has proven itself capable of changing. We need to recognize this history and work with France's leadership and civil society to fight this battle and remain hopeful. What happens here will, I believe, affect the future of the Jewish people.

This brings me to the domestic dimension of our problem. We obviously have anti-Semitism in this country as well, although not to the degree we see it in Europe. It is essential that Jews and non-Jews speak about this problem to their own communities, and we have to continue to encourage that here in Congress.

In New York, Mr. JEFFRIES and I are leading a program whereby Jewish, Asian, and African American college students are gathering to discuss foreign policies and the perspectives of the respective communities in relation to key foreign policy issues.

We must speak regularly about Israel, BDS, and other issues of importance to our Jewish friends and neighbors, not just when there is a major international incident. The reason I say this is because it is also far easier to hate someone you don't know than to hate someone that you do know.

Mr. Speaker, as we head into the August recess, I urge my colleagues of all stripes to discuss the dangers of anti-Semitism with their communities and to build bridges between communities so that we may reduce hatred and bigotry.

I also urge my colleagues as statesmen and -women to engage the international community in a positive way on this issue and believe in and fight for a Europe and world of lesser anti-Semitism.

With that, I would like to yield to the gentlewoman from Florida, Ms. DEBBIE WASSERMAN SCHULTZ, the first Jewish woman from Florida elected to Congress, a tireless advocate and one of the great Jewish leaders of our time.

Ms. WASSERMAN SCHULTZ. I thank the gentlewoman from New York, particularly for her leadership in stepping up and bringing to the floor of the United States House of Representatives the incredibly important topic of anti-Semitism, not just nationally but globally, because much of the conflict that exists worldwide today, unfortunately, stems from poisonous anti-Semitism.

The gentlewoman from New York represents the district that my parents grew up in and neighborhoods and communities with a proud Jewish immigrant tradition. And she also represents the Asian American community that has come and joined that crowd and vibrant ethnic community of immigrants who have contributed so much to the United States' rich tapestry of diversity. And it is diversity that we celebrate. But, unfortunately, it is not a difference that everyone celebrates, as we have seen with the precipitous and poisonous rise in anti-Semitism.

So from the bottom of my heart, as a Jew, and as the representative of a significant Jewish population, myself, thank you so much for your leadership and bringing this important issue to the floor of the House of Representatives, because it is only through shining a light on anti-Semitism that we are going to be able to help educate people and fight back.

And I rise today, Mr. Speaker, to condemn the alarming increase of anti-Semitism that we have witnessed over the last few weeks. The Anti-Defamation League released a terrifying report just last month about anti-Semitism growing throughout the world.

Tragically, my own constituents have personally experienced terrifying and heinous crimes against them just this past week. On Monday morning, congregants and neighbors were horrified to find that swastikas had been spray painted on the walls of Torah V'Emunah synagogue in Miami-Dade County. In Miami Beach over the weekend, a Jewish couple found their car had been egged and the words ''Hamas'' and ''Jew'' had been smeared on their cars.

These deplorable acts are atrocious and despicable. For all of us who care about the rights of minority populations in this country, who celebrate the rich diversity that makes up our great Nation, we cannot and we must not be silent.

It is amazing to many of us that these actions are occurring in 2014, not in 1930s Nazi Germany. But, unfortunately, we are also witnessing what Anti-Defamation League director and holocaust survivor Abe Foxman recently called the worst anti-Semitism since World War II.

As the gentlewoman from New York detailed, in France, in an episode that is chillingly reminiscent of Kristallnacht, we witnessed angry rioters throw firebombs at synagogues and ransack and destroy Jewish-owned businesses. In Belgium, a cafe actually publicly displayed a sign saying dogs were allowed in the cafe, but Jews were not.

Thankfully, we have seen the leaders of European countries, including Germany, France, and Italy, condemn this kind of behavior. There are countless voices across Europe speaking up in the face of this barbarism.

But this anti-Semitism is real. This hatred is real, and the violence is real.

Many not close to this issue may ask why. To us, it is very clear. This recent surge of anti-Semitism is born out of knee-jerk vitriolic reaction to the conflict raging in Israel and Gaza. But this conflation of anti-Semitism with the recent actions of Israel in defense of her people is completely misplaced. Israel's actions are a direct response against rocket attacks from a terrorist organization whose stated mission is Israel's destruction and that thrives on a continuing narrative of anti-Semitism and hatred.

Unfortunately, we only see a few lone voices around the world protesting against a Hamas government that knowingly and willingly puts its citizens, its children, in harm's way, placing them in jeopardy and sacrificing their lives to engender sympathy for their evil cause.

We hear little from much of the world against a terrorist organization that chose to invest in rockets and building tunnels for plotting murderous attacks against innocent civilians instead of investing in homes and schools and hospitals for its citizens.

Instead of condemning these cowardly practices by Hamas, we have, however, seen people rage equally against Israel, Israelis, and Jews anywhere. The words and phrases that these protesters are using cannot be spoken on this House floor. They have been dug up from the worst episodes of human history.

That is why I am proud to stand with my colleagues tonight, to stand with President Obama and Secretary Kerry, and send a clear message that these actions will not be tolerated. We must stand by the commitments we made as a community and as a world to never again stand silent in the face of this kind of horror, this kind of bigotry, this kind of injustice.

We will not stand idly by as vitriolic speech turns into violence against innocent people. Never again.

Ms. MENG. With that, I would like to yield to my friend from Florida (Mr. DEUTCH), the ranking member of the Subcommittee on the Middle East and North Africa, a mentor on many of those issues, a good friend, fellow Wolverine, tireless fighter, and defender of Israel.

Mr. DEUTCH. I thank my friend from New York (Ms. MENG). I appreciate very much your dedicating this hour to this important topic. I appreciate your leadership. I am proud to be here with you. I am proud to be here with my friend and my neighbor from Florida (Ms. WASSERMAN SCHULTZ), a powerful and eloquent spokeswoman on these issues that means so much not just to the Jewish community but to all of America.

And I am glad to be here with you to condemn the increase of anti-Semitism around the world.

Anti-Semitism isn't a new issue faced by Jews. For centuries, Jews have been targeted, persecuted, sometimes by their governments, sometimes by their neighbors, used as scapegoats for economic downturns and disasters, and commonly accused of being disloyal to their home country.

But this hatred, unfortunately, is far from gone. It continues in a range of manifestations, from Holocaust denial to suspicion of Jewish influence over international affairs and, tragically, even in the shooting of innocent Jews.

In recent days, we have seen a new face on this age-old bigotry. We are seeing demonstrations around the world that claim to be protesting Israel's actions against Hamas but too easily and far too often, political opposition to Israel's policies and actual hatred toward Jews are conflated and are indistinguishable.

□ 1915

It is clear, unfortunately, that many people are using the current conflict, a facade of anti-Zionism, or anti-Israel sentiment, as a thin veil to cover up a much more deep-seated hatred toward Jews.

Let me be clear. It moves far beyond a political statement when your intention is to incite—incite violence and to incite violence against Jewish targets especially.

Since the military operation began on July 8, over 100 anti-Semitic incidents have been reported in the United Kingdom alone. On July 18, four teenagers assaulted a rabbi in Gateshead, and separately, in Belfast, a synagogue was damaged when bricks were thrown through the windows.

France has also experienced a significant number of incidents across the country. In Sarcelles, a kosher store was the target of a Molotov cocktail, and last month, two Jews were sprayed with teargas.

In Paris, two synagogues were attacked on July 13 while the mob chanted ''death to the Jews.'' In Toulouse, Molotov cocktails were thrown at a Jewish community center, but thankfully, the attacker missed the target. Particularly in Toulouse, these incidents evoke memories of the awful shooting that happened 2 years ago when three Jewish children and a teacher were shot and killed at a Jewish day school.

In Germany, long touted—appropriately so—for its extensive protective policies against anti-Semitism, Jews are witnessing anti-Semitic slogans and chants that now seem so out of date and out of place.

Only a few days ago, a Jewish man wearing a yarmulke was assaulted on the streets in Berlin and hit in the face. In Essen, a group of anti-Israel protesters, reportedly on their way to attack a synagogue, were arrested for conspiracy to commit a crime—and the statements, the screaming, in Frankfurt, ''You Jews are beasts;'' in Paris, ''Death to the Jews;'' Gelsenkirchen, Germany, chants of ''Hamas, Hamas, Jews to the gas.''

All over the world, not just statements, but the vitriol found on social

media as well is not only abhorrent, it is chilling, but these incidents, as my colleagues have described, are not taking place only abroad.

Just this past weekend, as my friend from Florida related, a synagogue in her district was vandalized with the words ''Hamas'' and swastikas spray-painted on the front column. Nearby, a Jewish family woke up to find one of their cars completely covered in eggs, and on another car was written ''Jew'' and ''Hamas.''

Yesterday, outside my own office in Boca Raton, Florida, during a rally, a few angry individuals screamed, ''Throw the Jews into the sea.''

A former employee of mine recently posted a story of an occurrence that happened to him last weekend. He said:

> Today, I was walking home alone from synagogue, minding my own business. When I got to the crosswalk, I waited for the light to turn, so I could cross safely. While waiting, a car pulled up in front of me where a young man rolled down the window and yelled, ''Jew, Hitler was right,'' and then drove off.
>
> I remind you this was not at a rally. I was wearing a yarmulke and was walking from synagogue, and I was enjoying Shabbat.

There are many more examples domestically, including a Jewish summer camp in California where graffiti was found that read, ''Jews equal killers,'' and ''Jews are children killers.'' It is unacceptable that radical groups have used the conflict between Israel and Hamas as pretext for their own anti-Semitism.

Last month, I proudly joined my colleagues in a letter to Secretary Kerry, urging the State Department's continued focus on combating anti-Semitism worldwide. I applaud the statements of condemnation by European leaders, including those in France, in Germany, and Italy, and their stated commitment to ensuring the safety of their own communities is to be admired, but there is more that needs to be done to rid societies of this baseless hatred toward Jews.

A number of Jewish leaders in the U.S., Europe, and Israel have expressed serious concern about the rise in the number of incidents in hate speech and violence, and many believe that this animosity has risen to the worst level seen since the Holocaust.

We must continue to speak out on these issues, which is why I am so grateful to have this opportunity tonight. We have to use this opportunity to educate and to combat anti-Semitism in all of its forms.

When we combat anti-Semitism, we stand not just against hatred for the Jews, we stand against hatred, and it affects not just the Jews, but when we stand against anti-Semitism and we speak out against hatred, ultimately, every minority group that is the target of hatred—every one of those groups benefits from our willingness to speak out.

I am glad to have that opportunity to do that here on the floor tonight, and, with that, I, again, would like to thank my friend, Ms. MENG, for bringing us together today.

Ms. MENG. In conclusion, we stand today united as a Congress to condemn acts of anti-Semitism through the world and right here in our communities. Hate is never the answer. We must always speak up.

I would like to end by reciting a well-known poem by Martin Niemoller:

> First, they came for the socialists—and I did not speak out because I was not a socialist. Then they came for the trade unionists—and I did not speak out because I was not a trade unionist. Then they came for the Jews—and I did not speak out because I was not a Jew. Then they came for me—and there was no one left to speak for me.

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

HAMAS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Arizona (Mr. FRANKS) for 30 minutes.

Mr. FRANKS of Arizona. Mr. Speaker, I would now yield to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. I want to thank my good friend for yielding and thank him for his leadership and his very eloquent remarks just a few moments ago on Hamas terrorism and the fact that we need to do much more than we have, to try to mitigate, end, and disarm this organization that is committed to the demise of the State of Israel.

Hamas, Mr. Speaker, as we all know, is a terrorist organization, and as Netanyahu put it so well, it is like al Qaeda, and it is just like Boko Haram. They kill people, they murder, they rape, they abduct, and they do all kinds of terrible terrorist activities in order to promote their ends.

Yesterday, Khaled Mashal, leader of Hamas, spoke to Charlie Rose, who asked: Do you want to coexist with the State of Israel? The Hamas leader said in a completely matter-of-fact manner, ''No.''

It is clear, Mr. Speaker, that Hamas doesn't want peace, reconciliation, or coexistence. Hamas seeks only the total demise of Israel.

I would like to quote, Mr. Speaker, briefly from the Hamas Charter, and I encourage Members of this body, Americans, and people around the world to read the Hamas Charter.

Article 13 says:

> Initiatives and so-called peaceful solutions and international conferences are in contradiction to the principles of the Islamic Resistance Movement. There is no solution for the Palestinian question except through Jihad. Initiatives, proposals, and international conferences are all a waste of time and vain endeavors.

It gets even worse, Mr. Speaker. Article 20 obscenely compares Israeli society with Nazism. Article 28 charges so-called Zionism with massive conspiracy which ''aims at undermining societies, destroying values, corrupting consciences, deteriorating character, and annihilating Islam.''

Article 32 charges that the plan of the so-called Zionist is embodied in one of the greatest libels of all human history, the ''Protocols of the Elders of Zion.''

All of this, Mr. Speaker, recalls Natan Sharansky's ''3–D test of anti-Semitism,'' which he called demonization, double standards, and delegitimization.

Sharansky twice testified in hearings that I chaired on combating anti-Semitism and proposed what he called the simple test to help us distinguish legitimate criticism of Israel from anti-Semitism.

As he put it, the three Ds are, again, demonization—he said:

> When Israel's actions are blown out of all sensible proportion; when comparisons are made between Israelis and Nazis, this is anti-Semitism, not legitimate criticism of Israel.

Second, the double standard:

> When criticism of Israel is applied selectively, when Israel is singled out by the United Nations for human rights abuses while the behavior of known and major abusers, such as China, Iran, Cuba, and Syria is ignored, this is anti-Semitism.

The third D, delegitimization, as he puts it:

> When Israel's fundamental right to exist is denied—alone among all peoples in the world—this, too, is anti-Semitism.

This, too, is exactly what Hamas is engaged in. From its origins to the present day, the Hamas movement has been poisoned by anti-Semitism, and the murderous nature of this evil has not diminished. It has got worse. Jews today continue to die because of it.

Five IDF soldiers were killed yesterday, 48 have died since July 8, and of course, we are deeply saddened by these deaths, as well as all who have died in the conflict, and we must not forget that it is anti-Semitic hatred that is driving this conflict and causing all of these deaths.

Today, Mr. Speaker, I call on President Obama to give Israel our government's full support and to make unmistakably clear our government's position that Israel, in response to Hamas' unprovoked attacks, is fully in the right to defend itself, including to search out and destroy Hamas terror tunnels and those who launch rockets at Israel.

Again, I thank my good friend, Mr. FRANKS, for his leadership and, again, for his strong and eloquent statement earlier on, during the Special Order on Hamas.

Mr. FRANKS of Arizona. I thank the gentleman.

Mr. Speaker, I just would suggest to you that, in the time that I have been in Congress—nearly 12 years now, about 12 years—I do not know of a greater defender of humanity and truth and just the kind of principle that made America what we are than one Congressman CHRIS SMITH, and I just consider it a privilege for the time that I have been able to serve with him.

Mr. Speaker, 30 years ago, Soviet Marshal Ogarkov announced that Flight 007 of Korean Airlines had been terminated, that the Soviets had shot down a civilian airliner killing all 269 passengers aboard.

President Reagan immediately addressed the entire Nation about the tragedy and resolutely called for justice and for action. He then proceeded to accelerate work on America's missile defense system. He worked with Congress on the Reagan defense buildup, he built relationships with European allies and enforced strong sanctions that ultimately bankrupt and brought down the once-unshakeable Soviet Union.

Mr. Speaker, last week, another civilian airliner, flight MH17, with 298 innocent people aboard, was also shot down and this time by Russian-backed separatists.

On that same day in which the conflict in Israel also escalated to new heights, The New York Times reported President Obama's schedule as, ''a cheeseburger with fries at the Charcoal Pit in Delaware, a speech about infrastructure, and two splashy fundraisers in New York City.''

Mr. Speaker, where would America be today if we had elected Barack Obama in 1980? Where will this President's leadership take us tomorrow?

With that question, I yield back the balance of my time.

□ 1930

CHRISTIAN PERSECUTION IN IRAQ

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Michigan (Mr. BENTIVOLIO) for 30 minutes.

Mr. BENTIVOLIO. Mr. Speaker, as I have said several times in recent weeks, I want to bring attention to the plight of Christians in the Middle East. Any person watching the news for the last several months will have seen an increasingly violent, chaotic, and unpredictable environment. The Middle East, and Iraq in particular, are not stable. This creates an enormous problem for Christians in the region.

Chaldean Christians in Michigan and in my district have repeatedly raised the issue of ongoing persecution of Christians in Iraq. Just recently, the last remaining Christians were forced to flee. ISIS has taken the city. For the first time in well over a thousand years, Sunday mass is no longer being said.

My colleague, friend, and mentor, Representative FRANK WOLF, has characterized the situation facing Christians in Iraq as genocide. That analysis is about as accurate as it can get. Christians have been targeted and killed for their faith. What we are seeing is genocide, the eradication of a specific group of people, namely, Christians.

ISIS is trying to wipe the face of Christianity from Iraq. Not only have they killed and pushed Christians out of territory that they control, they are also destroying the physical traces of Christianity. Churches, monasteries, and religious sites are being destroyed and desecrated. Even Jonah's tomb has been destroyed. And the shrine of the Prophet Seth has been blown up. As a Christian, it is an incredibly heartbreaking series of events that I have watched unfold.

I have been an advocate for human rights and religious freedom since I took office, and what really bothers me is the fact that neither the President nor the State Department have addressed the challenges facing Christians in Iraq. Chaldean Christians in my district have been asking me what can be done for Iraqi Christians. But, as I have said many times before, there is only so much that can be done when the President has not taken action.

The government and military of Iraq are weak, ineffectual, and unable to defend the people of their country. The U.S. withdrawal from Iraq has left a power vacuum that has allowed a group like ISIS to take control and force their radical beliefs on an increasingly large portion of the population. I am worried that what we have seen is only the beginning. Christians are being targeted now, but I suspect that they will eventually begin to target Muslims who don't share their beliefs as well.

Radical Islamists are trying to shape and form an Iraq that adheres to their beliefs. They are destroying Iraq's cultural and religious heritage, its history. If they succeed, there will be nothing left of it.

Chaldeans and Iraqi Christians don't want to leave Iraq, and many in my district wish that they never had to. However, it has become too dangerous to stay. When faced with forced conversions, death, and other forms of violence, most Christians have chosen to flee. Genocide is indeed a brutal thing.

As I discussed in a previous speech on the House floor, there is a severe problem in U.S. foreign policy that needs to be examined. The U.S. began the Iraq war with the goal of ridding the region of a tyrannical government that didn't protect its people. However, a decade later, at the conclusion of the U.S. military mission in Iraq, the people are perhaps worse off than they were before the U.S. invasion.

What did we miss? If the U.S. is leaving Iraq in a considerably worse state than when we arrived, there is something that went wrong. That is the question that needs to be asked and what needs to be considered. It is not that we can afford to make these kinds of mistakes; it is that people who live there absolutely can't afford the consequences.

We need to put pressure on the Kurdish government to continue protecting the Iraqi Christians. We need to analyze where our foreign aid is going and whom it is going to. I have heard from many of my constituents, Chaldean Christians and others from Iraq, that the aid we are sending to Iraq is not making it to the Christian communities.

If we are going to be giving foreign aid, humanitarian or otherwise, to a country or government in order to protect its people, then they better do it. If we are propping up a government or nation that doesn't protect its people from radical threats, religious and ethnic persecution, and genocide, then it is time to reevaluate that relationship and figure out a better path forward.

I have said before and firmly believe, if countries in the Middle East are unable to provide security and stability for all of their people, then they will never be stable. They will continue to be at risk. We have to encourage stable societies, respect for religious freedom, democracy, and the rule of law. We can't just build strong governments and militaries or the U.S. will always face the problems we are seeing in Iraq.

If Iraq's Christians are forced out entirely, I don't think there will be much hope left for the country. I would like to see Chaldean Christians and other Iraqis one day be able to return home. At the moment, I am not sure when that will be possible. That depends on Iraq's resilience and ability to manage radical threats. I will remain hopeful, and I ask that others also pray for those still there facing a dire situation.

Mr. Speaker, I yield to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I am very grateful to my friend for yielding, and I am very grateful for his strong stance on the issue of Israel and just wanted to add an exclamation point to the gentleman's comments.

There has been a lot of discussion about Israel tonight and about what is being done against the interests of Israel, but, Mr. Speaker, I think it bears pointing out that this administration could do much to help our friend Israel. And that when anyone in this administration says to the world and, in particular, the people in the Middle East, including the terrorists in the Middle East, that we see Israel, a country whose leaders are elected, and Hamas, whose leaders are sworn to the destruction of Israel and the death of Jews, then the world gets the wrong impression. They get the impression that we see terrorism and love of life in Israel—terrorism by Hamas, love of life in Israel—as equals. That is a despicable thing to show the world from the United States, from any administration official.

It is important that we let the world know that when a nation that is such a dear friend as Israel is attacked repeatedly by rockets intended to kill innocent children, women, others around the country, then they have the right of self-defense to go in and clean up those who would destroy them. That means, when they go in to shut down the tunnels by which terrorists are allowed to enter their country and kill people, that we don't have some do-gooder from the United States rush in

and say: Hold on. Hold on. We realize you are destroying the tunnels that are allowing Israelis to be killed. We realize you are shutting down the rocket missile sites from which rockets are being launched to kill Israelis, but we want to give Hamas a breather so these terrorists, bent on killing Israelis, can regather their forces and get a better run at death to Israelis.

That is a disastrous foreign policy. You don't put as equals terrorists and a country that loves life, and it loves life so much that, unlike any military operation I am aware of, it notifies the people they are about to bomb before they bomb so people can clear out. That is extraordinary.

The burden of proof on Israel that is placed there by some in this administration and by others who love the terrorists and hate those who simply want to live in peace is unbearable. It is time the United States showed itself to be a friend of Israel.

The good news is, in this body, in this House, and even at the other end in the Senate, though we disagree profoundly on so many issues, when Israel comes up, we are more unified on our friendship with Israel than we are about any other issue I am aware of. And that is how it should be.

When the leader of Israel, Prime Minister Netanyahu, came and spoke a few years ago right here at this podium, both sides of the aisle stood and applauded repeatedly. That is as it should be. As he pointed out right here, if Israel lays down its weapons, there is no Israel. If the Palestinians lay down their weapons, there is no war. The war ends. That is all they are asking for.

I used to wonder why in the world did the Israelis try to give away land, try to buy peace, when every time they give away land they are attacked from that piece of land. After spending time in Israel, I began to understand. When you see the coffee shops, the different places where people would gather that would have someone loaded up with a suicide bomb, walk in and blow up as many innocent people as they could, or see an area and they would say that is where the terrorist bomber came walking up on the school ground, then you realize they are willing to even give away their precious land that God gave to them over 3,000 years ago if they can just buy a little peace. But the lesson should come back loudly: there has never been a time in Israel's history when it has given away land trying to buy peace when that land was not ultimately used as a staging area from which to attack it.

I think it was pretty clear this administration showed its cards when, as a method of thumping, figuratively speaking, Israel, the FAA suspended flights into Tel Aviv. They were not at risk any more than other flights from American airlines around the world, especially in countries where there are terrorists. But it was a message to Israel that, hey, you better do what we tell you or we are going to hurt you economically. That message was clear and it wasn't missed by the Israelis. And then to have that followed by the Secretary of State putting a terrorist organization and a country that is one of our dearest friends together on equal standing was further insult to the injury, literal injury that this country had caused Israel.

It is time that we recognize what my dear friend Mr. BENTIVOLIO has said clearly. It is time we stand with Israel. It is time to make clear to Israel's enemies: You take on Israel, you take us on. You may not get that from this administration. They may still be playing patty-cake with terrorists, but in this Congress, from both sides of the aisle, we stand with Israel. I thank my friend so much for helping make that clear.

Mr. BENTIVOLIO. I thank the gentleman from Texas for his wisdom on this and so many other important issues facing us today.

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

CORRECTION TO THE CONGRESSIONAL RECORD OF WEDNESDAY, JULY 16, 2014 AT PAGE H6318

AMENDMENT OFFERED BY MR. MASSIE

Mr. MASSIE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act, including amounts made available under titles IV or VIII, may be used by any authority of the government of the District of Columbia to enforce any provision of the Firearms Registration Amendment Act of 2008 (D.C. Law 17–372), the Inoperable Pistol Amendment Act of 2008 (D.C. Law 17–388), the Firearms Amendment Act of 2012 (D.C. Law 19–170), or the Administrative Disposition for Weapons Offenses Amendment Act of 2012 (D.C. Law 19–295).

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Kentucky and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 653. An Act to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 1104. An Act to measure the progress of recovery and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on July 29, 2014, she presented to the President of the United States, for his approval, the following bill:

H.R. 3212. To ensure compliance with the 1980 Hague Convention on the Civil Aspects of International Child Abduction by countries with which the United States enjoys reciprocal obligations, to establish procedures for the prompt return of children abducted to other countries, and for other purposes.

ADJOURNMENT

Mr. BENTIVOLIO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 44 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 30, 2014, 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 second quarter of 2014, pursuant to Public Law 95–384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2014

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Bart Fischer	6/20	6/25	Switzerland		1,339.78		1,137.05		895.00		3,371.83
Committee total					1,339.70		1,137.05		895.00		3,371.83

HON. FRANK D. LUCAS, Chairman, July 17, 2014.

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2014

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Cheri Bustos	5/9	5/14	Afghanistan				11,734.60				11,734.60
Hon. Sean Maloney	5/24	5/28	Afghanistan				11,348.70				11,348.70
Hon. Markwayne Mullin	5/24	5/28	Afghanistan				11,348.70				11,348.70
Committee total							34,432.00				34,432.00

HON. BILL SHUSTER, Chairman, July 16, 2014.

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2014

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

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. ☒

HON. JEFF MILLER, Chairman, July 18, 2014.

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6662. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Pistachios Grown in California, Arizona, and New Mexico; Modification of Aflatoxin Regulations [Doc. No.: AMS-FV-12-0068; FV13-983-1 FR] received July 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6663. A letter from the Chairman, Military Compensation and Retirement Modernization Commission, transmitting interim report June 2014, pursuant to Public Law 112-239, section 374(f)(6) (126 Stat. 1793); to the Committee on Armed Services.

6664. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Current Good Manufacturing Practices, Quality Control Procedures, Quality Factors, Notification Requirements, and Records and Reports, for Infant Formula; Correction [Docket No.: FDA-1995-N-0063 (formerly 95N-0309)] (RIN: 0910-AF27) received July 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6665. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Rules and Regulations Under the Wool Products Labeling Act of 1939 (RIN: 3084-AB29) received July 28, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6666. A letter from the Assistant Legal Adviser, Office of 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.

6667. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-376, ''Fiscal Year 2014 Revised Budget Request Temporary Adjustment Act of 2014''; to the Committee on Oversight and Government Reform.

6668. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-378, ''Residential Real Property Equity and Transparency Amendment Act of 2014''; to the Committee on Oversight and Government Reform.

6669. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period April 1, 2014 through June 30, 2014 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a Public Law 88-454; (H. Doc. No. 113—141); to the Committee on House Administration and ordered to be printed.

6670. A letter from the Biologist, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Reclassification of the U.S. Breeding Population of the Wood Stork From Endangered to Threatened [Docket No.: FWS-R4-ES-2012-0020; FXES11130900000C2-134-FF09E32000] (RIN: 1018-AX60) received July 28, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6671. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Snapper-Grouper Fishery of the South Atlantic; 2014 Recreational Accountability Measure and Closure for South Atlantic Golden Tilefish [Docket No.: 120403249-2492-02] (RIN: 0648-XD200) received July 28, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6672. A letter from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Wildlife and Plants; Threatened and Endangered Status for Distinct Population Segments of Scalloped Hammerhead Sharks [Docket No.: 111025652-4523-03] (RIN: 0648-XA798) received July 21, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6673. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Revenue Ruling: Stock Rights Exempt from Section 457A (Rev. Rul. 2014-18) received July 18, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6674. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Disclosures of Return Information Reflected on Returns to Officers and Employees of the Department of Commerce for Certain Statistical Purposes and Related Activities [TD 9677] (RIN: 1545-BL60) received July 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6675. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Research Expenditures [TD 9680] (RIN: 1545-BE64) received July 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6676. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Guidelines for the Streamlined Process of Applying for Recognition of Section 501(c)(3) Status [TD 9674] (RIN: 1545-BM07) received July 28, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6677. A letter from the Assistant Secretary, Department of Defense, transmitting additional legislative proposals that the Department of Defense requests be enacted during the second session of the 113th Congress; jointly to the Committees on Armed Services, Foreign Affairs, Oversight and Government Reform, and the Budget.

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. UPTON: Committee on Energy and Commerce. H.R. 4299. A bill to amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing (Rept. 113–565 Pt. 1). Ordered to be printed.

Mr. NUGENT: Committee on Rules. House Resolution 694. Resolution providing for consideration of the resolution (H. Res. 676) providing for authority to initiate litigation for

actions by the President or other executive branch officials inconsistent with their duties under the Constitution of the United States; providing for consideration of the bill (H.R. 935) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes; and providing for proceedings during the period from August 1, 2014, through September 5, 2014. (Rept. 113–566). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 4299. Referral to the Committee on the Judiciary extended for a period ending not later than September 19, 2014.

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. LYNCH (for himself, Mr. FARENTHOLD, Mr. CUMMINGS, and Mr. BUTTERFIELD):

H.R. 5229. A bill to amend title 5, United States Code, to provide leave to any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. ROGERS of Kentucky:

H.R. 5230. A bill making supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; to the Committee on Appropriations.

By Mr. BENTIVOLIO (for himself and Ms. DUCKWORTH):

H.R. 5231. A bill to amend the Small Business Act to direct the task force of the Office of Veterans Business Development to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses; to the Committee on Small Business.

By Mr. DOGGETT (for himself and Mr. YOUNG of Indiana):

H.R. 5232. A bill to amend title XVIII of the Social Security Act to require hospitals to provide certain notifications to individuals classified by such hospitals under observation status rather than admitted as inpatients of such hospitals; 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. HOLDING (for himself, Mr. NADLER, Mr. COBLE, Mr. CONYERS, Mr. CHABOT, Mr. JEFFRIES, Mr. RICHMOND, and Ms. DELBENE):

H.R. 5233. A bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes; to the Committee on the Judiciary.

By Ms. SHEA-PORTER:

H.R. 5234. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for manufacturing job training expenses; to the Committee on Ways and Means.

By Mr. ENGEL (for himself, Mr. ROYCE, Mr. SMITH of Washington, Mrs. DAVIS of California, Mr. JEFFRIES, Mr. SHERMAN, Ms. ROS-LEHTINEN, Mr. DEUTCH, and Ms. FRANKEL of Florida):

H.R. 5235. A bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system; to the Committee on Foreign Affairs.

By Mr. MARCHANT:

H.R. 5236. A bill to amend title 18, United States Code, to add certain tax-related crimes to the definition of aggravated identity theft, and for other purposes; to the Committee on the Judiciary.

By Mr. COFFMAN:

H.R. 5237. A bill to direct the Secretary of Homeland Security to allow aliens having status as an E-2 nonimmigrant by reason of a change of nonimmigrant classification made in the United States to re-enter the United States after a trip abroad without obtaining a new visa; to the Committee on the Judiciary.

By Ms. JACKSON LEE (for herself, Mr. NADLER, Ms. HAHN, Ms. CLARKE of New York, Mr. ELLISON, Ms. BROWN of Florida, Mr. CROWLEY, Ms. FUDGE, Ms. WILSON of Florida, Mr. MEEKS, and Mr. HINOJOSA):

H.R. 5238. A bill to preserve the access of victims of trafficking to information about their eligibility to receive SNAP benefits; to the Committee on Agriculture.

By Mr. POCAN (for himself, Ms. WILSON of Florida, Ms. BONAMICI, Mr. VARGAS, Mr. MCGOVERN, and Mr. SARBANES):

H.R. 5239. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income any discharge of student loan indebtedness; to the Committee on Ways and Means.

By Mr. THOMPSON of Mississippi:

H.R. 5240. A bill to reform classification and security clearance processes throughout the Federal Government and, within the Department of Homeland Security, to establish an effective and transparent process for the designation, investigation, adjudication, denial, suspension, and revocation of security clearances, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Homeland Security, Intelligence (Permanent Select), and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONNOLLY (for himself and Mr. CHABOT):

H.R. 5241. A bill to prohibit United States Government recognition of Russia's annexation of Crimea; to the Committee on Foreign Affairs.

By Mrs. DAVIS of California (for herself, Ms. DELAURO, and Ms. DELBENE):

H.R. 5242. A bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program; to the Committee on Ways and Means, 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. DESANTIS (for himself and Mr. FRANKS of Arizona):

H.R. 5243. A bill to eliminate the payroll tax for individuals who have attained retirement age, to amend title II of the Social Security Act to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits under such title, and for other purposes; to the Committee on Ways and Means.

By Ms. ESTY (for herself, Ms. SLAUGHTER, and Mr. BRADY of Pennsylvania):

H.R. 5244. A bill to establish the Council on Healthy Housing and for other purposes; to the Committee on Financial Services.

By Mr. JONES:

H.R. 5245. A bill to designate the facility of the United States Postal Service located at 314 Lennon Drive in Wilmington, North Carolina, as the ''Meadowlark Lemon Post Office''; to the Committee on Oversight and Government Reform.

By Mr. JORDAN:

H.R. 5246. A bill to require the United States attorney to bring the matter of an individual's contempt of Congress before a grand jury not later than 30 days after receiving a certification from the Speaker of the House of Representatives or the President of the Senate that the individual is in contempt; to the Committee on the Judiciary.

By Mr. KIND:

H.R. 5247. A bill to amend the Tariff Act of 1930 to eliminate the consumptive demand exception to prohibition on importation of goods made with convict labor, forced labor, or indentured labor, and for other purposes; to the Committee on Ways and Means.

By Ms. LEE of California (for herself, Mr. ENGEL, Mrs. CAROLYN B. MALONEY of New York, and Ms. SLAUGHTER):

H.R. 5248. A bill to provide for United States participation in the Inter-Parliamentary Union, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MORAN (for himself, Mr. KINZINGER of Illinois, Ms. DELAURO, Ms. KAPTUR, Mr. LARSON of Connecticut, and Ms. ESTY):

H.R. 5249. A bill to re-impose sanctions on Russian arms exporter Rosoboronexport, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Oversight and Government Reform, and Financial 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 Ms. NORTON:

H.R. 5250. A bill to use Federal purchasing power to create good jobs, rebuild the middle class, address income inequality, stimulate the economy, and to achieve other purposes; to the Committee on Oversight and Government Reform.

By Mr. OWENS:

H.R. 5251. A bill to amend the Internal Revenue Code of 1986 to exempt foreign pensions from dispositions of investment in United States real property; to the Committee on Ways and Means.

By Mr. SENSENBRENNER (for himself, Mr. BACHUS, Mr. TERRY, Mr. COHEN, and Mr. JOHNSON of Georgia):

H.R. 5252. A bill to ensure that methods of collecting taxing and fees by private citizens on behalf of States are fair and effective and do not discriminate against interstate commerce; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself, Mr. TURNER, Mr. COLE, Mr. MCCLINTOCK, Mr. ROONEY, Mrs. BLACK, Mr. COLLINS of Georgia, Mrs. MILLER of Michigan, Mr. GIBBS, Mr. COBLE, and Mr. WOMACK):

H.R. 5253. A bill to amend the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to require consultation with States before awarding grants or contracts for housing facilities for unaccompanied alien children; to the Committee on the Judiciary.

By Ms. SINEMA (for herself and Mr. BENISHEK):

H.R. 5254. A bill to appropriately limit the authority to award bonuses to employees; to

the Committee on Oversight and Government Reform.

By Mr. CARNEY:

H.J. Res. 121. A joint resolution proposing an amendment to the Constitution of the United States relating to the authority of Congress and the States to regulate political campaign contributions and expenditures, including independent expenditures; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

290. The SPEAKER presented a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 1086 urging the Congress and the President to review the Case of Loren Duke Abdalla's actions during World War II; to the Committee on Armed Services.

291. Also, a memorial of the Senate of the State of Missouri, relative to Senate Concurrent Resolution No. 31 urging the Congress and the President to reauthorize the Terrorism Risk Insurance Program; to the Committee on Financial Services.

292. Also, a memorial of the Senate of the State of Tennessee, relative to Senate Resolution No. 61 urging the Speaker and the Clerk of the House of Representatives to release forthwith the TBI report known as ''MLK Document 200472''; to the Committee on House Administration.

293. Also, a memorial of the Senate of the State of Missouri, relative to Senate Concurrent Resolution No. 22 urging the Department of the Interior National Park Service to pursue one of the following options in regard to the Ozark National Scenic Riverways; to the Committee on Natural Resources.

294. Also, a memorial of the House of Representatives of the State of Missouri, relative to a resolution calling the President to support the increased importation of oil from Canadian oil sands; jointly to the Committees on Transportation and Infrastructure, Energy and Commerce, Natural Resources, and Foreign Affairs.

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. LYNCH:

H.R. 5229.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18.

By Mr. ROGERS of Kentucky:

H.R. 5230.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. BENTIVOLIO:

H.R. 5231.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, clause 2

''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States:''

By Mr. DOGGETT:

H.R. 5232.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. HOLDING:

H.R. 5233.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution; and, Article I, Section 8, clause 8 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause ''to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries'' and Article III.

By Ms. SHEA-PORTER:

H.R. 5234.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. ENGEL:

H.R. 5235.

Congress has the power to enact this legislation pursuant to the following:

the authority delineated in Article I Section I, which includes an implied power for the Congress to regulate the conduct of the United States with respect to foreign affairs.

By Mr. MARCHANT:

H.R. 5236.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. COFFMAN:

H.R. 5237.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, of the United States Constitution

By Ms. JACKSON LEE:

H.R. 5238.

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, Clauses 1, 4, and 18 of the United States Constitution.

By Mr. POCAN:

H.R. 5239.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. THOMPSON of Mississippi:

H.R. 5240.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. CONNOLLY:

H.R. 5241.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the authority delineated in Article I section I, which includes an implied power for the Congress to regulate the conduct of the United States with respect to foreign affairs.

By Mrs. DAVIS of California:

H.R. 5242.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8

By Mr. DESANTIS:

H.R. 5243.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, and Article I, Section 8, Clause 3

By Ms. ESTY:

H.R. 5244.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfard of the United States;

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 Mr. JONES:

H.R. 5245.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to the Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. JORDAN:

H.R. 5246.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. KIND:

H.R. 5247.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Ms. LEE of California:

H.R. 5248.

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 of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. MORAN:

H.R. 5249.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution

By Ms. NORTON:

H.R. 5250.

Congress has the power to enact this legislation pursuant to the following:

clause 1 of section 8 of article I of the Constitution.

By Mr. OWENS:

H.R. 5251.

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. SENSENBRENNER:
H.R. 5252.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, clauses 1 and 3
By Mr. SENSENBRENNER:
H.R. 5253.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, clause 4
By Ms. SINEMA:
H.R. 5254.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8
By Mr. CARNEY:
H.J. Res. 121.
Congress has the power to enact this legislation pursuant to the following:
Article V of the United States Constitution: ''The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 36: Mr. FLEISCHMANN and Mr. JOYCE.
H.R. 140: Mr. FORTENBERRY.
H.R. 303: Mr. FARENTHOLD.
H.R. 333: Mr. PERLMUTTER, Mr. HIMES, and Mr. PALLONE.
H.R. 351: Ms. BROWNLEY of California.
H.R. 411: Ms. TSONGAS, Ms. DUCKWORTH, and Mr. COLLINS of New York.
H.R. 543: Mr. ROTHFUS and Ms. BONAMICI.
H.R. 647: Mr. PRICE of Georgia, Mr. MCCLINTOCK, and Mr. BARTON.
H.R. 769: Ms. DELBENE.
H.R. 1015: Mr. RUNYAN, Mr. RIBBLE, and Mr. TIBERI.
H.R. 1020: Mr. BERA of California.
H.R. 1070: Mr. MEEHAN.
H.R. 1129: Mr. DESANTIS.
H.R. 1141: Mr. CARTWRIGHT.
H.R. 1331: Mr. WENSTRUP.
H.R. 1507: Mr. SCHRADER.
H.R. 1563: Mr. COHEN and Mr. DUNCAN of Tennessee.
H.R. 1579: Mr. CARTWRIGHT.
H.R. 1620: Mr. SARBANES, Ms. HANABUSA, Mr. LAMBORN, Mr. HORSFORD, Mr. CRENSHAW, and Mr. BISHOP of Utah.
H.R. 1666: Mr. NOLAN.
H.R. 1725: Ms. TSONGAS.
H.R. 1733: Mr. FLEISCHMANN.
H.R. 1761: Ms. KAPTUR.
H.R. 1770: Ms. SHEA-PORTER.
H.R. 1812: Mr. SIMPSON.
H.R. 1827: Mr. BISHOP of New York.
H.R. 1830: Ms. SINEMA and Mr. PASTOR of Arizona.
H.R. 1852: Mr. FLORES, Mr. DUFFY, Mr. HALL, Mr. SCHOCK, Mr. PRICE of Georgia, and Mr. SANFORD.
H.R. 1975: Mr. NOLAN.
H.R. 2028: Mrs. NAPOLITANO, Mrs. MCCARTHY of New York, and Ms. BONAMICI.
H.R. 2084: Mr. ROKITA and Mr. PALLONE.
H.R. 2224: Mr. NADLER.
H.R. 2366: Mr. BUCHANAN, Mr. CASSIDY, Mrs. ELLMERS, Mr. MCHENRY, Mrs. MILLER of Michigan, Mr. MULLIN, Mr. SHUSTER, Ms. DELAURO, Mr. LOEBSACK, Ms. BORDALLO, Mr. GRIMM, Mr. LANGEVIN, Ms. HANABUSA, Mr. DOYLE, Ms. GRANGER, Mr. MURPHY of Florida, Ms. MCCOLLUM, Mr. SCHIFF, Mr. SERRANO, Ms. LOFGREN, Mr. RICE of South Carolina, and Mr. SCALISE.
H.R. 2398: Mr. TIPTON.
H.R. 2426: Ms. JACKSON LEE, Mr. LOWENTHAL, Mr. ENYART, and Ms. MENG.
H.R. 2450: Ms. BROWNLEY of California, Ms. KAPTUR, and Ms. LEE of California.
H.R. 2638: Mr. CARTWRIGHT.
H.R. 2673: Mr. KELLY of Pennsylvania, Mr. LATTA, and Mr. NUNNELEE.
H.R. 2737: Ms. ESTY.
H.R. 2750: Mr. CARTWRIGHT.
H.R. 2835: Mr. HASTINGS of Washington.
H.R. 2847: Mr. POCAN, Mr. DOYLE, Ms. MATSUI, and Mr. NADLER.
H.R. 2994: Mr. CARSON of Indiana, Mr. GUTIÉRREZ, Mr. HANNA, and Mr. RUNYAN.
H.R. 3121: Mr. LATTA.
H.R. 3276: Ms. SINEMA and Mr. TIERNEY.
H.R. 3279: Mrs. LUMMIS.
H.R. 3303: Mr. SCHOCK.
H.R. 3322: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 3331: Mr. CARTWRIGHT.
H.R. 3367: Mr. CRAWFORD and Mr. ROSKAM.
H.R. 3374: Mr. TERRY.
H.R. 3384: Mr. CARTWRIGHT.
H.R. 3426: Mr. BARROW of Georgia.
H.R. 3485: Mr. WENSTRUP.
H.R. 3516: Mr. CARTWRIGHT.
H.R. 3556: Mr. GIBSON.
H.R. 3712: Mr. ELLISON.
H.R. 3723: Ms. ROYBAL-ALLARD, Mr. HASTINGS of Florida, and Mr. CARSON of Indiana.
H.R. 3742: Mr. PASCRELL.
H.R. 3775: Mr. PAULSEN and Mr. VALADAO.
H.R. 3776: Mr. RODNEY DAVIS of Illinois and Mr. SHIMKUS.
H.R. 3850: Mr. SCHOCK.
H.R. 3852: Ms. JACKSON LEE and Ms. KUSTER.
H.R. 3877: Mr. NOLAN.
H.R. 3929: Mr. ELLISON.
H.R. 3978: Mr. CARTWRIGHT.
H.R. 3992: Mr. GIBSON.
H.R. 3997: Ms. JACKSON LEE and Mr. MCGOVERN.
H.R. 4012: Mr. COTTON.
H.R. 4016: Mr. DELANEY and Ms. MATSUI.
H.R. 4026: Mr. CARTWRIGHT.
H.R. 4067: Mrs. NOEM and Mr. SCHOCK.
H.R. 4106: Mr. MCKINLEY.
H.R. 4143: Mr. STIVERS.
H.R. 4158: Mr. CALVERT.
H.R. 4172: Mr. LANCE, Mr. NOLAN, and Mr. CARTWRIGHT.
H.R. 4187: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 4188: Mr. GALLEGO and Mr. CARTWRIGHT.
H.R. 4190: Mrs. CAPITO, Mr. RYAN of Ohio, Mr. NOLAN, Mr. LONG, and Mr. SCHIFF.
H.R. 4227: Mr. CARTWRIGHT.
H.R. 4351: Mr. LANKFORD.
H.R. 4437: Mr. FATTAH.
H.R. 4446: Mr. LAMBORN and Mr. FARENTHOLD.
H.R. 4574: Mr. CICILLINE.
H.R. 4577: Mr. OWENS, Mr. CARTWRIGHT, and Mr. RUSH.
H.R. 4590: Mr. RIBBLE.
H.R. 4646: Mr. GALLEGO.
H.R. 4680: Mr. CARTWRIGHT.
H.R. 4682: Mr. COOPER and Mr. NOLAN.
H.R. 4701: Mr. MAFFEI.
H.R. 4714: Mrs. CAPPS.
H.R. 4717: Mrs. BUSTOS.
H.R. 4726: Mrs. BUSTOS.
H.R. 4739: Mr. GIBSON.
H.R. 4740: Mr. TIBERI.
H.R. 4748: Mr. GEORGE MILLER of California and Mr. SMITH of Nebraska.
H.R. 4756: Mr. TAKANO.
H.R. 4762: Mr. LOEBSACK.
H.R. 4775: Mr. DAINES.
H.R. 4777: Mrs. BACHMANN.
H.R. 4792: Mr. CALVERT.
H.R. 4793: Mr. HASTINGS of Florida, Mr. RYAN of Ohio, Mr. GARAMENDI, Mr. JONES, Mr. OWENS, Mr. RUSH, Ms. LEE of California, Mr. MCDERMOTT, Mr. SERRANO, and Mr. PALLONE.
H.R. 4815: Ms. SHEA-PORTER.
H.R. 4818: Mr. HASTINGS of Florida, Mr. JONES, Mr. OWENS, Mr. RUSH, Mr. MCDERMOTT, and Mr. PALLONE.
H.R. 4837: Mr. COURTNEY and Mr. REED.
H.R. 4857: Ms. LINDA T. SÁNCHEZ of California.
H.R. 4885: Mr. RIBBLE, Ms. TITUS, and Mr. NUNES.
H.R. 4960: Mr. SCHIFF, Mr. POLIS, Mr. FLORES, Ms. NORTON, Mr. TONKO, Mr. LUETKEMEYER, Mr. TIERNEY, Mr. CALVERT, and Mrs. BACHMANN.
H.R. 4969: Mr. WEBSTER of Florida, Mr. ISRAEL, and Mrs. MCCARTHY of New York.
H.R. 4971: Ms. SINEMA.
H.R. 4978: Mr. COURTNEY.
H.R. 4981: Mr. JOYCE and Mr. CHAFFETZ.
H.R. 4989: Mr. MILLER of Florida.
H.R. 5000: Mr. PRICE of North Carolina.
H.R. 5014: Mr. MESSER, Mr. HALL, and Mr. DESJARLAIS.
H.R. 5026: Mr. COTTON.
H.R. 5033: Ms. SHEA-PORTER.
H.R. 5038: Ms. DELBENE.
H.R. 5052: Mr. NUNNELEE, Mr. MCALLISTER, and Mr. MATHESON.
H.R. 5054: Mr. JONES.
H.R. 5059: Mr. THOMPSON of California, Mr. NOLAN, and Ms. SINEMA.
H.R. 5065: Mr. ELLISON and Mr. SCHIFF.
H.R. 5069: Mr. HUFFMAN.
H.R. 5071: Mr. COLE, Mr. TIPTON, Mr. NUNNELEE, Mr. LONG, Mr. HASTINGS of Washington, and Mr. VALADAO.
H.R. 5078: Mr. WALDEN, Mr. DUFFY, Mr. KINZINGER of Illinois, Mr. DESANTIS, Mr. YOHO, Mr. HUIZENGA of Michigan, Mr. TIBERI, Mrs. BACHMANN, Mr. GARDNER, and Mr. SHIMKUS.
H.R. 5083: Mr. LOEBSACK.
H.R. 5087: Ms. CLARKE of New York, Mr. BISHOP of New York, Mr. RANGEL, and Mr. ISRAEL.
H.R. 5088: Mr. HASTINGS of Florida, Mr. GARAMENDI, Mr. JONES, Mr. BROUN of Georgia, Mr. RUSH, and Mr. PALLONE.
H.R. 5098: Mr. MESSER.
H.R. 5101: Mr. CARTWRIGHT.
H.R. 5122: Mr. LOEBSACK.
H.R. 5130: Mr. JOHNSON of Georgia.
H.R. 5131: Mr. SMITH of Missouri.
H.R. 5159: Mr. CARTWRIGHT.
H.R. 5160: Mr. SAM JOHNSON of Texas, Mr. BRADY of Texas, Mr. NEUGEBAUER, Mr. OLSON, Mr. JONES, Mr. BARLETTA, Mr. HENSARLING, Mr. POE of Texas, and Mr. BYRNE.
H.R. 5179: Mr. GRIJALVA.
H.R. 5182: Mr. POLIS.
H.R. 5195: Ms. GABBARD, Mr. MORAN, and Mr. STIVERS.
H.R. 5203: Mrs. LUMMIS.
H. Con. Res. 107: Mr. LAMBORN, Mr. STIVERS, Mr. PETERSON, Mr. CLAWSON of Florida, Mr. KLINE, Mr. LANKFORD, Mr. GOHMERT, Mr. PAULSEN, Mrs. WALORSKI, Mr. ROE of Tennessee, Mr. FLORES, and Mr. SALMON.
H. Con. Res. 109: Mr. WEBER of Texas, Mr. KING of Iowa, Mr. COTTON, Mr. LAMBORN, Mrs. BACHMANN, and Mr. LATTA.
H. Con. Res. 110: Mrs. HARTZLER, Mr. MCGOVERN, Mr. JOHNSON of Ohio, Mr. ROTHFUS, Mr. MEADOWS, Mr. BILIRAKIS, Mr. LIPINSKI, Mr. RODNEY DAVIS of Illinois, Mr. TIBERI, Mr. GERLACH, Mr. LANCE, and Mr. DENT.

H. Res. 72: Mr. BLUMENAUER and Mr. TONKO.
H. Res. 281: Mr. BARR, Mr. HOLDING, Mr. CARNEY, and Mr. DELANEY.
H. Res. 422: Ms. SHEA-PORTER.
H. Res. 456: Mr. MCKINLEY and Ms. BONAMICI.
H. Res. 476: Mr. WENSTRUP.
H. Res. 522: Mr. HIMES.
H. Res. 536: Mr. LONG, Mr. GIBBS, and Mr. ROKITA.
H. Res. 543: Mr. LONG.
H. Res. 587: Mr. CAPUANO, Mr. NADLER, and Mr. CONNOLLY.
H. Res. 620: Mr. GRIMM.
H. Res. 633: Ms. SINEMA.
H. Res. 644: Mr. CAMPBELL, Mr. SAM JOHNSON of Texas, and Mr. CRAMER.
H. Res. 679: Mr. KING of New York.
H. Res. 687: Mr. LABRADOR, Mr. MCCLINTOCK, Mr. COBLE, Mr. SMITH of Texas, Mr. COLLINS of Georgia, Mr. KING of Iowa, Mr. LONG, and Mr. JORDAN.
H. Res. 689: Mr. CROWLEY, Mr. LEWIS, and Mr. CONYERS.
H. Res. 690: Mr. ENYART and Mr. DUNCAN of Tennessee.
H. Res. 692: Mr. WEBER of Texas, Mr. DUNCAN of South Carolina, Mr. ROGERS of Alabama, Mr. PALAZZO, Mr. POSEY, and Mr. WILLIAMS.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. ROGERS OF KENTUCKY

H.R. 5230, making supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII,

93. The SPEAKER presented a petition of the Governor of Arkansas, relative to a letter regarding the State Trade and Export Promotion (STEP); which was referred to the Committee on Small Business.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, SECOND SESSION

Vol. 160 WASHINGTON, TUESDAY, JULY 29, 2014 No. 120

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O mighty God, our gracious Father, thank You for the gift of this day. Lord, You are the one clear manifestation of love in the midst of lesser powers. Today, use our lawmakers to bring more of Your love to our world so that Your kingdom may come and Your will be done on Earth as it is in heaven.

May our Senators discover the stillness of soul needed to begin to comprehend what is the height, length, breadth, and depth of Your great love. Use them as Your instruments of righteousness and justice in our world. Lord, open their minds to think Your thoughts and give them the courage to do Your will.

We pray in Your sovereign 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.

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 488, S. 2648, the emergency supplemental appropriations act dealing with the border crisis.

The PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 488, S. 2648, a bill making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

SCHEDULE

Mr. REID. Following my remarks and those of the Republican leader, the Senate will be in a period of morning business until 12 noon, with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first half and the majority controlling the final half.

At 12 noon, the Senate will proceed to executive session to consider Robert Alan McDonald to be Secretary of Veterans Affairs.

The Senate will recess from 12:30 p.m. to 2:15 p.m. to allow for weekly caucus meetings.

At 2:45 p.m. there will be a rollcall vote for confirmation of the McDonald nomination, followed by several voice votes to confirm the Andre, Hoza, and Polaschik nominations.

Upon disposition of the Polaschik nomination, the Senate will consider the Highway and Transportation Funding Act. Senators should expect five rollcall votes this evening in relation to Wyden-Hatch, Carper-Corker-Boxer, Lee, and Toomey amendments and on passage of H.R. 5021, as amended, if amended. Senators will be notified when those votes are scheduled.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BOOKER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURES PLACED ON THE CALENDAR—S. 2673 AND H.R. 3393

Mr. REID. There are two bills at the desk due for second readings.

The PRESIDING OFFICER. The clerk will read the bills by title for the second time.

The legislative clerk read as follows:

A bill (S. 2673) to enhance the strategic partnership between the United States and Israel.

A bill (H.R. 3393) to amend the Internal Revenue Code of 1986 to consolidate certain tax benefits for educational expenses, to amend the Internal Revenue Code of 1986 to make improvements to the child tax credit, and for other purposes.

Mr. REID. I would object to any further proceedings of these two matters.

The PRESIDING OFFICER. Objection is heard.

The bills will be placed on the calendar.

VETERANS' CARE

Mr. REID. Almost 2 years ago, within a few days 2 years ago, we were in Las Vegas to dedicate this beautiful new veterans facility. Taxpayers' money spent on it was about $700 million. It is beautiful. It is the second one we have been able to do in southern Nevada. We built a nice little hospital with a joint venture between the Veterans Administration and the Air Force.

But with the wars in Iraq, and Afghanistan, we ran out of room to accommodate the influx of veterans.

It became very difficult for veterans. We have a huge veterans population in southern Nevada. We have all kinds of military bases there that they are stationed in. They come, and they decide they want to live in southern Nevada.

So the veterans in southern Nevada found themselves in a difficult situation. When this new hospital was dedicated—it took 7 years of work to get this done. I worked hard, as did others, to obtain this money. It was a state-of-the-art facility, 100 inpatient beds, a nursing home unit, and an ambulatory care center. It was a state-of-the-art facility. It was unquestionably, probably without exaggerating, the finest veterans hospital in the country. It was brandnew. But, more importantly, it was a precious resource to veterans throughout the State of Nevada.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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We have a facility in northern Nevada. It has been there for many decades. To the credit of Senator MIKULSKI from Maryland, she came and visited it a number of years ago and said: This is wrong. In that facility we couldn't get the modern equipment down the halls and into the bedrooms. We had to renovate, so it is in good shape. So the veterans in northern Nevada had a facility long before southern Nevada.

But in spite of all this happy talk about what a wonderful facility this is, veterans depending on VA care have been stunned. Why? Because they are waiting 50 days. If you are a new patient, you call and they say: Well, we will see you in a couple of months. Come on in. About 2,000 patients have been waiting 90 days in order to even get an appointment. This is unacceptable.

It is not a problem only in Las Vegas, it is all over the country: a nationwide, systemic problem where these combat veterans and other veterans have been languishing on some nonexistent waiting list.

When I learned that BERNIE SANDERS from Vermont and Congressman MILLER had worked out something, I was stunned. I was so happy. I got a call from Senator SANDERS on Saturday telling me: I think we have got it done. That is wonderful. That is truly remarkable, what they have done.

I don't need to go through the bill, what it does, but it provides billions of dollars for emergency funding to hire new doctors and nurses. It will authorize 27 new medical facilities around the country, allowing the VA to grow as it needs to grow.

That is wonderful news. That is the way we should be legislating. We couldn't find two more politically different people than BERNIE SANDERS of Vermont and Chairman MILLER. They are very different people; they have very different views. But they know we have sent hundreds and hundreds of thousands of people to Iraq and Afghanistan, when these veterans come home, they need help. We took care of the war efforts, and rightfully so. The military needed every penny they have to fight these wars, but we haven't been as generous in taking care of these people when they come home from these wars.

The main point I want to make is that Chairman MILLER and Senator SANDERS understand we owe America's veterans.

It is good we are talking about this, rather than an impeachment of the President or suing the President. Look in the papers today. The American people are totally opposed. We shouldn't be off on these tracks of impeachment, suing the President. We should be legislating. An exemplary standard of that is what I hope will be completed this week when the conference report comes to us from the House to complete this legislation. It is truly a good day for the American veterans and the American people.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

VETERANS HEALTH CARE

Mr. MCCONNELL. America makes a promise to every man and woman who puts on the uniform. In exchange for their service, our country pledges they will be well trained, well equipped, and treated with the dignity and respect they deserve.

It is the least we can offer to the brave soldiers, sailors, airmen, and marines who put everything on the line so we can live in freedom. It is a solemn pact, and that is why the American people were so shocked to read some of the headlines we have seen over the past few months, headlines such as: ''Veterans languish and die on a VA hospital's secret list.'' Then, as the Obama administration tried to cover its tracks, a headline such as: ''Veterans Affairs spies, stonewalls on people investigating it.''

It is a national disgrace, ailing veterans being put off for months by a hospital system that should be rushing to their aid, and veterans dying while waiting for care.

According to the government's own report on these failures, we also know these problems were so systemic that they spread to more than three-quarters of the VA facilities surveyed, literally to every corner of the country, including Kentucky.

Kentuckians heard shocking news stories such as the one about a Harrodsburg veteran who was being treated at the VA facility in Lexington. The staff there declared him dead. Yet when the veteran's wife came to say her final good-byes, she found her husband breathing—with a pulse.

I was glad to hear this veteran is now back home with his family and recovering. But no veteran and no spouse should ever have to go through such a horrific ordeal. Yet I continue to receive letters from Kentucky veterans who have been denied the care they deserve, such as this one from a disabled veteran in Gradyville. This is what he had to say:

> I have had some of the most frustrating of times trying to receive the quality of health care that anyone deserves.
>
> Not only has it taken me months to be seen, but I have been told by a primary care physician that ''He did not need to see me until my 6 month checkup''. . . . I simply no longer have the time and money to invest in the run around I receive in trying to make an appeal. . . . I gave up 4 years of my life and proper use of my right arm in this nation's defense. I would have given my life without question to protect a country that I love. It breaks my heart to no longer be a part of an institution I so lovingly became a member [of]. Our nation's veterans deserve so much more.

Well, he is certainly right. Thousands of Kentuckians have had to wait for more than a month at VA facilities in Louisville and Lexington.

So the Obama administration needs to use every tool available to address the systemic failures of the VA, and it needs to work with Congress on reforms that can help address these challenges too.

Initially, the Obama administration was slow to respond to the crisis. The White House tried to treat it as some PR predicament to get beyond rather than the true tragedy that it was—a tragedy that required bipartisan action to investigate and address.

Ultimately, pressure from Republicans and revulsion from the American people forced the White House to take this crisis seriously. Audits were conducted. Management changes were undertaken. And the necessity of serious reform was accepted—eventually.

I was proud to support bipartisan VA reform legislation that passed the Senate last month, and I am encouraged by the progress of the conference committee toward completing a final compromise that can pass Congress and be signed into law. The compromise legislation would introduce some much-needed accountability into the VA system and help increase patient choice. In fact, the compromise appears to include two initiatives I specifically pressed with the President's nominee to head the Veterans Affairs Department when I recently met with him.

One, I said we need to make it easier to fire VA bureaucrats who fail our veterans; and, two, I said we need to allow veterans to seek care outside the VA if they face long wait times or if they do not live near a VA facility.

The conference report, fortunately, appears to include both. I thank Senators BURR, MCCAIN, and COBURN for steadfastly fighting for the veterans choice part of the conference agreement that will allow our deserving veterans the option of accessing care in hospitals when VA facilities are not available.

As for the President's nominee to run the VA Bob McDonald, we all know he has a tough job ahead of him after his confirmation. I made clear my expectations for dramatic change when I met him. But if Mr. McDonald is willing to work in a collaborative and open manner with Congress—and I expect he will—he will find a constructive partner on this side of the aisle.

Look, we know there is much we can and should do to address this crisis together. So I am hopeful because when veterans are denied care, it is a priority deserving of bipartisan attention, and the government needs to start living up again to the promises it made to our veterans. We certainly owe them no less.

EMERGENCY SUPPLEMENTAL APPROPRIATION

Mr. President, Israel's military campaign against the terrorist organization Hamas has a clear-cut objective: to restore Israel's security by eliminating rockets, shut down these infiltration tunnels from which Hamas is launching its attacks against Israel, and, indeed, to demilitarize Gaza. That is Israel's objective.

This is clearly justified in the face of more than 2,300 rocket attacks into

Israel from Gaza since early July. I strongly support Israel's recent efforts through Operation Protective Edge to defend itself and to end the threat of additional rocket and infiltration attacks by Hamas. Operation Protective Edge also serves a larger purpose, and its resolution has broader implications for the future of the Palestinian people.

If Hamas declares victory by keeping its weapons stockpile, by continuing to undermine Israel's security, and by turning away from Egypt's efforts to forge a reasonable cease-fire, the net result will be a relative weakening of the Palestinian Authority and of those in the West Bank who have worked toward a peaceful resolution of the overall conflict.

So I support any effort which brings this campaign to an end in a manner that increases Israel's security. That means specifically that Hamas cannot be left with a large stockpile of missiles and rockets and cannot be left with infiltration tunnels. They must be destroyed. Hamas cannot be allowed to aggressively rest, refit, and build up a weapons stockpile. That weakens Israel and the Palestinian Authority.

Here is what I oppose. I oppose any efforts—any efforts by the international community, especially the United Nations—to impose a cease-fire on Israel that does not meet these military objectives and that therefore risks actually rewarding Hamas for a campaign of terror and that seeks to make additional concessions to Hamas such as easing security along the borders of Gaza.

An unfavorable settlement, especially one that left the terrorist group Hamas with a stockpile of weaponry, would create incentives for Hamas to continue smuggling arms from Iran and, of course, to return to violence. An unfavorable settlement would also undermine the leadership of the Palestinian Authority, which has attempted to negotiate with Israel through peaceful means.

So let's be clear. The terror tactics employed by Hamas show contempt for human life, whether Israeli or Palestinian. By employing rockets and mortars as weapons of terror against Israel's civilian population or by using its own schools within Gaza as weapon depots, Hamas has shown a gross disregard for civilians.

The Prime Minister of Israel put it very well when he said: ''[Israel] uses missiles to protect our people. They (Hamas) use their people to protect their missiles.''

There is no moral equivalency—none whatsoever. These tactics should be loudly and widely condemned, and Israel's right to defend itself should be affirmed.

As I noted last week, Secretary Hagel wrote to the majority leader seeking urgent funding for components of the Iron Dome missile defense system. I and others support this request, as Iron Dome has afforded Israel some real protection from these indiscriminate rockets.

This morning some of my colleagues will further explain the importance of Iron Dome and the need for the Israeli Defense Forces to press on and finish the job in destroying the infiltration tunnels and weapons stockpiles. Republicans are united in our support of Israel's defense, and this morning my colleagues will explain our opposition to any effort to force a cease-fire on Israel that does not further its security objectives.

In a situation such as this, Israel only has one dependable friend. The United States should not be trying to pressure Israel to make a bad deal that leaves Hamas in a position to continue these attacks against Israeli civilians.

No one has been more active on this issue than my colleague from South Carolina. I see him on the floor now. Therefore, 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 12 noon, with Senators permitted to speak therein for up to 10 minutes each, and the time equally divided and controlled between the two leaders or their designees, with Republicans controlling the first half and the majority controlling the final half.

The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I return the compliment to Senator MCCONNELL from Kentucky, the Republican leader.

I have been here now since 2002. There is no better friend of the State of Israel than MITCH MCCONNELL. He is the former chairman and ranking member of the foreign ops subcommittee on appropriations that deals with aid to the world—particularly Israel—and it was his idea to come to the floor today and have voices speak in support of Israel at a time when they need friends.

Friends are great to have. They are wonderful in good times. They are a necessity in bad times. Israel is going through some pretty bad times and so are the Palestinian people.

I wish to clearly make myself known. I have nothing against the legitimate hopes and aspirations of the Palestinian people to have their own country, to live in peace and prosperity by Israel. But they have to want it more than I do.

The Palestinian people are suffering. Children are being killed, and the most innocent people on the planet are children. It breaks all of our hearts to see them as a casualty of war.

But now is the time to be clear-eyed and focused as to what the problem really is. The problem is very simple in many ways. Hamas is a terrorist organization in the eyes of the U.S. Government. Hamas should be a terrorist organization in the eyes of any decent person in the world.

What did they do? They have as their goal not a two-state solution but a one-state solution—the complete and utter destruction of the State of Israel. If you don't believe me, just check out their own charter. They have as their tactics using their own people and children as human shields to win a propaganda war.

When Israeli children are killed, it breaks Israel's heart. When Palestinian children are killed, it breaks the heart of all decent Palestinians, but Hamas sees it as a victory. They literally try to put women and children in harm's way to marginalize the ability of Israel to defend itself against two things.

The tunnels are something new in this fight. Forty-one tunnels have been discovered that go from the Gaza Strip—some into Israel itself—and yesterday five Israeli soldiers were killed by an attack that came from Hamas fighters that penetrated Israel through the tunnels.

So Senator MCCONNELL is not only speaking for Republicans when he says the Senate stands firmly behind Israel's right to destroy the terrorist tunnels, but I think that is the body's view and Democrats' as well.

There is a resolution that is bipartisan in nature before the body, and I hope we can pass it before Thursday. In the resolved clause, it says the Senate opposes any efforts to impose a cease-fire that does not allow the Government of Israel to protect its citizens from threats posed by Hamas rockets and tunnels. That, I believe, is the view of the Senate in a bipartisan fashion.

Today, Republicans take the floor to clearly state where we stand in this conflict. We stand with Israel's right to defend itself against a terrorist organization called Hamas. We stand with the Palestinian people's legitimate aspirations to have a better life. But until that day comes, we are going to be firmly in the Israeli camp to defend themselves, because what would we do as a nation if a neighboring nation dug tunnels under our border for the express purpose of kidnapping and killing our citizens. What would America do if one rocket coming from a neighboring nation fired indiscriminately to kill American citizens? We would respond in the most aggressive fashion, and we would have every right to do so.

As the minority leader stated, there is no moral equivalency. Israel tells you they are going to attack. Israel calls before the attack. Israel gives notice about an impending attack. Hamas secretly fires rockets, caring less where they land. Their hope is that it hits a kindergarten. That is their desire. And the only reason they have not been successful is because of the Iron Dome program that has been a collaboration between the United States and Israel for many years.

There has been discussion about appropriating additional dollars for Iron Dome. That discussion needs to turn into a reality. We don't need to marry it with controversial topics. Israel is under siege. We are the best friend of the State of Israel. They need this assistance. Every Republican stands ready to work with every Democrat to pass—in the next 5 minutes—additional money for the Iron Dome program.

In tough times, what is the smart thing and right thing for America to do? The smart thing for America to do is pursue a lasting peace, a peace with meaning, and not repeat the mistakes of the past. Insanity is doing the same thing over and over and expecting a different result. Israel is beyond that moment. America needs to stand by Israel's legitimate right to get to the heart of the problem and not face this threat 6 months or 1 year from now.

The one thing I can tell you that is not a smart thing to do is to give Hamas a bunch of concrete. They are not going to build schools with it; they build tunnels. All the aid the international community has been providing to the Gaza Strip, through the hands of Hamas, has not gone into building hospitals, schools, and the economic improvement of the lives of Palestinians but to create tunnels of war. The tunnels are weapons of war. The thousands and thousands of tons of concrete and iron that have been misappropriated to build these tunnels came from people with a good heart.

How long does it take the international community to wake up to the fact that Hamas has a bad heart—an evil, wicked heart. They could care less about their own people. They want to destroy Israel.

Mr. MCCONNELL. Will the Senator yield for a question?

Mr. GRAHAM. Absolutely.

Mr. MCCONNELL. We all remember that 10 or 12 years ago Israel—which had previously occupied Gaza for the purpose of preventing these types of devastating attacks—left. They said: We are through. They made a solid statement and said: We are uncomfortable occupying, and all we ask in return for the removal of our occupation is a peaceful border.

The Senator from South Carolina has just outlined that periodically this is what they have gotten in return for basically leaving Gaza alone and giving it a chance—if it chose to—to have a normal, peaceful existence. Yet they choose to continue the conflict, as the Senator from South Carolina indicated, because they are not in favor of a two-state solution; they are in favor of a one-state solution.

Mr. GRAHAM. Senator MCCONNELL is dead on point—land for peace. Give the Palestinians land and in return Israel gets peace. They gave the Gaza Strip to the Palestinians, and what have they gotten in return? They got 2,500 rockets in the last 3 weeks and terrorist tunnels.

The idea that leaving an area will lead to peace in the Middle East with the Palestinians has not borne fruit. What to do? No. 1, pass more appropriations for Iron Dome because it is the right and smart thing to do.

No. 2, pass a resolution saying we oppose any cease-fire that does not allow Israel to get to the heart of the problem when it comes to terrorist tunnels and dealing with the rocket threat against their country.

No. 3, push back against the United Nations that has lost its moral way. The Human Rights Commission—which is a subcommittee, for lack of a better term, of the United Nations—passed a resolution 27 to 1 about the Israeli-Palestinian conflict in Gaza, and I will read the first paragraph:

> Deploring the massive Israeli military operations in the Occupied Palestinian Territory, including East Jerusalem, since 13 June 2014 that have involved disproportionate and indiscriminate attacks and resulted in grave violations of the human rights of the Palestinian civilian population, including through the most recent Israeli military assault on the occupied Gaza Strip, the latest in a series of military aggressions by Israel, and through actions of mass closures, mass arrests and the killing of civilians in the occupied West Bank.

This resolution is 1,600-and-something words, and it has a half sentence about rockets against Israel and nothing about the tunnels and never mentions Hamas.

The third thing I would like this body to do, through a letter of resolution, is let the United Nations know we condemn this one-sided view of the conflict and that we find the Human Rights Commission report objectionable and, quite frankly, immoral.

The vote was 27 to 1, and we were the only nation that objected to this resolution, which I think should make every decent person in the world feel the shame of the United Nations.

I thank our leader on the Republican side for creating this opportunity and allowing us to speak on this issue, and I thank him for his longstanding support for the State of Israel.

I close with this thought: In times of trouble, try to do the right thing and the smart thing, and they both come together on this issue. The right thing to do is to stand by your friends in Israel; the smart thing to do is to stand by your friends in Israel. The right thing and the smart thing to do is to oppose Hamas, which has a wicked heart, and allow Israel, once and for all, to fix this problem by demilitarizing Gaza and dealing with the tunnels and the rockets.

As Senator MCCONNELL said, Israel has tried cease-fires time and time again without dealing with the military threat they face. Not this time. When Israel says never again, they are referring to the Holocaust. America needs to stand with Israel and Israel should say to Hamas: Never again will we allow a cease-fire that allows you to dig tunnels under our borders to kidnap and kill our citizens, and never again will we allow you to rearm and rain holy terror on our people through thousands of rockets being fired at innocent civilians.

Now is the time for the Senate to say with Israel, never again.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, briefly before Senator AYOTTE takes the floor, I wish to commend Senator GRAHAM for his suggestions. All three of those suggestions should be carried out this week. Time is of the essence.

In listening to the litany of actions by the Palestinians that he recounted—and we all remember, going back almost to the founding of the State of Israel—I am reminded of what one of Israel's early Foreign Ministers once said about the Palestinians. He said the Palestinians never miss an opportunity to miss an opportunity.

Mr. GRAHAM. Sad but true.

Mr. MCCONNELL. Sad but true. I recall when Prime Minister Barak was in office at the end of the Clinton years. The administration brokered a deal that Israel at that time was willing to offer and Palestine said no. It was a deal they probably could not get today.

We have seen a litany of opportunities wasted over the years, and the people who suffered as a result of it have obviously been the Palestinian people.

Mr. GRAHAM. Absolutely. With that, I will turn over the debate to my good friend, the Senator from New Hampshire, Ms. AYOTTE, who has been one of the leaders on our side on foreign policy and is a steadfast ally of our friends in Israel.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. I thank my colleagues, the Senator from South Carolina for his leadership and our leader, the Senator from Kentucky, for the incredible work he has done in supporting our great friend Israel and also leading this body in terms of the issues he has brought forward, not only in supporting important protections, such as the Iron Dome program, but also by ensuring America remains safe and strong. I thank Senator MCCONNELL very much for his leadership.

I rise because I had the privilege in March of traveling to Israel. I went there not only to meet with the leadership in Israel but I had the opportunity to meet with some of the Palestinian leadership as well.

I went to Sderot, which is a town in Israel. I was very much struck by what the Israelis are facing every day and the threat they face from Hamas, a terrorist organization. Go to a town such as Sderot and everyone in their household has a bomb shelter. I met with mothers there whose children feel traumatized because they never know when the next potential rocket may be coming toward their town, and it has very much affected their children. It has affected them so much so that when one

goes to the playground where the children play, the playground itself contains a bomb shelter. There is a caterpillar which looks like something your kids would play in, but it is actually a bomb shelter because this town in Israel has been facing rockets from Hamas. That is what we need to understand in this conflict: Hamas, a terrorist organization, has not only used its own civilians, the Palestinians, as human shields but they have also continued to threaten the children of Israel so much so that their playgrounds have bomb shelters.

What is happening right now in this conflict is that Israel is trying to defend itself against the threat of rockets from Hamas which threaten their children and the Palestinian children, who unfortunately have been put in harm's way by this terrorist organization, Hamas.

They are facing a new threat. Can you imagine if we were faced with a threat where terrorists could pop up through a tunnel and suddenly terrorize the people in this country? Can you imagine what we would do under the same circumstance? That is the threat the Israelis are facing right now. They need to eliminate these tunnels to ensure that their people can be protected from this threat.

How did they build these tunnels? They actually built some of these tunnels by using concrete the Israelis let the Palestinians have for building places such as schools, and instead Hamas has taken this concrete and used it to build terror tunnels to allow them to either kidnap or kill Israeli citizens.

We stand with the people of Israel and their right to defend themselves against this terrorist organization Hamas and the terror it has brought upon not only the country of Israel but also the terror it has brought to the Palestinian people and how Hamas stands in the way of peace in the region overall.

We also stand against the hypocrisy we have seen on many levels, and that hypocrisy and double standard has been most apparent in the U.N. Human Rights Council and the recent resolution passed by that council. I have to wonder why that council exists in the United Nations because they have countries such as China, Cuba, Russia, and Venezuela issuing a resolution condemning Israel for what is happening in this conflict but in no way even mentioning Hamas or what Hamas is doing to use civilians as shields and basically as targets so they can try to get support from the international community.

The opposite is happening in terms of what Israel is doing. There is such a contrast. Israel is taking steps to notify civilians if there is going to be a missile launched in their area. They have warned civilians to leave areas. They have taken extraordinary steps to protect civilian lives in contrast to what Hamas is doing; they are using civilians as shields.

We condemn in this body very clearly what the Human Rights Council has done. The notion that we are going to follow what China, Cuba, Venezuela, and Russia tell the world, which is their view on human rights—and they don't even mention the actions of a terrorist organization that is at the root of the conflict we see right now in Gaza—talk about the situation where the fox is watching the henhouse. That is what has happened with this human rights council. Frankly, this council, in my view, should be eliminated because it is the opposite of standing for human rights; it is for standing for terrorist organizations such as Hamas.

I stand with the recommendations of my colleague from South Carolina and our leader that we need to absolutely condemn the human rights council. We need to reaffirm in this body this week before we leave our support for Israel's right to defend itself and to eliminate the threat these tunnels present to the Israeli people, and, frankly, also to the Palestinian people as well, and to allow them to finally address this threat from this terrorist organization Hamas.

Until this threat is eliminated, there can be no peace in this region. There cannot be peace for the Israeli people and there cannot be peace for the Palestinian people. So it is my hope that we will take this up this week and make sure we clearly send a message to Israel; that we stand with Israel, that we clearly send a message to the U.N. that we are not going to accept the hypocrisy of the human rights council; that we clearly send a message to Hamas: We know who you are. You are a terrorist organization. Stop using civilians to try to accomplish your purpose and we stand with you.

I yield the floor for my colleague.

Mr. MCCONNELL. Mr. President, if I may before Senator AYOTTE leaves the floor, I commend her on her contribution to this discussion and particularly with her stories with regard to Israel, and I would also add that I am sure the Senator from New Hampshire agrees with me that the last thing the American Government needs to do right now is try to pressure Israel into a bad cease-fire that doesn't allow this terror to be stopped.

At times it appears to me that the American administration is trying to push the Israelis into stopping before they have finished the job. We all know, based on past history, that unless this operation is completed, these challenges will continue.

I wanted to see if the Senator from New Hampshire shared my view.

Ms. AYOTTE. I would fully share the Senator's view. In order to end this threat we need to support Israel and its right to eliminate the tunnels, to address the missiles and eliminate missiles and the stash that Hamas has that they are targeting Israel with—which, by the way, would have had many more civilian casualties but for the Iron Dome system that we have supported and worked with Israel on.

Finally, we need to get to a point where Gaza is demilitarized and they are put in a position where this threat cannot continue. That is what we need to get to thinking about. But we need to allow Israel to deal with the threat of these tunnels and the missiles so the children in Sderot will not continue to be targeted, so children—not only Israeli children but also Palestinian children—can live in peace in the region. That cannot happen when Hamas continues to be a terrorist organization that threatens all children in the region.

Thank you.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I wish to end on what my colleagues, the Senator from Kentucky and the leader, Senator MCCONNELL, say. Senator GRAHAM, Senator AYOTTE, and I appreciate Senator MCCONNELL's leadership in making very clear what is at stake here, pushing hard to make sure that the Senate is doing its job in support of Israel, making sure they are able to defend themselves and the funding for the Iron Dome which has been so effective as a defense mechanism against these rocket attacks is done in a way that allows them to continue to use it in that capability.

As you look at the situation in Gaza, I want to start by taking a step back and looking at this conflict in both the historic and regional context. In Israel we have the only functioning democracy in the Middle East. Israel is a nation that emphasizes human rights and tolerance. Its population includes religious, ethnic, and cultural diversity. In Jerusalem you can hear the Muslim call to prayer, the bells from Catholic and Greek Orthodox churches, and the prayers of the Jews at the Wailing Wall all at the same time. There is no other place like this on Earth.

This democracy, however, is situated in a region of intense brutality and extremism. Historically that has meant seemingly endless conflicts with Israel's neighbors, intentionally targeting civilians in order to maximize casualties. One need only look across the border into Syria to get a glimpse of this brutality. When Syrians made the first attempt at striving for democracy, the Assad regime began systematically slaughtering opponents, including gassing civilians with chemical weapons. As that violence spread into Iraq, radical terrorist organizations such as ISIS began killing not only Shia opponents but also other Sunni clerics who would not swear allegiance to ISIS. Communities with ancient traditions such as the Christians in Mosul, who just 10 years ago numbered 60,000, have been forced to flee for their lives. Mosul has been completely emptied of Christians for the first time in 1600 years.

It is in this context the people of Israel have built their nation. It is in this context that we now view the conflict in Gaza. The current conflict in

Gaza is one that Israel did not start. It started with Hamas firing over 2300 rockets from Gaza into Israel, specifically targeting civilian populated areas to maximize potential casualties. In response, Israel has conducted a methodical and enforceable response, as you would expect any nation to do. First Israel locates the source of the rocket. Then an attempt is made to call the residents by phone to tell them to evacuate. In many cases a flare is sent onto the roof as a warning that the location is about to be hit, before that location is ultimately destroyed.

In a region where neighboring leaders indiscriminately drop barrel bombs on residential areas for the sole purpose of slaughtering civilians, Israel goes out of its way to save lives. These are not just civilian lives Israel is saving, because they know that by their efforts they are giving the aggressors a chance to escape as well.

After Hamas continued to launch rockets into Israel, even when Israel agreed on multiple occasions to cease fire, tunnels were used to insert combatants near Israeli settlements. Israel responded with a ground assault to destroy the tunnels and eliminate Hamas's stockpiles of weapons. As the attacks and rocket launches continue, it is understandable that Israel would want to seek out and destroy stockpiles of weapons to keep the cycle from being repeated a few months from now.

Like all of my colleagues on the floor today, I want to see peace in the Middle East. Specifically I want to see peace in the Gaza and West Bank. I want to see peace in such a way that the Palestinian people can live with the prospect of a better life. But as we have seen, peace is not possible when a terrorist organization continues to pursue its cause of annihilating Israel. Peace cannot be achieved while Hamas rejects cease-fire agreements and continues to fire rockets. As violent as the current conflict in the Gaza strip is, it would be far worse—it would be far worse—if Israel did not have the Iron Dome. In any conflict, civilian casualties are a tragedy and if Israel did not have the sophisticated, purely defensive weapons system that allows it to shoot these rockets out of the sky, the number of civilian casualties would be far greater.

Hamas does not drop leaflets telling civilians to evacuate. Hamas does not send flares to warn residents to get out of harm's way. If not for Israel's Iron Dome, civilian casualties in Israel would be staggering. The United States must continue to support Israel by ensuring that Iron Dome missile defense systems remain an effective deterrent to even greater civilian casualties. For as long as Israeli men, women, and children need to run to bomb shelters ahead of Hamas rocket attacks we must support Israel's ability to defend itself.

The United Nations Council on Human Rights and other countries around the world continue to do things that are consistently at odds with the facts and with reality. Here in the United States we need to do as my colleague from South Carolina said, the right thing and the smart thing, and in this case, the right thing and the smart thing are one and the same. So I hope my colleagues in the Senate will make a priority providing the necessary funding for Iron Dome and in standing united—united—behind our ally and our friend Israel as they defend themselves from these attacks.

Mr. President, I see my colleague from Texas is on the floor, and I would simply ask him what role he sees the United States playing in both supporting Israel and providing support for the Iron Dome.

Mr. CRUZ. I thank my friend from South Dakota.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I am pleased and saddened to stand here in support of my colleagues as we stand united in support of the Nation of Israel.

In the last several weeks over 2500 rockets rained down over the Nation of Israel. Eighty percent of the population had to flee what they were doing and run to bomb shelters to hide—moms, dads, children. When the alarm goes off they have sometimes 10, 15 seconds to get to a bomb shelter.

I want you to imagine if the same situation were happening in America. Imagine if 80 percent of this country in the last several weeks had run to a bomb shelter. Imagine if 240 million Americans in the last several weeks had been sitting at work or in the doctor's office or having breakfast and had to grab their children and run in panic toward a bomb shelter. Imagine what our country would be doing in response.

In recent weeks we have discovered that Hamas has opened a new chapter in the annals of terrorism. It is not just raining rockets down from on high, but it is now attacking from below. Some 32 full-scale terror tunnels have been discovered dug under the ground under the border and coming up in kibbutzes inside Israel along Gaza. Some of the tunnels come up inside kindergartens. We have discovered in recent weeks a terrifying plot that was underway for Hamas terrorists on Rosh Hashanah to come through those tunnels—hundreds of them—to emerge in kindergartens to kidnap and murder vast numbers of young Jewish children.

Imagine right now if enemies of this country had dug tunnels into this country and were coming up into our schools. Imagine if Iran or China or some other hostile foreign nation had tunnels from which your children and my children were at risk of being kidnapped or murdered. Today in Gaza we see massive civilian casualties that are the direct consequence of the violence of Hamas.

You see, the human casualties are not an unintended side effect of the conflicts. They are the objective that Hamas seeks—dead Palestinian children and women and men. We know this because Hamas is engaging in a war crime right now, not that the United Nations Human Rights Council would ever say anything about it. But Hamas is engaging in a war crime of using human shields—deliberately using human shields. Where do they place their rockets with which they are raining down death and destruction upon Israel? They place them in schools. They place them in private homes. They place them in mosques. Deliberately they surround their rockets and their terror tunnels with innocent civilians.

Israel right now is engaged in something unprecedented in the annals of modern warfare. It is undertaking more humanitarian effort to spare civilian deaths than any military has in recorded history. Before attacking, Israel sends out texts. When they discover a rocket battery they need to take out because it is firing rockets targeting innocent civilians, they send texts saying: Clear out of the area. They try to save the Palestinian civilians. They drop from the sky pamphlets on an area that is about to be bombed to take out the rockets that are coming from that area. The pamphlets say to the civilians: Get out. Get out because we are going to take out the rockets and you are in harm's way. Not only that, they have a practice of sending an initial knock bomb. What does that mean? It means the first bomb lands on the roof and makes a knock. It doesn't explode; it just makes a loud knock. They do that for a reason: So the people inside the building can look up, can hear the knock, and can flee the building so the second missile can take down the building and the rockets that are housed inside and being used to try to murder innocent civilians.

A few weeks ago Prime Minister Netanyahu summed it up very powerfully when he said: Israel uses missile defense to defend our citizens. Hamas uses its citizens to defend its missiles.

Israel has tried to warn Palestinian civilians: Don't be located where the missiles are because we are going to respond as any sovereign nation will to protect our citizens.

What does Hamas say? Hamas tells the Palestinians: Stay there.

Picture that for a second. Israel is warning civilians to clear the area because they are going to take out the rockets and they are going to take out the tunnels. The response from Hamas is: No. Stay there.

Why? Because what they want to see is Palestinian children, Palestinian women killed so they can put the pictures on the Sunday night news because they know the world—many at the United Nations, many in the media—will behave like useful idiots. They will point to the civilian casualties that are Hamas's fault. When you put rockets on top of children, when

you tell the children ''do not leave,'' when you know the rockets are going to be taken out—it is Hamas, the terrorists who are responsible for those children's deaths. Yet the international community puts the pictures on the evening news and blames the nation of Israel.

I am proud this week to have joined my colleague, Senator GILLIBRAND from New York, in filing a bipartisan resolution in this body condemning Hamas's use of human shields, condemning it as a war crime, condemning it as an outrage, condemning it as the direct reason we are seeing so many civilian deaths.

I have to note that one of the reasons civilian deaths have been mitigated in Israel is because of the incredible success of the Iron Dome missile defense system. Ronald Reagan's ''Star Wars'' is today's Iron Dome.

We see unfolding in recent weeks in Israel the product of President Reagan's vision when he proposed the Strategic Defense Initiative, or SDI, on March 23, 1983. Critics at the time dismissed it as ''Star Wars.'' The Presiding Officer will recall—we were both teenagers at the time, and we recall learned experts, so to speak, going on television saying SDI was a fool's errand; it was a dream. The analogy that was given was you cannot hit a bullet with a bullet; it can't work. Well, run the clock forward three decades, and we see an Iron Dome, the strategic vision of President Reagan, playing out in real-time.

There is a wonderful video on YouTube that I encourage anyone who is interested to Google and watch. It is a video called ''Iron Dome Wedding.'' If people Google it, they will discover a video from a wedding in southern Israel. It is an ordinary wedding video, just like I suspect the Presiding Officer and I both had from our weddings. But in the midst of it, rockets begin coming through the night sky. We see rockets come across the sky, and then we see Iron Dome interceptors come up and explode the rockets. One after the other is hit and explodes, and the whole thing looks like fireworks. In the background we hear the wedding music and the sound of celebrating, and we think, were it not for these Iron Dome interceptors, those missiles might be landing on that wedding and causing carnage and death and destruction. But because of the potential, the power, the actuality of missile defense, instead they are intercepted.

There are indisputable differences between the intercontinental ballistic missiles that SDI was designed to target and the low-tech missiles Hamas is firing over Israel that Iron Dome is intercepting. That is why Iron Dome is one part of a three-tiered system that includes David's Sling and the Arrow 2 and 3 systems, which are designed to guard against more sophisticated weapons, such as the longer range missiles being provided to Hamas by Syria and Iran, and they would also defend against nuclear ballistic missiles of the sort being developed in Iran.

It is worth underscoring, even as the fighting in Gaza grabs the headlines, that we have to keep our eye on the far more serious danger of a nuclear Iran. The threat of a nuclear-armed Iran would make Hamas and their rockets seem like child's play. And our support for Iron Dome should be understood in the context of support for the continued development of these systems, which not only protect our friend and ally Israel, but they protect us. There is a reason why Hamas and Iran refer to Israel as the ''Little Satan'' and the United States as the ''Great Satan,'' because their intention with both is the same terror, the same murder, the same death and destruction.

Israel is currently working to carry out the grinding work to eradicate these terror tunnels that have been built under schools and kindergartens designed to kidnap and murder young children. I would note that it is an enormously difficult task, one that might prove impossible were it not for the success of Iron Dome limiting the effectiveness of those rockets.

I encourage this body to stand together, united as one, Republicans and Democrats. There may be issues on which we disagree—there may be a great many issues—but we ought to be able to stand together as one and speak in unison that we support the nation of Israel and that we will work with the nation of Israel immediately to replenish their Iron Dome supply so they can protect the citizens there and so they can do what is necessary to eradicate the Hamas rockets and terror tunnels being used to commit war crimes. There should be a unified, bipartisan voice in this body, and it is my hope that by the end of this week that is exactly what it will be.

I yield the floor.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Maryland.

Ms. MIKULSKI. What is the parliamentary situation?

The PRESIDING OFFICER. The Senate is in a period of morning business.

Ms. MIKULSKI. May I proceed or does the other party wish to—how much time is remaining on our side?

The PRESIDING OFFICER. The minority has 3 minutes remaining, the majority has 47 minutes remaining.

Ms. MIKULSKI. With the concurrence of the minority party, I wish to proceed. I know they haven't yielded back their time. If that is agreeable, and hearing no objection, I will proceed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, I rise today as the chair of the Appropriations Committee to talk about several challenges facing our country.

First, I wish to respond to the comments made by many of the Senators this morning on the compelling need to pass supplemental appropriations to help Israel replenish the rockets it has used in its Iron Dome missile defense system. I am an unabashed, unrelenting supporter of that effort.

For many years, as a U.S. Senator on the Appropriations Committee, on the Defense Subcommittee, as well as as a member of the Intelligence Committee, I know how important the Israeli missile defense system is, including Iron Dome, David's Sling, and others that are absolutely crucial. I worked hands-on with Senator Inouye—the late great Senator, a Congressional Medal of Honor winner—to make sure we funded the missile defense system for Israel and to work on a bipartisan basis with Senator Stevens and Senator COCHRAN. We worked together, and thank God it worked. We also implemented an agreement signed by President Bush with the Government of Israel that we would always help Israel maintain its qualitative edge. We have done it, and I am proud of it.

Now more than ever an antimissile defense system that has worked needs to continue operation. We know the technology works, but they need to make sure they have the tools to make the technology work—these additional rockets.

We know Israel is under attack. It has always been under attack since its very founding. This is not an existential threat; this is not an abstract threat; it is a daily threat. We know Israel is trying to defend itself against the grim, unrelenting attacks by Hamas—a self-avowed terrorist organization that has sworn in its documents not to allow Israel to continue. They absolutely oppose an independent Israeli State.

This month we are commemorating the Warsaw uprising. The Presiding Officer is a member of a group we affectionately call the Polish Caucus—those of us who have a relationship with the Polish Government, one of our greatest supporters in the NATO alliance. We recall that 70 years ago people were willing to fight back against the Nazis, rising out of the sewers of the Warsaw ghetto to be able to fight them off with sticks and stones and out-of-date weapons, working to liberate Poland from Nazis oppression.

Miles away, in places such as Dachau, Auschwitz, and others, there were the death camps. We are 1 year away from commemorating the liberation of the death camps. We know that as those people marched out of those death camps, they made their way into Palestine, which became the State of Israel.

We were the first Nation to recognize the necessary and rightful place for Israel to exist as an independent government and forever and a day the homeland for the Jewish people so they would be safe from terrorism and what occurred.

I am for this whole Iron Dome supplemental, and we need to do it, but it cannot be the only thing we put in this supplemental. We have neighbors right now hurting in our own country—our -

Western States with wildfires raging over hundreds of thousands of acres, land being depleted, local resources for first responders being exhausted, local funds being worn down. We have to—we have to—be able to respond to the Western border.

Then there is the crisis at our border, and the crisis is at our border because of the crisis in Central America.

So when we move on the supplemental, let's look out for the great State of Israel, let's look out for our neighbors who are facing wildfires, and let's look out for what is going on at our border.

But, Mr. President, I came to the floor, first of all, to compliment Senator SANDERS for the outstanding job he did working on a bipartisan basis to pass the Veterans Access, Choice, and Accountability Act of 2014. What a great job they did, out of a scandal—a terrible scandal—affecting our Nation's veterans, where they had to stand in line simply to see a doctor in the very country they fought to defend.

Now they have found they have had to defend themselves against VA bureaucracy and in some places duplicitous action.

Well, the Sanders bill goes a long way, again, working on both sides of the aisle and both sides of the dome. Gosh, when we do this, this is why I wanted to be a Senator. I know this is why many others wanted to be a Senator: coming here, working on concrete problems, shoulder to shoulder, on a bipartisan basis, hands across the aisle, hands across the dome. And they did it. When this bill is passed, we will reduce the long wait times for veterans, we will increase doctors and nurses and specialty providers. It will allow veterans to see local providers if they have been on a wait list for an extended period of time or have to drive 40 miles to be able to get to a VA clinic.

Boy, do I know that when I look at some of the rural areas.

We are going to pay for it with $10 billion in mandatory emergency funds. Mandatory emergency funds, that is the way to do it.

The Sanders bill will go a long way in increasing personnel and also in expanding a number of clinics—27 new clinics. So I think it is great.

But as important as that bill is—and it is an important step—it cannot be the only step we take this week. I am so excited that shoulder to shoulder, again, if we work together, we can do a trifecta for our veterans. We can pass the Veterans Access, Choice, and Accountability Act—new opportunities for health care, where veterans do not have to stand in line. Also, we are going to vote today on Robert McDonald to give the VA a new Secretary, a new CEO, new leadership, hopefully new energy, new vitality, and new ways of doing business, bringing the practical know-how of the private sector to meeting our mission. But as important as those two are, I also come as the chair of the Appropriations Committee to say, why don't we take a third step that really will do the job? Let's pass the VA MILCON appropriations bill so we can actually put next year's funding in the Federal checkbook rather than just putting VA on autopilot? We can actually make a big difference with the new accountability, expansion of care bill, but that will take days, weeks, months to put in operation. Right this minute we could pass the VA MILCON bill as well as giving new leadership.

I come here because I really do want to move the VA MILCON bill.

The Appropriations Committee works through its subcommittees. And, wow, I have two great leaders on the VA MILCON Subcommittee, the chairman and ranking member, two outstanding Senators: Senator TIM JOHNSON of South Dakota and Senator MARK KIRK of Illinois. They have worked so assiduously on coming up with a bill for funding our veterans for fiscal year 2015. It is an outstanding bill. But right now we are out there in the wilderness. We have moved it through the subcommittee. We have moved it through the full committee. It passed unanimously. We are out in the ethers waiting to come to the floor. JOHNSON and KIRK, MIKULSKI and SHELBY, we are like people with our noses pressed against the glass. We see it within our grasp but we cannot get through. All we want to do is help to complete the job we are trying to undertake today.

As much as the bill will be that Senator SANDERS worked on, without the VA MILCON appropriations bill, the veterans will lack key tools to expand care, important support personnel that allows the doctors and nurses to do their job, important technology to run contemporary institutions. By the way, the bill we are going to be working on, the Sanders bill, is focused on health care, but we on the Appropriations Committee dealt not only with aspects of that but also the terrible backlog on veterans disability.

Mr. President, veterans disability—not only do you have to stand in line to get health care, but you are standing days, weeks, months to get your disability claim. You have lost an arm or a leg or you cannot breathe or you have PTSD and we cannot get your disability processed. This is unacceptable. What we do in the VA bill is come up with the funds to really modernize the VA.

First of all, just in terms of health care, to complement the Sanders bill, we have money in there to develop state-of-the-art technology so the doctors can provide medical health care, to make sure we have the modern equipment and the modern IT systems.

Right now, we need to be able to have DOD talking to the VA because veterans come from DOD. But we have an interoperable system. We work to fix this. We also deal with this backlog. You have no idea, Mr. President. My State of Maryland and my office in Baltimore have not had a good track record. I vowed to my veterans that I would try to break that backlog. And you know what. Working together we have been able to do this.

In the fiscal year 2015 bill, we fund an appeals process, we train additional claims processors, we require the management at the Veterans Benefit Administration to deal with the backlog, working with the new Administrator. We have not only great ideas, but we actually put the money in the Federal checkbook. JOHNSON-KIRK did it. Do you know how they did it? Yes, talking to the VA, reviewing tons of GAO and inspector general reports, and guess what else they did. They talked to the veterans. They talked to these wonderful volunteer service organizations.

So I am going to propose something later on today or later on this week. I do not want to be the chair of a committee who has her face pressed up against the glass looking longingly at the Senate floor with a bill I know will help the Veterans' Administration with the heavy lifting to deal with the health care and disability backlog. Because I believe in no surprises and no stunts, later on today or later on this week, I will ask unanimous consent to bring up the VA MILCON on third reading to be able to compliment what we are doing here today. I want to be able to do that and I hope no Senator will object to it.

Now, just again, in the spirit of full disclosure—because I truly have pledged to my colleagues on both sides of the aisle I would never be a surprise chair and I would never be one to pull gimmicks or stunts—I am going to ask that consent. I want people to know about it so they can discuss it, chew on it, talk at their respective luncheons.

When I ask unanimous consent, I am going to ask that it be brought up on third reading. Why am I doing that? Because under the rules of the Senate, if you bring up a bill on third reading, there are no amendments. So the question would be: Senator MIKULSKI, are you trying to stiff-arm again? No. I am trying to get the job done. I am not trying to stiff-arm the opportunity to offer amendments. But we have 72 hours left before we take this really long break—really long, long, long, very long—did I say ''long''—break. I do not think, when you need health care for veterans, when you need to modernize technology, when you need to crack the backlog—while we are kind of basking in the Sun somewhere—I do not want them in line.

So either this afternoon or sometime tomorrow, I will ask unanimous consent. I will turn to my 99 colleagues, and in the spirit of really meeting compelling needs of our veterans, I will ask that bill come up so that as we move through the other two aspects that we are going to do to help veterans, we can do the VA MILCON bill.

So I wanted to come to the floor today to talk about how we support a

treasured ally, how we look out for our neighbors in the West fighting our wildfires, and how we deal with the crisis in Central America, where children are being victimized and brutalized every day so they are making the long march across that terrain and territory to come to the United States of America.

So I hope in the short time the Senate is going to be in session this week and this month and even this year we could use this week to meet the needs that are confronting us, but, most of all, I would hope we do not just do part of the job for our veterans; we do this trifecta that I am recommending: passing the Veterans Accountability Act, the health care act; give us a new CEO; and have a chance to pass the VA MILCON bill.

I yield the floor.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Mr. President, I want to associate myself with the remarks of the chairwoman of the Appropriations Committee, my chairwoman, Senator MIKULSKI.

I would add perhaps one particular point; that is, this Senator will be basking in the Sun in Illinois during the recess, and I invite the Senator from Maryland to come join us any time she would like to. But it will not be in ordinary vacation climes; it will be in my home State. I am sure the Senator is going to be spending a lot of time in hers as well.

Ms. MIKULSKI. If I could respond to the Senator from Illinois, yes, I am staying in Maryland because I had hoped we would even be working on conference reports and so on. But while the Senator is in Illinois and I am in Maryland, most of all, we do not want our veterans standing in line for their health care or their disability benefits. So shoulder to shoulder, forward together.

Mr. DURBIN. I thank Senator MIKULSKI.

Mr. President, this supplemental appropriations bill is important. It is timely. One of the provisions in it is an additional $225 million for the Iron Dome defense. The Iron Dome defense is a joint effort by the United States and Israel to protect Israel from rocket attacks. Imagine you are living in your hometown and a neighboring State or neighboring town just fired 2,000 rockets into your hometown. These are not Fourth of July rockets; these are deadly rockets that kill. You want some protection. The Iron Dome provides protection for Israel.

This joint effort by the United States and Israel has been successful. Despite 2,000 rocket attacks, the casualties on the Israeli side have been minimal, relatively minimal, and it is because of the Iron Dome defense.

What attacks does Israel face today? Well, they face Hamas attacks from Gaza. Hamas is an organization which the United States characterized as a terrorist organization almost 20 years ago. We know Hamas. We know their tactics. What they are doing is putting rocket launchers in civilian neighborhoods near hospitals and apartments and homes, and they are launching these missile attacks on Israel and daring them to fire back into civilian populations.

Iron Dome protects the Israeli population from the missiles being shot by Hamas in Gaza. Now the Israelis have invaded Gaza to go to the source to stop these rocket attacks.

Sadly, during the course of this effort in Gaza, there have been casualties—some on the Israeli side, of course; but hundreds, maybe a thousand on the side of the civilian population in Gaza. This is because the strategy of Hamas is to put their armaments smack-dab in the middle of civilian populations. As has been said, in Israel, they use weapons to protect civilians; and in Gaza, they are using civilians to protect weapons. That has to come to an end. We have to have an end to the hostilities between Gaza and Israel. No nation—no nation on Earth—would sit still for 2,000 rocket attacks into their population. That is what Israel has faced over the past several weeks. But the people of Gaza also need much better than they are receiving when it comes to Hamas.

Hamas, sadly, is engaging in tactics using human shields at the expense of the civilian population. When they are told about the civilians that are dying in Gaza, leaders in Hamas say: Well, they are martyrs for the cause. I will have to tell you, it would be very difficult for me to understand and explain to a family that has lost a child they love that their child has just become a martyr.

This has to come to an end. The hostilities between Gaza and Israel have to end, I hope, in some negotiation and peaceful resolution. Maybe it is wishful thinking, but I do believe we need to make the effort. I commend Secretary of State Kerry for his effort at trying to engage Egypt and others in this conversation.

The supplemental bill before us today provides more money for interceptor missiles for Iron Dome—to protect Israel—money requested by our Secretary of Defense, money which I support. As chairman of the Defense Appropriations Subcommittee, we added some $350 million for Iron Dome defenses in the next fiscal year which begins October 1. This money is needed now because of the hostilities between these two countries. I certainly support it.

A second part, the major part of this supplemental appropriation, deals with the humanitarian refugee crisis we have on our border. It is not often the United States faces a refugee crisis. Think back in history. The only refugees who come to our shores are usually from nearby countries: Haiti, Cuba. Occasionally, we have refugees coming such as after the Vietnam War, the Hmong people who were our allies in that war.

But we are not like most countries in the Middle East, for example, that have a steady stream of refugees. The United States does not engage in refugee crisis alleviation because of our location and geography and our history. Seldom have we been challenged. But today we are challenged. We are challenged because in the first 6 months of the year 57,000 unaccompanied children—children—presented themselves at the border with Mexico. They were not trying to sneak in. They literally walked across the border and presented themselves to the first person in uniform.

They were told to do that by their families. Why did they make the trip to the border as kids—by themselves—to present themselves? Because in three countries in Central America there is a state of lawlessness: Guatemala, Honduras, El Salvador. Eighty percent of the children who have come to the border came from those three countries. They are not just coming to the United States, incidentally. There has been a 700-percent increase in refugees to adjoining Central American countries from those three countries.

This has been going on for some time. But for the past 2 or 3 years, it has gone from bad to dramatically worse. We met last week with the Ambassadors from these three countries, and we talked about what created this. A lot of it has to do with the drug gangs—drug gangs that are transporting drugs through those countries for sale largely in the United States. These drug gangs have become powerful and rich, well armed and notorious for their barbaric tactics.

They recruit young people into their drug gangs at the point of a gun. They mutilate those who even hesitate to join the drug gangs. God forbid it is your daughter, because they have a reputation for raping young girls. If they are not satisfied with their response, they kill them on the spot and leave them in plastic bags by the highway. That is why many families are sending their kids away from this deadly violence.

Two weeks ago I went to a shelter in Chicago. This was a transitional shelter where 70 children from the border are being held until they can be placed with their families in the United States or with some trusting family that takes up foster care. I saw these kids firsthand. Your image of them may be different than what you actually see.

My wife said to me: Well, why do they not show pictures of these kids? Well, they try to protect their identity and confidentiality by not showing photos. But if you could see them, you would see children of all ages. There were five women who walked into the dining hall at this transitional shelter.

They did not seem to me to be 14 years of age. Each one was carrying a baby. They were the victims of rape in Honduras. They were carrying these newborn infants in their arms, as they

had done during the 8-day bus journey to get to the border. I asked some of the staff at this transitional shelter—I had been told that many of the families, before they send their young girls on this dangerous and sometimes deadly journey, give the girls birth control pills because they anticipate they will be attacked during the course of this journey. They said: It is true.

What desperation would you have to reach before you turned your daughter loose under those circumstances? These families are literally trying to escape a burning home and sending their kids to the only safe and secure place they can think of.

What do we need to do? First, we need to get to these countries and tell them: Stop. Stop these deadly journeys, these journeys which, sadly, lead to harm and even death for some of these children. Do not let this happen any more. We have to work with the governments of those countries to make it clear this is the wrong thing to do. It is wrong because once these kids get into America, they are not entitled to stay. They are not entitled to be citizens, unless, perhaps, they qualify for asylum. They are going to be sent back.

After they are sent back to these countries, if they ever try to reenter the United States they can be found guilty of a felony. This is serious. So the notion that they can just come to America and stay here if they wish is not true. That is the first thing we need to do.

The second thing we need to do is to stop the smuggling and the coyotes that are bringing these kids into the United States. They are charging these poor families in Central America thousands of dollars they do not have to bring these kids to the border. We have to work with Mexico to hold these coyotes and smugglers accountable.

Third, I want to tell you, I think this really is key to our discussion. This is a test of who we are as a country. How many times in our history has the United States rallied for families and children around the world?

Do you remember just a month or two ago in Nigeria when 300 girls were kidnapped by Islamic extremists? Members of the Senate from both parties came to the floor to protest outrage that 300 young teenage girls would be kidnapped by these extremists. We engaged at every level to let the world know America cared. It was not the first time. There is a long history of it. We have stood for families and children around the world for humanitarian purposes throughout our history. Look back to the refuseniks, the Russian Jews who were being discriminated against in the Soviet Union. The United States was one of the leading nations in the world to stand behind those families and those children, bringing them to the United States so that they could escape antisemitism and Communism.

When you look at the victims of the Haitian earthquake, the United States was providing foreign aid to those families and children because we are, in fact, a caring nation. That is who we are. Throughout our history we have shown it. We need to show it again with these children. Some extreme American politicians have said: It is not our problem. Put them on a bus. Put them on a plane and dump them back wherever they came from—not our problem.

God forbid that is the verdict of history, that the United States, when it saw vulnerable, helpless children, did not care. I think more highly of this country. I think we have proven over and over that we do care. There have been some extraordinary statements made about this crisis by many people. The one that caught my eye was from a friend who happens to be the Governor of the Commonwealth of Massachusetts. Deval Patrick was born in Chicago. Maybe that is why I am partial to him. But Deval Patrick spoke about Massachusetts and its feelings toward these children.

He recalled moments of history. Here is what he said: My inclination is to remember what happened when a ship full of Jewish children tried to come to the United States in 1939 and the United States turned them away. Many of them went back to their deaths in Nazi concentration camps.

He went on to say:

> I think we are a bigger hearted people than that as Americans.

I agree with Governor Patrick. President Obama has asked for resources to care for these children, to place them, to give them the right of seeking asylum if they can make that established legal claim and, if not, to return them, humanely, to the countries they came from. Two of the three Ambassadors we met with, incidentally, said they could not guarantee the safety of those children in Honduras or El Salvador, if they came back. Let's do the right thing and pass this supplemental appropriation. Let's provide the resources so these children are treated humanely, ultimately given their hearing, ultimately returned, in most cases, to the country they came from.

How will history judge us? How will we be judged if, when these refugee children came to our border, they were turned away and sent back to harm, violence or even death?

We do not want that to happen. That is not who we are as Americans. We care. We show it. Our government should show it as well. The Senate will get an opportunity to do that very soon—we hope maybe this day or this week—as we wind down the session.

The last point I want to make is a tribute to two of my colleagues who have done an extraordinary job when it comes to the Veterans' Administration. I am referring to JOHN MCCAIN, my friend who came to Congress with me many years ago, the former Republican candidate for President and a conservative from Arizona. He teamed up with—of all people—BERNIE SANDERS of Vermont, self-styled independent socialist Democrat. How about that? SANDERS and MCCAIN sat down to solve the challenge facing the VA. God bless them. They did it. They are reporting a bill to us which is a dramatic improvement over the current VA system.

We are now overwhelmed with the Veterans' Administration disability claims. Forty-five percent of the veterans coming home from Iraq and Afghanistan have filed a claim. We have tens of thousands of these claims pending, many of them for post-traumatic stress disorder.

We have said, incidentally, that we are going to help all veterans. Some 400,000 veterans from other wars are making PTSD claims. In addition, we have those who served in Vietnam, exposed to Agent Orange and with nine different diseases being treated. We have those who were victims of Gulf War Syndrome being treated. We have homeless veterans who are now being brought in and counseled so they can get their lives back on track. It is an overwhelming responsibility which the VA has today.

The Sanders-McCain veterans bill is going to address them by providing more resources for our veterans and more medical professionals, which we need. Remember—we all should every single day—that we said to the men and women who enlisted in our military and who volunteered: If you will raise your hand, swear allegiance to this country and risk your life, we will stand by you when you come home.

We are going to keep our word. We promised. We are going to keep our word. This bill—this veterans bill that is going to come before us this week—does exactly that. SANDERS and MCCAIN met with the House conferees and worked out an agreement—an agreement which is going to benefit the Hines VA in Chicago with an additional facility which they need. There is an amendment which is going to help facilities all across this country serving our veterans—an amendment which says: If you happen to live too far away from a veterans hospital, we are going to find a way to make sure you get timely care that is near your home. I think it is the least we can do. We owe it to our vets.

I tip my hat to my colleagues, Republican and Democrat alike, who put this together. I am looking forward to voting for it this week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I agree with my distinguished colleague, the senior Senator from Illinois. I think Senator SANDERS and Senator MCCAIN showed that things can get done around here. I think of the tremendous work the Senator from Illinois did last year and helped us get an immigration bill through this body. We had a large majority of the Senate vote for it—Republicans and Democrats alike.

How I wish the leadership in the House had allowed them to vote on it. I think we would be in a far better position to deal with these problems with the DREAMers and with those seeking to come into our country. I applaud the Senator from Illinois for never giving up.

Mr. DURBIN. If the Senator from Vermont would yield for just one moment. I want to thank him personally. As chairman of the Senate Judiciary Committee, he has made a point of making sure the DREAM Act, a bill which I introduced 13 years ago, has had a fair hearing before the committee on more than one occasion and has been reported by the committee. It was part of that comprehensive immigration bill. I thank him for bringing it up.

I just want to say for the record that one Republican Senator has said he wants to deport all of the DREAMers. He is in for a fight because these young men and women are proving over and over they can make a valuable contribution to this country. I thank the Senator from Vermont.

(The remarks of Mr. LEAHY pertaining to the introduction of S. 2658 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. FRANKEN. I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Ms. HEITKAMP). Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF ROBERT ALAN McDONALD TO BE SECRETARY OF VETERANS AFFAIRS

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 bill clerk read the nomination of Robert Alan McDonald, of Ohio, to be Secretary of Veterans Affairs.

The PRESIDING OFFICER. Under the previous order, the time until 12:30 will be equally divided in the usual form.

The Senator from Vermont.

VETERANS HEALTH CARE

Mr. SANDERS. Madam President, as the chairman of the Senate Committee on Veterans' Affairs, I rise today in strong support of the nomination of Robert McDonald to serve as Secretary of Veterans' Affairs.

I also thank Majority Leader REID for moving this important nomination forward as quickly as he has, and I very much hope that later this afternoon, with a very strong vote, the Senate will vote to confirm Robert McDonald as Secretary of the VA.

Before I talk about Mr. McDonald's qualifications, I wish to take a moment to express my sincere thanks to GEN Eric Shinseki for his dedicated service to our Nation, first as a soldier and then as head of the VA, working tirelessly to provide for those injured during war and the families of those who perished on the battlefield. He set very ambitious goals, and under his leadership VA made significant strides in reducing veteran homelessness and transforming a paper-based claims system to one fit for the 21st century. I thank him and his family very much for his service.

It is my strong belief that Robert McDonald will bring two very important qualities to the position of Secretary of Veterans Affairs.

First, he is familiar with the military as well as the needs of veterans and their families. Mr. McDonald and his family have a history of service to our Nation. Mr. McDonald began his service as a cadet at the United States Military Academy at West Point. He graduated in 1975 in the top 2 percent of his class with a degree in engineering and went on to serve as an infantry officer in the Army's 82nd Airborne, earning Airborne and Ranger qualifications during his military service. His father served in the Army Air Corps after World War II. Additionally, his wife's father was held as a POW after being shot down over Europe. Her uncle served in Vietnam and still receives care at the VA. Also, Mr. McDonald's nephew is currently serving and deployed with the U.S. Air Force. In other words, Mr. McDonald and his family have a deep understanding and service with the U.S. military.

Upon hearing Mr. McDonald at the hearing we held in our committee for the confirmation process, I was convinced that he has a deep passion to do everything he can to protect our veterans.

The other quality Mr. McDonald brings to this job is that he has been the CEO of one of America's leading corporations, a company which has tens of thousands of employees. His more than 33 years with Procter & Gamble gives him the tools to create a well-run and accountable VA. In other words, he will bring the tools of a CEO and a private corporation to the VA—a huge bureaucracy that needs a significant improvement in accountability and in management.

As we begin debate on Mr. McDonald's nomination, I believe it is important that my colleagues understand the realities he will face in leading the VA.

The VA operates the largest integrated health care system in the United States, with over 1,700 points of care which include 150 hospitals, 820 community-based outreach clinics, and 300 vet centers. In fiscal year 2013 the VA provided 89.7 million outpatient visits each day—today, tomorrow, yesterday. The VA conducts approximately 236,000 health care appointments. In other words, it is a huge system.

VA's problems, which Mr. McDonald will have to address immediately, have been widely reported in recent months. In my view, Acting Secretary Sloan Gibson has done an excellent job in taking a number of critical steps to address the problems confronting the VA, but clearly there is much more to be done.

We now know, among other issues, there is a significant shortage of doctors, nurses, and mental health providers within VA, as well as the physical space necessary to provide timely access to quality care. This is a major problem because at the end of the day, no matter how well run the VA is or any health care system is, we are not going to be able to provide quality, timely care unless there are the doctors, nurses, and other medical personnel available to do that work. As a result of the shortages, we know that we have tens of thousands of veterans today in many parts of this country on lists that are much too long in order to gain access to the VA. We also know that hundreds of thousands of veterans who have appointments scheduled are waiting too long to be seen and receive care.

I think it is important that everybody recognize that as a result of the wars in Iraq and Afghanistan, in the last 5 years 2 million more veterans have come into the VA. This is on top of an aging population of VA patients who served in World War II, Korea, and Vietnam—patients who often need a whole lot of care as they age. So combine new people coming into the VA, often with very serious problems—including some 500,000 veterans coming home from Iraq and Afghanistan with PTSD and TBI—and an aging population with difficult problems, and that is where we are, and those are some of the issues the VA is going to have to address.

While I am on the subject, let me say that most people understand—and that includes many of the veterans I talk to every day in Vermont, veterans across the country, and the national veterans organizations that represent millions of veterans—that once people get into the VA system, in general the quality of care is good. That is not just what veterans and their organizations say; that is what a number of independent studies show. Our problem right now is how to figure out a way that when people apply for VA health care, they get into the system quickly and that once they are in the system, they get the appointments they need in a timely manner. That is our job. It is not going to be an easy job, but that is the job we face.

My hope is that tomorrow or Thursday the House and the Senate will be voting on a comprehensive piece of legislation authored by Congressman JEFF MILLER, chairman of the House Veterans' Affairs Committee, and me. I think it is terribly important that we pass that bipartisan legislation with a strong vote in both Houses because

that legislation will give the new Secretary the tools he needs to go forward aggressively in addressing many of the problems facing the VA.

I hope every Member of the House and Senate understands it is unacceptable that veterans in this country are on terribly long waiting lines and cannot get the health care they need in a timely manner.

This legislation, which I hope will be passed this week by the House and the Senate, provides $10 billion for emergency health care so that if a veteran can't get into the VA, that veteran will be able to go to a private physician, a community-based health center, a military base, or whatever but will be able to get timely care.

In addition, the legislation puts $5 billion into the VA so that they will be able to hire the doctors, the mental health counselors, nurses, and other medical personnel they need so that as soon as possible, when veterans apply for VA health care, they will get not only quality care but timely care.

In addition, this legislation addresses an issue many veterans around the country, especially in rural areas, are worried about—that if they live long distances away from the VA, they will not have to travel 100 miles to get the health care they need; that if they live 40 miles or more away from the VA facility, they will be able to go to a doctor of their choice in that community. This is an important step forward.

This legislation will also do some terribly important work in making sure that widows—women who lost their husbands in battle—will be able to get the education they should be entitled to under the post-9/11 GI bill.

This legislation deals with an issue passed by the House; that is, instate tuition for veterans who today may not be able to take advantage of the post-9/11 GI bill.

This legislation also addresses a very serious crisis within the military today; that is, the issue of sexual abuse and providing women and men who have been abused sexually in the military with care at the VA.

We are at a very important moment in terms of the Veterans' Administration. We will have new leadership at the VA after Mr. McDonald is confirmed. We have a significant piece of legislation that I hope and expect will be passed this week to give the new leadership the tools it needs to start addressing the problems facing our veterans.

It seems to me that if this Nation stands for anything, it must protect and defend those who have protected and defended us. When people put their lives on the line and they come back wounded from war—either in body or in spirit—it seems absolutely immoral if we turn our backs on those men and women.

The legislation we will pass this week begins to address those concerns, and I hope we will do so under the new leadership Mr. McDonald will provide.

Madam President, I yield my remaining time to Senator BROWN to hear his comments on the nomination.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I applaud Senator SANDERS for his work on the veterans conference report.

I spoke at a breakfast today. I was with the Presiding Officer from North Dakota at the Air Force Caucus. As important as the Air Force is in North Dakota, it is equally important at Wright-Patterson Air Force Base in Dayton, OH—outside of Dayton.

One of the things I talked about at this breakfast is how proud I am, when it looks as if the Senate does not get as much done as we would like, that Senator SANDERS and Senator MCCAIN—with a supporting cast but principally the two of them—were able to negotiate with a sometimes reluctant, sometimes erratic House of Representatives on some of these issues. They were able to negotiate a very good veterans bill that will primarily do three things: first, make those accountable at the VA actually accountable; second, take care of those veterans who have had to wait longer than 30 days for their care in the VA, veterans who have earned this care; and third, will scale up the VA—the most important parts—so there will be enough doctors and nurses, mental health therapists and occupational therapists, and enough beds and enough capacity at the VA centers and at the community-based outpatient clinics. If you are in the system, you get good care. It is just that too many haven't been able to get into the system, partly because when we went to war a decade-plus ago, the people running the administration in those days and the Congress said: This war will be short. We don't need to bother with scaling up the VA.

That was shameful. They were dead wrong. Unfortunately, far too many veterans have paid the price. That is why this legislation is so important. The timing is perfect to get this reform at the same time that we have an opportunity this week to confirm Robert McDonald, a fellow Ohioan from Cincinnati who ran a company that had more than 100,000 employees, one of the world's biggest, most prestigious consumer companies.

He went to West Point. He served veterans before. He understands veterans' issues. I talked with him a number of times, as has Chairman SANDERS, and Mr. McDonald, as the soon-to-be—I hope the new Secretary. I ask my colleagues to support him—new Secretary will have these new tools because of this conference report which I am hopeful we pass this week

Mr. McDonald understands the importance of VA health care. He knows—he said this to me in my office and a couple of other times—that the Veterans' Administration has a hospital system unlike any other in the country. It knows how to treat unique illnesses and unique injuries—unique mostly to veterans—various kinds of brain trauma, various kinds of physical injuries, other kinds of treatment. That is why it makes sense for Mr. McDonald to be the new Secretary of the VA. That is why this veterans conference report is very important.

Mr. BROWN. I yield for my distinguished friend from Georgia.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Madam President, I ask unanimous consent to address the Senate for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ISAKSON. Madam President, I want to commend Chairman SANDERS for his leadership. Last night at 9:30 p.m., I came back to the Capitol and executed a conference agreement that he has worked very hard on, and ranking member Senator BURR worked very hard on, and pulled together disparate factions to address the needs of our veterans in a bill that is going to be a toolkit for Robert McDonald, who I hope will be unanimously approved as the next Secretary of the VA in the President's Cabinet.

I rise to talk about Mr. McDonald, but before I do, I want to talk about that conference report.

Our veterans have been abused in the last 10 to 12 years because of a veterans' medical service that has not performed the services they need to perform for our veterans in America. One of the reasons they did this is, Admiral Shinseki, who was the former Secretary, was actually insulated from a lot of the information that was going on in his own Department by the senior leadership at the VA who had become comfortable and passive and not active in terms of the operation of VA medical services.

The bill we signed last night that the Senate will vote on in the next few days is the bill that gives Mr. McDonald and the next Secretary to come the tools they need to enhance the VA and to make it a responsive organization to the 22 million veterans, 6.5 million of whom use veteran medical services, and to the 774,000 veterans in my home State of Georgia who deserve and demand, if you will, the services they were promised when they went into the U.S. military.

Bob McDonald is an outstanding American. He was president, CEO, and chairman of the board of one of the most respected companies in America, Procter & Gamble.

He is the father of two, grandfather of two additional children. He is an outstanding American and his wife Diane is an outstanding lady in support of him and his job at Procter & Gamble. He is going to need that support now as he heads to the VA.

He was a captain in the U.S. military. He graduated from West Point, was trained in airborne warfare, desert warfare, and subtemperature warfare, and he is going to need those talents at the VA in each and every case because it is a mess.

The conference committee report we have passed gives him two tools that are essential. It gives him the authority to hire and fire title 38 and title 5 employees. Title 5 employs the senior leadership and title 38 the next step in leadership down, which is what the VA needs. The VA is an organization of 340,000 people which in the last 3 years has averaged 3,000 disciplinary actions a year. Each of those disciplinary actions meant people were moved from one job to another within the VA and did not lose pay. There is no accountability in the VA and there really has not been. That is why the systemic problems on appointments and veterans services and everything else going on in the VA has not happened. By giving him the opportunity to hire and fire, he will have the respect and attention of those who work in the VA to understand full well they are going to have to carry out the game plan of this leader.

He understands metrics. He understands accountability. He understands leadership. He has taken a job he didn't have to accept, a job he didn't need to have to do at this time in his life, but a job he wants to do to give back to the country he loves and the country he served in the military.

I am confident Bob McDonald will be an outstanding Secretary of the Veterans' Administration, and I commend him to my fellow Senators with my highest recommendation in the hopes that he will be approved unanimously.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Thank you, Madam President.

I stand today also with high hopes that the new leadership at the VA will bring much needed changes to a department that is clearly, quite frankly, in a shambles, failing our Nation's veterans. During his committee hearing, the nominee Robert McDonald promised to bring a high level of accountability and transparency to the VA, two characteristics that are sorely needed. This is extremely important in an agency where under the leadership of the previous Secretary it would often take months to get answers to routine questions—or in many cases you would never get answers at all.

By the end of this week I am also hopeful that besides confirming the new Secretary, we will send to the President the Veterans Access Choice and Accountability Act. This important legislation includes many needed reforms to the VA, including bringing that accountability to the Department and actually providing our Nation's veterans with choices about where they can receive care.

The bill also, perhaps most importantly for Louisiana, finally authorizes much needed community-based clinics around the country, including two which have been long delayed in Louisiana by pure ineptitude and bureaucratic screw-ups at the VA—clinics and expanded clinics in Lafayette and Lake Charles. For 4 years I have been fighting the Washington bureaucracy tooth and nail to get these new expanded outpatient clinics. They are vitally important to Louisiana veterans who now sometimes have to drive up to 4 hours to receive services that have been promised to them much closer to their community.

The current clinics in Acadiana are overcrowded and don't offer the full range of services that these new clinics will. As I said, VA ineptitude delayed the clinics in the first place. If it weren't for their mistakes, these clinics would actually already be built. When they were finally teed up and ready to go, then the Congressional Budget Office made a ridiculous decision that again threw these clinics into limbo because of a scoring issue out of the blue. Finally in December, the House was able to pass a bill that dealt with these CBO concerns that passed 346 to 1.

Normally when a bill passes with that sort of margin the Senate will quickly pass it by unanimous consent. Unfortunately, that didn't happen.

First we needed to attach an amendment to address some marginal concerns. Then even after we had done that—even after that received full agreement in the Senate, unfortunately Senate Democrats, led by the Chair of the Veterans' Affairs Committee, held up the legislation basically as a hostage to try to get a broader VA package. Actually I had to come down and ask unanimous consent for the House clinics legislation six times on the floor. Unfortunately, six times Senator SANDERS denied that unanimous consent. It was only after the VA scandal broke that momentum shifted and, thankfully, it looks as though we will finally pass this into law, the clinics legislation, along with this important reform bill.

When the authorization occurs, I strongly urge Mr. McDonald and the VA to streamline the process to get these two clinics built as soon as possible, given the long and arduous history of VA delays and screw-ups. The veterans of Louisiana have waited patiently, literally for years. These clinics are overdue. Let's get on with it. Louisiana veterans have had to wait for numerous delays caused by VA mistakes. The least the Department can do is to make sure these clinics are now built with the utmost haste and efficiency.

Thank you, Madam President. 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.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. 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. MORAN. Madam President, I ask unanimous consent to address the Senate for approximately 4 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MCDONALD NOMINATION

Mr. MORAN. Madam President, I have been a Member of Congress in both the House and in the Senate, and in my entire time as a Member of Congress I have served on either the House or Senate Veterans' Affairs Committee. Over that time I have worked with nine Secretaries of the Department of Veterans Affairs.

Today I am here to add my support and ask for the confirmation of someone who I believe will be the next Secretary of the Department of Veterans Affairs, Mr. Bob McDonald.

I had believed—I do believe—that a change at the Department of Veterans Affairs was necessary. I made clear that we needed to change the leadership at the top, and I believe this change is a good thing for the Department—the management of the Department, but, most importantly, for the veterans whom the Department is to serve.

I also know a change in the leadership of the Department of Veterans Affairs in and of itself is insufficient to solve the problems our veterans are facing in access to health care and in the long time our veterans are required to wait to receive their benefits.

I have met with Mr. McDonald in my office. I also, as a member of the Senate Veterans' Affairs Committee, had the opportunity to listen to him testify and to ask him questions in the confirmation process, and I was completely impressed by his candor, his sincerity, and certainly his commitment to serving our Nation's veterans. He is a leader in the tradition of the 82nd Airborne Paratroopers who are well regarded as the first to be called when there is a military emergency. As they say, when the President calls, the 82nd Airborne will answer. In my view, that is exactly what we have in Mr. McDonald. When the President called, he answered that call. He answered the opportunity to serve the veterans of this country.

When the President needed help, he found someone, in my view, who will dutifully fulfill the responsibilities of being a Cabinet Secretary and work on behalf of our Nation's veterans.

It seems to me there is no certainty in this world in which we know people for brief amounts of time, but it certainly seems clear to me that Mr. McDonald is the right person to lead the VA. He is willing and capable of restoring hope in veterans so they can trust the agency and the Department that was created for their benefit.

I asked the President—I don't know that he ever saw my request or certainly never probably listened to my request, but the plea was please nominate someone from outside the Department of Veterans Affairs. This gentleman, Mr. McDonald, while having

military experience, has a significant background of being the CEO of Proctor & Gamble, and in that position he was well-known for his value-based leadership, believing that ''the best companies and leaders operate with a clear purpose and consistent set of principles or values.''

What the VA must do right now is to dismantle the bureaucracy, break down the culture of indifference, and review its commitment to the core values of the Department. There is no higher calling than to take care of the men and women who served our country.

Mr. McDonald shares that dedication to making certain our veterans have access to quality care—the best our Nation can offer—and he is focused and ready to take on the challenges that lie ahead. At least he convinced me that is the case.

There is now, fortunately, compromise legislation poised to pass both the House and Senate this week that will soon offer veterans more access to the quality care they deserve. Although this legislation is significant, it is impossible for Congress to mandate a change in attitude. Leaders can change attitudes at the Department. Congress does not have the power to control or develop a workforce that treats veterans like patriots, deserving care from a grateful nation, rather than to make them feel as though they are a burden.

Leadership throughout the institution, starting with Bob McDonald at the top, must command the VA to head down a new path of redemption and hope. We must create an agency that is more cost-effective, more compassionate, and more caring toward the veterans it serves. The VA must become an agency that is worthy of the service and sacrifice of our Nation's veterans.

Madam President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:35 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

NOMINATION OF ROBERT ALAN McDONALD TO BE SECRETARY OF VETERANS AFFAIRS—Continued

The PRESIDING OFFICER. Under the previous order, the time until 2:45 p.m. will be equally divided in the usual form.

The Senator from Washington.

Mrs. MURRAY. Madam President, before I begin I do want to take a moment to commend the chairmen of the Veterans' Affairs Committees in both the House and the Senate for their commitment to reaching a deal that puts our veterans first and gives the VA the tools they need to address immediate challenges.

More importantly, I really applaud their work to build and strengthen the VA system in order to continue to deliver the best care for our Nation's heroes over the long term.

The deal they announced yesterday is a very important step toward addressing a lot of issues that we know exist within the VA system, but it cannot be the final step. As transparency and accountability increase at the VA, so will the investigations and reports of additional concerns, requiring even more action from the VA, from the administration, and from this Congress.

However, as Chairman MILLER said yesterday, we cannot legislate good character here in Congress. It is going to be up to the leadership at the Department of Veterans Affairs to truly enact those reforms.

So I have come to the floor today in support of the nomination of Robert McDonald, someone I believe has the skills necessary to make these necessary changes as the next VA Secretary.

As I told Mr. McDonald last week, he is faced with a truly monumental task. Even as we pass comprehensive legislation to bring significant reforms at the VA to reduce wait times, to improve accountability, there are still many serious challenges the VA must address.

Twenty-two veterans still take their own lives each day. Thousands of veterans are alone, coping with sexual assaults. And while the Department has made commendable progress, it will be an uphill battle as we work to eliminate veterans homelessness and the claims backlog. Mr. McDonald will have to grapple with these and many more issues—all on day one.

When I met with Mr. McDonald in my office a few weeks ago, he told me he was one of the veterans who was lost in the system during his transition from military life to civilian life. So I trust—I trust—he understands what a critical moment this is for the VA and why we must finally fix many of these systemic and cultural challenges.

We have all made a promise to those who have signed up to serve. So I encourage my colleagues to support this nomination. I am hopeful the steps we are taking here this week on behalf of our Nation's heroes will finally ignite the much-delayed reforms our veterans have been demanding and they deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, I stand today not to rehash with my colleagues the crisis that exists at the Veterans' Administration or to share it with the American people. They know the story, and especially our Nation's veterans, who have been given the runaround.

I am here to highlight a success in the Senate. See, my colleagues, on July 7, 2014—not even a month ago—we received the nomination for the new VA Secretary from the President.

On July 22 of this month, we had a confirmation hearing on that nomination. On July 23—the next day—Robert McDonald was passed unanimously out of the committee. Today—before the end of July—we are on the Senate floor to confirm Robert McDonald as the next VA Secretary.

I rise to urge my colleagues to support this nomination. The VA needs a confirmed Secretary in place to begin a long, arduous process of reform and cultural change.

By now, our colleagues probably know that Bob McDonald is a veteran himself. He is a graduate of West Point. He served 5 years in active duty, and served most of that time at Fort Bragg, NC. So I consider him one of ours.

He spent more than 30 years working for Procter & Gamble—I think the most competitive manufacturing company in the world. His work led him across the globe. But he also had prominent roles at a number of other organizations—Xerox, United States Steel Corporation, and the Business Roundtable.

Mr. McDonald has frequently lectured to groups on leadership skills, and his leadership philosophy was highlighted in the book ''The Leader's Compass.'' He is the type of leader we need at the VA at this very crucial time.

Bob McDonald clearly has the experience to run an organization as large and as diverse as the Department of Veterans Affairs. Perhaps more importantly, he has selflessly agreed to take the challenge of leading the VA at its most critical time—something many people might have passed on.

I hope this week, in addition to this nomination, we will pass legislation to help the VA and its next leader address the systemic problems with access to VA health care and a corrosive culture that led to this crisis. But that legislation would be just one step. An enormous amount of work must be done from within the VA to rebuild its reputation and to turn it into an agency that will live up to the expectations of our veterans and a nation grateful to them for their service. We need a strong leader to do that, and I am glad Robert McDonald has agreed to serve his country once again in this important role.

The nomination received the unanimous support of the Veterans' Affairs Committee. I urge my colleagues: Confirm Robert McDonald as the next Secretary of the VA, and let's get on with the important work of reform at that agency.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Madam President, my colleague from North Carolina has just spoken on behalf of the nomination of Robert McDonald to be the Secretary of the Department of Veterans Affairs, and I will do likewise. He has also spoken of his background as a graduate of West Point, as an Army officer, and as the CEO of one of the largest companies in the world.

I had the occasion to meet with Mr. McDonald, and he could be the man of the hour. I hope he will be. He looks that way now.

With that in mind, I rise today in support of Robert McDonald's nomination for Secretary of the Department of Veterans Affairs. It is my hope that Robert McDonald will bring a renewed commitment, energy, and acumen to address the Department's systemic problems that we all know exist.

The allegations against the Department of Veterans Affairs are incredibly serious. Therefore, I rise in defense of our Nation's veterans. Our veterans have put themselves in harm' way to defend us, and I think it is only right that we do everything in our power to defend them and their interests when they return home.

Allegations that veterans were not only denied timely access to care but that scheduling delays, secret waiting lists, and lost records may have led to veterans' deaths are totally unacceptable. These allegations of mismanagement and cover-up at the Veterans' Administration are beyond disturbing; they are sickening, they need to be corrected, and they need to be corrected immediately.

Our veterans deserve better. Our veterans have earned these benefits through their dedicated service and sacrifice to our Nation, and the VA must correct these problems, not just study them. It is my hope that Robert McDonald will actively work to address these tremendous challenges.

But according to the VA's recent nationwide audit, new patients using the Central Alabama Veterans Health Care System waited an average of over 74 days to see a primary care doctor. That is totally unacceptable. That is nearly three times greater than the national average of 27 days for new patient wait times. I look forward to working with the new VA Secretary to review the Department's plan to initiate corrective action, both in Alabama and across the Nation.

While the VA's wait time statistics are certainly disturbing to all of us, the problem does not end there. Allegations that VA employees may have submitted false records to justify their own receipt of performance bonuses suggest the possibility that the deceit and mistreatment I have described may also have been compounded by a lot of fraud.

In May, Appropriations Committee Chairwoman BARBARA MIKULSKI and I wrote a letter to Attorney General Eric Holder and called on the Department of Justice to begin appropriate criminal and civil investigations into allegations of misconduct at the Veterans' Administration. We have also recommended that the Commerce-Justice-Science appropriations bill—and we serve as the chair and ranking member of that committee—provide the resources for these investigations. The Veterans Affairs and Military Construction appropriations bill provides an additional $5 million to investigate VA scheduling practices. And legislation introduced this week requests an additional $17 billion to improve the VA over the next 3 years.

While I commend these efforts to initiate corrective action, I believe it is only a starting point. A lack of funding is not the mainspring of the VA's troubled past. I look forward to working with the Presiding Officer and others—with the new VA Secretary—to ensure these problems at the VA are rectified as soon as possible before any more veterans are adversely affected.

Solving the issues at the VA has never been more imperative than it is today, as American service members continue to risk their lives every day for our Nation. Support for our Armed Forces must never waiver, and it must be just as strong when they return home. Who will fight our wars in the future if we do not prove that we respect our veterans today?

Veterans have risked their lives for the freedoms we all enjoy and thus should receive the care they most assuredly deserve and have earned. Defending veterans' access to timely medical care today is the very least, I believe, we can do because they defended us first.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

ISRAEL

Mr. NELSON. Madam President, a part of the appropriations supplemental bill we will consider tomorrow is approximately $245 million—I think I have that figure right—for the additional assistance to the Israeli Government for the Iron Dome system.

The United States has been assisting Israel in order to be able to buy this system. To the credit of the scientists and the military planners in Israel, they developed this system, and it is a very sophisticated system. As a matter of fact, when you watch the rockets go off, you will see an incoming round coming, in this case from Gaza, often without any precision guidance.

That is an interesting thing, that they are shooting at urbanized areas where the general civilian population is, and they have incoming rounds that no one knows where they are going; thus, the need for a sophisticated radar that can track it and distinguish first if it is going to fall in an area where there is nobody, where there is nothing in the way of equipment that would be harmed and, therefore, save the ordnance that otherwise would be shot. But the radar is so sophisticated that within seconds and fractions of seconds it can determine that, and then shoot off the round that will intercept the incoming round.

It is a sight to behold to see this Iron Dome rocket go upward and then change its trajectory, almost at a 90-degree angle, to home in on the incoming warhead, and they have a 90-percent success rate.

When this system was first produced, it was so successful that the Israeli people, who had been bombed from outside their territory and had been accustomed to running to bunkers, to shelters, to places where they could be safe, with the institution of Iron Dome, often would come outside and see this aerial fireworks display because it had such a tremendous success rate.

Now things have changed because in the latest conflict with Hamas—and this is just in the course of the last 3 or so weeks—over 2,300 rockets have been fired into Israel. Hamas continues to fire more rockets.

Each night, if you turn on your television news shows, you see another display of all of this going on over on that side of the planet. Thus the need to supply more of the Iron Dome system and the ordnance that goes with it. And thus there will be this item that will be part of the supplemental appropriations request. I commend it to our colleagues to vote for it. It is a system that consistently the U.S. has helped to fund. It has saved a lot of lives.

Remember, the ordnance that is being shot into Israel is usually not a guided system. That is part of the terror that is being aimed at Israel, because it is to inflict casualties upon a civilian population. Yet, with this sophisticated system, 90-percent effective, it is saving a lot of lives. That is what I wanted to share with the Senate.

I yield the floor, and I ask unanimous consent that the time during quorum calls be charged against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. 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. BOOKER. 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. BOOKER. Madam President, I rise today filled with anguish and heartbreak that is shared by so many Americans who have been watching over the past week as countless innocent children and innocent civilians have been killed and live in states of great fear or even terror. Millions are running for bomb shelters time and time again. We are seeing people in Gaza killed or maimed and seeing people in Israel live under the terror in the sky and terror coming from below.

I want to stand resolute and clear about the true cause of this crisis. That lies squarely with Hamas, a terrorist organization whose ends do not start and finish with the well-being of the Palestinian people. Their primary focus and their clear agenda is not peace for their people. Written into their very charter is the firm determination to eliminate the State of Israel. They have proven this evil determination to do everything necessary to achieve their goal. They are willing

to kill Israelis. They are willing to kill Americans. They have killed them both. Even worse, they are willing to put innocent Palestinians in harm's way, causing death and destruction within their own communities, to their own children, to their hospitals and to their schools.

They are in the interests of wracking up casualties to add what they consider, in a warped way, moral force for their terrorist aim. I believe clearly in the evidence that this terrorist organization is willing to stop at no end in order to build their tunnels and to advocate and advance their independence.

They are willing to deny their people food. They are willing to deny their people construction materials that could be building schools and building infrastructure. They are willing to deny medical supplies. They are willing to deny a higher standard of living in order to support clearly terrorist activities.

This is unacceptable. This is unacceptable. This is unacceptable. We as Americans cannot advocate for or in any way accept a false peace that will allow Hamas, a terrorist organization, to continue their effort to destroy the State of Israel. Hamas is not seeking peace. Hamas is not seeking the peaceful coexistence between two states. What they are simply doing is they are willing to cause death and destruction to destroy Israel. Hamas is not a democratically elected organization. They are a terrorist organization. They do not speak for the Palestinian people. Hamas speaks for Hamas.

Their history of killing Americans and Israelis and putting countless of their own people in harm's way, causing their destruction and their denial of the basics, must be stopped. For the sake of the Palestinian people and for the sake of the Israeli people, we as a Nation cannot support any measure or any agenda that gives this terrorist organization harbor or support, that gives this terrorist organization any advantage in trying to achieve their end.

We cannot in this Nation advocate for that kind of false peace that allows Hamas to go back to tunneling, to firing rockets, to hiding missiles in schools and in hospitals, and putting more innocent children in harm's way. We as Americans must advocate for a true peace where two sides clearly recognize the right for peaceful coexistence and where both sides pledge to a true cessation of aggression, not a peace that allows one side to go back to its evil end, to tunneling, to plotting, to preparing just for the next attack. We have seen this before in recent history. We cannot allow it again. Right now we are in a state of crisis. America's voice must be resolute.

We stand with our allies. We stand with the democratic State of Israel. We stand against terrorism.

This is why today I come before you in support of the $225 million in additional funding requested by the Department of Defense to ensure that the Iron Dome in Israel remains equipped to protect civilians from Hamas-fired rockets.

Hamas has fired over 2,500 rockets at Israel over the past 3 weeks, while putting innocent Palestinians at risk to protect their stockpiles and their evil ends. Yesterday alone 51 rockets and mortar shells were fired at Israel.

In this time of crisis, America must stand for a true peace for the Palestinian people and for the Israeli people. Now, as a terrorist organization has evil ends to destroy the State of Israel, we must stand with our ally. We must stand with the State of Israel. We must stand for peace. Therefore, I support this expenditure and continue a resolute, unwavering, and unequivocal support of the continuance of the State of Israel.

Mr. MCCAIN. Madam President, I am pleased that the Senate is taking action this week on two extremely important measures for our Nation's veterans. First, Congress is poised to pass the Veterans Access, Choice, and Accountability Act. This compromise, bipartisan legislation will, for the first time, provide our Nation's veterans who cannot easily get into a Department of Veterans Affairs, VA, health care facility, the ability that most Americans already have: to choose their own doctor. I am also extremely pleased that the legislation allows senior managers of the VA to be fired if they fail to do their jobs.

The Senate is also set to approve the nomination of Mr. Robert McDonald to head the VA. As important as our legislation is for fixing the VA, we cannot legislate a change in culture. Only the head of an agency can reform a toxic culture that allowed veterans to die on wait lists while senior officials lied in order to collect their bonuses.

I have met with Mr. McDonald and we see eye to eye on the massive problems that need to be fixed and the challenges that lie ahead. I am confident he is the right person with the right experience to lead the VA during this challenging time. He is a veteran himself but also has decades of private sector management experience that will serve him well in implementing the Veterans Choice Card and repairing the culture of the VA to focus on the veteran and restore honesty and accountability to that workforce. I thank him for accepting this challenge to serve the Nation again and look forward to working with him in the days ahead.

Mr. LEAHY. Madam President, as we have learned over the past several months, there has been a clear and inexcusable lack of well-earned quality care and timely service provided to many veterans who depend on it from the Department of Veterans Affairs. I hope that the confirmation of Robert McDonald as VA Secretary will be the next step forward in ensuring that our veterans and their families receive the benefits, compensation, and support services they rightfully deserve. While I continue to recognize the hard work and commitment of the many men and women working in the VA system, the broader organizational culture has failed to harness and strengthen individual efforts in order to fulfill our promises to men and women that serve and their families.

When he assumes his new post Robert McDonald will have his work cut out for him at the VA, and he must lead the Department's deep soul-searching. It is my hope that his management experience at Procter & Gamble, including his experience addressing inefficiencies in a corporate entity, will make him the right man for the job. The replacement of a Cabinet Secretary alone does not increase accountability, nor does it reform the underlying problems that enabled the environment we now find ourselves in. These foundational reforms must take place throughout the management of the VA system, and they must address long-term, as well as short-term, challenges.

I was also pleased to hear that after many rounds of negotiations, Senator SANDERS and his counterpart in the House have finally reached a compromise that addresses many of these needed reforms. I commend them both, and I hope this legislation will be swiftly brought to the Senate and House floors and then signed by President Obama, so we can get back on track in serving our veterans as they so honorably have served our Nation. I look forward to working with the future Secretary McDonald to ensure that timely access to quality care for our veterans and their families is the ultimate priority of the VA.

The PRESIDING OFFICER. All time is expired.

The question is, Will the Senate advise and consent to the nomination of Robert Alan McDonald, of Ohio, to be Secretary of Veterans Affairs?

Mr. GRASSLEY. I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. SCHATZ) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea.''

The PRESIDING OFFICER (Mr. MANCHIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 243 Ex.]

YEAS—97

Ayotte	Gillibrand	Murkowski
Baldwin	Graham	Murphy
Barrasso	Grassley	Murray
Begich	Hagan	Nelson
Bennet	Harkin	Paul
Blumenthal	Hatch	Portman
Blunt	Heinrich	Pryor
Booker	Heitkamp	Reed
Boozman	Heller	Reid
Boxer	Hirono	Risch
Brown	Hoeven	Rockefeller
Burr	Inhofe	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schumer
Carper	Johnson (SD)	Scott
Casey	Johnson (WI)	Sessions
Chambliss	Kaine	Shaheen
Coats	King	Shelby
Coburn	Kirk	Stabenow
Cochran	Klobuchar	Tester
Collins	Landrieu	Thune
Coons	Leahy	Toomey
Corker	Lee	Udall (CO)
Cornyn	Levin	Udall (NM)
Crapo	Manchin	Vitter
Cruz	Markey	Walsh
Donnelly	McCain	Warner
Durbin	McCaskill	Warren
Enzi	McConnell	Whitehouse
Feinstein	Menendez	Wicker
Fischer	Merkley	Wyden
Flake	Mikulski	
Franken	Moran	

NOT VOTING—3

Alexander	Roberts	Schatz

The nomination was confirmed.

NOMINATION OF LARRY EDWARD ANDRE, JR., TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF MAURITANIA

NOMINATION OF MICHAEL STEPHEN HOZA TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CAMEROON

NOMINATION OF JOAN A. POLASCHIK TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Larry Edward Andre, Jr., of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Mauritania; Michael Stephen Hoza, of Washington, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cameroon; Joan A. Polaschik, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Democratic Republic of Algeria.

VOTE ON ANDRE NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote on the Andre nomination.

Mr. REID. Mr. President, I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Larry Edward Andre, Jr., of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Mauritania?

The nomination was confirmed.

VOTE ON HOZA NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided on the Hoza nomination.

Mr. REID. Mr. President, I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Michael Stephen Hoza, of Washington, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cameroon?

The nomination was confirmed.

VOTE ON POLASCHIK NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote on the Polaschik nomination.

Mr. REID. I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Joan A. Polaschik, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Democratic Republic of Algeria?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

HIGHWAY AND TRANSPORTATION FUNDING ACT OF 2014

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 5021, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 5021) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

AMENDMENT NO. 3582

(Purpose: To Modify the Provisions Relating to Revenue)

Mr. WYDEN. Mr. President, I call up amendment 3582 from the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN] proposes an amendment number 3582.

Mr. WYDEN. Mr. President, I ask unanimous consent to dispense with the reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in the RECORD of Wednesday, July 23, 2014, under ''Text of Amendments.'')

Mr. WYDEN. Mr. President, the amendment that has just been offered is an amendment the distinguished senior Senator from Utah, Mr. HATCH, and I have worked on for many weeks. It is a bipartisan agreement on emergency transportation funding that the Senate Finance Committee reported virtually unanimously 2 weeks ago.

I urge our colleagues to support this amendment as a replacement for title II of the House legislation. I will briefly describe why.

As the Senate debates transportation funding, it is abundantly clear that all sides agree on the need for a long-term plan to rebuild the Nation's infrastructure. A number of our colleagues, led by Chair BOXER, a number of Republicans, Senator CORKER, and Senator CARPER have made that point repeatedly, and it is one I share.

We cannot have a big-league economy with little-league transportation, and the chair of the Environment and Public Works committee, Senator BOXER, has consistently been on target, calling for a long-term plan to rebuild the Nation's infrastructure. The reality is that every Member of this body has constituents who are driving on highways full of potholes and ruts, and our citizens end up having to write a big check for car repairs because of it.

The best way to fix America's transportation system is with a long-term plan. The reality, however, is that to get to the long-term plan, what is needed first is a short-term path so we do not have the transportation equivalent of a government shutdown where we don't have the contracts being let and thousands of our people are put out of work, and a big set of economic dominos starts to fall. We need a short-term solution to prevent that from happening. That is what the Senate has before us today under a proposal from the Senate Finance Committee which

Senator HATCH and I developed in a bipartisan fashion, working under the regular order. This bill is before the Senate under regular order and it includes with Democratic proposals and Republican proposals. Senator HATCH and I worked with every member of the committee to draft our bill.

The House has offered its own plan, and Senator HATCH and I agreed to incorporate to the greatest extent possible House ideas in drafting our alternative, including adopting a measure of customs user fees and some pension smoothing as revenue sources.

I would like to take a moment early on to highlight three major differences between what the Senate has done and what the House has done because I think they are at the heart of the bipartisan case for passing this amendment.

First, I think the other body simply overuses pension smoothing. I was struck in conversations with Senator HATCH and conversations with colleagues—one of our colleagues said: What is really striking about what the House is talking about today is that instead of having one problem, we would have two. We already know we have a huge challenge in paying for transportation long-term, as Senator BOXER has noted, but if you go with the House approach, it overuses pension smoothing. You are going to have two challenges—one, to pay for transportation, and second, what are you going to do with the hopes and aspirations of all those workers who are depending on their pensions?

The second is the House ignores the whole concept of tax compliance—something else that has had a strong bipartisan tradition here in the Congress. Tax compliance is not increasing taxes. It is not tax hikes. It is not somebody jacking up people's taxes in the dead of night. This is about collecting taxes owed under current law. Let me emphasize that. It is taxes owed under current law. Grover Norquist—somebody who is not exactly soft on taxes, and I probably wouldn't quote him on everything—makes that point as well, agreeing that what is in the Senate finance bill involves collecting taxes that are owed.

Finally, the House bill again ignores some of the important bipartisan legislation that Senator HATCH and I have included on matters that are of great interest to many Senators, including the distinguished President of the Senate.

Our bill promotes natural gas vehicles—natural gas, 50 percent cleaner than the other fossil fuels. Senator BENNET and Senator BURR came together with some very good ideas on that. Senator ISAKSON and Senator NELSON also came up with an approach to strengthen pensions and how they are accounted for. And I was very pleased that Senator CRAPO was very involved with Senator BENNET in improving water transportation—something hugely important for the West, particularly right now when it is so dry back home and in all of the Western States.

So these are major differences between the House and the Senate efforts, and, again, each of those ideas I describe is a sensible, bipartisan approach that comes about because we used our regular order. For example, the Bennet-Burr amendment adjusts tax laws to treat liquid natural gas and diesel fuel on an energy-equivalent basis. That is going to reduce the tax on liquefied natural gas. That is going to help us encourage more use.

What Senator ISAKSON and Senator NELSON did clarifies pension rules and ensures that workers receive their earned benefits. Many of these individuals took their jobs in their teens and put in three decades of work by their late forties. When I look at what the House did in terms of pension smoothing, this raises real questions in my mind about whether the Congress, without really thinking through an alternative set of pay-fors, is going to cause those young workers additional problems.

Finally, as I have touched on, Senator CRAPO and Senator BENNET have done very good work. As we all know—particularly the chairman of the Environmental Public Works Committee—it is dry, dry, dry in the West, and what Senator CRAPO and Senator BENNET did was come up with a bipartisan proposal that Senator HATCH and I have included that is going to help deliver water to farmers across the West.

With those bipartisan initiatives, we were able to pick up support from such important groups as America's Natural Gas Alliance, the National Rural Electric Cooperative Association, and the Western Agriculture and Conservation Association. They know that the only way to advance these important ideas is by adopting the amendment the distinguished Senator from Utah and I have offered.

We have had some talk about how there is just not enough time to send a Senate amendment back to the House. I heard that statement made earlier today. I have made it clear to all concerned and I will state it again: This work is going to be done this week. This is non-negotiable. The Congress is going to get this resolved this week, and in no way, shape, or form are we going to have the transportation equivalent of a government shutdown. But the idea that the other body says, ''Hey, it is our way or no highway,'' I don't think is a way to advance the kind of bipartisan, bicameral approach that is going to help us deal with the big challenges.

I have already indicated, as Senator BOXER, the chair of the Environment and Public Works Committee, has said so eloquently, we are going to have to deal with the long term. There are a lot of good ideas for the long term. I think Senator PAUL from Kentucky deserves to have his ideas on repatriation addressed. We have a number of colleagues who are interested in the innovative approach used in Virginia. So we are going to have a variety of ideas to look at transportation funding for the long term, but we have to get the short-term patch resolved in order to get to the long term.

That is why I think for the House to just say, Our way or no highway—I think for us to accept it today would simply be to abdicate our responsibilities. I don't think we are sent here to just wring our hands and say, Oh, my goodness, we can't do anything. There is no time.

We are going to get this done this week. I believe the approach we have built in the Finance Committee is a more responsible approach. There certainly is time to compromise. The reality is our staff—and Senator HATCH and I have had a number of conversations with Chairman CAMP on this, as I indicated earlier—Senator HATCH and I have agreed to adopt many of the House proposals. There is no reason this body can't quickly come to agreement with the House. The Congress has addressed much bigger pieces of legislation and differences between the Senate and the House on tight timeframes in the past. The reality is the Senate has to act first or we are sending a message—and I will close with this because my colleague from Utah has been very patient and the distinguished chair of the Environment and Public Works Committee has been very patient. If we simply say all we are going to do today is accept this House approach, this ''our way or no highway'' kind of approach, we are going to advance a bill that overuses pension smoothing, and we are going to move away from an approach both political parties have felt very strongly about, which is that tax compliance should be an ongoing part of our work. It should be a part of our work today and it should be part of the bipartisan efforts for tax reform that Senator HATCH and I are pursuing. It is not in the House bill. It is in the Senate bill. We would be walking away from that provision by accepting the House approach, and we also would, as I have indicated, be walking away from bipartisan efforts that are going to promote cleaner natural gas vehicles, bipartisan efforts that will promote water use, and the good work done by Senator ISAKSON and Senator NELSON on pensions at a time when we are very concerned about their future. We shouldn't do that today.

I am going to yield to my colleagues who have been doing very good work on this issue. I think our plan is now Senator HATCH will make remarks on behalf of the bipartisan efforts in the Finance Committee. Senator BOXER, the chair of the Environment and Public Works Committee, will speak after Senator HATCH. It is my intention to stay here throughout the afternoon. I think both sides would like to get this done expeditiously, and I hope we can.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I would be happy to allow Senator BOXER to go first.

Mrs. BOXER. No, not at all. Please proceed.

Mr. HATCH. Mr. President, I appreciate the comments of my distinguished colleague, the chairman of the Senate Finance Committee.

Today the Senate will vote on a short-term extension of funding for the highway trust fund.

While it remains to be seen what shape that extension will take, Congress appears to be poised to pass legislation that will ensure that the trust fund will not face a shortfall and that States will be able to continue to plan and implement their transportation projects. This is important. As many have noted, passing this extension will preserve thousands of jobs and prevent disruption of a number of different highway projects that are currently in existence.

It has taken a lot of work to get to this point. It has required the collective good will of Members of both parties and it has meant compromise on both sides.

In the Senate Finance Committee, both Chairman WYDEN and I worked together for weeks on a bipartisan Federal highway funding extension. At the outset of these negotiations, I stated that I hoped any agreement to extend the solvency of the highway trust fund would contain spending cuts and reforms to go along with any revenues. I fought hard on that point, but in the end that particular goal of mine, with one exception, had to be set aside in order for an agreement to be reached. Of course that is how we pass legislation. If everyone got everything they wanted out of a deal, it would not be a compromise. While I maintain that a deal to extend funding for the highway bill should include reductions in spending, I am willing to continue that particular fight on another day.

After weeks of negotiations—some of which were very hard fought—we were able to come to an agreement on a funding bill that I believe both parties can support. That, in my view, is more important than any individual demand I may have had going into the discussions.

I wish to take a few minutes to speak about the specifics of our proposal. Overall, our bill would provide nearly $11 billion in funding for the highway trust fund, which is enough to extend its life until the middle of next year. Of that total, $2.7 billion would be provided by pension smoothing. I do have to say I am not a fan of using pension smoothing as a pay-for on the highway bill or in any other context for that matter. We stated as much on the record numerous times. However, we do face a funding emergency with regard to the highway trust fund. That being the case, I was willing to compromise on that point.

Next, the bill provides an additional $2.9 billion by extending Customs user fees. Once again, in other contexts, I have been skeptical of using this tactic as a pay-for, mostly because it diverts necessary funding away from national trade priorities. However, we drafted the bill to ensure that enough money was left in future extensions to pay for things such as the Generalized System of Preferences, the African Growth and Opportunity Act, and the miscellaneous tariff bill, all of which are important to our Nation's trade agenda.

Our compromise bill also transfers $1 billion from the leaking underground storage tank trust fund—called LUST—to the highway trust fund. The remaining funds would be raised through a variety of tax compliance measures, all designed not to raise taxes but to realize revenues already owed to the Treasury.

The Finance Committee bill does include a provision designed to claw back orphan earmarks. The provision deals with earmarks included in previous highway bills. I wish to thank Senator COBURN for the idea that was the basis of this provision, though in the end we didn't go as far as he or I would have liked.

As I said, all told, our bill will provide nearly $11 billion in funding for the highway trust fund and prevent the funding crisis that is on the horizon if Congress does not act. Once again, this legislation represents a bipartisan agreement between Chairman WYDEN and myself. It was reported out of the Finance Committee by a voice vote, so it is an agreement by both sides.

I wish to thank Chairman WYDEN for his willingness to reach across the aisle in this effort. He has been a particularly good partner with whom to work. The Finance Committee has a long tradition of working on a bipartisan basis to provide funding for the highway trust fund, and I am glad we have been able to continue that tradition with this legislation.

My only regret is that we were not able to reach an agreement with Chairman CAMP of the House Ways and Means Committee, whom both the chairman and I highly respect. He has a tough job over there, and we have nothing but great respect for him.

The two committees met over the July 4 recess, and I believe both Chairman CAMP and Chairman WYDEN acted in good faith to try to reach an agreement, but in the end, it did not end up happening. In my view, this is unfortunate. Had we been able to reach a bipartisan, bicameral solution on this issue at the outset, it would have helped to speed this process along. Still, if we take a look at the bill the House passed earlier this month, we will find it is similar in many respects to the legislation Chairman WYDEN and I have put together. They provide virtually the same level of funding, so there is not a substantive difference in the amount of time they would extend the trust fund. The major funding pieces—pension smoothing, Customs user fees, and the LUST transfer—are all the same. The primary difference is that the House bill does not include the tax compliance provisions.

Neither the House bill nor our bill is perfect, in my opinion, but they both accomplish the same goal and they do so in a way that under the circumstances I think both Democrats and Republicans can and should support.

So while some would say we failed to reach an agreement on the highway bill, I think it is pretty clear there is a lot of agreement on these matters and that one way or another we are going to get a solution soon.

In the end Chairman CAMP produced what I think is a good bill. I think Chairman WYDEN and I have done the same. I would vote for either approach because, as I said, they aren't all that different from one another. I reiterate that the funding levels in the House bill and the Finance Committee bill—and therefore the length of the two extensions—are virtually the same. That point is important, as there is an effort, as evidenced by another amendment we will be voting on today, to put an artificial deadline on the extension. I gather from the statements made by proponents of this approach that they hope this amendment will somehow force Congress to reach an agreement on a long-term extension before the end of this year. This effort is, in my view, misguided, and I would hope, given the fact that both the House of Representatives and the Senate Finance Committee have reached virtually the same conclusion on the length of the extension, Senators will think twice before voting to shorten it.

Ultimately, we all want to get to a long-term deal when it comes to the highway trust fund. That desire is shared across both Chambers and both parties. I think we can get there. I don't think we need to impose an artificial timeline or deadline—one that would create a similar crisis to the one we are facing now just a few months down the road—in order to do it.

There are other efforts out there that would seriously alter the trajectory of this bill. I wish to stress that what we are working on is a short-term extension. Once the highway trust fund has been funded by this bill, we will need to start working on a long-term bill that will give the transportation community stability and predictability, and I believe both the chairman of the committee and myself truly mean we will do so. We will need to be thoughtful in our approach and must consider every option to ensure that our Nation's infrastructure will be safe, efficient, and reliable well into the future. But before we discuss any fundamental changes to the structure of the highway trust fund, we need to get this step out of the way first.

As I conclude, I wish to take a moment to once again commend our chairman, Chairman WYDEN, for his efforts on this legislation. From the outset he was willing to reach across the

aisle on this bill and as a result the Finance Committee produced a viable, bipartisan product. His leadership in getting us to this point has been essential.

We are very close to solving this problem and avoiding a crisis. We just need to get a bill over the finish line, and I hope we can do that in short order. I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I would like to take my time off the general debate time; is that appropriate?

The PRESIDING OFFICER. The Senator may proceed.

Mrs. BOXER. I thank the Chair. I am so pleased to be on the floor because the Senate has to be heard on this issue of the highway trust fund and our whole transportation system for that matter. I do wish to praise Senators WYDEN and HATCH for coming together across party lines and making some real improvements in the pay-fors that are associated with this extension. I am very much in favor of the way they handled this bill, and I am also very much in favor of the way the pension smoothing was handled in the Carper-Corker-Boxer amendment because that does away with it altogether, because we shorten the timeframe so we don't need any pension smoothing in there.

Before I speak specifically about the wisdom of what the Finance Committee did and my hope that we can get it over the finish line today, I want to give kind of an overview of where we are in general.

For 2 years we have known that our Transportation bill expired September 30. We have known this for 2 years. Yet, and still, here we are at the 11th hour with an extension.

This is probably, I think, the 12th extension in a few years. I think that is so unfair to the people of this great country who rely on their bridges and their highways and their transportation systems. It is so unfair to the thousands of businesses that work to rebuild our infrastructure, and it is very unfair to the millions of workers who work in construction.

We still have 700,000 unemployed construction workers. When we do a piecemeal bill like this, of course, it is better than doing nothing—there is no doubt about that; I would not argue that—but it still sends a message of indecision and, frankly, I think of incompetence on our part, and I step to the plate on that.

But I am very proud to say that my committee—100 percent bipartisan; we did not have a dissenting vote—passed the 6-year transportation bill. When we did that, I went to my colleagues and said: I know you have the hard job. You have to figure out the long-term funding. I want to help you. I came forward and I said: Why don't we look at several proposals. One is what they are doing in Virginia. This was a Republican idea. It is to do away with the gas tax completely and replace it with a fee at the refinery level. That would be a more broad-based tax. We would do away with the gas tax. No more Federal gas tax at the pump. That would solve our problems. You set it at a rate where it floats, and we would have 100 percent certainty. Senator WYDEN was quite open to it. He took a look at it. I know he floated it. Clearly, we did not have the type of support we would need.

Then the Chamber of Commerce and the AFL–CIO said: Do you know what. We have not raised the gas tax in 21 years. Mr. President, we have not raised the gas tax in 21 years. I did a little reading and found out the first President to initiate the gas tax—and I say to Senator HATCH, he might be interested in this—the first President to formulate a gas tax—and it came in at a penny—was Herbert Hoover. The next President who raised it was President Eisenhower, who had that great vision to then put it into a trust fund for highways, and he raised it a couple of cents. So it was about 3 cents. The next President to raise it was President Reagan. And the next President to raise it was George Herbert Walker Bush. They were all Republican Presidents. Then President Clinton raised it.

Clearly the Congress supported it each and every time because it is a user fee. So that is an alternative. There are many other ideas. I know Senator WYDEN and Senator HATCH have a number of ideas, and I know Senator HATCH prefers a user fee. It makes sense. But because of the time crunch—because of, because of, because of—we did not get it done.

I am proud. Senator VITTER is proud. We got it out of our committee, a 6-year bill. It is not a great, massive bill. It just takes the current program, adds inflation, and extends it for 6 years. I can tell you, if Senator VITTER and I can agree, if Senator CARPER and Senator BARRASSO can agree, if Senator CARDIN can agree with Senator SESSIONS, and Senator SANDERS with Senator FISCHER—I could go on. Our committee goes from left to right, and everybody agreed we should have the 6-year bill.

So as I stand here today, I am distressed that we do not have that before us, but I am still grateful to my friends for doing what they could politically do. But I feel it is a sad day for us, and I know and I hope we pass this Wyden-Hatch substitute. It is a much-improved way to pay for the extension. But we are extending all the way to May, right up against the next construction season. Now, if you are a State—whether it is Utah or California or West Virginia or Maryland or Oregon; it does not matter—you are not going to enter into any agreement. No businessperson is going to take this on where you do not know what the future holds.

So we are putting it off again, and it is sad we are doing it, and we have 60, 70, 80 groups out there, which I will list later, that are supporting our shortening the timeframe.

Now, my friend says artificial deadlines are bad. But let's face it. Their bill raises—I think it is $11 billion. Am I right on that? So we know it takes it to May 31. That is their deadline. Our bill, in the Carper-Corker-Boxer rewrite, takes it to December. We cut it back. We totally eliminate pension smoothing—totally eliminate it—and we take it back to $8 billion, and that forces us to do the job in December.

Look, this Congress has to do its work. The trust fund expires during this Congress. Now we are kicking it down the road to the next Congress.

Whatever the Senate wishes, I will go along with it. If the Senate says, no, we are going to go with that longer term extension, so be it. I will fight just as hard to move forward with a 6-year bill, I say to my colleagues, when we get back or in a lameduck.

I want to close by talking a little bit about pension smoothing for just a minute because I so agree with Senator HATCH when he says this is not his favorite thing. It is not my favorite thing either, and we come from different sides of the aisle.

So just to be clear, what we are saying to companies is, you can set aside less money for your pension requirements to your employees. Now, I have to admit in the light of day, I voted for that the last time when Senator Baucus brought that forward. I did. But it also was a company buy, an increase in the amount of money companies had to pay into the Pension Benefit Guaranty Corporation. If a company goes broke and they cannot pay their pensions because they have not set aside enough—and with our help they are not having to set aside enough—what happens then? The Pension Benefit Guaranty Corp kicks in, and that is funded by the companies. But if that does not have enough—and my information is it is short $34 billion, as we speak—the taxpayers will have to bail it out. So this pension smoothing is really, really dangerous. It is an offset that is not a good one.

Now, the Wyden-Hatch proposal is much, much better than the House proposal because it cuts it basically in half. The Carper-Corker bill cuts it out completely. So we just have to step to the plate. I think Senator WYDEN is right. Here we are bailing out—if I could use those terms—the highway trust fund until May, while we set up another potential weakness in our pension system. It is not smart. It should not be done. We had 2 years to figure this out.

But no question—no question—the Wyden-Hatch proposal is a far better proposal. Just making sure people pay their taxes, that is something we should all believe in, and, for the first time, the two Senators brought that issue forward to a successful conclusion. I am very, very grateful to them for that. So I very strongly support this.

I hope we will see a lot of support for the amendment that Senators CARPER,

CORKER, and I brought forward because we do away with pension smoothing. So if you do not like pension smoothing, vote for that one; and we cut back the money so we can take this whole thing up in December and give some certainty to all the groups out there, whether it is the Chamber of Commerce or the general contractors or the cement people or the gravel people or the AFL–CIO or the laborers. All these folks want to make sure we are not just doing a little cut and paste and get us up against the next thing.

I keep saying ''in closing,'' but I really mean it now. What you are dealing with here, if you want to use an analogy, is: You find a house you really like, so you go to the bank, and the bank looks at you and says: Well, you are a good risk. Yes, we will definitely give you a mortgage, but it is only for 9 months. Nobody is going to take that mortgage. Our States are not going to enter into 3-year contracts when they know they only are going to get the funding for 9 months. We have an amendment by Senator LEE which would cut the Federal Government's ability to help the States and wind up with an 80-percent cut in funding. So it is very risky moving out with all these things hanging over our head.

But I am still pleased with what the Finance Committee did. I thank Senators REID and MCCONNELL for allowing us to have this time on the floor and all of my colleagues for agreeing, because this is a debate that has to start somewhere. So it is starting today. We know whatever happens, we are just doing a patch, and we are going to have to sit down together with good will and good ideas and solve this problem for the good of our country.

Ms. MIKULSKI. Mr. President, I rise in support of the Carper, Corker and Boxer amendment to the highway trust fund extension Bill before us today. This amendment will provide certainty and a guaranteed funding stream that our State departments of transportation and the construction industry desperately need. It provides a short-term extension through December 19, 2014, which will allow Congress to complete its work on a multi-year bill this year. The underlying bill only prolongs uncertainty by extending the solvency of the trust fund to May of 2015.

In the last transportation authorization bill, I fought for a Federal formula that gives the State of Maryland approximately $780 million annually from the highway trust fund: $580 million for highway funding and $200 million for transit funding. The Maryland Department of Transportation's, MDOT, average weekly expenditure of these Federal funds is $10 to $12 million. Right now during construction season, MDOT is submitting reimbursements to the U.S. Department of Transportation for $20 million a week.

Without this extension, the Federal highway trust fund will go bankrupt in a matter of weeks. What does this mean for my home State of Maryland? I am advised that MDOT will not meet its commitments. The Department would be unable to begin new projects. It would be forced to focus on safety and system preservation instead of putting shovels into the ground. Existing projects will slow down or stop. The State of Maryland would have to find bond or State revenues to pay existing contracts. Most importantly, over 9,000 construction jobs will be in jeopardy.

This is why MDOT, other State departments of transportation, and the construction industry support a multi-year bill. Enacting a long-term bill this year will provide certainty with a guaranteed funding stream, allow MDOT to plan for the future, and provide stability to the construction industry. Projects take time and thoughtful planning averaging approximately 10 years to complete through construction.

In addition, a multi-year bill will strengthen our transportation networks improving safety and reducing congestion. It also will create 3 million jobs and support our economy.

I urge all my colleagues to vote for the Carper, Corker and Boxer amendment. I also ask unanimous consent that the op-ed Senator CARDIN and I wrote in the Baltimore Sun be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TIME TO END THE GRIDLOCK THAT TAKES ITS TOLL ON MARYLAND'S HIGHWAYS

(By U.S. Senators Barbara A. Mikulski and Ben Cardin (Both D–Md))

It is now peak construction season and without congressional action the federal highway trust fund will go bankrupt (expenditures will exceed receipts) in August—next month. As the Senators for Maryland, we are fighting for a multi-year transportation bill to provide planning and funding certainty to our state.

Federal gas and diesel taxes paid at the pump are the primary revenue streams for the highway trust fund, which provides formula funding to states for both highway and transit projects.

We fought for a formula that provides Governor Martin O'Malley and Maryland Transportation Secretary Jim Smith approximately $780 million annually to spend across the state: $580 million in highway formula funding and $200 million in transit formula funding.

The cause of the Highway Trust Fund's insolvency is threefold: big improvements in vehicle fuel efficiency; reduced driving; and inflation. The last time Congress increased the gas tax was in 1993 from 14.1 cents per gallon to 18.4 cents per gallon. These three factors have resulted in lower gas tax revenues, reduced purchasing power, and trust fund receipts not keeping up with demand.

A bankrupt Highway Trust Fund means the Maryland Department of Transportation (MDOT) would stop receiving $80 million a month in reimbursements from the U.S. Department of Transportation. As a result, MDOT will have to use state money obligated for other project to cover its federal expenditures. In other words, MDOT will be forced to rob Peter to pay Paul. New projects will not be initiated and existing projects will slow down or stop. The Department also will be forced to focus solely on system preservation instead of new construction needed to improve safety and modernize our transportation network.

Maryland needs a multi-year bill that ensures the solvency of the federal highway trust fund. A multi-year transportation bill is estimated to create two million jobs nationwide and transportation loans and grants create another million. Doing nothing is utterly unacceptable, and short-term extensions do not provide the planning and funding certainty states need to put those three million workers on the jobs necessary to maintain and improve our nation's essential transportation assets. In an uncertain economic climate, investments in transportation infrastructure creates jobs in construction, engineering, and manufacturing right here in the United States.

A multi-year transportation bill will help businesses succeed by making sure goods and products get to where they need to go. U.S. trade is expected to double in the next thirteen years and our national transportation assets must serve the growing economic demands for U.S. goods and services. We must modernize and maintain our infrastructure or we risk diminished profits and falling behind our international competitors in the global marketplace.

It also creates certainty for commuters and families. Traffic congestion wastes over 2.9 billion gallons of fuel each year. Maryland commuters have the longest commutes in America.

Unfortunately, the gridlock in Congress only leads to more gridlock on our nation's roads. When it comes to funding our nation's infrastructure, we've suffered from roadblocks and standstills. Despite our calls for more funding our roads, highways, bridges and railways are in dire need of repair.

That's why we work hard as Maryland's one-two punch for transportation funding Senator Cardin serving on the Environment and Public Works, and Finance Committee creates the policy and authorizes the programs that guide infrastructure investments for Maryland and the nation. Senator Mikulski as Chairwoman of the Appropriations Committee puts the funds in the federal checkbook to keep Marylanders moving.

We know strong transportation infrastructure is a key ingredient to economic growth. It protects the safety and reliability of travel and transportation. It also supports our economy with investments in the highways, public transit, airports, passenger rail and ports. This money creates engineering and construction jobs today and prepares us for jobs tomorrow bringing growth to our economy. The $13.1 billion Maryland spent in transportation over the last five years has generated $29.3 billion in business output, including $12.9 billion in wages and nearly 35,000 jobs per year.

We also know that infrastructure projects don't just happen but they require smart planning. It's why we are united with the U.S. Chamber of Commerce, the American Society of Civil Engineers, and the American Association of State Highway and Transportation Officials in fighting for a multi-year transportation this year.

Mr. LEAHY. Mr. President, our tight knit communities in Vermont are part and parcel of my State's culture of neighbors helping neighbors. Our neighbors are not just next door; they are often in the most rural parts of the State, which can be difficult to reach. Our roads and our bridges connect us in a most basic way, and Hurricane Irene was a stark reminder that our infrastructure connects us not only in commercial ways, but in practical social ways that are integral to the spirit of Vermont communities. After Irene, with some of our roads and bridges completely destroyed, we saw, felt and lived what it truly meant to be cut off and isolated from our surrounding communities.

As Congress faces a deadline in the Highway Trust Fund, we are facing yet another artificial, made-in-Congress crisis for our States, their people, and for the Nation. Congress is senselessly imposing these strains and lost opportunities on this country. There are

those in Congress in recent years whose approach to governing is ''my way, or the highway.'' This time, even the highway is not safe from their obstructionism. This is a crisis we can avert if we would only work together to agree on a long-term funding plan for the Nation's transportation programs. I commend the Committee on Environment & Public Works for their hard work on legislation to reauthorize the Moving Ahead for Progress in the 21st Century Act, MAP–21, and I commend the Committee on Finance for its hard work in trying to solve the funding issues we face in developing and improving our country's infrastructure.

However, I had hoped the Senate would have responsibly agreed to a long-term plan to give State and local governments the certainty and stability they need to plan. Unfortunately, that was not the case. And while a short term fix avoids a transportation catastrophe this summer, it will also increase costs of transportation projects, limit the ability of State and local governments to plan infrastructure improvement, and ultimately result in the degradation of our country's infrastructure. Start-and-stop highway construction is even more wasteful than start-and-stop driving is on our roads. It is wasteful, it hurts our communities and our economy, and it is needless.

The Highway Trust Fund is a critical asset for Vermont, as it is for every State. It provides millions of dollars to repair our roads and bridges and creates jobs for thousands of Vermonters. According to the State of Vermont, every $1 million of transportation funding supports about 35 jobs in Vermont, directly and through the maintenance of the State's transportation infrastructure. Construction companies, sign-makers, State employees, and every citizen will suffer the consequence of the inability to make progress on this vital issue.

While this short-term fix has become necessary, we must acknowledge what long-term funding for infrastructure represents: opportunity. Large, long-term investments in infrastructure have paid off in the past. President Eisenhower's ''grand plan'' for the Interstate Highway System was an ambitious project that many questioned at the time. Today, it is indisputable that the vision of President Eisenhower and the foresight of the legislators in Congress who authorized the Interstate Highway System have strengthened our economy in every corner of the Nation, providing the opportunity for the American people and their families and businesses to grow, travel, and invest in the future. There are many Vermonters, and citizens all across the Nation, who are counting on us to provide a comprehensive, long-term solution to this problem. By coming together, we have an incredible opportunity to invest in the wellbeing of future Americans, and of our country. Let us not continue this latest made-in-Congress crisis. Let us pass the reauthorization of MAP–21 before the new December deadline.

I thank the Presiding Officer very much and yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 3585

Mr. TOOMEY. Mr. President, I ask unanimous consent to temporarily set aside the pending amendment so I may call up my amendment No. 3585, which is at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Pennsylvania [Mr. TOOMEY] proposes an amendment numbered 3585.

Mr. TOOMEY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To ease Federal burdens on State and local governments recovering from catastrophic events)

At the end of subtitle A of title I, add the following:

SEC. 10___. EMERGENCY EXEMPTIONS.

Any road, highway, railway, bridge, or transit facility that is damaged by an emergency that is declared by the Governor of the State and concurred in by the Secretary of Homeland Security or declared as an emergency by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and that is in operation or under construction on the date on which the emergency occurs—

(1) may be reconstructed in the same location with the same capacity, dimensions, and design as before the emergency; and

(2) shall be exempt from any environmental reviews, approvals, licensing, and permit requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(C) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(D) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(E) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(F) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(G) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(H) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetland); and

(I) any Federal law (including regulations) requiring no net loss of wetland.

Mr. TOOMEY. Mr. President, let me start by complimenting my colleagues, the chairman and the ranking member of this committee, for a genuine, sincere effort at a bipartisan solution to a difficult problem. There are provisions I like in this legislation. There are provisions I do not like. But I do like the fact that at least with respect to this legislation at the moment the Senate is functioning. The committee was functioning and had a vigorous debate and discussion and came up with a reasonable approach. I thank Chairman WYDEN and Ranking Member HATCH for their cooperative effort to do this.

But I want to address this particular amendment, amendment No. 3585. I thank my cosponsor on this amendment, Senator MCCONNELL. What this amendment does, in short, is it allows communities that are recovering from a natural disaster to rebuild damaged infrastructure without having to acquire—or maybe I should say reacquire—Federal environmental permits.

Now, there is no question we all agree it is vitally important we protect our environment. I should point out there is nothing in my amendment that would change Federal environmental permitting requirements for any new construction—nothing at all. We should also recognize that States have their own very substantial standards in place to protect their environments, including during the construction of transportation infrastructure projects. There is nothing in my amendment that would weaken in any way or change in any way any State environmental laws or regulations.

The fact is our Federal environmental permitting process for infrastructure is broken. It is too cumbersome. It takes too long. It is too costly. It is a huge problem. I think the most damming statistic I can think of—that I am aware of anyway—is from the Federal Highway Administration itself, which in fiscal year 2011 estimated that on average transportation projects required 79 months to complete the National Environmental Policy Act review process, the NEPA review process—79 months. That is 6½ years to get permission from the Federal Government to build a road or a bridge or to rebuild an existing road or bridge that has been damaged—6½ years. That is often longer—sometimes a lot longer—than it takes to actually do the construction, and that is a problem. It is a problem because it just drives the costs up dramatically and unnecessarily.

Two weeks ago, constituents of mine in Northampton County, PA, reported to my office that just one environmental survey for a small bridge repair—we are not talking about some massive, new ''Golden Gate Bridge'' here; we are talking about a little bridge that is just going to be repaired—just one of the environmental surveys was $21,000 alone.

Senator ROB PORTMAN reports that in Ohio Federal environmental permitting alone increases project costs on average by 20 percent.

The reason these delays are so expensive is all of these delays, all of these permitting requirements, require consultants to carry it out, and there are all kinds of engineering and consulting fees that get paid, often on retainer over time; it also means that while

waiting for a road or a bridge to be rebuilt or restored, there are longer commutes, there is a big detour, there is more consumption of gas. That is all a waste of time and money. The bottom line is that projects cost more the longer they take. That is the reality. The fact is, recovering communities do not need to have to incur this extra cost.

I will give you an example, again in Pennsylvania. Since 2010, Federal environmental permitting has delayed nine projects by over a year. The Cherry Creek Bridge in Monroe County, PA—this is an area that is flood prone; it was struck by Tropical Storm Lee and Hurricane Irene in 2011—the reconstruction for the damaged transportation infrastructure should have started pretty much right away, but Fish and Wildlife review delays alone cost us 2 years before construction could even begin. Senator Ben Nelson recognized this problem—a Democrat from Nebraska who served in this body—and offered a bipartisan amendment to the last highway bill, MAP–21.

What his amendment would have done would have been to exempt roads and bridge repair projects from Federal environmental permitting if the roads and bridges were destroyed by a declared emergency, such as Superstorm Sandy, for instance, and provided that the reconstruction would occur entirely within the footprint of the existing structure, the original footprint.

Unfortunately, Senator Nelson never got his vote. He was denied a vote. Instead, he got a watered-down provision put into the final bill that allows the Department of Transportation, under certain circumstances, to exclude certain repair projects from this whole process. But they cannot make that exclusion if the project is deemed to be ''controversial.'' Undefined. I do not know what that means. The exclusions do not apply to the Army Corps of Engineers or the Fish and Wildlife Service, the reviews of which constituents tell me are the most time consuming, cumbersome, and costly to comply with.

The result is that recovering communities today, after they have been hit hard by a natural disaster, after they have incurred damage to their roads, their bridges, their infrastructure, do not know what environmental standards are going to apply to them, except that some certainly will, and others may or may not be exempted.

It still leaves them subject to a lengthy, costly, and unnecessary procedure. Because, once again, let me emphasize, we are talking about roads and bridges that are already there. We are not talking about new infrastructure, new capacity. We are talking about rebuilding what was there already and what was damaged.

This amendment I am offering is almost identical to the Nelson amendment. The difference is, at the request of SPTA, which is the Southeast Pennsylvania Transit Authority, it has been expanded to include not just roads and bridge but also rail and transit facility repair projects. That is it. So it simply says: These existing transportation infrastructure facilities, if they are damaged or destroyed by a declared natural disaster, the rebuilding, the identical rebuilding in that very same footprint should not be subject to going through the whole environmental permitting process all over again. That is all it says.

I am glad to have the endorsement of a number of organizations and groups: Associated General Contractors, National Association of Counties, Americans for Prosperity, Americans for Tax Reform, Citizens Against Government Waste.

I argue this is just common sense. This is a modest, narrow amendment. As I say, it does not in any way, shape, form, or fashion change any regulations or permitting requirements for any new construction. It says nothing whatsoever about the extensive State requirements. It is silent about all of that. It simply says: With respect to Federal environmental permitting, if you are rebuilding an existing road or bridge because it has been damaged in this way, you do not have to go through this costly, lengthy process that is costing us time, money, jobs, and infrastructure.

I urge my colleagues to support my amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, first, I thank my colleague from Pennsylvania for his comments and the manner in which we are proceeding.

I rise in strong opposition to the amendment offered by my friend from Pennsylvania, and for many reasons.

First, let me compliment Senator BOXER and the leadership on the Environment and Public Works Committee. Because when we approved MAP–21, we took up this issue. We dealt with it. It was not without controversy. We had strong views on both sides of this issue. Because what the Senator from Pennsylvania is doing is removing completely replacement facilities from any—not just the NEPA procedures, but also from the Endangered Species Act, from the Clean Water Act—basically putting a dome over the process so anything goes, basically. Anything.

We debated that issue in the Environment and Public Works Committee. There were different views. Quite frankly, Senator BOXER was extremely accommodating to the legitimate concerns the Senator from Pennsylvania has raised. That is why there is an expedited procedure already in law, passed in MAP–21, that deals with this issue. The Senator talks about using the proper legislative process. We did that. The committee of jurisdiction debated it. We had difficult compromises, but we reached these compromises.

Let the process work, because the process is working. Let me point out, I was one of those who was not excited about giving up any of our environmental protections on replacement facilities, because I pointed out the fact that when we had a bridge collapse in Minnesota, that bridge was replaced within a matter of a very short period of time, before we did our compromise, which now expedites the process. My point is, in emergencies we seem to work things out. But in order to deal with the concerns the Senator has raised, we put into the law this expedited procedure for replacement facilities. It is in MAP–21. It is the law.

This amendment would open it to significant abuse. It is very conceivable that when you give this type of an exemption, you basically are exempting a geographical spot so that anything goes. It could be a total ending of the protections that we have in the Federal Clean Water Act. It could be eliminated.

I would urge my colleagues to reject this amendment. It is unnecessary. It certainly opens it to tremendous abuse. We have a process in place. It was negotiated. I would urge my colleagues to accept it.

Before I yield the floor, I want to thank Senator WYDEN. I want to thank Senator BOXER and Senator HATCH—I see them on the floor—and Senator CARPER for their incredible work on this bill. I agree with Senators Boxer and WYDEN. It is very important that we pass a bill before we leave this week so that there is no delay in making sure the Federal Government pays its bills to our State and local governments on transportation projects.

I strongly support Senator WYDEN and Senator HATCH's effort in our committee to get a better funding flow for the patch so we deal with collecting the taxes that should be paid, rather than causing a disruption in some of the revenue sources that are in the House bill. I strongly support Senator WYDEN and Senator HATCH's efforts in our committee.

I certainly support Senator CARPER's amendment that would say it is our responsibility to act in this Congress.

Let me point out, we have 5 months left before this Congress goes out of business. It would be wrong for us to pass just a patch and not to do the 6-year reauthorization. The Environment and Public Works Committee, by unanimous vote, recognized that we could get a 6-year bill done. We have already talked about from where revenues can come. There are bills we could take up dealing with supplemental ways to fund infrastructure, infrastructure banks, using the Tax Code. I am sure we can get bipartisan agreement on some of these issues.

The Carper amendment says we are going to get our job done in this Congress and we are not going to subject our States to the uncertainty of just a patch. In my State of Maryland, we have many long-term commitments that we are trying to get funded. A short-term patch will put us in a hole.

We are okay to the end of the year, but let's make sure we enact a 6-year bill before this Congress leaves.

Mrs. BOXER. Would the Senator yield for a question?

Mr. CARDIN. I would be glad to yield to my colleague from California.

Mrs. BOXER. I thank my friend. I wanted to ask him a question. Because I think the way the Senator responded to the Toomey amendment was exactly right on point. It was almost a deja vu as I listened to my friend from Pennsylvania, because he is not on the committee of jurisdiction. But we had this debate, as my friend pointed out. As a matter of fact, I started to get a little stressed as he related what we went through to get to the point where we have an expedited procedure that takes care of the problems my friend from Pennsylvania talks about.

But we do not throw out every landmark environmental law. That would be a disaster. I can give you an example and ask my friend if he agrees with this example.

I also want to point out the American Public Health Association strongly opposes Senator TOOMEY's amendment, because they know the health of the people is at stake.

But let's say you had a situation where you brought in a contractor to clean up after there was a disaster, collapse, let's say, of a highway. There was a body of water nearby. The contractor came in. Instead of having a good clean operation, he started dumping his fuel and chemicals and everything else into this waterway. Mind you, under our law he has already got an expedited permit, he is ready to roll. But he or she, they have to be good citizens and not make matters worse.

Does my friend not agree that these landmark laws, such as the Clean Water Act, the Safe Drinking Water Act, should be respected, and the Toomey amendment throws them out the window, and we can endanger the health of the people?

Mr. CARDIN. I say to Senator BOXER, through the Chair, she is absolutely right. It is even worse than that, because the contractor could be using a subcontractor whose principal work may not even be directly related to the replacement. It would be virtually impossible to detect what they are doing on the replacement site as to what they are doing on other sites. So it could be absolutely used as a shield in order to avoid the laws that we have to protect public health, protect our clean waters, our drinking water, et cetera. It opens a huge potential abuse. It is throwing out the laws, rather than making the laws work. That is exactly what our committee did after a very lengthy debate and which, quite frankly, we did certain things that make it a lot easier for a replacement facility to be done in an expedited process.

Mr. CARDIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I would like to address another issue connected to this debate. Before I do so, I would yield a moment of my time to my distinguished colleague, the junior Senator from Pennsylvania.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOOMEY. Mr. President, I thank the Senator from Utah. Let me respond to my colleagues from Maryland and California briefly.

First of all, I am perfectly glad that the committee of jurisdiction addressed this. One of the great things about the Senate is when it is actually functioning, Members who are not on a particular committee still have the opportunity to weigh in on an issue and have that debate on the Senate floor. That is exactly what we are doing today. I am glad we are doing that.

I would also observe that my colleagues seem to have very little faith in the ability and willingness of States to protect their own environment. They should spend some more time in Pennsylvania. We care a lot about our environment in Pennsylvania. We have a Department of Environmental Protection that takes that responsibility very seriously.

Finally, I would point out that the so-called fix in MAP–21 is extremely incomplete. It is incomplete because, first, it occurs at the discretion of the Department of Transportation. They can simply choose not to have an expedited process. If they deem the project to be ''controversial''—undefined. Who knows what that means.

Secondly, the Department of Transportation is not permitted to exclude from this process compliance with the Army Corps of Engineers or the Fish and Wildlife Service reviews, which altogether are extremely time consuming and expensive and costly. Again, we are just talking about repairing existing infrastructure. We are not talking about waiving these requirements for new capacity, for new infrastructure.

I urge my colleagues to support the amendment.

I thank the Senator from Utah.

AMENDMENT NO. 3584

(Purpose: To empower States with authority for most taxing and spending for highway programs and mass transit programs)

Mr. LEE. Mr. President, I ask unanimous consent to temporarily set aside the pending amendment so I can call up my amendment No. 3584, which is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Utah [Mr. LEE] proposes an amendment numbered 3584.

Mr. LEE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in the RECORD of July 23, 2014, under ''Text of Amendments.'')

Mr. LEE. Mr. President, we are here today because our Federal highway policy status quo is not working, and it hasn't been working for a long time. This is the sixth time American taxpayers have been asked to bail out the highway trust fund since 2008—the sixth time since 2008.

None of those patches, $52 billion worth of bailouts in 7 years, fixed the problem, and neither will the $10.8 billion authorized by the bill that is before us today. It will buy us only a few months before we are right back in the same place once again, the same place where we are now.

Indeed, this debate is itself the dysfunction of Washington, DC, in miniature. Here—as in health care, higher education, assistance for the poor, energy, and so many other areas—the Federal Government has created a permanent structural problem, and it responds with duct tape. Worse, this bill solves only Washington problems, only the problems of Washington, DC, not those of the American people.

Under the broken status quo this bill not only protects but also extends, in 6 months—and in 6 years—our roads will still remain congested. Too many single moms will still live on a knife's edge trying to make it to their second jobs all the way across town. Too many dads will still have to leave for work before breakfast just to make it to their job and then do the same thing again as they try to make it home for dinner. Children will still look in vain into the empty seats at their piano recitals and at their Little League games. Commuters will still squeeze onto overcrowded subway cars, hold their breath, and hope they don't break down again. Young families will still be unfairly priced out of neighborhoods near the best jobs and the best schools, and diverse communities will still be subject to the monotonous inefficiency of an outmoded Federal bureaucracy.

But it doesn't have to be this way. There is a better way. The Interstate Highway System is one of the greatest achievements not only in the history of the Federal Government but in all of American history. It unified a sprawling continental nation by investing in our common destiny. It simultaneously met the economic, social, cultural, and security needs of an emerging superpower. It was and it remains a wonder of American innovation and self-government.

More than that, the Interstate Highway System was the daring, audacious work of a young nation literally on the move, bristling with confidence in its future and in its people. With the Federal-Aid Highway Act of 1956, Congress threw off the yoke of the status quo and it met the emerging needs of a new generation.

Yet today, some 58 years later, in a new century with new needs, new technologies, and a new economy, Congress anxiously clings to that exact same policy like some kind of a tattered security blanket.

Six decades ago, Federal highway policy represented a triumph of imagination. Today, our refusal to modernize that same policy represents a failure of imagination. So we are here with the duct tape and WD–40 trying to keep this 20th century bureaucracy in place, rather than embracing the worthy challenge of building a new mobility policy, one that is well suited for the 21st century. That is exactly what my amendment, the Transportation Empowerment Act, would do.

In 1956, it made sense for the Federal Government to collect the majority of gas taxes from around the country and then coordinate the construction of a national system. We needed it. But with the interstate system now largely complete and most transportation issues that we see today existing at the local level, there is no longer the same need for Washington to serve as the central coordinator. We have become an intrusive middleman. We need to refocus the Federal Government solely on interstate priorities and to empower a diverse, flexible, open-source transportation network controlled by the States.

My amendment would empower States and communities to customize their own infrastructure according to their own needs, their own values, and their own imagination.

It would, over 5 years, gradually transfer funding and spending authority over local transportation infrastructure projects to the States.

Today the Federal gasoline tax stands at 18.4 cents per gallon. My amendment would lower it by 2019 to 3.7 cents per gallon.

In the interim, we would gradually send States more of their allotment without strings to prepare them for the eventual transfer of this differential. After this gradual transition, Congress would retain enough revenue to continue to maintain the Interstate Highway System, which rightfully, properly remains a Federal priority and a core competence of our government at a national level, but States and communities would be newly empowered to launch a new era of local investment and local innovation.

The idea behind this plan is not only that there is a better way to improve America's infrastructure, there are 50 better ways and even thousands of better ways. In our increasingly decentralized world, there are as many ideal transportation policies as there are communities across this great country.

Washington is standing in the way, imposing obsolete conformity on a vibrant, diverse society. For if we truly love local transportation infrastructure—and who doesn't—we should set it free.

Under the Transportation Empowerment Act, Americans could finally enjoy the local infrastructure they want. More environmentally conscious States and towns could finally have the flexibility to invest in more green transit projects and bike lanes. Regions reaping the benefits of America's recent energy renaissance could accelerate their own infrastructure and their own buildouts to keep up with their explosive growth. Dense cities could invest in more sustainable public transit networks. Meanwhile, surrounding counties could reopen the frontiers of the suburbs to a new generation of far more livable communities. State and local governments will also be free to experiment with innovative funding mechanisms not necessarily tied to the unreliable, unpredictable, gasoline tax. By cutting out the Washington middlemen, all of those States, communities, and taxpayers will be able to get more for less.

My amendment would not reduce America's investment in infrastructure any more than Uber reduces America's investment in car services. In the real world, value is not a cost. Rather, my plan would empower a nation hungry for greater mobility to spend its infrastructure dollars on steel and on concrete instead of on bureaucracy and special interests.

Some of my colleagues oppose this plan. Some will offer Washington's eternal promise. The status quo will work, it just needs more money. That is all it needs, and it will work. The Federal gasoline tax has not changed since 1994, they will say. We are starving the trust fund, they will add.

But it is not true—at least it is an inaccurate and incomplete picture. For in the 12 years prior to 1994, the gasoline tax skyrocketed by an alarming 460 percent from 4 cents per gallon to 18.4 cents per gallon.

Put another way, since 1982, the Federal gasoline tax has grown by an equivalent of 6.1 percent per year. Chasing ever more money will not solve this problem. That is what we have been doing, and the bill before us today is incontrovertible proof that it hasn't worked.

Others argue that reducing Washington's role in local transportation would invite economic and infrastructural catastrophe. This makes two very peculiar assumptions.

First, it assumes that Washington is uniquely competent in the area of local transportation, even as a long train of abusive boondoggles and bridges to nowhere tell us exactly the opposite.

Even more bizarrely, this argument assumes that the 50 States of our exceptional Republic, many of which would rank among the wealthiest nations in the world on their own, are unstable banana republics nursing the development of primitive hunter-gatherer societies whose only transportation services involve the clearing of woodland paths for their pig-drawn carts.

State and local governments already pay for 75 percent of all surface transportation infrastructure projects in this country.

In my home State of Utah, one of the best run in the country, only 20 percent of our transportation money comes from Washington. The other 80 percent we raise ourselves. Of course, we raise most of that 20 percent too. It is just that under the broken status quo, Washington middlemen take their cut before sending that back to us.

Why not just leave that extra 25 percent to the States and communities who need and use it in the first place?

The States already own and maintain the highways and local transit projects that are inherently local. So why not let the Federal Government focus on interstates and let Oregonians plan, finance, and build their bike paths; San Franciscans their green energy transit experiments; and Texans their eight-lane expressways, in their own way, tailored to their local needs and their own local values? All we add to the process in Washington, DC, is unnecessary overhead and self-congratulating press releases, trying to take credit for it all.

Finally, many who admit that the status quo is unsustainable nonetheless support it because they believe their particular State benefits by receiving more money back from the highway trust fund than it puts in. Washington perpetuates the myth that transportation money is free, especially for these so-called net donee States. But as in every other middleman arrangement, the status quo policy ensures that States actually get less value back than they should.

Federal regulatory strings not only make infrastructure projects unnecessarily expensive, they specifically divert resources away from actual infrastructure and waste it on special interests and bureaucratic redtape.

The Federal Davis-Bacon Act, for instance, costs States an additional 10 cents for every single dollar they spend on infrastructure construction projects.

Numerous regulations under the National Environmental Policy Act—or NEPA, as it is frequently called—collectively cost State governments an additional 9 cents on the dollar. No wonder the trust fund needs to be bailed out every year. Washington is charging taxpayers a 20-percent processing fee off the top.

I encourage my colleagues to work out the math for their own States.

But for Utah, that means that of the $335 million we receive annually from the highway trust fund, nearly $64 million goes to political overhead instead of steel and concrete.

Everything in our economy and our society today is moving away from rigid, centralized, bureaucratic control and toward flexible, open-sourced community and individual empowerment. This is a simple question of old versus new, of bold versus unimaginative.

The Interstate Highway System met a crucial need in its time and represented a wonder of innovation, but so did Borders bookstores at one time, so did Blockbuster Video at one time, so did record stores, and so did rotary telephones.

America still needs books, movies, music, and communication, and it still gets those things. Today those goods are just delivered more efficiently, more affordably, through flexible models customized to the needs of individual customers. In the very same way Americans still need highways, bridges, subways, and bike paths. Indeed, we need them now more than ever, but Federal policy hasn't kept up with the times. That is why, even without my amendment, more than 30 States have begun or are considering their own transportation modernization programs.

This is just one more piece of evidence that the transportation renaissance America needs is one that our centralized bureaucratic status quo cannot deliver—not with another $10.8 billion or 10 times as much.

After six decades and historic successes, the time has come for a new Federal transportation policy—one that taps the creativity of our diverse Nation. Today, Americans are unnecessarily stuck in traffic, stuck in overcrowded subway cars, missing their kids' games and recitals, priced out of neighborhoods close to their jobs, and they spend almost a full 40-hour workweek per year stuck in gridlock. They deserve better than what Washington is offering—which is just the status quo, plus a little more money. A new era demands a new approach.

The Interstate Highway System is a success, and the people who created it deserve our great admiration and gratitude. But the way to honor their legacy is to stop imitating them and start emulating them by investing in an innovative transportation network for our own era, just as they did for theirs. Just as it was in 1956, the status quo is once again no longer good enough. We need to transcend it.

The future of America's mobility is not a rigid, monolithic, centralized bureaucracy frozen in amber; it is a flexible, organic, open-sourced network of empowered individuals and communities as diverse as the Nation itself.

My amendment would empower Americans to start to build that future together, and I respectfully ask my colleagues to support it.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, it is really almost hard to know where to start in my opposition to this amendment, but let me say that some people call it devolution, meaning you devolve all responsibility for the highways and transits to the States. I call it not devolution but complete and utter destruction of a system that has been in place that the States have grown to count on. That is why the States that my friend speaks from, the States' point of view—they oppose this amendment strongly. AASHTO—they represent not one State but every single State.

There are so many things my friend said that we can't refute—that a State should have the right to spend whatever they want. Sure, they can. They can spend anything they want right now. But they count on the basic bread and butter of these grants.

If we look at history, it has been Republican Presidents who have stepped to the plate on this all through history. That is why I think this is so radical. It is shocking to me. It is shocking to me because some of the biggest proponents of the Interstate Highway System and aid to the States have been Republican Presidents.

Let's be clear. If, God forbid, this were to become the law, immediately the States would see a cut in their transportation funding of 80 percent. That is my friend's answer to gridlock—cut the funding to the States by 80 percent.

The last time I heard and listened, we were one nation under God, indivisible. That is why the visionary Dwight Eisenhower saw this. He knew we had to be able to move equipment. He knew logistics because he was a general. He knew we were one Nation, sea to shining sea. And my friend would have us lose that.

I really wish my colleague Senator INHOFE would come to the floor because I think he has a voting record that is as conservative as any, and he feels transportation is a basic function, along with defense.

I think it is important to note that counties and cities and States depend on this program, and they have for years. Again, this is a national interest, to have this one Nation.

If we really want to see Republicans and Democrats united around the country, look at who is opposing the Lee amendment: the American Trucking Association, the American Road and Transportation Builders Association, the American Society of Civil Engineers, the American Highway Users Alliance, the National Stone, Sand, and Gravel Association, the general contractors, the Associated Equipment Distributors, and the Association of Equipment Manufacturers. And if they agreed with Senator LEE—set us free; set us free; we are going to build so much—I don't know what he is talking about, set us free. Set us free with 80 percent less money? That is really great. What are we going to build? Nothing. We are going to have to raise taxes. I was a county supervisor. That doesn't work.

Proponents of this amendment weakly claim that with the completion of the interstate system, we don't need a Federal role in transportation. Well, guess what. We have to maintain our Federal highways even though they have been built. We have to maintain our bridges even though they have been built.

I said on a TV show the other day: I know I have gotten a little older. I need more maintenance. That is just the way it is. I am not happy about it.

Stop laughing. But that is a fact of life.

So don't tell me ''we are free at last; do away with this'' and then think the States are going to be happy when the very States my friend says he speaks for are totally against his amendment. We would be massively cutting transportation infrastructure spending.

Let's talk about the impact on thousands of businesses and millions of workers. I don't know if we have the picture of the stadium. I wish to show my friend—when he comes here and makes an ideological speech, I like to talk about the real world. Here is the real world. This is a Super Bowl game. This is a stadium that holds 100,000 people. We have seven stadiums full of unemployed construction workers. He wants to cut the Federal involvement by 80 percent. Just don't see some of these workers. It started out that we filled 20 of these stadiums in the height of the recession. Now we have got it down to seven, and we still don't have enough work.

And this isn't make work. This is work our American businesspeople want. This is work our American workers want. This is work that can't be outsourced. This is work that pays a good wage. What a time to cut back our investment by 80 percent and sock it to the workers.

The same people who vote for this amendment won't raise the minimum wage—support this pension smoothing that is taking away dollars from our employees' pensions.

So I am at my wit's end to understand. My friend is a nice man, and I know he believes this. But don't come on the floor and say let's forget about Eisenhower's vision and have a new vision, which is that there is no more Federal role.

Some will get up and say: Maybe it is better to do this than to do nothing. Maybe this is better.

No. We have to do our job around here, and that is a multiyear bill. We are faced with a short-term extension because we haven't done our work.

Senators CARPER and CORKER and I are going to put forward an amendment that is going to force us to do our work in December if we are lucky enough to have it passed. We hope it will pass because if we vote for that amendment, we are cutting back the short-term money we have to pay, and we are cutting back the time. And that is good. But we are not walking away from the responsibility we have as a nation, one nation under God, indivisible, from sea to shining sea, a vision of America that my friend's amendment would destroy. It is not devolution, it is destruction, and I hope we will vote no.

I thank my colleagues, and I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I strongly, respectfully disagree with the characterization my distinguished colleague from California has made suggesting that this somehow represents an 80-

percent cut in the transportation funding. That simply is not true. The idea here is to transfer both the revenue collection authority and the spending authority back to where most of it belongs, which is at the State and the local level.

There isn't a State in the Union that wants to do away with transportation infrastructure spending. Quite to the contrary, our States and localities and those who assist the contractors, who provide the services, provide the gravel and other materials that go into these roads and bridges and transit projects—they want to get to work, but they want to put this money into steel and concrete in the ground rather than spending so much of it on lobbying, rather than spending so much of it on things that have nothing to do with steel and concrete in the ground.

I also wish to refer to something my colleague said with regard to the fact that it costs money to maintain the Interstate Highway System. I absolutely agree—I could not agree more—which is exactly why I wrote this amendment so as to retain a 3.7-cent-per-gallon gasoline tax that would be collected and spent better to make sure we would maintain the Interstate Highway System. That is exactly what we do.

A reference was made to my distinguished colleague from Oklahoma, Mr. INHOFE, expressing remorse over the fact that he is not here with us at this moment to have a discussion and wondering what he would say about it. To respond to my colleague's point, Senator INHOFE has voted for this provision in the past. In fact, in the past Senator INHOFE himself has introduced a version of this very piece of legislation.

My colleague also referred to groups that happen to oppose this legislation. I would encourage those groups to learn more about it and also point out that there are lots of groups that support my legislation, including Americans for Prosperity, Americans for Tax Reform, Heritage Action, Club for Growth, National Taxpayers Freedom, Freedom Works, and the list goes on and on.

It is also important to remember that our Federal gasoline tax did increase substantially between 1992 and 1994, increased from just 4 cents per gallon to 18.4 cents per gallon. During that time period we were told that if the gasoline tax was increased at the Federal level, we would be backing up the highway trust fund, that we would make sure it was secure.

Did that happen? No. What happened instead was the Federal Government overreached. The Federal Government started getting more and more involved in surface streets and things that have nothing to do with our Interstate Highway System. That is why we are here today.

I therefore yield back the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I will be very brief. I know my colleagues want to present the Carper-Corker-Boxer amendment. I will just say that we just did the math. The Senator cuts the gas tax to such a degree that the States would get an 80-percent cut. The Senator can do the math himself, but I am happy to work with the Senator on it.

It is not convenient—it is not right to speak about another Member when they are not here, but my understanding is Senator INHOFE does not currently support this. I could be wrong. We will find out in a couple hours. One of us can apologize. But I will apologize if I misstated his objection to this.

I yield the floor.

AMENDMENT NO. 3583

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I ask unanimous consent that our amendment, the Carper-Corker-Boxer amendment 3582, be made pending and that it be reported by number at this time.

The clerk will report.

The legislative clerk read as follows:

The Senator from Delaware [Mr. CARPER] for himself, Mr. CORKER, and Mrs. BOXER, proposes an amendment numbered 3583.

(The amendment is printed in the RECORD of Wednesday, July 23, 2014, under "Text of Amendments.")

Mr. CARPER. Mr. President, I will make some comments to lead off and then will yield to Senator CORKER and back to Senator BOXER, and we have others who would like to speak on behalf of this amendment.

I wish to start off by saying to the Senator from Tennessee who is here with us, the lead Republican on the amendment, how grateful I am to have this opportunity to work with you on an important issue. Thank you for your courage. One of the definitions of leadership is the courage to stay out of step when everyone else is marching to the wrong tune. In this case, not everyone else is marching to the wrong tune, but a few people are. I thank you for showing that courage and standing up to do what we believe is the right thing to do.

I would like to give a big shout-out to Senator BOXER. She chairs the Environment and Public Works Committee on which I serve as the subcommittee chair for transportation and infrastructure. She and Senator VITTER and Senator BARRASSO and I worked to fashion a 6-year transportation plan for our country that is a very well thought out, excellent roadmap for the future of transportation in America, and what we now need to do is to fund it. It is great to have a plan. How about some money to make it happen? That is what this is all about.

This is the question: At the end of the day, how do we best ensure that we actually fund the 6-year plan Senator BOXER and others helped us develop?

I thank not just Senators CORKER and BOXER for their great support and for their leadership, I also thank the Democrats and Republicans and even an Independent or two for their support of our amendment.

I will yield the time now to Senator CORKER and Senator BOXER, and I will take some time out. Senator KING is welcome to speak as well.

UNANIMOUS CONSENT REQUEST

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order with respect to H.R. 5021 be modified to allow for 2 minutes equally divided in the usual form between the votes and that all after the first vote be 10-minute votes, with all other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. I thank the Senator from Delaware and the Senator from California for going ahead with this amendment. I thank Senator CARPER for this leadership not just on this issue but other issues. I know we are working with other long-term issues that need to be resolved, and I thank him for the way he is going about doing that.

If I could just lay out what is happening today, a House bill is coming over here today that is a short-term extension. Mr. President, I don't know if you know this, but this will be the 11th short-term extension since 2008. Let me say that one more time. This will be the 11th short-term extension that has occurred since 2008.

This is the fifth time we have taken money out of the general fund—taken money out of the general fund—to fund the highway trust fund, which is supposed to be funded through user fees. So what I would like to say to my friends on this side of the aisle is that this is the fifth time for the highway trust fund, which builds highways and bridges around our country, that we are engaging in generational theft—generational theft—where we take money out of the general fund. Everyone knows it is not paid for. We use gimmicks to pay for something that the Constitution says we are actually supposed to deal with.

The House sent over a bill, and there has been a lot of consternation on the floor about that. They used $6.4 billion worth of pension smoothing. Everyone in this body knows it is not a real pay-for. All it does is move revenues up a decade. And because it uses $6.4 billion worth of pension smoothing, it has a $5 billion budget point of order against it. Let me say that one more time—a $5 billion budget point of order against the House bill that is coming over. So there has been some consternation.

People say: Well, if you don't take up the House bill, the road program is going to fall apart, and we are going to go home for the August recess and everybody is going to be blamed.

Well, fortunately—fortunately—today Speaker BOEHNER said: No. If the

Senate sends something over, we are going to send something right back.

So everybody ought to be relieved. So it doesn't matter today that many of our Finance Committee members who serve with Chairman WYDEN—they have made commitments to him that we are going to get on the Senate Finance Committee, and they should all know it is not a problem now. The House today said they are going to send something right back.

So the first vote that is going to take place today is a vote to strip out the House bill, which has $6.4 billion worth of pension smoothing—a total gimmick. Everyone knows it is not a pay-for. It loses money—loses money. And the Senate Finance Committee bill is going to—the first vote is to replace the House bill with the Senate Finance Committee bill—by the way, which was done under regular order, done the way bills are supposed to be done. Unfortunately, it also is a short-term fix. I have never voted for a short-term fix for the highway trust fund because it is so simple for us to resolve. The only issue is we haven't been willing to address it. There are no new ideas that I am aware of.

I am going to have to vote against a short-term extension. But we have an amendment to improve it, and what that amendment does is it takes out all of the pension smoothing that unfortunately is in the Finance Committee bill. I thank them for doing their work, but it has $2.9 billion worth of pension smoothing, which, again, is a gimmick. In other words, it moves up revenues. It weakens, by the way, the pension system in our country. You ought to know that. It weakens our pension system. It moves money into this decade, but from then on it loses even more money. It is absolute—no offense to those who put it in place—generational theft. So what this amendment does is it takes pension smoothing out of the Senate finance bill and leaves everything else in place.

The secondary benefit is that it means the highway trust fund will not have funding except to make it through this year. What that means is that this body in 2014 will have the opportunity to actually deal with this issue.

I have to tell you, seriously, I am embarrassed. I have been here in the Senate 7½ years—7½ years—and we have yet to deal with one of our long-term issues. I cannot remember a single issue this body has come together on to deal with one of our long-term structural issues. It is an embarrassment. They really aren't new ideas around here; there has just been a lack of willingness to deal with it.

I thank the Senator from California, the Senator from Delaware, and others who will join in this amendment. And all we are doing is one thing: We are taking a gimmick out of the Senate finance bill and forcing this body to act responsibly before year-end. That is all.

I would urge my colleagues to come to the floor and say: Look, it has been a long time, 11 short-term reauthorizations.

By the way, think about the economic issues that come with this. We do these reauthorizations, and departments of transportation around the country have no idea whether there is going to be funding in place. What do the contractors do? They don't hire people long-term. They don't buy equipment. Yet we come and do this 11 times since 2008. Five times, again, transferring money out of our general fund—the greatest generational theft that can occur—taking money out of the general fund and spending it over a 6-month period, paying for it over 10 years.

To my Republican friends who railed against the President over the health care bill because he was using 6 years' worth of costs—by the way, I was one of those railers—6 years' worth of costs, 10 years' worth of revenues—we couldn't get off of it because it was so irresponsible. Yet in this bill we are going to spend the money over 6 or 7 months and pay for it over 10 years. It is an order of magnitude worse.

I know that a lot of people have worked and they have said: No, there is no way we can come up with a solution by year-end.

You have got to be kidding me. How could we not come up with a solution to such a simple issue—a trust fund that has been funded by user fees. How could we not figure out some way in 5 days? The Senate Finance Committee has some of the smartest people in the Senate on it. They know there are no new real options. The chairman has floated some ideas as to how to get there, and I applaud him for it.

By the way, I know that the Senate Finance Committee is only doing its job today. In other words, you have to come up with a short-term solution. I got it. I cannot support it. I cannot support it. I cannot support another kicking of the can down the road on one of the simplest issues we have to deal with in the Senate because elections are coming. Let's face it. Every time it is the election. We can't deal with this issue, so what we said is: OK. We got it. We realize that during elections people don't really want to show their cards, apparently. So we are saying, hey, let's strip the gimmick that is in this bill—the pension smoothing that we all know is not a pay-for. It is a gimmick. Let's strip that and let's force the Congress before the end of this year to actually deal with an issue that is very important to our Nation.

I hope people will support it. I have heard people say: Well, I just don't see how we can figure out a solution.

You have got to be kidding me. I mean, how many new ideas are there relative to this?

So, look, I thank my colleagues for joining in this amendment. I hope we will have support. Again, this amendment lessens the kicking of the can down the road. It takes out a gimmick. It forces us to deal with a long-term solution, which we should have done a long time ago.

I thank all of those Senators who support this amendment. I hope others will consider it before they come down to the floor. I hope this Senate will have the opportunity—and the House—before year-end to actually deal with this issue.

Again, let me say this: The kick-the-can down-the-road that is occurring takes us into next May and June. Think about it. So we are going to have a Presidential race underway. So then people are going to say: Oh, we can't deal with this issue. We don't want our nominees to have to deal with this issue.

Remember, the primaries this year are early. So our Republicans will say: Well, we don't want to deal with this issue in May or June because a Presidential race is coming up. And the Democrats will say the same thing: We don't want our candidate to have to talk about this issue. So again and again we will kick the can down the road. We will engage in generational theft. We will weaken our economy. We won't do the things we should be doing with our infrastructure. It is the wrong thing to do.

Please support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I wish to thank Senator CORKER for his remarks because I have been here a while, and I haven't heard a more honest speech in my life on the Senate floor. I haven't heard a more passionate speech, a speech in which the Senator just spoke from his heart and with his brain, which is quite competent. I thank the Senator for it because there are some times when you do feel like shouting. I guess that was a movie, ''I Can't Take It Anymore.''

It is ridiculous that we are where we are. We knew for 2 years—2 years—that the highway trust fund was going to run out of money. We knew it for 2 years. That is why in May Senator VITTER and I, Senator CARPER, Senator BARRASSO, and others on both sides of the aisle passed a 6-year bill. We knew it was coming. We wanted to wake up our colleagues. And we did wake them up but, sadly, to a short-term fix instead of a long-term fix, a multiyear bill.

I so agree with my friend. It is the political will that is lacking. There is always an excuse followed by an excuse. The next thing we know they will say: The dog ate my homework. We have heard every excuse. And the Senator is so right. We will be in Presidential races, and then we will start with more Senate races and more congressional races, and people won't want to take a tough vote again.

This is the greatest Nation on Earth, but we have to reflect the greatness in our work here, and we are not.

The one thing I disagree with my friend on—he said we are only doing one thing in this amendment. We are actually doing two things in this amendment. One is we are getting rid of that gimmick called pension smoothing. I have kind of studied it over the last few weeks to really understand what we are doing, which is when you use this pension smoothing, you are saying to companies: Don't put any money into your pension obligations. And through some smoke and mirrors—because then it means they get to pay a little more income taxes—by the way, some don't pay more income taxes—it comes out a plus. The fact is, it is in essence telling companies they don't have to set aside money for their workers' pensions. That is not something that is good, especially since the pension guaranty corporation is short $34 billion.

I don't know if my friend knows this. The last time we used pension smoothing for a short-term fix, at least we had in the committee a comparable measure that ensured that companies gave more to the pension guaranty corp. So although they had a chance not to put the money into the pensions, they did have to pay more to the pension guaranty corp. If the pension guaranty corp. isn't there—the Pension Benefit Guaranty Corp. is broke—the taxpayers have to pick up the tab. I am looking at my friend in the Presiding Officer's chair, the Senator from Massachusetts, Ms. WARREN, who knows what happens when everybody is broke and the Federal Government says: Oh my God. That is too big to fail.

So this attack that you make on smoothing as a gimmick—it is worse than a gimmick because it has real-life impacts, and those real-life impacts are that the companies aren't putting aside enough money. So let's think about what we are saying. We are saying the highway trust fund is going broke, so to fix it we are going to endanger another fund, the pension funds of our workers. That is terrible.

That is why I love the Carper-Corker-Boxer amendment, and I thank my friends for their leadership on the pay-for. It does two things, this good amendment. It says we are not going to use the smoothing; we are going to protect our pensions. Secondly, we are going to attack the long-term issues of the highway trust fund in December, in the lameduck, after the elections, and everybody knows that is the best time to do it.

So I stand proudly with my friends. I hope we pass this. I don't know what happens or what the House will do, but my dad used to say you can only control what you can control. We can't control them, but we can control us.

So I hope anyone listening to this debate—I am going to support the Wyden amendment because it does strip some of the pension smoothing. I am going to oppose the Toomey amendment and the Lee amendment because I think they are dangerous, and I am going to strongly support the Carper-Corker-Boxer amendment.

I thank my colleagues. I know there is some very important business about to come to the floor, so I will yield the floor at this time.

The PRESIDING OFFICER (Ms. WARREN.). The Senator from Maryland.

MILCON—VA APPROPRIATIONS

Ms. MIKULSKI. Madam President, we have just listened to a very lively debate on the highway trust fund, which is certainly a great issue confronting our Nation because our infrastructure is crumbling.

But we also know another great infrastructure has really been crumbling, and that is our VA infrastructure, including the ability to deliver health care to our veterans as promised, as well as to meet their claims when they file for their benefits, particularly those poignant, compelling claims around disability benefits.

I come to the floor today to see if we can't do a trifecta this week by passing the serious reform bill advocated by Senators SANDERS and MCCAIN——

The PRESIDING OFFICER. Senators will take their conversations out of the Chamber.

Ms. MIKULSKI. These are excellent Senators whose voices are heard and heard and heard, as is mine.

In addition to the Sanders-McCain bill that comes as a result of the conference, really what that bill does is focus primarily on the health care issues facing us. What concerns me is also the fact that we need to eliminate the VA disability claims backlog for which there is also a compelling need.

Now, what I am advocating is that we do a trifecta this week; that is, we pass the conference report that has been advocated by Senator SANDERS and Senator MCCAIN that will deal with the important reforms, including adding new personnel. We have given the VA a new chief executive officer to bring about the reforms with the know-how of business. I also wish to bring to the floor the VA-MILCON appropriations bill.

This is a fantastic bill that moves from the subcommittee, led by my very able subcommittee chairman, Senator TIM JOHNSON, with the help of the ranking member, Senator MARK KIRK of Illinois. They have done such incredible diligence on how we can use the taxpayers' dollars wisely to really provide the services we promised the veterans—yes, health care, but also that veterans shouldn't stand in line for health care and veterans also shouldn't stand in line and wait in line and then hope the line gets smaller for disability benefits.

What the VA-MILCON bill does this year, under the very able leadership of Senator JOHNSON, with the cooperation of Senator KIRK, is to implement these very important reforms, and the committee responded. I wish the Presiding Officer could have been in the full committee that day. We passed it on a bipartisan basis of 30 to 0.

Now I want to be able to bring this bill to the floor so this week we could do all three of these and make sure that the Sanders-McCain conference report bill is not on a weak foundation. We need to modernize our VA infrastructure.

There is over $10 billion of backlog in crumbling physical infrastructure at the VA. Its technology is dated. We want them to have great technology. Most of all, we finally want to crack this veterans backlog.

So I am going to propound shortly a unanimous consent request. I talked about it earlier. But before I make this request—I have spoken about this bill—I would like to yield to my colleague and my very able subcommittee chairman, Senator TIM JOHNSON, who has spent more than a decade working on these issues, and now, on a bipartisan basis, we have such a splendid bill—so wise, so prudent, so effective—that I wish we could do it.

I yield the floor for Senator JOHNSON and then I will reclaim the floor for my unanimous consent request.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Madam President, I thank the chairwoman for her strong leadership on the Appropriations Committee and her unfailing dedication to our Nation's vets. She is absolutely right in pointing out that passage of the fiscal year 2015 MILCON-VA bill is crucial to implementing the Sanders bill. The Sanders bill provides funding and expanded access for medical care for vets, but the MILCON-VA bill provides a far broader range of funding and oversight that covers every aspect of VA operations.

By a unanimous vote, we just confirmed Robert McDonald to be Secretary of the VA. He is assuming the leadership of an agency in crisis, and he will need every resource available to him if he is to succeed in turning the VA around.

The Senate has given him the job, and the Senate should now give him the resources to accomplish that job. This is no time to delay or shortchange VA funding.

For the sake of the Nation's vets, we must keep our focus on the full scope of VA operations, including but not limited to access to medical care. The disability claims backlog is a perfect example. In the past year, with the resources and oversight provided in the fiscal year 2014 MILCON-VA bill, VA has made great progress in reducing the backlog. The fiscal year 2015 bill provides additional resources for claims processing to sustain this momentum. The move to paperless claims was key to streamlining and expediting claims processing, and it was made possible by improvements to VA Information Technology systems—improvements which were funded in the MILCON-VA bill.

IT is the backbone of virtually every program the VA administers. An antiquated and cumbersome electronic scheduling system was a key factor in the patient scheduling scandal. The VA

is in the midst of an entire overhaul of its electronic health record system to make it more accessible to patients and to exchange information with DOD. This effort is crucial to the VA's ability to deliver timely care and benefits to vets.

The MILCON-VA bill also provides the funding to implement a wide array of programs that are crucial to the health and well-being of vets. Many of these aren't the kinds of programs or initiatives that make splashy headlines, but they are essential in delivering timely care and benefits. For example, the fiscal year 2015 MILCON-VA bill contains $7.8 million for a centralized mail system at the VA. The VA estimates that once the centralized program is implemented, it will take as many as 10 to 15 days off the time it takes to process a disability claim. The bill also provides increased funding to expand the Access Received Closer to Home program for vets in rural areas. These are just a few of many examples I could cite.

The Sanders bill and the MILCON-VA bill are separate components of a single requirement and they should move forward at the same time. I hope we can pass these bipartisan bills before we adjourn for recess.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

UNANIMOUS CONSENT REQUEST—H.R. 4486

Ms. MIKULSKI. Madam President, I am really eager to bring at least one appropriations bill to the floor. There are only 72 hours left before we break for August.

I ask unanimous consent that at a time to be determined by the majority leader, after consultation with the Republican leader, the Senate proceed to the consideration of Calendar No. 400, H.R. 4486, the Military Construction-VA appropriations bill; that the Committee-reported substitute amendment be agreed to; that there be no other amendments, points of order or motions in order to the bill other than budget points of order and the applicable motions to waive; that there be up to 1 hour for debate equally divided between the two leaders or their designees; that upon the use or yielding back of time, the bill, as amended, be read a third time and the Senate proceed to vote on the passage of the bill, as amended; that if the bill, as amended, is passed, the Senate insist on its amendment, request a conference with the House, and authorize the Chair to appoint conferees.

The PRESIDING OFFICER. Is there objection?

Mr. SHELBY. Reserving the right to object, our side is eager to schedule floor consideration of appropriations bills with a full and open amendment process, and the MILCON-VA bill would be at the top of our list.

Would the Senator from Maryland agree to modify this consent request as follows: that following disposition of the highway bill this evening, the motion to proceed to S. 2648, the Senate border supplemental bill, be withdrawn and the Senate proceed to the immediate consideration of H.R. 4486, the MILCON-VA bill; I further ask that the first amendment in order be offered by the Republican leader or his designee, and that the two sides then offer amendments in alternating fashion; that following the disposition of all amendments, the bill, as amended, be read a third time and the Senate proceed to vote on passage.

The PRESIDING OFFICER. Does the Senator from Maryland so modify her request?

Ms. MIKULSKI. The answer is no, I will not modify my request. But my response should not be interpreted as a pugnacious rejection.

I appreciate the civil and courteous way the Senator from Alabama has responded. But in a nutshell, what the Senator from Alabama is requesting is that we not pick up the supplemental, we bring up the VA-MILCON instead. I would like to bring up both bills, which is why I am asking that there be no amendments on VA-MILCON. They are practically identical between the House and the Senate. There were no amendments except a few perfecting ones in the Senate. We could get this done in an hour. So, therefore, I will not modify my request.

The PRESIDING OFFICER. Is there objection to the original request?

The Senator from Alabama.

Mr. SHELBY. Madam President, I object to my distinguished chair's motion to consider and pass the MILCON-VA appropriations bill. This is not because I oppose the underlying bill, as I have said. This a bill that has wide bipartisan support. Its support is predicated upon the premise that we will engage in what we call ''regular order'' here. Regular order, by its very nature, includes the ability to offer, consider, and to vote on amendments.

If we were to agree to this unanimous consent request by the Senator from Maryland, we would be trading away every Member's prerogative on both sides of the aisle to offer and to vote upon amendments. I would, therefore, encourage the chair and the majority leader to revise their unanimous consent request to allow for an open amendment process. Until then, we will be compelled to object.

Thank you.

The PRESIDING OFFICER. Objection is heard.

The Senator from California.

Mrs. BOXER. Madam President, I know my friends Senator MIKULSKI and Senator SHELBY are doing everything they can to work the will of the Senate. I know how they both want to get something done on this appropriations bill.

I simply want to say that I looked at the modification of my Republican friend—and he is my friend—that he offered, and I think for the good of America, who could be watching, I want to make a couple of points that will take me 30 seconds.

First of all, there is no limit on the number of amendments. We do not know if it will be 5, 10, 20 or 1,000 or 2,000 or 1 million. We have no idea. They would not even have to be related to the bill at hand, and they will not tell us what this list of amendments is.

I have looked back at some recent requests, and I want to be very honest with my friend. The recent requests I have seen before have been attacks on the Clean Air Act, attacks on the Clean Water Act, attacks on the Safe Drinking Water Act, attacks on women's health care. Frankly, that is not something I can agree to.

So I just want to say I am so saddened that we cannot seem to take up the most popular bill. I know how hard everybody has worked on MILCON-VA, and my friend, Senator SHELBY, said: Our side is eager to schedule floor consideration of appropriations bills. Well, if they are really eager, they should work together with Senator MIKULSKI. You could not find anyone more fair. Get a finite list of amendments. If they are controversial, we have the 60-vote threshold. We know how to do our work around here.

So I am sorry it has come to this, and I appreciate the leadership of both Senators.

The PRESIDING OFFICER. The senior Senator from Maryland.

Ms. MIKULSKI. Madam President, first of all, I thank all of those advocating the highway bill for their courtesy in letting us bring this to the floor. Senator JOHNSON and I are deeply appreciative.

I think we have just had a very good discussion. We have stated what we would like to do to move VA-MILCON in the most time-efficient way possible—with the least controversial bill. I am not going to have anything more to say about this tonight, but now that we have kind of put a lot of ideas out there, we have heard what the expression is of the vice chairman of Appropriations, I would hope that over the next 36 hours perhaps we could find a way forward to do the trifecta I am hoping for to serve America's veterans: pass the conference report that helps improve veterans health care—we have done one part of that now by approving Mr. McDonald—and all we would have to do before Thursday night is to finish VA-MILCON.

So I intend to reach out across the aisle, and I appreciate the effort and courtesy and the cooperation of the highway Senators, who are moving this bill forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Thank you very much, Madam President.

I know we have a number of colleagues who still want to speak, and we want to get to votes tonight, so I want to be very brief speaking in opposition to the Lee amendment and in support of the amendment of my friends Senator CARPER, Senator BOXER, and Senator CORKER.

Madam President, I want to quickly tell you about the Norwalk River Bridge, which is a bridge in the State of Connecticut, which is pretty important to the transit of people and goods throughout the Northeast because it spans the Norwalk River and allows for trains—Amtrak trains, Metro-North trains—to be able to transit millions of people over millions of trips up and down the Northeast Corridor. Without the Norwalk River Bridge, you cannot get from New Haven to New York, but you also cannot get from Washington, DC, to Boston.

That bridge is 118 years old, and it is a miracle that it opens at all. It needs to open in order to allow maritime traffic to go up and down the Norwalk River. It is a miracle that it opens at all. But, in fact, on 16 of its 271 openings last year, it did not open and it interrupted Metro-North service 175 times.

The result for not just Connecticut but the entire region is hundreds of thousands of dollars in lost productivity. Our inability to pass a long-term transportation bill means that big projects like the replacement of the Norwalk River Bridge cannot get done. Why? Because when you only budget for 12 months or 24 months at a time—or in this instance only 6 months or 4 months at a time—there is no way for a State to be able to plan to do that kind of massive work.

So I am here on the floor to beg my colleagues to support the amendment from Senator BOXER and Senator CARPER because it is time we started to get some political courage and admit that the emperor has no clothes when it comes to Federal transportation policy. Yes, it is politically difficult to make the choices necessary to come up with the funding to fill that gap.

Senator CORKER and I have one particular idea, but we would love to hear others. But it is time for us to sit down and have that honest conversation because you cannot do projects like this if you do not.

But to Senator LEE's amendment, this is exactly why you need a Federal commitment to transportation funding. The idea that you are just going to devolve all of these projects down to the local level is preposterous. Why? Because this is a regional asset. The Norwalk River happens to be located in the State of Connecticut. But if all transportation funding came from the States, and Connecticut, for one reason or another, decided not to spend money on replacing the Norwalk River Bridge, it is not just Connecticut that is affected by that; transit stops in Massachusetts, in New York, in New Jersey, in Delaware, all the way down to Washington, DC.

So the reason we have made a robust commitment to Federal funding for both highways and mass transit is because the benefits accrue to all of us.

Senator LEE said that this is just an innovation in the way we fund transportation, like, as he said, the innovation in the way in which people buy books. That analogy speaks to our imperative for Federal funding because the way that books have been sold is different. It used to be that you just used the local roads to drive down and buy your book from the local bookstore. Today, you buy at amazon.com, and it is the Interstate Highway System, the interstate rail system that is used to get your book from a warehouse somewhere out in the Midwest to you after you ordered it online in Connecticut. If you want to talk about the great innovations of the last 20 to 30 years, they all buttress the idea that we live in an interconnected, interstate world in which we need a Federal commitment to highway funding—one that does not just parse out funding one month at a time.

My State is particularly dependent on this kind of funding. Connecticut only survives if we are able to unlock the congested highways and byways and rail lines that connect my State to New York and to Boston in particular. But this Nation as a whole will not succeed, will not survive economically if we do not grapple with the fact that as China spends 12 percent of its GDP on infrastructure, Europe spends 6 percent of its GDP on infrastructure, even if we just held the line, we would still only be spending 3 percent of our GDP on the most important asset to the future of America's economy.

So I hope we reject the Lee amendment. I hope we pass the Carper-Boxer-Corker amendment. I am glad to join them in support of it this evening.

I yield back.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, just for purposes of making a unanimous consent request, I ask unanimous consent that the only remaining time be 5 minutes each for the following Senators and the Senate then proceed to vote on the amendments and the bill as provided under the previous order: Senator CARPER, Senator FLAKE, Senator WYDEN, and Senator KING. The unanimous consent request is for 5 minutes each, and then the votes.

Mrs. BOXER. Madam President, reserving the right to object, will we still have 2 minutes before each amendment then? It will be in between?

The PRESIDING OFFICER. Yes, we will.

Mrs. BOXER. I thank the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Delaware.

Mr. CARPER. Madam President, I understand in the unanimous consent agreement I have 5 minutes.

The PRESIDING OFFICER. Yes, that is correct.

Mr. CARPER. I yield 1 minute of that to Senator KING. Oh, great, he has 5 minutes. I would like to have 4 of his minutes.

I will start by saying my thanks to Senator WYDEN for his leadership as well. I am pleased to be able to support his amendment. I am grateful he is supporting ours.

I say to some of our Republican colleagues, I have talked to most of you in the last several weeks about this approach that Senator BOXER and Senator CORKER and I are proposing; that is, to lower from $11 billion to $8 billion the amount of money that would go into the transportation trust fund. That would force us to come back and make a decision by the end of this calendar year. That would force us to do something real, do our job during the lameduck session.

One of the reasons Republicans have said to me is: We can't do that because then that would force the bill to go back to the House from which it has emanated. Well, let me just say the bill is going back to the House. The Wyden amendment is going to pass. So get over it. The bill is going to go back to the House. It is not going to die there. They will do something with it. They may send it back to us in that same form or some different form. But for Republicans who have said: I understand the importance of doing something in a lameduck session, and we know we need to be compelled to do that but I just can't do it, well, you can.

For the folks, our Republican friends who say: I don't like that pension smoothing at all, the idea of mucking with people's pensions in order to fund something entirely unrelated—and that is building roads, highways, bridges, and transit systems—well, you do not have to do that. You can use an honest pay-for, an honest set-aside, and feel good about doing that.

We are going to be here, maybe, Friday night, December 19, and if we have provided $11 billion to carry us to fund programs through the end of next May, I promise you, if we have not worked out a 6-year transportation funding plan by December 19, that Friday night, we are going to be gathered right here and people will say: What are we doing here? It is almost Christmas. I want to go home or go somewhere to be with my family. We have money to run these programs until the end of May, so let's just kick the can down the road and come back a little bit before May and we will do it then.

One problem with that: We did something like that 5 years ago, and we did it again and again and again and again—11 times. This will be the 12th time we do it.

Why am I concerned we will do it again?

I say to Senator DURBIN, let me ask, what did Albert Einstein say about the definition of ''insanity''? He said: It is the notion that we are going to do things the same way we have always done them and we get a better result or a different result. We will not. We will do it again.

All over this country, State and local governments, mayors, Governors, people who build roads, people who run contracting companies, the truckers,

all kinds of people are saying to us one message: Do your job. Our job is to provide transportation infrastructure. Do it in a time-responsible way so that States and local governments that have these programs, that have them on the drawing boards can build them or the ones that are underway, they want to complete them.

We can help them do that. We can do that by voting for the Carper-Corker-Boxer amendment.

Let me close with another great quote from another great guy who used to criticize this place, Mark Twain. He was always saying bad things about the Congress, even then when he was around. But one of the things he said is relevant today. Here is what he said: When in doubt, do what is right. You will confound your enemies and amaze your friends.

I will just say to my Republican colleagues, especially: We love you. We want you to join us in doing what is right, and you will confound your enemies and you will amaze your friends, and not only that, you will do the right thing for our country, strengthen our economic recovery, do what we are supposed to do, providing strong transportation infrastructure for this Nation.

The people of this country are counting on us. Let's not let them down.

I yield back my time.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, in just a short time we are going to have some votes—five—and we have been very lackadaisical. We have waited for people to come here to vote for up to 25, sometimes 30 minutes. We are not going to do it. We have first a 15-minute vote, and then we have four 10-minute votes, and we are going to cut off the time. We will have the 5-minute period we always have at the end of these votes, but, everyone, there is no excuse. It is not fair to everybody to wait around here while you are doing whatever you are doing. It is impolite, and it is not courteous, and we need to move things along. People have things to do tonight. So when we finish the speeches, we are going to move to the voting, and we are going to stick to the times. So, everybody, there are no excuses. Everybody should understand that.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Madam President, I will be brief in support of the amendment by the Senator from Utah to devolve highway trust fund spending to the States. I want to correct something that was said earlier. It was said that all money would be devolved to the States and it would be up to the States to maintain the Interstate Highway System. That is not the case.

This amendment is similar to many that have been submitted over the years, myself included. I have submitted some in the House to do this very thing.

I think we can all agree that the highway trust fund is in need of a major overall. Since 2008, we have taken, I think, $53 billion from the general fund to replenish the highway trust fund because cars have better gas mileage, and when we have recessions, less driving is done and less money goes into the trust fund, and we are trying to make that up now.

In the future, it simply is not going to meet the need out there. So we have got to do something to make sure we get more bang for the buck for highway spending. One way to do that is to allow States greater flexibility to use these moneys and give the States those responsibilities as well. When you do that, you can increase the bang for the buck. When you look at what a lot of the money is now spent on—the Federal money—instead of putting it toward highways, it is diverted to mass transit, bike paths, ferry boats, streetscaping, and countless other projects that are, at best, very local in nature and, at worst, very wasteful.

The States generally have a better idea of what their needs are and are better stewards of taxpayer money in that respect. I have been told that if you build two bridges—if a State has two bridges to be built, they are next to each other across the same river and about the same location, if you build one with Federal funds and one with State funds, the one with Federal funds will cost you about 20 percent more, when you take into account the Davis-Bacon requirements and other mandates and lengthy approval processes. So States simply get a lot more bang for the buck. If we want highway dollars to go farther, we ought to do this.

In an issue brief by Common Good, it states, ''The environmental review process has grown onerous and expensive, adding years to the length of infrastructure projects without improving environmental outcomes.'' That is another thing that Federal laws require oftentimes is lengthy environmental reviews.

We can correct a lot of this by devolving some of these responsibilities to the States. I think the Lee amendment goes a long way toward doing that.

I want to say that I appreciate some of the amendments that are being brought forward today. Some of them are a lot less gimmicky than we are used to dealing with on the highway trust fund. But the Lee amendment is one that actually deals with the highway trust fund long term and offers a long-term solution to the problem of not enough money in the fund and misplaced priorities with some of the spending.

I urge my colleagues to support the Lee amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Madam President, I rise to address the highway funding issue we are discussing today. Four or five years ago, Tom Brokaw wrote a book called ''The Greatest Generation.'' He was talking about the generation that sacrificed—I repeat sacrificed—on our behalf. They struggled through the Depression, they fought World War II. Then when it was over, they paid the debt from World War II and built the Interstate Highway System. I hate to think what Tom Brokaw would call the book written about our generation, which has, in effect, rebuilt the World War II debt, which we are passing on to our children. We cannot even keep the Interstate Highway System fixed. This is shameful.

I am here to support the Carper-Boxer-Corker amendment, because it forces us to deal with it in this Congress. It is not going to be any easier to deal with next May. Let's get it done. We have the answers. We know what we have to do. The highway system is a pay-as-you-go system. The problem is, now we are going more than we are paying. The gasoline tax has not been raised since 1993, 21 years ago. But the cost of maintaining the highways, of course, has been raised precipitously.

Not fixing infrastructure is debt. A lot of people around here talk about debt, and we are worried about the debt we are passing on to our children. I am worried about it too, but I want to make the point that if you do not fix a bridge or do not fix a highway or do not fix an airport, that is debt too because our children are going to have fix them. When they get around to it, they are going to have to pay more for it.

Senator CORKER used the term ''generational theft.'' That is what it is. Our generation is giving ourselves tax cuts borrowing the money to pay for those tax cuts, and our kids are going to have to pay it. That is not a tax cut, that is a shift of a tax from us to our children and our grandchildren. It is wrong.

To think that generation went through the Depression, fought World War II, paid for World War II, and then built the Interstate Highway System in the 1950s and 1960s, and then we cannot even keep it paved, and we have rebuilt the debt from World War II with nothing much to show for it, is unconscionable.

There are a lot of problems we deal with here that are hard and complicated. I deal with, on Armed Services and Intelligence, some very complicated problems that are troubling and difficult to figure the right thing to do. This one is simple: Pay your bills. It could not be more straightforward. Pay your bills. If you want to drive on the highways, have the potholes filled, we have to pay for it. To delay this into next May is just that much easier, and then we are going to start talking about Presidential campaigns and other campaigns and 2016 is going to be coming up. There are always reasons not to do it.

This is the 11th time we have punted on this issue. This is what the American public is sick and tired of. They are sick and tired of us not doing our basic job. There could not be a more

basic job than fixing and paying for and maintaining your infrastructure. So I hope we can pass this amendment.

Yes, it is going to go back to the House. The House has said: Well, we are not going to accept it. But let's see. Let's put something good over there, shorten the time, get to it this year, in December, November or December, and let's solve it. It is not going to be any easier to solve in May. I would argue it would probably be harder.

I think it is time for us to start talking straight to the American people and say: We have to pay our bills. That is what this amendment and that is what this bill is all about. I want that book to talk about another greatest generation, not the worst generation that just passed all the bills on to our kids.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, this debate has shown the urgency of moving on both a short-term patch for funding transportation and a long-term solution. Senator HATCH and I, with the first amendment, offer a bipartisan path forward. We take ideas from the other Chamber. We take ideas from both parties. We take ideas that both sides can build on for the long term, as Chairwoman BOXER has recommended.

There are important differences between the other body and the Senate. The other Chamber overuses pension smoothing. That creates two problems rather than solving one: They ignore the issue of tax compliance. That has always been bipartisan—paying taxes on taxes owed. Not tax hikes, not increases, not jacking revenues through the stratosphere, paying taxes on what is owed.

The other body abandons important bipartisan initiatives, initiatives from Senator BURR and Senator BENNET to promote natural gas vehicles; from Senator ISAKSON and Senator NELSON to protect earned pension rights; and Senators Bennet and Crapo to make sure we can deliver water to farmers across the Nation. The American Farm Bureau has endorsed this amendment.

The other body is saying: It is our way or no highway. I would ask colleagues, is that what we are sent here to the Senate to do, that we accept every dotted I and every crossed T from the other body and say that is just fine?

Colleagues, we talk about regular order. How is it regular order to be a rubberstamp for the other body?

This is going to be done this week. That is nonnegotiable. This bill will be finished this week. What should be negotiable is that the Senate and the other body should have a chance to work out differences. Working that out is as much a part of regular order as voting on amendments. So let's vote to be the Senate, and not have the other body dictate that it is either their way or no highway.

I urge my colleagues strongly to support the first amendment. It is a bipartisan amendment from Senator HATCH and me. It passed with virtual unanimity in the finance committee.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

Mrs. BOXER. Parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Have the votes been set for a certain time?

The PRESIDING OFFICER. All time has expired except for the 2 minutes before the vote on the Wyden amendment.

Who yields time?

Mrs. BOXER. Madam President, if Senator WYDEN would like this time, I think that would be really appropriate to sum it up in the 1 minute we have. If there is an opposition person, they can speak. I think the Senator should sum it up in 1 minute.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, as Senator HATCH and I—very briefly—offer a bipartisan amendment, it is a bipartisan amendment based on the ideas from both bodies. It reflects the fact that we have tried to come up with an approach we can finish this week that does not overuse pension smoothing, that ensures we comply with our tax laws, and includes bipartisan initiatives that promote natural gas vehicles, help our farmers, and ensure that earned pension rights are protected.

The other body offers what amounts to our way or no highway. We offer a bipartisan alternative. I hope all of my colleagues will support it. It is the first vote at hand.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to amendment No. 3582.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. SCHATZ) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 71, nays 26, as follows:

[Rollcall Vote No. 244 Leg.]

YEAS—71

Ayotte	Cardin	Franken
Baldwin	Carper	Gillibrand
Barrasso	Casey	Graham
Begich	Coats	Grassley
Bennet	Collins	Hagan
Blumenthal	Coons	Harkin
Booker	Corker	Hatch
Boxer	Donnelly	Heinrich
Brown	Durbin	Heitkamp
Burr	Enzi	Hirono
Cantwell	Feinstein	Isakson
Johnson (SD)	Mikulski	Stabenow
Kaine	Murkowski	Tester
King	Murphy	Thune
Kirk	Murray	Toomey
Klobuchar	Nelson	Udall (CO)
Landrieu	Portman	Udall (NM)
Leahy	Pryor	Walsh
Levin	Reed	Warner
Manchin	Reid	Warren
Markey	Rockefeller	Whitehouse
McCaskill	Sanders	Wicker
Menendez	Schumer	Wyden
Merkley	Shaheen	

NAYS—26

Blunt	Flake	Moran
Boozman	Heller	Paul
Chambliss	Hoeven	Risch
Coburn	Inhofe	Rubio
Cochran	Johanns	Scott
Cornyn	Johnson (WI)	Sessions
Crapo	Lee	Shelby
Cruz	McCain	Vitter
Fischer	McConnell	

NOT VOTING—3

Alexander	Roberts	Schatz

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

AMENDMENT NO. 3583

The PRESIDING OFFICER. There is now 2 minutes of debate prior to the vote on the Carper amendment.

The Senator from Delaware.

Mr. CARPER. Madam President, let me say to our Republican colleagues, this bill is going back to the House. We can send it back to the House correcting what I think is a misguided approach on pension smoothing. We can knock out that $3 billion pension smoothing. We can set a dynamic that will ensure we do something this year—that we do our jobs this year and get it done.

Across the country, AAA, American Trucking Associations, Governors, Senators, want us to do our job and finish it this year. Let's vote yes on the Carper-Corker-Boxer amendment and do our job this year.

I yield for the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, to my colleagues, we are now on the Senate Finance Committee bill. There is one major flaw in this bill. It has $2.8 billion worth of pension smoothing. This amendment does away with that. What it means is it would be a better bill, but we would also have to solve this problem.

We have had 11 short-term reauthorizations of the highway bill. It is unbelievable. We have had five general transfers such as this, which is nothing but generational theft. So what this amendment will do is cause us to do our job by year-end.

I urge a ''yes'' vote. I thank our cosponsors and hope this amendment will pass.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. SCHATZ) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 66, nays 31, as follows:

[Rollcall Vote No. 245 Leg.]

YEAS—66

Baldwin	Franken	Mikulski
Barrasso	Gillibrand	Murphy
Begich	Graham	Murray
Bennet	Grassley	Nelson
Blumenthal	Hagan	Paul
Blunt	Harkin	Pryor
Booker	Heinrich	Reed
Boxer	Heitkamp	Reid
Brown	Hirono	Rockefeller
Cantwell	Johnson (SD)	Sanders
Cardin	Kaine	Schumer
Carper	King	Stabenow
Casey	Klobuchar	Tester
Coats	Landrieu	Thune
Coburn	Leahy	Udall (CO)
Coons	Levin	Udall (NM)
Corker	Manchin	Walsh
Donnelly	Markey	Warner
Durbin	McCain	Warren
Enzi	McCaskill	Whitehouse
Feinstein	Menendez	Wicker
Flake	Merkley	Wyden

NAYS—31

Ayotte	Heller	Portman
Boozman	Hoeven	Risch
Burr	Inhofe	Rubio
Chambliss	Isakson	Scott
Cochran	Johanns	Sessions
Collins	Johnson (WI)	Shaheen
Cornyn	Kirk	Shelby
Crapo	Lee	Toomey
Cruz	McConnell	Vitter
Fischer	Moran	
Hatch	Murkowski	

NOT VOTING—3

Alexander	Roberts	Schatz

The PRESIDING OFFICER. Under the previous order requiring 60 votes for adoption of this amendment, the amendment is agreed to.

AMENDMENT NO. 3584

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided on the Lee amendment.

The Senator from Utah.

Mr. LEE. Madam President, the amendment we are about to consider would empower States to collect and spend on the transportation infrastructure they need. We have a desperate need within our transportation infrastructure system that is not being satisfied by our current Federal system, one that has been bloated over the years and has centralized too much power within Washington, DC. This has resulted in gridlock within our transportation infrastructure projects. We increased the Federal gasoline tax by 460 percent between 1982 and 1994. Instead of using that to back up and secure the Federal highway trust fund, we instead overreached. We instead expanded dramatically the power of the Federal Government and the expenses we incur.

I encourage all my colleagues to support this measure which would reempower States and move our interests further in the 21st century.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I wish to speak to Senators for a minute and tell Members this amendment is the end of the Federal highway system. The States oppose it.

My friend from Utah gave a very impassioned speech earlier in which he essentially said: Free the States. Let them be free. But the States oppose this amendment. The American Association of State Highway and Transportation Officials strongly oppose it and so does the U.S. Chamber of Commerce, the American Trucking Associations, American Society of Civil Engineers, the National Stone, Sand, and Gravel Association. The fact is it would result in an immediate 80-percent cut to our States at a time when we still have 700,000 unemployed construction workers and thousands of businesses that are waiting—just waiting—to rebuild the infrastructure.

I hope Members will vote no on this radical amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. VITTER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. SCHATZ) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''nay.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 28, nays 69, as follows:

[Rollcall Vote No. 246 Leg.]

YEAS—28

Ayotte	Fischer	Paul
Boozman	Flake	Portman
Burr	Graham	Risch
Chambliss	Grassley	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Corker	Johnson (WI)	Toomey
Cornyn	Lee	Vitter
Crapo	McCain	
Cruz	Moran	

NAYS—69

Baldwin	Bennet	Booker
Barrasso	Blumenthal	Boxer
Begich	Blunt	Brown
Cantwell	Hoeven	Nelson
Cardin	Johanns	Pryor
Carper	Johnson (SD)	Reed
Casey	Kaine	Reid
Cochran	King	Rockefeller
Collins	Kirk	Sanders
Coons	Klobuchar	Schumer
Donnelly	Landrieu	Shaheen
Durbin	Leahy	Shelby
Enzi	Levin	Stabenow
Feinstein	Manchin	Tester
Franken	Markey	Thune
Gillibrand	McCaskill	Udall (CO)
Hagan	McConnell	Udall (NM)
Harkin	Menendez	Walsh
Hatch	Merkley	Warner
Heinrich	Mikulski	Warren
Heitkamp	Murkowski	Whitehouse
Heller	Murphy	Wicker
Hirono	Murray	Wyden

NOT VOTING—3

Alexander	Roberts	Schatz

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 3585

There will now be 2 minutes of debate prior to a vote on the Toomey amendment.

The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, in 2011 the Federal Highway Administration estimated the average transportation project in America takes 79 months to go through the National Environmental Policy Act review process—6½ years to get permission to build a road or a bridge. Ben Nelson, a Democrat from Nebraska, recognized the problem and suggested an amendment. The amendment simply says if a bridge or a road is damaged or destroyed by a declared natural disaster or emergency and we rebuild the bridge or road in the exact same place, with the same footprint, the same dimensions—everything is the same—then we don't have to go through the entire environmental permitting process again. This would save a lot of time and money and allow us to maintain our roads and bridges.

I know my friends on the other side think this problem was solved. It was not solved. The Department of Transportation can exclude certain projects, but can choose not to, and does not have the discretion to provide an exclusion for the Army Corps of Engineers or the Fish and Wildlife Service—the very reviews that take the most time and cost the most money. So I urge my colleagues to vote yes.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, this issue was dealt with in MAP–21 in the committee. My friend from Pennsylvania talks about using regular order, and we did. We had a very serious debate and we had many different views and we compromised, and there is an expedited process to deal with replacement facilities. It is in MAP–21. It deals with a way to get this done.

The problem with the amendment of the Senator from Pennsylvania is it totally eliminates all of the protections that are in the law. It eliminates all of the protections under the Clean Water Act and under the NEPA process.

We handled this in the committee. It was bipartisan. It was done. There is no need for this amendment.

I urge my colleagues to reject the amendment.

Mr. SCOTT. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. SCHATZ) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea.''

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 50, as follows:

[Rollcall Vote No. 247 Leg.]

YEAS—47

Ayotte	Fischer	McCaskill
Barrasso	Flake	McConnell
Begich	Graham	Moran
Blunt	Grassley	Murkowski
Boozman	Hatch	Paul
Burr	Heitkamp	Portman
Chambliss	Heller	Risch
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	Manchin	Wicker
Enzi	McCain	

NAYS—50

Baldwin	Harkin	Pryor
Bennet	Heinrich	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Landrieu	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Coons	Markey	Udall (NM)
Donnelly	Menendez	Walsh
Durbin	Merkley	Warner
Feinstein	Mikulski	Warren
Franken	Murphy	Whitehouse
Gillibrand	Murray	Wyden
Hagan	Nelson	

NOT VOTING—3

Alexander	Roberts	Schatz

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on passage of H.R. 5021, as amended.

Mrs. MCCASKILL. I yield back time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mrs. MCCASKILL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. SCHATZ) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''nay.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 18, as follows:

[Rollcall Vote No. 248 Leg.]

YEAS—79

Ayotte	Gillibrand	Mikulski
Baldwin	Graham	Moran
Barrasso	Grassley	Murkowski
Begich	Hagan	Murphy
Bennet	Harkin	Murray
Blumenthal	Heinrich	Nelson
Blunt	Heitkamp	Pryor
Booker	Heller	Reed
Boozman	Hirono	Reid
Boxer	Hoeven	Rockefeller
Brown	Inhofe	Sanders
Cantwell	Isakson	Schumer
Cardin	Johanns	Shaheen
Carper	Johnson (SD)	Stabenow
Casey	Kaine	Tester
Chambliss	King	Thune
Coats	Kirk	Udall (CO)
Cochran	Klobuchar	Udall (NM)
Collins	Landrieu	Vitter
Coons	Leahy	Walsh
Corker	Levin	Warner
Donnelly	Manchin	Warren
Durbin	Markey	Whitehouse
Enzi	McCaskill	Wicker
Feinstein	McConnell	Wyden
Fischer	Menendez	
Franken	Merkley	

NAYS—18

Burr	Hatch	Risch
Coburn	Johnson (WI)	Rubio
Cornyn	Lee	Scott
Crapo	McCain	Sessions
Cruz	Paul	Shelby
Flake	Portman	Toomey

NOT VOTING—3

Alexander	Roberts	Schatz

The PRESIDING OFFICER. The 60-vote threshold having been achieved, the bill, H.R. 5021, as amended, is passed.

PROVIDING FOR THE CORRECTION OF THE ENROLLMENT OF H.R. 5021

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H. Con. Res. 108, which the clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 108) providing for the correction of the enrollment of H.R. 5021.

There being no objection, the Senate proceeded to consider the concurrent resolution.

The PRESIDING OFFICER. Under the previous order, the concurrent resolution is agreed to and the motion to reconsider is considered made and laid upon the table.

The concurrent resolution (H. Con. Res. 108) was agreed to.

SUPPORTING ISRAEL'S RIGHT TO DEFEND ITSELF AGAINST HAMAS

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Res. 526.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 526) supporting Israel's right to defend itself against Hamas, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 526) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ISRAEL

Mr. REID. Mr. President, this resolution is sponsored by me, the Republican leader, Senator MENENDEZ, Senator CORKER, and others.

I want the record to reflect that Senator MCCONNELL and I have talked about this personally and we have agreed, without any hesitation, about this legislation.

I have always been a supporter of the United Nations my whole career.

What I saw last week disgusted me. As the U.N. Human Rights Council in Geneva voted to adopt a resolution accusing Israel of human rights violations in the ongoing Gaza conflict, the resolution was so incredibly one-sided and anti-Israel biased that it makes zero—none—mention of Hamas and the atrocities Hamas has committed by indiscriminately barraging Israel and using Palestinian civilians as human shields.

Hamas perpetrated this conflict. They wantonly fire rockets, and they don't care where the rockets go. Hamas has fired almost 3,000 missiles during a 3-week conflict.

In fact, the very day the U.N. Human Rights Council exonerated Hamas, it fired dozens of rockets into Israel the same day.

These aren't firecrackers. These are very violent, powerful weapons. They

have a number of rockets. It is estimated they have 10,000 of them.

They have something called WS–1E. It is a Chinese rocket, but they got the blueprints—Iran did from the Chinese—and, of course, they shipped these surreptitiously into Gaza. They will travel some 30 miles and they carry about 40 pounds of explosives.

They have another one called the Fajr-5. This is an Iranian rocket. It is the most prestigious weapon of Hamas.

The Iranian Revolutionary Guard gave Hamas the technology to manufacture those. They carry a warhead of 400 pounds. They will travel about 55 miles. I repeat, these aren't firecrackers.

They have another missile in their arsenal. It is called a Khaibar M–302. It is a Syrian-made missile with a range of some 12 miles. They carry a 300-pound warhead and, of course, it goes far enough that they believe that with the Fajr and this one, Tel Aviv is within their sights.

The one they have the most of is called the Qassam-1 manufactured in Gaza, with no guidance system, a 3-mile distance, and a 10-pound warhead; the Qassam-2 has 9-mile distance and a 20-pound warhead.

They have something called a Grads. They have lots of weapons—lots of them—and they indiscriminately fire into Israel. These aren't grenade launchers; these are missiles, huge weapons. These rockets are professionally engineered from Iran, Syria, and other countries. They are smuggled into Gaza. They manufacture a few of their own, as I have indicated. These are serious weapons of war.

Hamas also continues to try to construct and use its sophisticated tunnels into Israel, which as one Member of Hamas recently bragged, allow Hamas fighters to invade Israel and kill Israelis.

Hamas's responsibility in the Gaza clash is a fact, but the U.N. Human Rights Council didn't make a single mention of this terrorist organization.

How many of these nations, such as Venezuela, China, Vietnam, and other nations—I wonder how this organization feels about their human rights. How many of these nations which condemned Israel would allow their own citizens to suffer through endless rocket fire—endless rocket fire.

I talked to one American doctor who goes to Israel, as he does often, and all night long there was one air raid siren after another. It has been going on there for weeks. This U.N. resolution that was passed does not mention a single word, nothing.

What is Israel supposed to do?

We all lament the loss of life. It is heartrending. But what else is Israel to do after rocket after rocket after rocket plunges into its territory.

I met with a man today who owns an oil company, oil exploration. They do oil exploration in Nevada. It is called Noble Energy. They are the ones who helped develop gas and oil fields in Israel. This is relatively new, but they say there are rockets dropping all over.

As I mentioned earlier this morning, Iron Dome doesn't protect all of Israel. They need more Iron Domes. Everyone, no matter what they are doing, they can be out in Gaza working in the oil fields and missiles are flying all over from Hamas.

I condemn Hamas's terrorism. We should. Their terrorism is not only against Israel; it is against their own people. As I heard the Republican conservative columnist in the New York Times David Brooks say in the NewsHour—I am paraphrasing, but this is what he said: This is the first conflict I have known where the enemy says: Kill more of us.

I join my friend the Republican leader in doing what other nations refuse to do: condemning the United Nations Human Rights Council's biased resolution. We in this resolution condemn Hamas. The countries that have voted for this are Venezuela, Cuba, China. I repeat, how would they like to look at their human rights violations?

In this resolution, we as a country support in this conflict a lasting peace which can only be realized through the demilitarization of Gaza.

They talked about tunnels. These are not tunnels; these are major operations costing millions of dollars to dig a hole in the ground.

Why? To go into Israeli settlements and kill innocent people.

In offering the resolution before the Senate we stand with Israel and its right to defend itself, its security, and most importantly its people.

I said earlier I am disgusted—as someone who has been a supporter of the United Nations ever since I have been in government—and the United Nations better take a look at this organization. This is ''disgusting''—I use it for the third time, as I mean it.

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Oregon.

MEDICARE

Mr. MERKLEY. I rise today to address a topic that is vital to seniors in Oregon and to seniors across our Nation, and that is our Medicare program.

I know how important Medicare is because I grew up in a blue-collar working family. My dad was a millwright and a mechanic. He believed in hard work. He took a lot of satisfaction from his job. A millwright is the individual who does all the mechanical work to keep the mill running. He said if he did his job right, the mill was open, the workers had a payday, the company made money, and everyone was happy.

Meanwhile, my mother managed the finances, and she stretched a dollar as far as anyone possibly could. She shopped for bargains. She used coupons. She collected Green Stamps, and they were able to save, to buy a home, and to have a foundation for raising their children.

I benefited from that enormously.

But despite the foundation they had, their prospects in retirement were dependent upon two critical programs: Social Security and Medicare. Social Security and Medicare—a basic pension and affordable health care—are simply essential for millions of working families in retirement. They are the difference between poverty and stability. The way I see it, Medicare is a covenant with our seniors. It is a covenant with the 650,000 Oregonians who are on Medicare now. It is a covenant with the hundreds of thousands who will utilize Medicare in the years to come. It is certainly a covenant with the millions across America who depend on it—families. Those working families across America are families like my parents, who worked hard their whole lives, paid into Medicare, and expect Medicare to be there for them when they retire. We cannot break that covenant.

The first step in keeping faith with our seniors is this: protecting what works. Pretty simple. We would think that is a no-brainer. But in fact, in Washington, a simple proposition like this—a no-brainer—is sometimes enormously controversial.

For several years now, many in Washington here, and including this Chamber, have been pushing to privatize, to voucherize or to just plain weaken Medicare. They don't understand how important this program is for the secure retirement of our seniors. They don't understand how important this covenant is between each working generation and our retirees. In fact, the House of Representatives has repeatedly voted to effectively end the Medicare Program that Americans know and love and to stick our seniors with an enormous financial burden in their retirement years. This is just a simple way to describe that, and that is to say it is simply wrong.

Others have said: Let's raise the Medicare retirement age to 67 or perhaps 70. I think, when I hear that, about my townhalls. In my townhalls—and I hold one in every county in every year—people come and talk about whatever they would like. I recall a woman coming to a townhall and she said: Senator, I am in my early sixties. I have several major health problems. She went on to describe them, and she said: I am just trying to stay alive until I can make it to age 65 and have access to Medicare.

I have heard that theme of just trying to make it until they can reach that Medicare age in townhall after townhall.

Sometimes those who work in offices, in company circumstances, don't realize how much actual physical labor takes a toll on the body. If someone is working in a post office and moving bags of mail day in and day out, as one

good friend of mine has done throughout his career, it is very likely one would have a bad back and so on and so forth. Then of course there are the diseases that strike like lightning.

Yes, those who happen to have jobs with corporations that provide a wonderful health care program are in a little better shape. But for our seniors, Medicare is a gem—a gem they have contributed into their entire lives, and it needs to be there for them.

So for some who see the difference between 65 and 67 as some modest administrative change, for working Americans it is a monumental chasm and they fear falling into it.

The good news is there is a very simple action the Senate could take right now to protect our covenant with our seniors. The Medicare Protection Act, which I have cosponsored along with Senator PRYOR and others, makes three modest but important changes to our law: It expresses the sense of the Senate that the Medicare eligibility age should not be increased. It expresses the sense of the Senate that the Medicare Program should not be privatized or voucherized. Third, it amends the Congressional Budget Act so that any attempt to reduce or eliminate guaranteed benefits or to restrict eligibility criteria, such as raising the eligibility age, cannot be passed through the budget reconciliation process. This is particularly important since the House has made repeated attempts to end Medicare as we know it, and to do so using the budget process—the Ryan budget—rather than through stand-alone legislation.

It is time to ensure that we keep our covenant with our seniors. It is time to bring this bill to the floor, to debate it, and to pass it.

Tomorrow happens to be the anniversary on which Medicare was signed into law 49 years ago. Maybe a great way to celebrate the 49th birthday of Medicare would be for this Chamber to debate this bill tomorrow and pass it. If not tomorrow, I would like to see it done in this work period. And if not in this work period, let's come back and address this in September.

The days that are left in this 2-year cycle of the Senate are rapidly disappearing, and our seniors are concerned about this constant attack, this constant effort to undermine these programs such as Social Security and Medicare that they have paid into throughout their life and that they expect to be honored when they are retired.

Let's bring this bill to the floor. Let's ensure that American seniors can stop worrying about these assaults on their retirement—retirement security they so much deserve.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

(The remarks of Mr. HELLER pertaining to the introduction of (S. 2658) are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. HELLER. I yield the floor.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, first let me express my thanks to Senator GRASSLEY for letting me step ahead of him and I thank the Senator as well for a number of courageous votes today. I also express my gratitude to him and to the Presiding Officer.

I understand earlier on the vote on final passage of the transportation funding legislation 79 Senators voted for the bill as amended. That is a resounding majority of Democrats and Republicans.

The year when Senator GRASSLEY—longer ago than the Presiding Officer and I combined—came here, the idea was for Democrats and Republicans to work together to try to find the middle, to find principled compromises. It has been a while since the Senate actually did that. I feel as though today we were the Senate again. It is gratifying to me, and I just want to thank everyone who voted for the Corker-Boxer-Carper amendment, for Senator WYDEN's support, for everybody who helped to make that amendment part of the bill and supported it in final passage. I hope it sends a message to our friends in the House that will not be lost on them. I hope before they just reject it out of order they will sleep on it and when they wake up in the morning maybe we can have a good conversation. That is not why I rose tonight, but I wanted to get that off my chest and appreciate the chance to do that.

I rise this evening in support of the emergency supplemental appropriations bill introduced, I believe, last week by Senator MIKULSKI.

The bill as you will recall will provide some $2.7 billion in order to address the humanitarian challenge that is playing out in recent weeks on our southern border with Mexico. This money will ensure that the agencies charged with securing our borders don't run out of money this summer. More importantly, it will address some of the underlying root causes of the problems we face along our southern border.

As we all know, we are facing an unprecedented surge in migration from three countries. They are El Salvador, Honduras, and Guatemala. A large number of migrants from these countries are families. Some of them are unaccompanied children. Some of those unaccompanied children are as young as 4, 5 and 6 years old. Let me be clear. These children and these families are not slipping past our borders unprotected. They are being apprehended in large numbers by the Border Patrol almost as soon as they touch U.S. soil. Some of them, many of them actually, turn themselves in voluntarily to our Border Patrol.

Although the influx has slowed in recent weeks, the sheer number of children and families coming across our southern border in South Texas earlier this summer overwhelmed the Border Patrol—overwhelmed Health and Human Services and other Federal agencies. The administration and Secretary Jeh Johnson, Secretary of Department of Homeland Security, have responded to this situation with what I will describe as an ''all hands on deck'' approach.

The Federal Emergency Management Agency is coordinating the DHS-wide response to the problem. The Department of Defense has provided space on some of its military installations to house unaccompanied minors until Health and Human Services can find a placement for them. Immigration and Customs Enforcement has greatly expanded its ability to detain and remove families, and we have surged Border Patrol agents, immigration judges, and other personnel to the border to help process these people.

These measures have been working. For example, the amount of time people are detained before they are removed has decreased significantly in recent weeks, but these emergency measures are expensive and none of the Federal agencies involved have the money they need to sustain the aggressive steps they are taking to deal with this situation.

The consequences of not moving forward with this legislation are severe. Let me give some examples of what failing to act will mean. Without this emergency funding, Immigration and Customs Enforcement could be forced to release thousands of people currently being detained and to stop operating repatriation flights. Health and Human Services could be forced to cut back on the number of children it can care for. Children would be forced to stay longer at Border Patrol stations and Border Patrol agents would spend more of their time taking care of children and less time pursuing the smuggling networks operating along our borders.

Some of my colleagues are suggesting that we will not be able to pass this supplemental until September and that the administration can just move money around until then to make up for the shortfall. That may have been more feasible earlier in the fiscal year, but doing so now will likely have some significant unintended consequences. For example, it would impair our border security because DHS may have to reduce aerial support for the Border Patrol or stop replacing the badly needed x-ray machines at our ports of entry. Our ability to respond to natural disasters could also be harmed.

I also understand my colleagues in the House introduced a bill today that would provide $659 million to deal with this crisis. That is roughly one-quarter of what Senator MIKULSKI has introduced, and $659 million is just a drop in the bucket from what is needed. Incredibly our friends in the House are offsetting this funding by raiding other critical operations which is what Senator MIKULSKI's bill is trying to avoid.

Failing to move an emergency supplemental this week would be in my view unconscionable. I urge all my colleagues to do the right thing and make sure we deal with this before we leave for 5 weeks.

Dealing with the challenge we are facing on the border is, rightly, our main focus right now. However, we cannot lose sight of the root causes that are driving the surge in migration in the first place. In this country all too often we focus so much of our attention on dealing with symptoms of problems and not enough attention on addressing the underlying causes. This is particularly true on our borders. Listen to this. Since 2003 we have spent $223 billion—that is almost one-quarter of a trillion dollars—enforcing our immigration and customs laws, strengthening our borders, strengthening the security of our borders—almost one-quarter of a trillion dollars. We have spent a small fraction of this—a very small fraction—actually less than 1 percent helping El Salvador, Guatemala, and Honduras improve conditions for their citizens.

I commend the President and Chairman MIKULSKI for including $300 million in this emergency supplemental request aimed at addressing what I am convinced are the root causes of this problem. What are they? The lack of economic hope, lack of jobs in Central America, combined with increasing violence and insecurity in the region. I know. I have been there. I have been to two of those three countries, Guatemala and El Salvador. This year down to Mexico, down to Colombia, which 20 years ago was just about a failed nation. Remember in Columbia roughly 20 years ago when a bunch of gunmen rounded up the Supreme Court judges in the country and took them out and shot them to death? That was Colombia 20 years ago. They are no longer a failed nation. They came back from the brink. They are a strong partner of ours, along with Mexico, to turn this situation around in these three Central American countries which are the source of all this migration to our country.

Based on my recent conversation with Central American leaders as recently as last week, the Ambassadors of these three small countries as well as the Ambassador to Mexico, and based on trips to the region, I believe one of the critical needs is to foster economic growth and create jobs. How might we do that? One, by helping restore their rule of law. In those countries we have police who don't police. We have prosecutors who don't prosecute and we have judges who don't adjudicate. We have prisons that either don't rehabilitate or punish. We have kidnappings and extortions. We have people who are scared to stay there and live there and they are bailing. They are voting with their feet. We need to help them restore the rule of law, much as we helped other countries such as Colombia from the last two decades.

Their energy costs are roughly three times what they ought to be. Most of their energy from the electricity grid comes from petroleum. They could use natural gas and spend half of what they spend for energy. They need to improve their education and workforce skills and access to capital. Those are some of the ways to strengthen their economy.

I am not suggesting any of this will be quick or easy to do. It will require a sustained investment and focus on the region by the United States and also by a number of others. This is not our job alone. This is a shared responsibility, and we need to keep that in mind. But it can be done. In fact, we have already done it with two of our most important allies in Latin America, as I mentioned Colombia and more recently with Mexico, where the economic situation was so bad that more than 1 million Mexicans were traveling across our borders every year—more than 1 million. Today both countries have vibrant democracies and vibrant economies and their citizens have hope for their future. Now there are more Mexicans leaving this country going back to Mexico than are coming this way.

I will say again what I just said. We cannot and we should not do this alone. This is not all on America. This needs to be a shared responsibility with the governments of these three countries, with all the partners in the region, including Mexico and Colombia, with all the private sector nonprofits and institutions of faith. Three hundred million dollars as an emergency supplemental is a downpayment on what will need to be a long-term commitment to our neighbors in the region. This cannot be one and done. If we are serious about addressing the surge, we will need to do more, and frankly so will others—and I would underline ''so will others.''

Based on what I have seen, this crisis requires a holistic approach and one that tackles the underlying causes that are pushing people out of Central America and the factors that are pulling them to our borders.

If we turn our backs on these countries I am convinced we will be back 10 years from now dealing with another expensive humanitarian crisis on our border. We don't need that in any of these countries.

I urge all my colleagues to put politics aside and pass this emergency supplemental.

I yield the floor. Thank you so much.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, the distinguished senior Senator from Delaware and I came to Washington together, and I am so proud of the work he is doing and what he has done. He has been a Member of Congress, Governor, and now Senator and chairman of the Homeland Security Committee. He has done a remarkably good job, and I am very proud of the work he does.

MORNING BUSINESS

Mr. REID. Mr. President,

I ask unanimous consent that the Senate proceed to morning business, with Senators permitted to speak for up to 10 minutes each.

TRIBUTE TO NANCY OLKEWICZ

Mr. REID. Mr. President, I rise today to pay tribute to a Senate staffer who is retiring after 36 years of service. Nancy Pittore Olkewicz began her Senate career in February 1978 working for Senator Paul Sarbanes of Maryland, who was her home State Senator. She remained on his staff for 23 years, which included the birth of her three children. She values her time with Senator Sarbanes and is especially grateful for the opportunity to work part-time while her three children, Jenny, Brian and Eric, were small.

After leaving Senator Sarbanes' office in 2001, Nancy joined the staff of the Senate Appropriations Committee, where she worked for me on the Energy and Water Development Subcommittee. She later joined the Legislative Branch subcommittee and served as clerk under Senators DURBIN, LANDRIEU and Ben Nelson. During that time she represented Appropriations Committee chairman Robert C. Byrd on the Capitol Preservation Commission and was instrumental in many high-level decisions regarding the construction and operation of the Capitol Visitor Center. Nancy joined the staff of the Senate Sergeant at Arms in 2011 as the legislative liaison to then-Sergeant at Arms Terry Gainer.

I wish Nancy the best of luck in all of her future endeavors. She will be greatly missed by many in the Senate.

BUDGETARY REVISIONS

Mrs. MURRAY. Mr. President, I previously filed budgetary aggregates and committee allocations for budget year 2015 pursuant to section 116 of the Bipartisan Budget Act of 2013. Today I am adjusting those levels to account for three reported bills from the Appropriations Committee.

Section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 establishes statutory limits on discretionary spending and allows for various adjustments to those limits, while sections 302 and 314(a) of the Congressional Budget Act allows the chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments. The Committee on Appropriations reported three bills that are eligible for an adjustment under the Congressional Budget Act:

1) The State, Foreign Operations, and Related Agencies Appropriations Act, which includes $8.625 billion in budget authority and $2.5 billion in outlays that is designated as Overseas Contingency Operations (OCO) funding.

2) The Homeland Security Appropriations Act, which includes $213 million

in budget authority and $170 million in outlays that is designated as OCO funding and $6.438 billion in budget authority and $322 million in outlays that is designated as disaster funding.

3) The Defense Appropriations Act, which includes $59.719 billion in budget authority and $28.368 billion in outlays that is designated as OCO funding.

Consequently, I am revising the budgetary aggregates for 2015 by a total of $74.995 billion in budget authority and $31.360 billion in outlays. I am also revising the budget authority and outlay allocations to the appropriations committee for 2015 by $16.416 billion in revised nonsecurity budget authority, $58.579 billion in revised security budget authority, and $31.360 billion in total outlays.

I ask unanimous consent to have printed in the RECORD the following tables detailing the changes to the allocation to the Committee on Appropriations and the budgetary aggregates.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BUDGETARY AGGREGATES

(Pursuant to section 116 of the Bipartisan Budget Act of 2013 and section 311 of the Congressional Budget Act of 1974)

$s in millions	2014	2015
Current Spending Aggregates*:		
Budget Authority	2,842,558	2,940,213
Outlays	2,819,514	3,004,326
Adjustments:		
Budget Authority	0	74,995
Outlays	0	31,360
Revised Spending Aggregates:		
Budget Authority	2,842,558	3,015,208
Outlays	2,819,514	3,035,686

* Current Spending Aggregates were revised on 6/16/2014 and 7/16/2014 to include a disaster cap adjustment for the Agriculture Appropriations subcommittee and a deficit neutral reserve fund adjustment for terrorism risk insurance.

REVISIONS TO THE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2015

(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974)

In millions of dollars	Current Allocation/limit*	Adjustments**	Adjusted Allocation/limit
Fiscal Year 2015:			
Revised Security Category Discretionary Budget Authority	521,272	58,579	579,851
Revised Nonsecurity Category Discretionary Budget Authority	492,456	16,416	508,872
General Purpose Discretionary Outlays	1,160,543	31,360	1,191,903
Memorandum: Total Discretionary Budget Authority	1,013,728	74,995	1,088,723

* Current Allocation/limit to the nonsecurity category was revised on 6/16/2014 to include a disaster cap adjustment for the Agriculture subcommittee.

** Pursuant to section 314(a) of the Congressional Budget Act of 1974) the allocation to the Committee on Appropriations will be adjusted following the reporting of bills, offering of amendments, or submission of conference reports that qualify for adjustments to the discretionary spending limits as outlined in section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DETAIL ON ADJUSTMENTS TO FISCAL YEAR 2015 ALLOCATIONS TO COMMITTEE ON APPROPRIATIONS PURSUANT TO SECTIONS 302 AND 314(A) OF THE CONGRESSIONAL BUDGET ACT

$s in billions	Program integrity	Disaster relief	Emergency	Overseas contingency operations	Total
Defense:					
Budget Authority	0.000	0.000	0.000	59.719	59.719
Outlays	0.000	0.000	0.000	28.368	28.368
Homeland Security:					
Budget Authority	0.000	6.438	0.000	0.213	6.651
Outlays	0.000	0.322	0.000	0.170	0.492
State-Foreign Operations:					
Budget Authority	0.000	0.000	0.000	8.625	8.625
Outlays	0.000	0.000	0.000	2.500	2.500
Total:					
Budget Authority	0.000	6.438	0.000	68.557	74.995
Outlays	0.000	0.322	0.000	31.038	31.360
Breakdown of Above Adjustments by Category:					
Revised Security Category Budget Authority	0.000	0.000	0.000	58.579	58.579
Revised Nonsecurity Category Budget Authority	0.000	6.438	0.000	9.978	16.416
General Purpose Discretionary Outlays	0.000	0.322	0.000	31.038	31.360

HONORING OUR ARMED FORCES

CORPORAL GARY L. MOORE

Mr. INHOFE. Mr. President, I wish to pay tribute to Army CPL Gary L. Moore. Corporal Moore died March 16, 2009 of injuries sustained when an improvised explosive device blew up next to his vehicle in Baghdad, Iraq.

Gary was born on January 18, 1984 in Del City, OK and graduated from Westmoore High School in Oklahoma City, OK in 2003. After graduation, he worked as a mall security guard before enlisting in the Army in January 2007.

Starting his career at Fort Leonard Wood, MO, Gary was reassigned to the 978th Military Police Company, 93rd Military Police Battalion in Fort Bliss, TX, where he deployed to Iraq in June 2008 to help provide training and oversight of the Iraqi police force.

BG David Phillips, the chief of the military police corps, praised Gary's unit for their service and accomplishments in Iraq. He said people in Baghdad are beginning to experience normal lives again because of the work of Moore and others. ''This past fall, when the elementary schools reopened, young girls were able to go to school,'' Phillips said.

Engaged to be married on November 14, 2009, his fiancee Randi Ivie said, ''He loved life. He wasn't a stranger to anyone. He always had a good smile and a strong handshake.''

Funeral services for Gary were held on March 24, 2009 and he was laid to rest with full military honors in Sunnylane Cemetery in Del City, OK.

At the funeral service, Sam Davison, the church's head pastor said ''Gary was 38 years younger than me, but he was one of my heroes. I'm proud of the service that he rendered. I'm proud of his bravery. I'm proud of Gary.''

Today we remember Army CPL Gary L. Moore, a young man who loved his family and country, and gave his life as a sacrifice for freedom.

CORPORAL STEPHEN S. THOMPSON

Mr. President, I would also like to remember the life and sacrifices of CPL Stephen S. Thompson who died on February 14, 2009 of injuries sustained from small arms fire in Baghdad, Iraq.

Stephen was born on July 14, 1985 in Tulsa, OK and was a 2004 graduate of Memorial High School in Tulsa, OK. After enlisting in the Army on June 27, 2006, he attended boot camp at Fort Sill, OK. He was then assigned to the 1st Battalion, 22nd Infantry Regiment, 1st Brigade Combat Team, 4th Infantry Division, Fort Hood, TX. The unit had deployed to Iraq in March 2008 and was set to return home within weeks.

BG Ross Ridge, the deputy commander of Fort Sill, said Stephen ''constantly exuded enthusiasm'' and always sought more responsibility to lead men. To his fellow soldiers, he ''was an instant friend and confidante,'' the general said.

Corporal Thompson was buried at Floral Haven Cemetery, in Broken Arrow, OK. Army pallbearers from Fort Sill escorted his flag-draped coffin to the gravesite and an honor guard fired rifle volleys and a bugler played ''Taps.''

''I am so proud of my son. Stephen became a man the day he joined. This young man changed overnight. I remember when I went to his graduation from boot camp, I couldn't hardly believe who the person that was standing in front of me,'' his father Philip Thompson said.

Stephen is survived by his mother Tresa, his father Philip, and two brothers, Austin and Christopher of Tulsa, OK.

I extend our deepest gratitude and condolences to Stephen's family and friends. He lived a life of love for his family and country. He will be remembered for his commitment to and belief in the greatness of our Nation. I am honored to pay tribute to this true American hero who volunteered to go into the fight and made the ultimate sacrifice for our protection and freedom.

CHINESE DRYWALL

Mr. VITTER. Mr. President, there has been an important development in

the effort to bring fairness for the victims of poisonous drywall that was imported from China. Drywall sourced from China was found to emit dangerous chemicals that make people sick and damage metal components of air conditioning and other electronics, among other effects. In Louisiana, the defective drywall came at a particularly troubling time. Just as we were starting to rebuild after Hurricanes Katrina and Rita, the defective Chinese drywall was imported in large quantities. Many homeowners returned after their houses were rebuilt only to soon find them to be inhabitable yet again. We are still fighting today almost 9 years after the storm to bring justice to the affected families.

Some other companies, specifically German-owned entities, that supplied defected drywall from China have participated in the legal process and made settlements that have been helpful to homeowners. However, the Chinese company Taishan, a state-owned entity, refuses to take responsibility for its harmful products and continues to disregard U.S. law and our court system. If the homeowners' contractors got drywall from Taishan, they have thus far been out of luck in seeking fair compensation as Taishan continues to ignore our court system.

In February 2014, the Fifth U.S. Circuit Court of Appeals in New Orleans upheld a $2.7 million default judgment requiring Taishan to cover the cost of removing its defective drywall. Even after losing the appeal, Taishan let the deadline pass for an appeal to the Supreme Court, meaning the case was back in the U.S. District Court for the Eastern District of Louisiana and Judge Eldon Fallon. Earlier this month, Taishan disregarded our legal system and refused to appear in court proceedings in this case. Judge Fallon ruled that Taishan was in contempt of court for failing to appear to address the default judgment entered against the company. He ordered Taishan to pay $15,000 in attorney's fees of the plaintiffs and $40,000 in penalties. Most importantly, his ruling banned Taishan and any of its affiliates or subsidiaries from doing business in the United States unless and until it participates in the court's process on this ongoing case. To help ensure enforcement of the order, the court sent notice of its ruling to the Federal Government.

I applaud the court's effort to protect the integrity of our legal system in taking action to force the Chinese company to comply with the law and the court's orders. If state-owned Chinese companies such as Taishan want to do business in the United States, they must follow the law and must honor our legal system. If they will not honor commitments and work to resolve claims, how can we expect any Americans to trust any business relations with or products from Chinese government controlled companies? Our government must insist that Taishan return to the table and participate in the legal process.

To help stop this situation from happening again, I worked to pass into law bipartisan legislation to stop unsafe drywall from entering U.S. markets by ensuring that the Consumer Product Safety Commission follows a voluntary consensus health and safety standard. Enacted in 2013, this law also ensures that unsafe drywall will not be reused by requiring that it be labeled and that its manufacturers are identified. I specifically offered an amendment to focus the emphasis of the legislation on high sulfur content, the main damaging element emitted from the defective drywall, and to make the origin of the drywall traceable to the manufacturer. This law protects homeowners going forward, but it cannot help the homeowners still looking for justice now. We know that the harmful drywall came from China, and the remedy for these homeowners is for Taishan to follow the court's order, come to the table, and reach a fair settlement.

VOTE EXPLANATION

Mr. RUBIO. Mr. President, due to family commitments in Florida, I was unable to vote on the confirmation of Pamela Harris to the Fourth Circuit Court of Appeals. Had I been present, I would have voted against Ms. Harris's confirmation.

The Senate has few responsibilities more important than providing advice and consent on the President's judicial nominations. These are lifetime appointments with great power, whose decisions directly impact the life, liberty, and property of the parties who come before them.

Americans deserve a judiciary staffed by lawyers who are not just highly capable but who are also men and women of a particular character. We rightfully expect judges to understand their important but properly limited role to say what the law is, without bias, without agenda. As passionately as a judge may feel about a particular issue, when he or she puts on that black robe, all personal views must be set aside.

No one can deny Ms. Harris has a first rate mind or that she has built an impressive career. Unfortunately, many of her statements during that career suggest that her mind is better suited to academia, or elective office, than it is to the bench. She has identified herself as ''profoundly liberal'' and said she views the Constitution as ''profoundly progressive.'' These types of statements, along with troubling interpretations of the First Amendment among other issues, paint a picture of a nominee more likely to become a liberal activist judge than one who neutrally applies the law.

For those reasons, I would not have supported granting Ms. Harris the profound power that comes with lifetime tenure on the Federal bench.

TRIBUTE TO BRYSON BACHMAN

Mr. LEE. Mr. President, I wish to pay tribute to Bryson Bachman, who has served as a critical member of my staff for nearly 3 years, and as my chief counsel for the past year.

Bryson Bachman is an extraordinary judicial talent. His legal pedigree began at Harvard Law School and continued in his clerkship with the Honorable Thomas B. Griffith on the U.S. Court of Appeals for the DC Circuit and later as an associate at Sidley Austin. Bryson's talent and contribution do not come solely from his impressive background and experience but from his personal commitment to making a difference and adding value in everything he does.

I have valued and benefited greatly from his deep understanding of the law and his ability to approach each issue in a thoughtful, respectful and insightful way. Above all I have come to admire and trust him as a person of unmatched integrity. As a member of the judiciary committee Bryson's assistance and guidance have been invaluable. When he briefs an issue I know he has done the often unseen and unrecognized work of truly understanding the issue from all angles. His willingness to do the heavy mental lifting on a wide range of issues always provided me great confidence going into important judiciary hearings or voting on difficult legislation.

The test of a great leader and a great lawyer is not found simply by what they do in a given role, but more importantly, how they do it. Some walk into a room and people recognize them as the smartest person in the room. True leaders, such as Bryson Bachman, walk into that same room, as the smartest person in the room, but leave everyone in the room feeling smarter and better as a result of how the dialogue and discussion were fostered. Creating space for every member of the team to participate in and contribute to a discussion, while still driving the most salient points to consider and evaluating an array of scenarios, is the hallmark of Bryson's time as a member of my staff.

Bryson will be sorely missed in our office but we wish him, his wife Destiny and son Hamilton continued success in their next season of life and work. This CONGRESSIONAL RECORD is but a small note in history of Bryson Bachman's impact on the important work done in the Senate. However, his more important work and longer lasting impact is found in the imprint he has made on the hearts and minds of those with whom he has worked. I count myself as one of those deeply influenced by Bryson. I admire him for his talent, I acknowledge him for his loyal service and thank him for his friendship.

ADDITIONAL STATEMENTS

RECOGNIZING MOOREMART

• Ms. AYOTTE. Mr. President, today I recognize and commend MooreMart, an outstanding charitable organization based in Nashua, NH, that is devoted to supporting America's servicemen and women. For more than 10 years, MooreMart has shipped care packages to American soldiers in Afghanistan and Iraq—lifting the spirit of our brave military members serving in harm's way.

What began in February 2004 as a family project started by Paul Moore and Carole Moore Biggio to support their brother—New Hampshire Army National Guard SSG Brian Moore, who was deployed to Iraq—has developed into a major volunteer effort. Over the past decade, MooreMart has sent more than 63,000 care packages to our troops in Iraq and Afghanistan. Their effort came to be known as ''MooreMart,'' because the soldiers receiving the packages remarked that the boxes ''carry more supplies than WalMart.'' It's a clever nickname that is now well known in the Granite State

Once word spread about MooreMart's wartime effort, hundreds of New Hampshire citizens, and dozens of organizations and businesses, gave their support to this very special organization. At packing events held several times throughout the year at the Nashua National Guard Armory, volunteers have assembled packages containing goods that make deployments a little easier—including candy, toothpaste, dental floss, energy bars, trail mix, lip balm, playing cards, puzzles, white tube socks, crackers, and notes of encouragement. At Christmas, MooreMart has sent Christmas stockings filled with candy canes, Christmas lights, and cookies. In addition to sending these goodies to our troops, they have also treated veterans in New Hampshire and remembered our wounded warriors at Walter Reed.

MooreMart's generosity has also extended to children in Iraq and Afghanistan, sending them school supplies and toys. Through these donations, Afghan and Iraqi children have seen the warmth and generosity of the American people.

The Moore family and all the MooreMart volunteers represent the very best of New Hampshire and our Nation: patriotic Americans coming together to support our troops. This exemplary organization has touched the lives of our brave soldiers serving on faraway battlefields—making sure they know they're not forgotten during tough deployments.

As MooreMart celebrates its 10th Anniversary, I join citizens across New Hampshire and the Nation in commending Paul Moore and Carole Moore Biggio, the Moore family, and all the tremendous MooreMart volunteers for the inspiring work they have done supporting our troops.•

RECOGNIZING STEWART'S 96 RANCH

• Mr. HELLER. Mr. President, today I wish to recognize the 150th anniversary of the founding of Stewart's 96 Ranch in Paradise Valley, NV, which serves as an example of the rich and prosperous history that makes the Silver State so unique.

This year commemorates a very special year—not only for Stewart's 96 Ranch, but also in Nevada's history—during which we celebrate 150 years of statehood. From those days of bitter conflict, Nevada forged a State dedicated to preserving liberty and bettering America. Our dramatic entrance is why our State calls itself Battle Born and why Nevadans, over the past 150 years, have been entrepreneurial, fiercely independent, and as diverse as our terrain. It is an honor to recognize Stewart's 96 Ranch in conjunction with our great State's sesquicentennial here today.

Founded in 1864 by William Stock, a German immigrant, Stewart's 96 Ranch is one of Nevada's most iconic ranching operations. Over the past 15 decades, the ranch has faced many obstacles, from aiding our country in World War II efforts to constantly maintaining and modernizing the operation to keep up with the current demands. Due to the ranch's long and fascinating history, it was chosen as the subject of a 1980 Library of Congress project called ''Buckaroos in Paradise.'' It is considered to be one of the most iconic cattle ranches in the West and one of the last true ''old time outfits'' still in original family ownership. Over the years, the ranch has grown and changed, but the original love of Paradise Valley and commitment to agriculture has never wavered.

What started as a simple homestead has grown into a thriving ranch with a new cattle herd that has grown to nearly 800 mother cows and is continuing to flourish. Today, the ranch is still owned and operated by the fourth and fifth generations of William Stock's direct descendants. Fred Stewart, with the help of his wife Kris and daughter Patrice, currently manages the ranch. Fifth generation Patrice Stewart is now a young woman who owns and manages her own small herd of top commercial beef cattle on the ranch, actively helps her parents on the ranch and is involved in all ranch decisions. She also competes in youth and high school rodeo and takes a leadership role in her local Future Farmers of America. Patrice is the future of the ranch and one day aims to manage the same Paradise Valley ranch that her great-great-grandfather William Stock founded in 1864.

Stewart's 96 Ranch truly exemplifies what it means to be a Nevadan, and I am proud to recognize it and the generations of Stewarts that have worked to ensure the survival of one of Nevada's oldest and largest family-owned ranches. Today, I ask my colleagues and residents of the Silver State to join me in recognizing Stewart's 96 Ranch for this great achievement and honor.•

REMEMBERING WAYMAN GRAY SHERRER

• Mr. SESSIONS. Mr. President, it is proper that we note the death of an American patriot who served the U.S. government with dedication for many years. The Nation lost Wayman Gray Sherrer, 86, on March 12, 2014. He graduated from the fine Howard College, now Samford University, where he was senior class president, and the University of Alabama School of Law in the class of 1956. Before college, he served in the U.S. Marine Corps.

Following law school, he served 6 years with the Federal Bureau of Investigation, after which he was elected county solicitor (district attorney) for Blount County, AL. In 1969, he was appointed U.S. attorney for the Northern District of Alabama and served ably in that position for 8 years. During that time, I served as an assistant U.S. attorney for the Southern District of Alabama and came to know him. We maintained contact over the years and were able to talk over those special times. He served his county and country with distinction, was active in community and civic affairs, and as a member of the Lester Memorial United Methodist Church.

Wayman loved his country and served her with fidelity. I was proud to know him.•

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

In executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Foreign Relations.

(The message received today is printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13441 WITH RESPECT TO LEBANON—PM 52

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 90 days 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 Lebanon that was declared in Executive Order 13441 of August 1, 2007, is to continue in effect beyond August 1, 2014.

Certain ongoing activities, such as continuing arms transfers to Hizballah, which include increasingly sophisticated weapons systems, undermine Lebanese sovereignty, contribute to political and economic instability in the region, and continue to constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13441 with respect to Lebanon.

BARACK OBAMA.

THE WHITE HOUSE, *July 29, 2014*.

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 2:15 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker had signed the following enrolled bills:

S. 653. An act to provide for the establishment of the Special Envoy to promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 1104. An act to measure the progress of recovery and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

At 2:59 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 594. An act to amend the Public Health Service Act relating to Federal research on muscular dystrophy, and for other purposes.

H.R. 1771. An act to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

H.R. 2952. An act to amend the Homeland Security Act of 2002 to make certain improvements in the laws relating to the advancement of security technologies for critical infrastructure protection, and for other purposes.

H.R. 3107. An act to require the Secretary of Homeland Security to establish cybersecurity occupation classifications, assess the cybersecurity workforce, develop a strategy to address identified gaps in the cybersecurity workforce, and for other purposes.

H.R. 3202. An act to require the Secretary of Homeland Security to prepare a comprehensive security assessment of the transportation security card program, and for other purposes.

H.R. 3635. An act to ensure the functionality and security of new Federal websites that collect personally identifiable information, and for other purposes.

H.R. 3696. An act to amend the Homeland Security Act of 2002 to make certain improvements regarding cybersecurity and critical infrastructure protection, and for other purposes.

H.R. 3846. An act to provide for the authorization of border, maritime, and transportation security responsibilities and functions in the Department of Homeland Security and the establishment of United States Customs and Border Protection, and for other purposes.

H.R. 4156. An act to amend title 49, United States Code, to allow advertisements and solicitations for passenger air transportation to state the base airfare of the transportation, and for other purposes.

H.R. 4250. An act to amend the Federal Food, Drug, and Cosmetic Act to provide an alternative process for review of safety and effectiveness of nonprescription sunscreen active ingredients, and for other purposes.

H.R. 4490. An act to enhance the missions, objectives, and effectiveness of United States international communications, and for other purposes.

H.R. 4838. An act to redesignate the railroad station located at 2955 Market Street in Philadelphia, Pennsylvania, commonly known as ''30th Street Station'', as the ''William H. Gray III 30th Street Station''.

H.R. 4919. An act to designate the facility of the United States Postal Service located at 715 Shawan Falls Drive in Dublin, Ohio, as the ''Lance Corporal Wesley G. Davids and Captain Nicholas J. Rozanski Memorial Post Office''.

The message also announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 105. Joint resolution conferring honorary citizenship of the United States on Bernardo de Galvez y Madrid, Viscount of Galveston and Count of Galvez.

The message further announced that the House has passed the following bill, without amendment:

S. 1799. An act to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1771. An act to improve the enforcement of sanctions against the Government of North Korea, and for other purposes; to the Committee on Foreign Relations.

H.R. 2952. An act to amend the Homeland Security Act of 2002 to make certain improvements in the laws relating to the advancement of security technologies for critical infrastructure protection, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3107. An act to require the Secretary of Homeland Security to establish cybersecurity occupation classifications, assess the cybersecurity workforce, develop a strategy to address identified gaps in the cybersecurity workforce, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3202. An act to require the Secretary of Homeland Security to prepare a comprehensive security assessment of the transportation security card program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 3635. An act to ensure the functionality and security of new Federal websites that collect personally identifiable information, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3696. An act to amend the Homeland Security Act of 2002 to make certain improvements regarding cybersecurity and critical infrastructure protection, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3846. An act to provide for the authorization of border, maritime, and transportation security responsibilities and functions in the Department of Homeland Security and the establishment of United States Customs and Border Protection, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4156. An act to amend title 49, United States Code, to allow advertisements and solicitations for passenger air transportation to state the base airfare of the transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4490. An act to enhance the missions, objectives, and effectiveness of United States international communications, and for other purposes; to the Committee on Foreign Relations.

H.R. 4572. An act to amend the Communications Act of 1934 and title 17, United States Code, to extend expiring provisions relating to the retransmission of signals of television broadcast stations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4838. An act to redesignate the railroad station located at 2955 Market Street in Philadelphia, Pennsylvania, commonly known as ''30th Street Station'', as the ''William H. Gray III 30th Street Station''; to the Committee on Commerce, Science, and Transportation.

H.R. 4919. An act to designate the facility of the United States Postal Service located at 715 Shawan Falls Drive in Dublin, Ohio, as the ''Lance Corporal Wesley G. Davids and Captain Nicholas J. Rozanski Memorial Post Office''; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 2673. A bill to enhance the strategic partnership between the United States and Israel.

H.R. 3393. An act to amend the Internal Revenue Code of 1986 to consolidate certain tax benefits for educational expenses, to amend the Internal Revenue Code of 1986 to make improvements to the child tax credit, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2685. A bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 29, 2014, she had

presented to the President of the United States the following enrolled bills:

S. 653. An act to provide for the establishment of the Special Envoy to promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 1104. An act to measure the progress of recovery and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6621. A communication from the Director, Office of Special Education Programs, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Priority. National Institute on Disability and Rehabilitation Research—Disability and Rehabilitation Research Projects and Centers Program'' (CFDA No. 84.133A–10) received in the Office of the President of the Senate on July 28, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–6622. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of one (1) officer authorized to wear the insignia of the grade of rear admiral, as indicated, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–6623. A communication from the Chairman, Defense Nuclear Facilities Safety Board, transmitting, the Board's Report to Congress on the Status of Significant Unresolved Issues with the Department of Energy's Design and Construction Projects (dated December 26, 2013); to the Committee on Armed Services.

EC–6624. A communication from the Director, Office of Special Education Programs, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Priority. National Institute on Disability and Rehabilitation Research—Research Fellowships Program'' (CFDA No. 84.133F–2) received in the Office of the President of the Senate on July 28, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–6625. A communication from the Director, Office of Special Education Programs, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Priority. National Institute on Disability and Rehabilitation Research—Rehabilitation Research and Training Centers'' (CFDA No. 84.133B–1) received in the Office of the President of the Senate on July 28, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–6626. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Allowability of Legal Costs for Whistleblower Proceedings'' (RIN9000–AM64) received in the Office of the President of the Senate on July 28, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–6627. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–76; Introduction'' (FAC 2005–76) received in the Office of the President of the Senate on July 28, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–6628. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Technical Amendments'' (FAC 2005–76) received in the Office of the President of the Senate on July 28, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–6629. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–76; Small Entity Compliance Guide'' (FAC 2005–76) received in the Office of the President of the Senate on July 28, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–6630. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Rules Regarding the Health Insurance Premium Tax Credit'' ((RIN1545–BM23) (TD 9683)) received in the Office of the President of the Senate on July 28, 2014; to the Committee on Finance.

EC–6631. A communication from the Board of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting, pursuant to law, the Board's 2014 Annual Report; to the Committee on Finance.

EC–6632. A communication from the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds, transmitting, pursuant to law, a report relative to the Federal Disability Insurance (DI) Trust Fund becoming inadequate within the next 10 years and the Board's 2014 Annual Report; to the Committee on Finance.

EC–6633. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Irish Potatoes Grown in Washington and Imported Potatoes; Modification of the Handling Regulations, Reporting Requirements, and Import Regulations for Red Types of Potatoes'' (Docket No. AMS–FV–13–0068; FV13–946–3 FIR) received in the Office of the President of the Senate on July 28, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6634. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Domestic Dates Produced of Packed in Riverside County, California; Revision of Assessment Requirements'' (Docket No. AMS–FV–13–0090; FV14–987–2 FR) received in the Office of the President of the Senate on July 28, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6635. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas and Imported Oranges; Change in Size Requirements for Oranges'' (Docket No. AMS–FV–14–0009; FV14–906–1 FIR) received in the Office of the President of the Senate on July 28, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6636. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Dried Prunes Produced in California; Increased Assessment Rate'' (Docket No. AMS–FV–13–0065; FV13–993–1 FR) received in the Office of the President of the Senate on July 28, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6637. A joint communication from the Deputy Assistant Secretary of the Army (Installations, Housing and Partnerships) and the Under Secretary of Agriculture for Natural Resources and Environment, transmitting, pursuant to law, a report relative to the BRAC disposal of 12.31 acres and the acquisition of 59.95 acres in Montana; to the Committee on Agriculture, Nutrition, and Forestry.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S.J. Res. 36. A joint resolution relating to the approval and implementation of the proposed agreement for nuclear cooperation between the United States and the Socialist Republic of Vietnam (Rept. No. 113–221).

By Ms. MIKULSKI, from the Committee on Appropriations:

Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2015'' (Rept. No. 113–222).

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 502. A resolution concerning the suspension of exit permit issuance by the Government of the Democratic Republic of Congo for adopted Congolese children seeking to depart the country with their adoptive parents.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 513. A resolution honoring the 70th anniversary of the Warsaw Uprising.

S. Res. 520. A resolution condemning the downing of Malaysia Airlines Flight 17 and expressing condolences to the families of the victims.

S. Res. 522. A resolution expressing the sense of the Senate supporting the U.S.-Africa Leaders Summit to be held in Washington, D.C. from August 4 through 6, 2014.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. MENENDEZ for the Committee on Foreign Relations.

*George Albert Krol, of New Jersey, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kazakhstan.

Nominee: Krol, George Albert.

Post: Ambassador to Kazakhstan.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.

2. Spouse: none.
3. Children and Spouses: N/A.
4. Parents: Anthony J. Krol, none; Anne E. Krol, none.
5. Grandparents: Albert Krol (deceased); Frances Krol (deceased).
6. Brothers and Spouses: David A. Krol, none; Anthony J. Krol (deceased); Alice Milrod, none.
7. Sisters and Spouses: N/A.

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*Marcia Stephens Bloom Bernicat, of New Jersey, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Republic of Bangladesh.

Nominee: Marcia Stephens Bloom Bernicat.

Post: Bangladesh.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: Olivier Bernicat: none.

Children and Spouses: Sunil C. Bernicat (deceased), Sumit N. Bernicat: none.

3. Parents: Rodney L. Bloom (deceased), Ruth S. Bloom (deceased).
4. Grandparents: Charles & Fanny Bloom (both deceased); Robert & Ruth Stephens (both deceased).
5. Brothers and Spouses: Rodney L. & Cindy Bloom: none.
6. Sisters and Spouses: Kathryn D. Bloom & Luther D. White, Jr.: none.

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*James D. Pettit, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Moldova.

Nominee: James D. Pettit.

Post: Ambassador to Moldova.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: none.
3. Children and Spouses: Sarah M. Pettit: none, Joshua M. Katzenstein: none, Elizabeth M. Pettit: none.
4. Parents: John L. Pettit—deceased; Doris W. Pettit, none.
5. Grandparents: Leon Pettit—deceased; Ines Pettit—deceased; Edgar White—deceased; Lila White—deceased.
6. Brothers and Spouses: Jerry L. Pettit, none.
7. Sisters and Spouses: Lila Dan, none; Richard Dan, none; Lark Pettit, none.

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*John R. Bass, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Turkey.

Nominee: John R. Bass.

Post: Republic of Turkey.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date and donee:

1. Self: none.
2. Spouse: Holly C. Holzer Bass: none.
3. Children and Spouses: no children.
4. Parents: Father—John R. Bass—deceased; Mother—Dianne K. Klinger: $100, 10/1/2010, Gillibrand, Kirsten; $100, 9/26/2010, Gordon, Tim, via Friends of Tim Gordon; $100, 11/5/2010, Murphy, Scott, via Friends of Scott Murphy.
5. Grandparents: Edward Schmuckmier—deceased; Vilma Schmuckmier—deceased; Glenn Bass—deceased; Maude Bass—deceased.
6. Brothers and Spouses: none.
7. Sisters and Spouses: Sister—Kristin Bass; $500, 9/30/2013, Young, David, via Young for Iowa, Inc; $1000, 4/30/2013, The Hawkeye PAC; $500, 6/23/2012, Biggert, Judy via Judy Biggert for Congress; $500, 4/28/2010, Lincoln, Blanche L., via; Friends of Blanche Lincoln; $500, 9/30/2010, Lincoln, Blanche L., via; Friends of Blanche Lincoln; $1000, 5/6/2010, Grassley, Charles E., via; Grassley Committee Inc; Pharmaceutical Care Management Association; Political Action Committee (PCMA PAC); $1153, 03/19/2013, 13961282667; $1346, 06/25/2013, 13964045379; $961, 09/24/2013, 13964682308; $2500, 5/24/2012, 12961317589; $1153, 9/20/2012 12972557013; $1346, 12/20/2012, 13960525485; $3269, 09/22/2011 12970787657; $1730, 12/08/2011, 12950084309; $1923, 7/16/2010, 10931439655; $2115, 12/10/2010, 11990042374; Sister—Kimberley E. Bass; None.

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*Allan P. Mustard, of Washington, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkmenistan.

Nominee: Allan P. Mustard.

Post: Ashgabat.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: none.
2. Spouse: none.
3. Children and Spouses: Fiona Mustard, none.
4. Parents: Donald Mustard: deceased; Barbara Mustard: deceased.
5. Grandparents: Stanley Mustard: deceased; Vida Mustard: deceased.
6. Brothers and Spouses: Richard Mustard: deceased; Edward Mustard: none.

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*Todd D. Robinson, of New Jersey, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guatemala.

Nominee: Todd David Robinson.

Post: Guatemala.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions; amount, date, and donee:

1. Self: $300.00, 02/13/07, Barack Obama; $500.00, 03/31/08, Barack Obama; $1040.00, 06/04/08, Barack Obama; $1040.00, 06/04/08, Barack Obama; $2300.00, 06/04/08, Barack Obama; $250.00, 04/05/11, Barack Obama; $1000.00, 06/30/11, Barack Obama; $250.00, 05/05/12, Barack Obama; $250.00, 08/21/12, Barack Obama; $1500.00, 09/30/12, Barack Obama; $1259.00, 09/30/08, Obama Victory; $650.00, 06/07/12, Obama Victory.
2. Willetta BaCote (Mother): none.
3. All Grandparents—deceased.
4. Jeffrey E. BaCote (Brother): $2300.00, 09/30/07, John S. McCain; Mark D. Robinson: none; Rebecca Scharffe (Sister-in-Law): none; Maribel Robinson (Sister-in-Law): none.
5. Neil L. BaCote (Father)—deceased.

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*Kevin F. O'Malley, of Missouri, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ireland.

Nominee: Kevin F. O'Malley.

Post: U.S. Ambassador to Ireland.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, date, amount, and donee:

1. Self:

Federal: 1/29/2010, $5,000, Democratic National Committee; 4/14/2010, $500, Mark Critz for Congress Committee; 6/30/2010, $250, Robin Carnahan for Senate; 5/27/2010, $500, Democratic Federal Campaign Committee of St. Louis; 6/30/2010, $250, Tommy Sowers for Congress; 6/30/2010, $500, Russ Carnahan in Congress Committee; 9/30/2010, $500, Russ Carnahan in Congress Committee; 9/30/2010, $500, Robin Carnahan for Senate; 10/20/2010, $250, Tommy Sowers for Congress; 6/30/2011, $500, Obama for America; 9/27/2011, $1,000, Russ Carnahan for Congress; 11/3/2011, $2,500, Obama Victory Fund 2012; 12/30/2011, $1,000, Kaine for Virginia; 3/11/2012, $1,100, McCaskill for Missouri; 3/31/2012, $1,000, Russ Carnahan for Congress; 3/31/2012, $1,000, Obama for America; 7/23/2012, $500, Kaine for Virginia; 7/30/2012, $250, Russ Carnahan for Congress; 8/24/2012, $1,000, Obama Victory Fund 2012; 9/25/2012, $704, Obama Victory Fund 2012; 9/30/2012, $1,000, McCaskill Victory Fund; 10/25/2012, $250, Obama Victory Fund 2012.

Local and State: 5/24/2012, $250.00, Wahby for St. Louis City Treasurer; 7/10/2012, $500.00, Wahby for St. Louis City Treasurer.

2. Spouse:

Federal: 6/26/2011, $2,500, McCaskill for Missouri; 7/1/2011, $2,500, McCaskill for Missouri.

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*Jane D. Hartley, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the French Republic.

Nominee: Jane D. Hartley.

Post: Ambassador to the French Republic.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: see attached.
2. Spouse: see attached.
3. Children and Spouses: Katherine Schlosstein: see attached.
4. Parents: deceased.
5. Grandparents: deceased.
6. Brothers and Spouses: James E. Hartley, Jr.: see attached.
7. Sisters and Spouses: N/A.

JANE D. HARTLEY—FEDERAL CAMPAIGN CONTRIBUTION REPORT—ATTACHMENT

Jane D. Hartley:

Contribution, date, and amount:

Dodd—refund, 2/22/2010, ($2,400); Friends of Chris Dodd—refund, 2/22/2010, ($1,100); Martha Coakley, 1/5/2010, $2,400; Jane Harman, 2/1/2010, $1,000; Patrick Leahy, 2/8/2010, $1,000; Arlen Specter, 3/31/2010, $1,000; Michael Bennet, 3/31/2010, $2,400; Michael Bennet, 3/31/2010, $2,400; Friends of Barbara Boxer, 5/25/2010, $2,400; Betsy Markcy, 6/20/2010, $1,000; Barney

Frank, 6/25/2010, $1,000; William Owens, 9/20/2010, $1,200; Schneiderman Attorney General, 9/23/2010, $1,000; Scott Murphy, 9/30/2010, $1,200; Robin Carnahan, 9/29/2010, $500; Lee Irwin Fisher, 9/29/2010, $500; Paul Hodes, 9/29/2010, $500; Jack Conway, 9/29/2010, $500; Andrew Cuomo 2010, 10/20/2010, $10,000; Chicago for Rahm Emanuel, 10/27/2010, $25,000; Jack Conway for Senate, 10/29/2010, $1,000; Ohio Democratic Party, 11/1/2010, $5,000; McCaskill for Missouri, 2012 3/23/2011, $1000; Tri-State Maxed Out Women, 4/11/2011, $1000; Friends of Chris Murphy, 5/22/2011, $2500; Gillibrand for Senate, 5/23/2011, $2500; Kaine for Virginia, 8/11/2011, $5000; Kathy Hochul for Congress, 5/20/2011, $1000; Obama Victory Fund 2012, 4/21/2011, $35,800; Women for Cuomo 2014 5/10/2011, $5000; Bob Menendez for Senate 5/12/2011 $1000; Howard Berman for Congress 10/12/2011 $500; Howard Berman for Congress 10/12/2011 $500; Elizabeth Warren for MA 10/12/2011 $2500; DSCC, 10/12/2011, $2500; Montana Senate Victory, 2012, 10/12/2011, $2500; No Bad Apples Pac, 10/12/2011, $1000; Amy Klobuchar for Minnesota, 11/28/2011, $2500; Andrew Cuomo 2014, 11/28/2011, $2000; New Chicago Committee, 12/7/2011, $5000; SSVF (Swing State Victory Fund), 12/27/2011, $9200; Dan Garodnick, 2013, 1/6/2012 $1000; Debbie Wasserman Schultz, 1/10/2012, $1000; Joe Kennedy for Congress, 2/13/2012, $2500; Bob Menendez for Senate, 2/13/2012, $2500; Missouri—Montana Fund, 2/28/2012, $2500; Friends of Sherrod Brown, 4/19/2012, $2500; Lon Johnson, 4/20/2012, $500; Nita Lowey, 5/1/2012, $2500; Janet Cowell for Treasurer, 5/30/2012, $4000; Committee to Elect Joe Kearns Goodwin, 5/30/2012, $500; Nebraskans for Bob Kerrey, 6/11/2012, $2500; OVF 2012, 6/28/2012, $27,300; Montanans for Tester, 6/28/2012, $1250; DSCC, 1/24/2013, $30,800; Friends of Max Baucus, 2/13/2013, $5000; Booker for Senate, 2/28/2013, $5000; Nita Lowey for Congress, 3/4/2013, $5000; Reshma for New York, 3/1/2013, $2500; The Markey Committee, 3/14/2013, $1000; DNC, 5/8/2013, $16,200; Udall for Colorado, 5/24/2013, 2600; Cy Vance for Manhattan DA, 5/28/2013, $1000; Friends of Congressman George Miller, 6/14/2013, $1000; Cory Booker for Senate, 6/25/2013, $2600; Gina Raimondo, 7/3/2013, $1000; Friends of Gale Brewer, 7/3/2013, $500; Reshma for New York, 6/30/2013, $2450; Bill Thompson for Mayor, 8/8/2013, $2000; Don Berwick for Governor, 8/26/2013, $500; Michelle Nunn for Georgia, 9/13/2013, $1000; Chicago for Rahm Emanuel, 9/20/2013, $5300; Off the Sidelines PAC, 10/30/2013, $5000; Friends of Mark Warner, 10/30/2013, $2600; Moulton for Congress, 11/12/2013, $2000; Alaskans for Begich 2014, 11/21/2013, $1000; Friends of Schumer, 12/4/2013, $5200.

Ralph Schlosstein:

Date, amount, and contribution:

03/01/07, $5,000, (D) Our Common Values PAC; 03/31/01, $2,500, (D) Friends of Chris Dodd; 04/18/07, $2,300, (D) Tom Allen; 05/17/7, $2,300, (D) Jay Rockefeller; 10/18/07, $5,000, (D) All America PAC; 11/06/07, $25,000, (D) Democratic Senatorial Campaign Committee; 12/04/07, $1,000, (D) Jack Reed; 01/09/08, $2,300, (D) Barack Obama; 01/31/08, $4,600, (D) Rahm Emanuel; 03/25/08, $1,000, (D) Tom Allen; 04/01/08, $2,300, (D) John Adler; 04/25/08, $3,200, (D) People for Chris Gregoire; 04/29/08, $1,000, (D) Mark Warner; 06/30/08, $28,500, (D) Democratic Victory Fund; 02/29/08, $1,000, (D) Operation Brian Schweitzer; 07/22/08, $2,300, (D) Udall for Colorado; 09/08/08, $2,500, (D) Jeanne Shaheen for Senate; 07/31/08, $2,300, (D) Hilary Clinton; 08/20/08, $2,300, (D) Barack Obama; 09/28/08, $2,300, (D) Friends of Chris Dodd; 10/24/08, $2,000, (D) Mark Schauer; 10/24/08, $2,000, (D) Gary Peters; 10/24/08, $2,000, (D) Steve Dreihaus; 10/24/08, $2,000, (D) Ann Kirkpatrick; 10/24/08, $2,000, (D) Ashwin Madia, 12/05/08, $2,300, (D) Bill Richardson for President; 04/06/09, $4,800, (D) Friends of Schumer; 06/03/09, $5,000, (D) Democratic Senatorial Campaign Committee; 03/07/10, $1,000, (D) Friends of John Marshall; 04/26/10, $4,800, (D) Friends of Harry Reid; 06/29/10, $2,400, (D) Gillenbrand for Senate; 06/29/10, $2,400, (D) Bennett for Colorado; 09/20/10, $2,300, (D) Michael Bennett for Senate; 09/20/10, $1,000, (D) Scott Murphy for Congress, 09/20/10, $1,000, (D) Bill Owen for Congress; 03/30/11, $2,300, (D) Friends of Maria Cantwell; 04/01/11, $35,800, (D) Obama Victory Fund 2012; 10/05/11, $2,500, (R) Friends of Dick Lugar; 11/20/11, $1,500, (D) Andrew Cuomo; 12/14/11, $2,500, (D) Kaine for Virginia; 02/13/12, $2,500, (D) Joe Kennedy for Congress; 04/24/12, $2,000, (D) Hillary Clinton for President Debt; 06/19/12 ($2,000), (D) Hillary Clinton for President Debt; 04/10/12, $2,300, (D) Friends of Maria Cantwell; 06/11/12, $2,500, (D) Nebraskans for Kerrey; 06/29/12, $30,800, (D) Obama Victory Fund; 06/18/12, $2,500, (D) John Lewis for Congress; 09/24/12, $2,500, (D) Montanans for Tester; 10/16/12, $2,500, (D) Nita Lowey for Congress; 10/18/12, $2,500, (D) Donnelly for Senate; 12/21/12, $2,500, (D) Friends of Max Baucus; 08/07/13, $5,000, (D) Democratic Governors Association; 08/07/13, $5,000, (D) O Say Can You See PAC; 09/16/13, $32,400, (D) Democratic Senate Campaign Committee; 09/20/13, $5,300, (D) Chicago for Rahm Emanuel; 09/24/13, $5,000, (D) Booker for Senate; 12/03/13, $5,200, (D) Friends of Schumer [Check was written for $10,400—$5,200 for Jane Hartley]; 12/13/13, $5,200, (D) Reid Searchlight Fund.

Katherine Schlosstein:

Date, amount, and contribution:

10/13/11, $16,500 DNC Services Corp.; 10/13/11, $2,500, Obama, Barack; 10/13/11, $2,500, Obama, Barack.

James E. Hartley, Jr.

Contribution, date, and amount:

Friends of Chris Dodd, 6/23/2009, $250; Friends of Tate Reeves, 8/4/2009, $2,500; Malloy for CT, 3/5/2010, $155; O'Leary for Mayor, 7/1/2011, $1,000; Phyllis Newton for City Council, 12/7/2011, $500; Joseph Kennedy for Congress, 1/27/2012, $2,500; Larson for Congress, 3/30/2012, $250; Josh Stein for NC Senate Committee, 5/14/2012, $250; Elizabeth for MA, 6/11/2012, $2,500; Berger 2012, 6/28/2012, $100; Obama Victory 2012, 8/6/2012, $500; Bill Thompson for Mayor, 8/5/2013, $2,500; O'Leary for Mayor, 9/1/2013, $1,000; Old Lyme Democratic Party, 11/1/2013, $500; ND Republican Senate Caucus, 11/1/2013, $1,000.

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*Erica J. Barks Ruggles, of Minnesota, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Rwanda.

Nominee: Erica J. Barks Ruggles.

Post: U.S. Ambassador to Rwanda

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: none.
3. Children and Spouses: N/A.
4. Parents: Paul A. Barks—deceased.

Nancy E. Barks, $35.00, 2/10, Tarryl Clark for Congress, $50.00, 10/10, Friends of Tarryl Clark, $50.00, 3/12, Klobuchar for MN.

5. Grandparents: N/A.
6. Brothers and Spouses: N/A.
7. Sisters and Spouses: Cynthia B. Lynn, none; Karen C. Barks, none.

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*Brent Robert Hartley, of Oregon, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Slovenia.

Nominee: Brent R. Hartley.

Post: Republic of Slovenia.

Nominated: June 16, 2014.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse; Elizabeth Hayes Dickinson: none.
3. Children and Spouses: Eleanor Dickinson Hartley: none. Charles Dickinson Hartley: none.

Parents: Jennie Louise Clark, Jack Martin Hartley (deceased): none.

5. Grandparents: Houston and Jennie Pitts (deceased); Charles Alton and Elizabeth Martin Hartley (deceased).
6. Brothers and Spouses: Michael Lynn Hartley: none.
7. Sisters and Spouses: Constance Louise Lister (deceased); Lawrence Lister; none. Brenda Hartley Landes; none. Fred Landes; none.

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*Jane D. Hartley, of New York, to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Principality of Monaco.

Nominee: Jane D. Hartley.

Post: Ambassador to the Principality of Monaco.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: See attached.
2. Spouse: See attached.
3. Children and Spouses: Katherine Schlosstein: See attached.
4. Parents: N/A.
5. Grandparents: N/A.
6. Brothers and Spouses: James E. Hartley, Jr.—See attached.
7. Sisters and Spouses: N/A.

JANE D. HARTLEY—FEDERAL CAMPAIGN CONTRIBUTION REPORT

ATTACHMENT

Jane Hartley: Contribution, date, and amount:

Dodd—refund, 2/22/2010, (2,400); Friends of Chris Dodd—refund, 2/22/2010, (1,100); Martha Coakley, 1/5/2010, 2,400; Jane Harman, 2/1/2010, 1,000; Patrick Leahy, 2/8/2010, 1,000; Arlen Specter, 3/31/2010, 1,000; Michael Bennet, 3/31/2010, 2,400; Michael Bennet, 3/31/2010, 2,400; Friends of Barbara Boxer, 5/25/2010, 2,400; Betsy Markcy, 6/20/2010, 1,000; Barney Frank, 6/25/2010, 1,000; William Owens, 9/20/2010, 1,200; Schneiderman Attorney General, 9/23/2010, 1,000; Scott Murphy, 9/30/2010, 1,200; Robin Camahan, 9/29/2010, 500; Lee Irwin Fisher, 9/29/2010, 500; Paul Hodes, 9/29/2010, 500; Jack Conway, 9/29/2010, 500; Andrew Cuomo 2010, 10/20/2010, 10,000; Chicago for Rahm Emanuel, 10/27/2010, 25,000; Jack Conway for Senate, 10/29/2010, 1,000; Ohio Democratic Party, 11/1/2010, 5,000; McCaskill for Missouri 2012, 3/23/2011, 1,000; Tri-State Maxed Out Women, 4/11/2011, 1,000; Friends of Chris Murphy, 5/22/2011, 2,500; Gillibrand for Senate, 5/23/2011, 2,500; Kaine for Virginia, 8/11/2011, 5,000; Kathy Hochul for Congress, 5/20/2011, 1,000; Obama Victory Fund 2012, 4/21/2011, 35,800; Women for Cuomo 2014, 5/10/2011, 5,000; Bob Menendez for Senate, 5/12/2011, 1,000; Howard Berman for Congress,

10/12/2011, 500; Howard Berman for Congress, 10/12/2011, 500; Elizabeth Warren for MA, 10/12/2011, 2,500; DSCC, 10/12/2011, 2,500; Montana Senate Victory 2012, 10/12/2011, 2,500; No Bad Apples Pac, 10/12/2011, 1,000; Amy Klobuchar for Minnesota, 11/28/2011, 2,500; Andrew Cuomo 2014, 11/28/2011, 2,000; New Chicago Committee, 12/7/2011, 5,000; SSVF (Swing State Victory Fund), 12/27/2011, 9,200; Dan Garodnick 2013, 1/6/2012, 1,000; Debbie Wassermn Schultz, 1/10/2012, 1,000; Joe Kennedy for Congress, 2/13/2012, 2,500; Bob Menendez for Senate, 2/13/2012, 2,500; Missouri—Montana Fund, 2/28/2012, 2,500; Friends of Sherrod Brown, 4/19/2012, 2,500; Lon Johnson, 4/20/2012, 500; Nita Lowey, 5/1/2012, 2,500; Janet Cowell for Treasurer, 5/30/2012, 4,000; Committee to Elect Joe Kearns Goodwin, 5/30/2012, 500; Nebraskans for Bob Kerrey, 6/11/2012, 2,500; OVF 2012, 6/28/2012, 27,300; Montananas for Tester, 6/28/2012, 1,250; DSCC, 1/24/2013, 30,800; Friends of Max Baucus, 2/13/2013, 5,000; Booker for Senate, 2/28/2013, 5,000; Nita Lowey for Congress, 3/4/2013, 5,000; Reshma for New York, 3/1/2013, 2,500; The Markey Committee, 3/14/2013, 1,000; DNC, 5/8/2013, 16,200; Udall for Colorado, 5/24/2013, 2,600; Cy Vance for Manhattan DA, 5/28/2013, 1,000; Friends of Congressman George Miller, 6/14/2013, 1,000; Cory Booker for Senate, 6/25/2013, 2,600; Gina Raimondo, 7/3/2013, 1,000; Friends of Gale Brewer, 7/3/2013, 500; Reshma for New York, 6/30/2013, 2,450; Bill Thompson for Mayro, 8/8/2013, 2,000; Don Berwick for Governor, 8/26/2013, 500; Michelle Nunn for Georgia, 9/13/2013, 1,000; Chicago for Rahm Emanuel, 9/20/2013, 5,300; Off the Sidelines PAC, 10/30/2013, 5,000; Friends of Mark Warner, 10/30/2013, 2,600; Moulton for Congress, 11/12/2013, 2,000; Alaskans for Beigich 2014, 11/21/2013, 1,000; Friends of Schumer, 12/4/2013, 5,200.

Ralph Schlosstein: Date, amount, and contribution:

03/01/07, $5,000, (D) Our Common Values PAC; 03/31/01, $2,500, (D) Friends of Chris Dodd; 04/18/07, $2,300, (D) Tom Allen; 05/17/7, $2,300, (D) Jay Rockefeller; 10/18/07, $5,000, (D) All America PAC; 11/06/07, $25,000, (D) Democratic Senatorial Campaign Committee; 12/04/07, $1,000, (D) Jack Reed; 01/09/08, $2,300, (D) Barack Obama; 01/31/08, $4,600, (D) Rahm Emanuel; 03/25/08, $1,000, (D) Tom Allen; 04/01/08, $2,300, (D) John Adler; 04/25/08, $3,200, (D) People for Chris Gregoire; 04/29/08, $1,000, (D) Mark Warner; 06/30/08, $28,500, (D) Democratic Victory Fund; 02/29/08, $1,000, (D) Operation Brian Schweitzer; 07/22/08, $2,300, (D) Udall for Colorado; 09/08/08, $2,500, (D) Jean Shaheen for Senate; 07/31/08, $2,300, (D) Hillary Clinton; 08/20/08, $2,300, (D) Barack Obama; 09/28/08, $2,300, (D) Friends of Chris Dodd; 10/24/08, $2,000, (D) Mark Schauer; 10/24/08, $2,000, (D) Gary Peters; 10/24/08, $2,000, (D) Steve Dreihaus; 10/24/08, $2,000, (D) Ann Kirkpatrick; 10/24/08, $2,000, (D) Ashwin Madia; 12/05/08, $2,300, (D) Bill Richardson for President; 04/06/09, $4,800, (D) Friends of Schumer; 06/03/09, $5,000, (D) Democratic Senatorial Campaign Committee; 03/07/10, $1,000, (D) Friends of John Marshall; 04/26/10, $4,800, (D) Friends of Harry Reid; 06/29/10, $2,400, (D) Gillenbrand for Senate; 06/29/10, $2,400, (D) Bennett for Colorado; 09/20/10, $2,300, (D) Michael Bennett for Senate; 09/20/10, $1,000, (D) Scott Murphy for Congress; 09/20/10, $1,000, (D) Bill Owen for Congress; 03/30/11, $2,300, (D) Friends of Maria Cantwell; 04/01/11, $35,800, (D) Obama Victory Fund 2012; 10/05/11, $2,500, (R) Friends of Dick Lugar; 11/20/11, $1,500, (D) Andrew Cuomo; 12/14/11, $2,500, (D) Kaine for Virginia; 02/13/12, $2,500, (D) Joe Kennedy for Congress; 04/24/12, $2,000, (D) Hillary Clinton for President Debt; 06/19/12, ($2,000), (D) Hillary Clinton for President Debt; 04/10/12, $2,300, (D) Friends of Maria Cantwell; 06/11/12, $2,500, (D) Nebraskans for Kerrey; 06/29/12, $30,800, (D) Obama Victory Fund; 06/18/12, $2,500, (D) John Lewis for Congress; 09/24/12, $2,500, (D) Montanans for Tester; 10/16/12, $2,500, (D) Nita Lowey for Congress; 10/18/12, $2,500, (D) Donnelly for Senate; 12/21/12, $2,500, (D) Friends of Max Baucus; 08/07/13, $5,000, (D) Democratic Governors Association; 08/07/13, $5,000, (D) O Say Can You See PAC; 09/16/13, $32,400, (D) Democratic Senate Campaign Committee; 09/20/13, $5,300, (D) Chicago for Rahm Emanuel; 09/24/13, $5,000, (D) Booker for Senate; 12/03/13, $5,200, (D) Friends of Schumer [Check was written for $10,400–$5,200 for Jane Hartley]; 12/13/13, $5,200, (D) Reid Searchlight Fund.

Katherine Schlosstein: Date, amount, and contribution:

10/13/11, $16,500, DNC Services Corp.; 10/13/11, $2,500, Obama, Barack; 10/13/11, $2,500, Obama, Barack.

James E. Hartley Jr.: Contribution, date, and amount:

Friends of Chris Dodd, 6/23/2009, 250; Friends of Tate Reeves, 8/4/2009, 2,500; Malloy for CT, 3/5/2010, 155; O'Leary for Mayor, 7/1/2011, 1,000; Phyllis Newton for City Council, 12/7/2011, 500; Joseph Kennedy for Congress, 1/27/2012, 2,500; Larson for Congress, 3/30/2012, 250; Josh Stein for NC Senate Committee, 5/14/2012, 250; Elizabeth for MA, 6/11/2012, 2,500; Berger 2012, 6/28/2012, 100; Obama Victory 2012, 8/6/2012, 500; Bill Thompson for Mayor, 8/5/2013, 2,500; O'Leary for Mayor, 9/1/2013, 1,000; Old Lyme Democratic Party, 11/1/2013, 500; ND Republican Senate Caucus, 11/1/2013, 1,000.

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*David Pressman, of New York, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador.

*David Pressman, of New York, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations.

*Michele Jeanne Sison, of Maryland, a Career Member of the Senior Foreign Service, Class of Career Minister, to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Deputy Representative of the United States of America in the Security Council of the United Nations.

*Michele Jeanne Sison, of Maryland, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Deputy Representative of the United States of America to the United Nations.

*John Francis Tefft, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Russian Federation.

Nominee: John Francis Tefft.

Post: Russia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.

2. Spouse: Mariella C. Tefft: none.

3. Children and spouses: Christine Marie Tefft, daughter, none; Paul Stronski, Christine's spouse, none; Cathleen Mary Tefft, daughter, none; Andrew Horowitz, Cathleen's spouse, none.

4. Parents: Floyd F. Tefft, father, deceased; Mary Jane Durkin Tefft, Mother, deceased.

5. Grandparents: Floyd B. Tefft, Grandfather, deceased; Lucy Tefft, grandmother, deceased; James Durkin, grandfather, deceased; Julia Durkin, grandmother, deceased.

6. Brothers and spouses: Thomas Tefft, brother, none; Julie Crane Tefft, Tom's spouse, none; James Tefft, brother, Victoria Wise, James' Spouse, Joint Contribution of $220 in Five Installments April, September, October and two in November 2012 to Obama for America.

Sisters and spouses: Patricia Tefft, sister, deceased; Sheila Tefft, sister, none; Rajiv Chandra, Sheila's spouse, none.

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. RUBIO (for himself and Mr. CRUZ):

S. 2675. A bill to amend the International Religious Freedom Act of 1998 to support religious freedom in foreign countries; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mr. SCHATZ, Mrs. GILLIBRAND, Mr. KAINE, Mr. LEVIN, Mr. DURBIN, and Ms. WARREN):

S. 2676. A bill to establish a grant program to encourage States to adopt certain policies and procedures relating to the transfer and possession of firearms; to the Committee on the Judiciary.

By Mr. INHOFE (for himself, Mr. COBURN, Mr. CORNYN, Mr. CRUZ, Mr. MORAN, and Mr. ROBERTS):

S. 2677. A bill to reverse the listing by the Secretary of the Interior of the lesser prairie chicken as a threatened species under the Endangered Species Act of 1973, to prevent further consideration of listing of the species as a threatened species or endangered species under that Act pending implementation of the Western Association of Fish and Wildlife Agencies' Lesser Prairie-Chicken Range-Wide Conservation Plan and other conservation measures, and for other purposes; to the Committee on Environment and Public Works.

By Mr. INHOFE (for himself and Mr. COBURN):

S. 2678. A bill to remove the American burying beetle from the list of endangered species under the Endangered Species Act (16 U.S.C. 1531 et seq.); to the Committee on Environment and Public Works.

By Mr. BOOKER (for himself, Mr. MENENDEZ, and Mrs. BOXER):

S. 2679. A bill to amend the Internal Revenue Code of 1986 to reinstate the financing for the Hazardous Substance Superfund, and for other purposes; to the Committee on Finance.

By Mr. PRYOR (for himself and Mr. WALSH):

S. 2680. A bill to direct the Secretary of Commerce to establish a voluntary program under which manufacturers may have products certified as meeting the standards of labels that indicate to consumers the extent to which the products are manufactured in the United States, to amend the Internal Revenue Code of 1986 to allow a credit against income tax for equity investments in small business concerns, to establish small business savings accounts, and for other purposes; to the Committee on Finance.

By Mr. PRYOR (for himself and Mr. WALSH):

S. 2681. A bill to amend the Internal Revenue Code of 1986 to provide incentives for businesses to keep jobs in the United States; to the Committee on Finance.

By Mr. PRYOR (for himself and Mr. WALSH):

S. 2682. A bill to require certain Federal agencies to use iron, steel, wood products, cement and manufactured goods produced in the United States in public construction projects, to permanently extend the Build America Bonds program, to ensure that transportation and infrastructure projects carried out using Federal financial assistance are constructed with steel, iron, and manufactured goods that are produced in the United States, and for other purposes; to the Committee on Finance.

By Mr. WYDEN:

S. 2683. A bill to reform classification and security clearance processes throughout the Federal Government and, within the Department of Homeland Security, to establish an effective and transparent process for the designation, investigation, adjudication, denial, suspension, and revocation of security clearances, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. MURKOWSKI:

S. 2684. A bill to direct the Administrator of General Services, on behalf of the Secretary of the Interior, to convey certain Federal property located in the National Petroleum Reserve in Alaska to the Olgoonik Corporation, an Alaska Native Corporation established under the Alaska Native Claims Settlement Act; to the Committee on Energy and Natural Resources.

By Mr. LEAHY (for himself, Mr. LEE, Mr. DURBIN, Mr. HELLER, Mr. FRANKEN, Mr. CRUZ, Mr. BLUMENTHAL, Mr. UDALL of New Mexico, Mr. COONS, Mr. HEINRICH, Mr. MARKEY, Ms. HIRONO, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. SCHUMER, and Mr. SANDERS):

S. 2685. A bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID (for himself, Mr. MCCONNELL, Mr. MENENDEZ, Mr. CORKER, Mr. CARDIN, and Mr. GRAHAM):

S. Res. 526. A resolution supporting Israel's right to defend itself against Hamas, and for other purposes; considered and agreed to.

By Ms. LANDRIEU (for herself, Mr. SCOTT, Mr. CARDIN, Mr. BROWN, Mr. NELSON, Mrs. HAGAN, Mr. LEVIN, and Ms. BALDWIN):

S. Res. 527. A resolution congratulating the members of Phi Beta Sigma Fraternity, Inc. for 100 years of service throughout the United States and the world, and commending Phi Beta Sigma Fraternity, Inc. for exemplifying the ideals of brotherhood, scholarship, and service while upholding the motto ''Culture for Service and Service for Humanity''; considered and agreed to.

By Mr. HOEVEN (for himself and Ms. HEITKAMP):

S. Res. 528. A resolution commemorating the 125th anniversary of North Dakota's Statehood; considered and agreed to.

ADDITIONAL COSPONSORS

S. 204

At the request of Mr. PAUL, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 204, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 234

At the request of Mr. NELSON, his name was added as a cosponsor of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

At the request of Mr. REID, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 234, supra.

S. 240

At the request of Mr. TESTER, the names of the Senator from Colorado (Mr. UDALL) and the Senator from Nebraska (Mr. JOHANNS) were added as cosponsors of S. 240, a bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service.

S. 531

At the request of Mr. HARKIN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 531, a bill to provide for the publication by the Secretary of Human Services of physical activity guidelines for Americans.

S. 607

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 607, a bill to improve the provisions relating to the privacy of electronic communications.

S. 759

At the request of Mr. CASEY, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 759, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 917

At the request of Mr. CARDIN, the name of the Senator from New Jersey (Mr. BOOKER) 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. 987

At the request of Mr. SCHUMER, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 987, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 1022

At the request of Mr. BROWN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1022, a bill to amend title 46, United States Code, to extend the exemption from the fire-retardant materials construction requirement for vessels operating within the Boundary Line.

S. 1397

At the request of Mr. PORTMAN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1397, a bill to improve the efficiency, management, and interagency coordination of the Federal permitting process through reforms overseen by the Director of the Office of Management and Budget, and for other purposes.

S. 1463

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1463, a bill to amend the Lacey Act Amendments of 1981 to prohibit importation, exportation, transportation, sale, receipt, acquisition, and purchase in interstate or foreign commerce, or in a manner substantially affecting interstate or foreign commerce, of any live animal of any prohibited wildlife species.

S. 1702

At the request of Mr. LEE, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1702, a bill to empower States with authority for most taxing and spending for highway programs and mass transit programs, and for other purposes.

S. 1712

At the request of Mrs. FISCHER, her name was added as a cosponsor of S. 1712, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1739

At the request of Mr. HOEVEN, the names of the Senator from South Carolina (Mr. SCOTT) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 1739, a bill to modify the efficiency standards for grid-enabled water heaters.

S. 2037

At the request of Mr. TESTER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2037, a bill to amend title XVIII of

the Social Security Act to remove the 96-hour physician certification requirement for inpatient critical access hospital services.

S. 2082

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2082, a bill to provide for the development of criteria under the Medicare program for medically necessary short inpatient hospital stays, and for other purposes.

S. 2141

At the request of Mr. REED, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2141, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide an alternative process for review of safety and effectiveness of nonprescription sunscreen active ingredients and for other purposes.

S. 2182

At the request of Mr. WALSH, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2182, a bill to expand and improve care provided to veterans and members of the Armed Forces with mental health disorders or at risk of suicide, to review the terms or characterization of the discharge or separation of certain individuals from the Armed Forces, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. 2301

At the request of Mr. HATCH, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2301, a bill to amend section 2259 of title 18, United States Code, and for other purposes.

S. 2329

At the request of Mrs. SHAHEEN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2329, a bill to prevent Hezbollah from gaining access to international financial and other institutions, and for other purposes.

S. 2405

At the request of Mr. VITTER, his name was added as a cosponsor of S. 2405, a bill to amend title XII of the Public Health Service Act to reauthorize certain trauma care programs, and for other purposes.

S. 2449

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2449, a bill to reauthorize certain provisions of the Public Health Service Act relating to autism, and for other purposes.

S. 2495

At the request of Mr. ENZI, the names of the Senator from Arizona (Mr. FLAKE) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 2495, a bill to prevent a fiscal crisis by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending.

S. 2546

At the request of Mr. ISAKSON, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2546, a bill to repeal a requirement that new employees of certain employers be automatically enrolled in the employer's health benefits.

S. 2547

At the request of Ms. HEITKAMP, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2547, a bill to establish the Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee under the Federal Emergency Management Agency's National Advisory Council to provide recommendations on emergency responder training and resources relating to hazardous materials incidents involving railroads, and for other purposes.

S. 2624

At the request of Mrs. SHAHEEN, the names of the Senator from Virginia (Mr. KAINE) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 2624, a bill to provide additional visas for the Afghan Special Immigrant Visa Program, and for other purposes.

S. 2633

At the request of Mr. JOHANNS, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2633, a bill to require notification of a Governor of a State if an unaccompanied alien child is placed in a facility or with a sponsor in the State and for other purposes.

S. 2635

At the request of Mr. CORNYN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 2635, a bill to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes.

S. 2650

At the request of Mr. CORKER, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2650, a bill to provide for congressional review of agreements relating to Iran's nuclear program, and for other purposes.

S. 2658

At the request of Mr. HARKIN, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2658, a bill to prioritize funding for the National Institutes of Health to discover treatments and cures, to maintain global leadership in medical innovation, and to restore the purchasing power the NIH had after the historic doubling campaign that ended in fiscal year 2003.

S. 2667

At the request of Mr. KIRK, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Nebraska (Mr. JOHANNS) were added as cosponsors of S. 2667, a bill to prohibit the exercise of any waiver of the imposition of certain sanctions with respect to Iran unless the President certifies to Congress that the waiver will not result in the provision of funds to the Government of Iran for activities in support of international terrorism, to develop nuclear weapons, or to violate the human rights of the people of Iran.

S. RES. 502

At the request of Mr. PORTMAN, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. Res. 502, a resolution concerning the suspension of exit permit issuance by the Government of the Democratic Republic of Congo for adopted Congolese children seeking to depart the country with their adoptive parents.

S. RES. 506

At the request of Mrs. BOXER, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. Res. 506, a resolution recognizing the patriotism and contributions of auxiliaries of veterans service organizations.

S. RES. 511

At the request of Mr. SCOTT, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. Res. 511, a resolution establishing best business practices to fully utilize the potential of the United States.

S. RES. 513

At the request of Ms. MIKULSKI, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 513, a resolution honoring the 70th anniversary of the Warsaw Uprising.

At the request of Mr. RISCH, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 513, supra.

S. RES. 517

At the request of Mr. GRAHAM, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. Res. 517, a resolution expressing support for Israel's right to defend itself and calling on Hamas to immediately cease all rocket and other attacks against Israel.

S. RES. 520

At the request of Mr. MURPHY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 520, a resolution condemning the downing of Malaysia Airlines Flight 17 and expressing condolences to the families of the victims.

S. RES. 522

At the request of Mr. COONS, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. Res. 522, a resolution expressing the sense of the Senate supporting the U.S.-Africa Leaders Summit to be held in Washington, D.C. from August 4 through 6, 2014.

AMENDMENT NO. 3585

At the request of Mr. TOOMEY, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of amendment No. 3585 proposed to H.R. 5021, a bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

AMENDMENT NO. 3626

At the request of Mr. BLUNT, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of amendment No. 3626 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3629

At the request of Mr. BLUNT, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of amendment No. 3629 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3630

At the request of Mr. PAUL, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of amendment No. 3630 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3631

At the request of Mr. BARRASSO, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of amendment No. 3631 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3632

At the request of Mr. THUNE, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of amendment No. 3632 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3633

At the request of Mr. THUNE, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of amendment No. 3633 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3635

At the request of Mr. THUNE, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of amendment No. 3635 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3636

At the request of Mr. THUNE, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of amendment No. 3636 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3656

At the request of Mr. HATCH, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of amendment No. 3656 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3657

At the request of Mr. HATCH, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of amendment No. 3657 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3687

At the request of Ms. COLLINS, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of amendment No. 3687 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3698

At the request of Mr. ENZI, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 3698 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOOKER (for himself, Mr. MENENDEZ, and Mrs. BOXER):

S. 2679. A bill to amend the Internal Revenue Code of 1986 to reinstate the financing for the Hazardous Substance Superfund, and for other purposes; to the Committee on Finance.

Mr. BOOKER. Mr. President, I rise today to introduce with my colleagues Senator ROBERT MENENDEZ of New Jersey, and Senator BARBARA BOXER of California, the Superfund Polluter Pays Restoration Act of 2014. This bill reinstates an expired excise tax on polluting industries to help fund the cleanup of Superfund sites and restore communities back to health.

Across our Nation we have far too many un-remediated and dangerous Superfund sites sitting in our neighborhoods—properties that are literally poisoning our residents. This problem is particularly acute in my State of New Jersey, which is both the most densely populated State and the State with the most Superfund sites.

Nationwide, there are more than 1300 Superfund sites on the National Priorities List, NPL, which require long-term cleanups. The sites listed on the NPL are the most heavily contaminated in the country and are the sites that pose the greatest potential risk to public health and the environment. In the past five years, 94 new sites have been added to the NPL, but an average of only 7 have been removed each year.

Cleanup has not even begun at hundreds of these NPL sites. Officials at the Environmental Protection Agency, EPA, and the Government Accountability Office, GAO, state that the reason why cleanup is not starting at hundreds of sites, and taking so long at others, is because of the limited funding available for cleanup activities.

There are more than 11 million Americans who live within one mile of a Superfund site, and of that, 3 to 4 million are children. Studies show that children are particularly susceptible to the health hazards presented by Superfund sites. Researchers have found increased autism rates, and recently researchers found that babies born to mothers living within 1 mile of a Superfund site prior to cleanup had a 20 percent greater incidence of being born with birth defects.

The need for more funding could not be clearer.

When Congress created Superfund in 1980, it established the Superfund Trust Fund from which the EPA receives annual appropriations for Superfund cleanup activities. For 15 years, the Trust Fund received a steady source of revenue from excise taxes on crude oil and certain chemicals. Those taxes expired at the end of fiscal year 1995. The Superfund program is now operating at 40 percent of 1987 levels, which is unsustainable according to a 2010 GAO report which found that current funding levels would likely not be sufficient to meet the future needs of the Superfund program EPA officials estimate they will need 2 to 2.5 times more funding to effectively and efficiently cleanup unremediated sites.

It is unfair for the taxpayer to shoulder the burden of cleanup costs for these Superfund sites. To meet the need for additional funding and to protect the health of our families and children, Senator MENENDEZ, Senator BOXER, and I have come together to introduce this act, aimed at holding polluting industries accountable, reducing the need to spend taxpayer dollars, and providing a steady flow of funds to the Superfund program.

By Mr. LEAHY (for himself, Mr. LEE, Mr. DURBIN, Mr. HELLER, Mr. FRANKEN, Mr. CRUZ, Mr. BLUMENTHAL, Mr. UDALL of New Mexico, Mr. COONS, Mr. HEINRICH, Mr. MARKEY, Ms. HIRONO, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. SCHUMER, and Mr. SANDERS):

S. 2685. A bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; read the first time.

Mr. LEAHY. Mr. President, I am going to speak on another issue. I see my distinguished colleague from Utah Senator LEE is on the floor. It is an issue he has worked with me on. We have tried to join together. It was more than a year ago that not only here in the United States but the whole world learned some very startling details about the massive scope of the National Security Agency's surveillance programs.

Since then the American people, and actually, all three branches of government have been debating the same fundamental questions about the extent of government power that the Framers considered when they crafted the Constitution. Many of us had been arguing those same issues, whether in the Judiciary Committee, the Intelligence Committee, or others. But it was hard to get anybody's attention.

Suddenly the whole world was listening.

The obvious question is, when and how should the government be permitted to gather information about its citizens? How do we protect our country while we preserve our fundamental principles and our constitutional liberties? These questions are even more relevant and more complex as technology develops rapidly, and as more data is created every second.

Nobody questions that the government cannot just walk into our houses, rifle through our drawers, our filing cabinets, and our cupboards, to see what we might have there. But that is not where we keep our data anymore. It is on computers. By the same token, they shouldn't have the right to rifle through our electronic files either. If they collect all this data, should the government be allowed to collect and use all of it?

To what extent does this massive collection of data improve our national security and at what cost to our privacy and free expression? If we pick up everything, do we actually have anything?

The Senate Judiciary Committee considered these and other important questions during the course of six public hearings held over the past year. During this deliberative process, the Committee considered whether the bulk collection of Americans' phone records has been effective in preventing terrorist attacks, the privacy implications of the program, and the effect on the U.S. technology industry. Those hearings helped to demonstrate the need for additional limits on government surveillance authorities.

As these hearings continued, the call for an end to bulk collection under Section 215 of the USA PATRIOT Act grew louder and more persistent. The President's own Review Group on Intelligence and Communications Technology testified before the Judiciary Committee to call for an end to bulk collection, concluding that ''[t]he information contributed to terrorist investigations by the use of section 215 telephony meta-data was not essential to preventing attacks and could readily have been obtained in a timely manner using conventional section 215 orders.'' The Privacy and Civil Liberties Oversight Board also called for an end to bulk collection, concluding that the program ''lacks a viable legal foundation under Section 215.'' Technology executives, legal scholars and privacy advocates called for an end to bulk collection. These witnesses also proposed meaningful reforms to other government authorities, such as Section 702 of FISA, the pen register and trap and trace authorities under FISA, and the national security letter statutes.

Then, earlier this year, President Obama himself embraced the growing consensus that the bulk collection of phone records should not continue in its current form.

Just this week two new reports highlighted the costs of not placing reasonable limits on government surveillance, not just the significant economic cost if you don't put limits but the impact of journalistic freedom and also our right to counsel—our right to counsel—something we assume is an unalienable right, and it is, but it is being undermined.

That is why the technology industry, the privacy and civil liberties community are unified in support for this bill. It is actually now time for Congress to act.

That is why I am introducing the USA FREEDOM Act of 2014. It builds on the legislation that was passed by the House of Representatives in May, as well as the original bicameral, bipartisan legislation I introduced with Congressman JIM SENSENBRENNER 10 months ago—last October.

I continue to prefer the original version of the USA FREEDOM Act, but we are running short on time in this Congress. Since passage of the House version in May, I have been working to address concerns that the text of the House bill—though clearly intended to end bulk collection—did not do so effectively. I have worked with both Republicans and Democrats, House Members and Senators.

I spent the past several months in discussions with the intelligence community and a wide range of stakeholders, other Senators, privacy and civil liberties groups, and our U.S. technology industry.

The bill I am introducing today is the result of those hundreds of hours of negotiations and meetings.

First, and most importantly, this bill ensures that the ban on bulk collection is a real ban on bulk collection and that it is effective. It ensures the government cannot rely on section 215 of the USA PATRIOT Act—the FISA pen register and trap-and-trace device statute or the national security letter statutes—to engage in the indiscriminate collection of Americans' private records: yours, mine or anybody else's who may be watching this debate.

Under this legislation, when the government uses these authorities to collect information, it has to narrowly limit its collection based on a ''specific selection term'' that identifies the focus of the collection. ''Specific selection term'' is carefully defined. For Section 215 and the pen register statute, the definition ensures that the government must use a term that is narrowly limited to the greatest extent reasonably practicable consistent with the purpose for seeking the information. The bill specifies the term cannot be a broad geographic area, such as city or State or ZIP Code or area code, nor can it simply be a service provider. For national security letters, the government must specifically identify the target about whom it seeks information. These provisions preclude the government from seeking large swaths of information that it does not need—and that might very well include private details about the lives of law-abiding Americans.

As a backstop, the bill also mandates additional minimization procedures when the government's collection under Section 215 is likely to be overbroad. It requires the government to destroy data unrelated to its investigation within a reasonable time frame.

Second, the bill enhances transparency regarding the government's use of surveillance tools. That is one of the best checks on a runaway government. FISA and other national security laws provide law enforcement with an extraordinary amount of power. The American people have a right to know how that power is exercised.

Among other things, this bill requires the government to report to the public key information about the scope of the collection under a range of national security authorities, including the number of queries about Americans that it conducts in databases collected under Section 702. It also allows private companies more leeway to disclose the number of FISA orders and national security letters they receive.

I see the distinguished Senator from Minnesota, Mr. FRANKEN, on the floor. I thank him in particular for his leadership and helping to draft these transparency provisions.

Likewise, I thank Senator BLUMENTHAL for his work on the bill's key reforms to the FISA Court. The bill requires the FISA Court and the FISA Court of Review, in consultation with the Privacy and Civil Liberties Oversight Board, to appoint a panel of special advocates who can advance legal positions supporting individual privacy and civil liberties—in other words, it will not be just one voice that is heard, we will actually have dissenting voices—and improve judicial review.

The FISA Court would be required to appoint one of these advocates whenever it confronts a significant or novel issue of law, or it must issue a written finding that appointment of an advocate is not appropriate. The bill also requires the FISA Court to report the

number of times that it appoints or declines to appoint an advocate when confronting a novel or significant issue of law. This bill additionally provides a certification mechanism for appellate review of FISA Court decisions when the government prevails, and it provides a declassification process for significant FISA Court decisions.

Finally, this bill improves the judicial review procedures for nondisclosure orders that accompany Section 215 orders and national security letters. These have been so overused. This legislation responds to decisions by Federal courts that found these provisions violate the First Amendment.

While this bill contains significant reforms and improvements, it doesn't fix every problem, and we know there is more work to be done—in particular, with regard to Section 702 of FISA and other broad government surveillance authorities that implicate the privacy rights of Americans.

We could spend the next 20 years waiting to get 100 percent of everything we need. I would like to get most of what we need and then work on the rest.

The bill provides for public reporting on Section 702. That will help set the stage for reform, but transparency alone is not enough. I will continue to work with both Republican and Democratic Senators and other outside experts to work on these issues.

For developing the legislation, I consulted closely with the Office of the Director of National Intelligence, the NSA, the FBI, and the Department of Justice—and every single word of this bill was vetted with those agencies. I am grateful for their receptiveness to the public's concerns and for their constructive participation in this process. Together, we worked hard to ensure that this bill enacts significant and meaningful reforms to protect individual privacy, while providing the Intelligence Community with operational flexibility to safeguard this country.

The Intelligence Community will still have the ability to safeguard this country—nobody is suggesting they shouldn't, but collecting everything is the same as having nothing. That was the mistake we had before 9/11, where we had the information that could have stopped the attack on 9/11, but we failed to look at it all.

I am pleased the executive branch supports our bill. I am pleased the President agrees it should be enacted as soon as possible. But ultimately we—Senators and our colleagues in the other body—have the responsibility of the American people to do what is right and to protect the privacy of the American people. That is why we have worked hard with everybody to ensure the bill enacts meaningful reforms.

This is the most important thing to remember: We can enact this bill, get it signed into law, and it would represent the most significant reform of government surveillance authorities since Congress passed the USA PATRIOT Act 13 years ago. It is a historic opportunity. We would be derelict in our duty to this country if we passed up that opportunity.

I think if people such as Senator LEE, Senator DURBIN, Senator HELLER, Senator FRANKEN, Senator CRUZ, Senator BLUMENTHAL, Senator TOM UDALL, Senator COONS, Senator HEINRICH, Senator MARKEY, Senator HIRONO, Senator KLOBUCHAR, and Senator WHITEHOUSE have joined, this is not a partisan bill, this is not a Democratic or Republican bill, this is a good bill that protects America.

I also note the particular contributions over many years of Senator WYDEN and Senator MARK UDALL. They have worked tirelessly to protect Americans' privacy from their posts on the Intelligence Committee.

I am introducing this revised version of the USA FREEDOM Act today because we cannot afford to wait any longer to end the bulk collection of Americans' records. I am concerned that we are running out of time on the legislative calendar. Typically, my strong preference would be to take up the bill in the Judiciary Committee and mark it up. But given the need to act quickly, I am willing to forego regular order and take this bill directly to the Senate Floor.

We cannot let this opportunity go by. This is a debate about Americans' fundamental relationship with their government, about whether our government should have the power to create massive databases of information about its citizens or whether we are in control of our own government, not the other way around.

I believe we have to impose stronger limits on government surveillance powers. I am confident that most Vermonters, and most Americans, agree with me. We need to get this right, and we need to get it done without further delay.

I close with one very quick story I have used before. About the only thing I have actually saved from a newspaper that was written about me, and I liked it so much I framed it. As the distinguished Presiding Officer knows, I live on a dirt road, a place where my wife and I celebrated our honeymoon 52 years ago. The adjoining farmer has known me since I was a little kid.

The whole story in that paper goes like this: A man in an out-of-State car on a Saturday morning drives up, sees the farmer on the porch, and says:

Does Senator LEAHY live up this way?

He says: Are you a relative of his?

Well, no, I am not.

Are you a friend of his?

Well, not really.

Is he expecting you?

No.

Never heard of him.

We like our privacy.

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. 2685

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 ''Uniting and Strengthening America by Fulfilling Rights and Ensuring Effective Discipline Over Monitoring Act of 2014'' or the ''USA FREEDOM Act of 2014''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Amendments to the Foreign Intelligence Surveillance Act of 1978.

TITLE I—FISA BUSINESS RECORDS REFORMS

Sec. 101. Additional requirements for call detail records.
Sec. 102. Emergency authority.
Sec. 103. Prohibition on bulk collection of tangible things.
Sec. 104. Judicial review.
Sec. 105. Liability protection.
Sec. 106. Compensation for assistance.
Sec. 107. Definitions.
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Sec. 605. Submission of reports under FISA.

TITLE VII—SUNSETS

Sec. 701. Sunsets.

SEC. 2. AMENDMENTS TO THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

TITLE I—FISA BUSINESS RECORDS REFORMS

SEC. 101. ADDITIONAL REQUIREMENTS FOR CALL DETAIL RECORDS.

(a) APPLICATION.—Section 501(b)(2) (50 U.S.C. 1861(b)(2)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''a statement'' and inserting ''in the case of an application other than an application described in subparagraph (C) (including an application for the production of call detail records other than in the manner described in subparagraph (C)), a statement''; and

(B) in clause (iii), by striking ''; and'' and inserting a semicolon;

(2) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (D), respectively; and

(3) by inserting after subparagraph (B) (as so redesignated) the following new subparagraph:

''(C) in the case of an application for the production on a daily basis of call detail records created before, on, or after the date of the application relating to an authorized investigation (other than a threat assessment) conducted in accordance with subsection (a)(2) to protect against international terrorism, a statement of facts showing that—

''(i) there are reasonable grounds to believe that the call detail records sought to be produced based on the specific selection term required under subparagraph (A) are relevant to such investigation; and

''(ii) there is a reasonable, articulable suspicion that such specific selection term is associated with a foreign power engaged in international terrorism or activities in preparation therefor, or an agent of a foreign power engaged in international terrorism or activities in preparation therefor; and''.

(b) ORDER.—Section 501(c)(2) (50 U.S.C. 1861(c)(2)) is amended—

(1) in subparagraph (D), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (E), by striking the period and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(F) in the case of an application described in subsection (b)(2)(C), shall—

''(i) authorize the production on a daily basis of call detail records for a period not to exceed 180 days;

''(ii) provide that an order for such production may be extended upon application under subsection (b) and the judicial finding under paragraph (1) of this subsection;

''(iii) provide that the Government may require the prompt production of call detail records—

''(I) using the specific selection term that satisfies the standard required under subsection (b)(2)(C)(ii) as the basis for production; and

''(II) using call detail records with a direct connection to such specific selection term as the basis for production of a second set of call detail records;

''(iv) provide that, when produced, such records be in a form that will be useful to the Government;

''(v) direct each person the Government directs to produce call detail records under the order to furnish the Government forthwith all information, facilities, or technical assistance necessary to accomplish the production in such a manner as will protect the secrecy of the production and produce a minimum of interference with the services that such person is providing to each subject of the production; and

''(vi) direct the Government to—

''(I) adopt minimization procedures that require the prompt destruction of all call detail records produced under the order that the Government determines are not foreign intelligence information; and

''(II) destroy all call detail records produced under the order as prescribed by such procedures.''.

SEC. 102. EMERGENCY AUTHORITY.

(a) AUTHORITY.—Section 501 (50 U.S.C. 1861) is amended by adding at the end the following new subsection:

''(i) EMERGENCY AUTHORITY FOR PRODUCTION OF TANGIBLE THINGS.—

''(1) Notwithstanding any other provision of this section, the Attorney General may require the emergency production of tangible things if the Attorney General—

''(A) reasonably determines that an emergency situation requires the production of tangible things before an order authorizing such production can with due diligence be obtained;

''(B) reasonably determines that the factual basis for the issuance of an order under this section to approve such production of tangible things exists;

''(C) informs, either personally or through a designee, a judge having jurisdiction under this section at the time the Attorney General requires the emergency production of tangible things that the decision has been made to employ the authority under this subsection; and

''(D) makes an application in accordance with this section to a judge having jurisdiction under this section as soon as practicable, but not later than 7 days after the Attorney General requires the emergency production of tangible things under this subsection.

''(2) If the Attorney General authorizes the emergency production of tangible things under paragraph (1), the Attorney General shall require that the minimization procedures required by this section for the issuance of a judicial order be followed.

''(3) In the absence of a judicial order approving the production of tangible things under this subsection, the production shall terminate when the information sought is obtained, when the application for the order is denied, or after the expiration of 7 days from the time the Attorney General begins requiring the emergency production of such tangible things, whichever is earliest.

''(4) A denial of the application made under this subsection may be reviewed as provided in section 103.

''(5) If such application for approval is denied, or in any other case where the production of tangible things is terminated and no order is issued approving the production, no information obtained or evidence derived from such production shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or a political subdivision thereof, and no information concerning any United States person acquired from such production shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of such person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(6) The Attorney General shall assess compliance with the requirements of paragraph (5).''.

(b) CONFORMING AMENDMENT.—Section 501(d) (50 U.S.C. 1861(d)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''pursuant to an order'' and inserting ''pursuant to an order issued or an emergency production required'';

(B) in subparagraph (A), by striking ''such order'' and inserting ''such order or such emergency production''; and

(C) in subparagraph (B), by striking ''the order'' and inserting ''the order or the emergency production''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''an order'' and inserting ''an order or emergency production''; and

(B) in subparagraph (B), by striking ''an order'' and inserting ''an order or emergency production''.

SEC. 103. PROHIBITION ON BULK COLLECTION OF TANGIBLE THINGS.

(a) APPLICATION.—Section 501(b)(2) (50 U.S.C. 1861(b)(2)), as amended by section 101(a) of this Act, is further amended by inserting before subparagraph (B), as redesignated by such section 101(a) of this Act, the following new subparagraph:

''(A) a specific selection term to be used as the basis for the production of the tangible things sought;''.

(b) ORDER.—Section 501(c) (50 U.S.C. 1861(c)) is amended—

(1) in paragraph (2)(A), by striking the semicolon and inserting '', including each specific selection term to be used as the basis for the production;''; and

(2) by adding at the end the following new paragraph:

''(3) No order issued under this subsection may authorize the collection of tangible things without the use of a specific selection term that meets the requirements of subsection (b)(2).''.

(c) MINIMIZATION PROCEDURES.—Section 501(g)(2) (50 U.S.C. 1861(g)(2)) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) by redesignating subparagraph (C) as subparagraph (D);

(3) by inserting after subparagraph (B) the following:

''(C) for orders in which the specific selection term does not specifically identify an individual, account, or personal device, procedures that prohibit the dissemination, and require the destruction within a reasonable time period (which time period shall be specified in the order), of any tangible thing or information therein that has not been determined to relate to a person who is—

''(i) a subject of an authorized investigation;

''(ii) a foreign power or a suspected agent of a foreign power;

''(iii) reasonably likely to have information about the activities of—

''(I) a subject of an authorized investigation; or

''(II) a suspected agent of a foreign power who is associated with a subject of an authorized investigation; or

''(iv) in contact with or known to—

''(I) a subject of an authorized investigation; or

''(II) a suspected agent of a foreign power who is associated with a subject of an authorized investigation,

unless the tangible thing or information therein indicates a threat of death or serious bodily harm to any person or is disseminated to another element of the intelligence community for the sole purpose of determining whether the tangible thing or information therein relates to a person who is described in clause (i), (ii), (iii), or (iv); and''; and

(4) in subparagraph (D), as so redesignated, by striking ''(A) and (B)'' and inserting ''(A), (B), and (C)''.

SEC. 104. JUDICIAL REVIEW.

(a) MINIMIZATION PROCEDURES.—

(1) JUDICIAL REVIEW.—Section 501(c)(1) (50 U.S.C. 1861(c)(1)) is amended by inserting after ''subsections (a) and (b)'' the following: ''and that the minimization procedures submitted in accordance with subsection (b)(2)(D) meet the definition of minimization procedures under subsection (g)''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—Section 501(g)(1) (50 U.S.C. 1861(g)(1)) is amended—

(A) by striking ''Not later than 180 days after the date of the enactment of the USA PATRIOT Improvement and Reauthorization Act of 2005, the'' and inserting ''The''; and

(B) by inserting after ''adopt'' the following: '', and update as appropriate,''.

(b) ORDERS.—Section 501(f)(2) (50 U.S.C. 1861(f)(2)) is amended—

(1) in subparagraph (A)(i)—

(A) by striking ''that order'' and inserting ''the production order or any nondisclosure order imposed in connection with the production order''; and

(B) by striking the second sentence; and

(2) in subparagraph (C)—

(A) by striking clause (ii); and

(B) by redesignating clause (iii) as clause (ii).

SEC. 105. LIABILITY PROTECTION.

Section 501(e) (50 U.S.C. 1861(e)) is amended to read as follows:

''(e)(1) No cause of action shall lie in any court against a person who—

''(A) produces tangible things or provides information, facilities, or technical assistance in accordance with an order issued or an emergency production required under this section; or

''(B) otherwise provides technical assistance to the Government under this section or to implement the amendments made to this section by the USA FREEDOM Act of 2014.

''(2) A production or provision of information, facilities, or technical assistance described in paragraph (1) shall not be deemed to constitute a waiver of any privilege in any other proceeding or context.''.

SEC. 106. COMPENSATION FOR ASSISTANCE.

Section 501 (50 U.S.C. 1861), as amended by section 102 of this Act, is further amended by adding at the end the following new subsection:

''(j) COMPENSATION.—The Government shall compensate a person for reasonable expenses incurred for—

''(1) producing tangible things or providing information, facilities, or assistance in accordance with an order issued with respect to an application described in subsection (b)(2)(C) or an emergency production under subsection (i) that, to comply with subsection (i)(1)(D), requires an application described in subsection (b)(2)(C); or

''(2) otherwise providing technical assistance to the Government under this section or to implement the amendments made to this section by the USA FREEDOM Act of 2014.''.

SEC. 107. DEFINITIONS.

Section 501 (50 U.S.C. 1861), as amended by section 106 of this Act, is further amended by adding at the end the following new subsection:

''(k) DEFINITIONS.—In this section:

''(1) ADDRESS.—The term 'address' means a physical address or electronic address, such as an electronic mail address, temporarily assigned network address, or Internet protocol address.

''(2) CALL DETAIL RECORD.—The term 'call detail record'—

''(A) means session identifying information (including an originating or terminating telephone number, an International Mobile Subscriber Identity number, or an International Mobile Station Equipment Identity number), a telephone calling card number, or the time or duration of a call; and

''(B) does not include—

''(i) the contents (as defined in section 2510(8) of title 18, United States Code) of any communication;

''(ii) the name, address, or financial information of a subscriber or customer; or

''(iii) cell site location information.

''(3) SPECIFIC SELECTION TERM.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'specific selection term'—

''(i) means a term that specifically identifies a person, account, address, or personal device, or another specific identifier, that is used by the Government to narrowly limit the scope of tangible things sought to the greatest extent reasonably practicable, consistent with the purpose for seeking the tangible things; and

''(ii) does not include a term that does not narrowly limit the scope of the tangible things sought to the greatest extent reasonably practicable, consistent with the purpose for seeking the tangible things, such as—

''(I) a term based on a broad geographic region, including a city, State, zip code, or area code, when not used as part of a specific identifier as described in clause (i); or

''(II) a term identifying an electronic communication service provider (as that term is defined in section 701) or a provider of remote computing service (as that term is defined in section 2711 of title 18, United States Code), when not used as part of a specific identifier as described in clause (i), unless the provider is itself a subject of an authorized investigation for which the specific selection term is used as the basis of production.

''(B) CALL DETAIL RECORD APPLICATIONS.—For purposes of an application submitted under subsection (b)(2)(C), the term 'specific selection term' means a term that specifically identifies an individual, account, or personal device.''.

SEC. 108. INSPECTOR GENERAL REPORTS ON BUSINESS RECORDS ORDERS.

Section 106A of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 120 Stat. 200) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''and calendar years 2012 through 2014'' after ''2006'';

(B) by striking paragraphs (2) and (3);

(C) by redesignating paragraphs (4) and (5) as paragraphs (2) and (3), respectively; and

(D) in paragraph (3) (as so redesignated)—

(i) by striking subparagraph (C) and inserting the following new subparagraph:

''(C) with respect to calendar years 2012 through 2014, an examination of the minimization procedures used in relation to orders under section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) and whether the minimization procedures adequately protect the constitutional rights of United States persons;''; and

(ii) in subparagraph (D), by striking ''(as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)))'';

(2) in subsection (c), by adding at the end the following new paragraph:

''(3) CALENDAR YEARS 2012 THROUGH 2014.—Not later than December 31, 2015, the Inspector General of the Department of Justice shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the audit conducted under subsection (a) for calendar years 2012 through 2014.'';

(3) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(4) by inserting after subsection (c) the following new subsection:

''(d) INTELLIGENCE ASSESSMENT.—

''(1) IN GENERAL.—For the period beginning on January 1, 2012, and ending on December 31, 2014, the Inspector General of the Intelligence Community shall assess—

''(A) the importance of the information acquired under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) to the activities of the intelligence community;

''(B) the manner in which that information was collected, retained, analyzed, and disseminated by the intelligence community;

''(C) the minimization procedures used by elements of the intelligence community under such title and whether the minimization procedures adequately protect the constitutional rights of United States persons; and

''(D) any minimization procedures proposed by an element of the intelligence community under such title that were modified or denied by the court established under section 103(a) of such Act (50 U.S.C. 1803(a)).

''(2) SUBMISSION DATE FOR ASSESSMENT.—Not later than 180 days after the date on which the Inspector General of the Department of Justice submits the report required under subsection (c)(3), the Inspector General of the Intelligence Community shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the assessment for calendar years 2012 through 2014.'';

(5) in subsection (e), as redesignated by paragraph (3)—

(A) in paragraph (1)—

(i) by striking ''a report under subsection (c)(1) or (c)(2)'' and inserting ''any report under subsection (c) or (d)''; and

(ii) by striking ''Inspector General of the Department of Justice'' and inserting ''Inspector General of the Department of Justice, the Inspector General of the Intelligence Community, and any Inspector General of an element of the intelligence community that prepares a report to assist the Inspector General of the Department of Justice or the Inspector General of the Intelligence Community in complying with the requirements of this section''; and

(B) in paragraph (2), by striking ''the reports submitted under subsections (c)(1) and (c)(2)'' and inserting ''any report submitted under subsection (c) or (d)'';

(6) in subsection (f), as redesignated by paragraph (3)—

(A) by striking ''The reports submitted under subsections (c)(1) and (c)(2)'' and inserting ''Each report submitted under subsection (c)''; and

(B) by striking ''subsection (d)(2)'' and inserting ''subsection (e)(2)''; and

(7) by adding at the end the following new subsection:

''(g) DEFINITIONS.—In this section:

''(1) INTELLIGENCE COMMUNITY.—The term 'intelligence community' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

''(2) UNITED STATES PERSON.—The term 'United States person' has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).''.

SEC. 109. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by sections 101 through 103 shall take effect on the date that is 180 days after the date of the enactment of this Act.

(b) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to alter or eliminate the authority of the Government to obtain an order under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) as in effect prior to the effective date described in subsection (a) during the period ending on such effective date.

SEC. 110. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to authorize the production of the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication from an electronic communication service provider (as such term is defined in section 701(b)(4) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881(b)(4)) under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.).

TITLE II—FISA PEN REGISTER AND TRAP AND TRACE DEVICE REFORM

SEC. 201. PROHIBITION ON BULK COLLECTION.

(a) PROHIBITION.—Section 402(c) (50 U.S.C. 1842(c)) is amended—

(1) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (2)—

(A) by striking ''a certification by the applicant'' and inserting ''a statement of the facts and circumstances relied upon by the applicant to justify the belief of the applicant''; and

(B) by striking the period and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(3) a specific selection term to be used as the basis for the installation or use of the pen register or trap and trace device.''.

(b) DEFINITION.—Section 401 (50 U.S.C. 1841) is amended by adding at the end the following new paragraph:

''(4)(A) The term 'specific selection term'—

''(i) means a term that specifically identifies a person, account, address, or personal device, or another specific identifier, that is used by the Government to narrowly limit the scope of information sought to the greatest extent reasonably practicable, consistent with the purpose for the installation or use of the pen register or trap and trace device; and

''(ii) does not include a term that does not narrowly limit the scope of information sought to the greatest extent reasonably practicable, consistent with the purpose for the installation or use of the pen register or trap and trace device, such as—

''(I) a term based on a broad geographic region, including a city, State, zip code, or area code, when not used as part of a specific identifier as described in clause (i); or

''(II) a term identifying an electronic communication service provider (as defined in section 701) or a provider of remote computing service (as that term is defined in section 2711 of title 18, United States Code), when not used as part of a specific identifier as described in clause (i), unless the provider is itself a subject of an authorized investigation for which the specific selection term is used as the basis for the installation or use of the pen register or trap and trace device.

''(B) For purposes of subparagraph (A), the term 'address' means a physical address or electronic address, such as an electronic mail address, temporarily assigned network address, or Internet protocol address.''.

SEC. 202. PRIVACY PROCEDURES.

(a) IN GENERAL.—Section 402 (50 U.S.C. 1842) is amended by adding at the end the following new subsection:

''(h) PRIVACY PROCEDURES.—

''(1) IN GENERAL.—The Attorney General shall ensure that appropriate policies and procedures are in place to safeguard nonpublicly available information concerning United States persons that is collected through the use of a pen register or trap and trace device installed under this section. Such policies and procedures shall, to the maximum extent practicable and consistent with the need to protect national security, include privacy protections that apply to the collection, retention, and use of information concerning United States persons.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit the authority of the court established under section 103(a) or of the Attorney General to impose additional privacy or minimization procedures with regard to the installation or use of a pen register or trap and trace device.

''(3) COMPLIANCE ASSESSMENT.—At or before the end of the period of time for which the installation and use of a pen register or trap and trace device is approved under an order or an extension under this section, the judge may assess compliance with the privacy procedures required by this subsection by reviewing the circumstances under which information concerning United States persons was collected, retained, or disseminated.''.

(b) EMERGENCY AUTHORITY.—Section 403 (50 U.S.C. 1843) is amended by adding at the end the following new subsection:

''(d) PRIVACY PROCEDURES.—Information collected through the use of a pen register or trap and trace device installed under this section shall be subject to the policies and procedures required under section 402(h).''.

TITLE III—FISA ACQUISITIONS TARGETING PERSONS OUTSIDE THE UNITED STATES REFORMS

SEC. 301. LIMITS ON USE OF UNLAWFULLY OBTAINED INFORMATION.

Section 702(i)(3) (50 U.S.C. 1881a(i)(3)) is amended by adding at the end the following new subparagraph:

''(D) LIMITATION ON USE OF INFORMATION.—

''(i) IN GENERAL.—Except as provided in clause (ii), if the Court orders a correction of a deficiency in a certification or procedures under subparagraph (B), no information obtained or evidence derived pursuant to the part of the certification or procedures that has been identified by the Court as deficient concerning any United States person shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired pursuant to such part of such certification or procedures shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of the United States person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(ii) EXCEPTION.—If the Government corrects any deficiency identified by the order of the Court under subparagraph (B), the Court may permit the use or disclosure of information obtained before the date of the correction under such minimization procedures as the Court shall establish for purposes of this clause.''.

TITLE IV—FOREIGN INTELLIGENCE SURVEILLANCE COURT REFORMS

SEC. 401. APPOINTMENT OF AMICUS CURIAE.

Section 103 (50 U.S.C. 1803) is amended by adding at the end the following new subsection:

''(i) AMICUS CURIAE.—

''(1) APPOINTMENT OF SPECIAL ADVOCATES.—In consultation with the Privacy and Civil Liberties Oversight Board, the presiding judges of the courts established under subsections (a) and (b) shall, not later than 180 days after the enactment of this subsection, jointly appoint not fewer than 5 attorneys to serve as special advocates, who shall serve pursuant to rules the presiding judges may establish. Such individuals shall be persons who possess expertise in privacy and civil liberties, intelligence collection, telecommunications, or any other relevant area of expertise and who are determined to be eligible for access to classified information necessary to participate in matters before the courts.

''(2) AUTHORIZATION.—A court established under subsection (a) or (b), consistent with the requirement of subsection (c) and any other statutory requirement that the court act expeditiously or within a stated time—

''(A) shall designate a special advocate to serve as amicus curiae to assist such court in the consideration of any certification pursuant to subsection (j) or any application for an order or review that, in the opinion of the court, presents a novel or significant interpretation of the law, unless the court issues a written finding that such appointment is not appropriate; and

''(B) may designate or allow an individual or organization to serve as amicus curiae or to provide technical expertise in any other instance as such court deems appropriate.

''(3) RULE OF CONSTRUCTION.—An application for an order or review shall be considered to present a novel or significant interpretation of the law if such application involves application of settled law to novel technologies or circumstances, or any other novel or significant construction or interpretation of any provision of law or of the Constitution of the United States, including any novel and significant interpretation of the term 'specific selection term'.

''(4) DUTIES.—

''(A) IN GENERAL.—If a court established under subsection (a) or (b) designates a special advocate to participate as an amicus curiae in a proceeding, the special advocate—

''(i) shall advocate, as appropriate, in support of legal interpretations that advance individual privacy and civil liberties;

''(ii) shall have access to all relevant legal precedent, and any application, certification, petition, motion, or such other materials as are relevant to the duties of the special advocate;

''(iii) may consult with any other special advocates regarding information relevant to any assigned case, including sharing relevant materials; and

''(iv) may request that the court appoint technical and subject matter experts, not employed by the Government, to be available to assist the special advocate in performing the duties of the special advocate.

''(B) BRIEFINGS OR ACCESS TO MATERIALS.—The Attorney General shall periodically brief or provide relevant materials to special advocates regarding constructions and interpretations of this Act and legal, technological and other issues related to actions authorized by this Act.

''(C) ACCESS TO CLASSIFIED INFORMATION.—

''(i) IN GENERAL.—A special advocate, experts appointed to assist a special advocate, or any other amicus or technical expert appointed by the court may have access to classified documents, information, and other materials or proceedings only if that individual is eligible for access to classified information and to the extent consistent with the national security of the United States.

''(ii) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Government to provide information to a special advocate, other amicus, or technical expert that is privileged from disclosure.

''(5) NOTIFICATION.—The presiding judges of the courts established under subsections (a) and (b) shall notify the Attorney General of each exercise of the authority to appoint an individual to serve as amicus curiae under paragraph (1).

''(6) ASSISTANCE.—A court established under subsection (a) or (b) may request and receive (including on a non-reimbursable

basis) the assistance of the executive branch in the implementation of this subsection.

''(7) ADMINISTRATION.—A court established under subsection (a) or (b) may provide for the designation, appointment, removal, training, or other support for an individual appointed to serve as a special advocate under paragraph (1) in a manner that is not inconsistent with this subsection.

''(j) REVIEW OF FISA COURT DECISIONS.—After issuing an order, a court established under subsection (a) shall certify for review to the court established under subsection (b) any question of law that the court determines warrants such review because of a need for uniformity or because consideration by the court established under subsection (b) would serve the interests of justice. Upon certification of a question of law under this paragraph, the court established under subsection (b) may give binding instructions or require the entire record to be sent up for decision of the entire matter in controversy.

''(k) REVIEW OF FISA COURT OF REVIEW DECISIONS.—

''(1) CERTIFICATION.—For any decision issued by the court of review established under subsection (b) approving, in whole or in part, an application by the Government under this Act, such court may certify at any time, including after a decision, a question of law to be reviewed by the Supreme Court of the United States.

''(2) SPECIAL ADVOCATE BRIEFING.—Upon certification of an application under paragraph (1), the court of review established under subsection (b) may designate a special advocate to provide briefing as prescribed by the Supreme Court.

''(3) REVIEW.—The Supreme Court may review any question of law certified under paragraph (1) by the court of review established under subsection (b) in the same manner as the Supreme Court reviews questions certified under section 1254(2) of title 28, United States Code.

''(l) PAYMENT FOR SERVICE AS SPECIAL ADVOCATE.—A special advocate designated in a proceeding pursuant to subsection (i)(2)(A) of this section may seek, at the conclusion of the proceeding in which the special advocate was designated, compensation for services provided pursuant to the designation. A special advocate seeking compensation shall be compensated in an amount reflecting fair compensation for the services provided, as determined by the court designating the special advocate and approved by the presiding judges of the courts established under subsections (a) and (b).

''(m) APPROPRIATIONS.—There are authorized to be appropriated to the United States courts such sums as may be necessary to carry out the provisions of this section. When so specified in appropriation acts, such appropriations shall remain available until expended. Payments from such appropriations shall be made under the supervision of the Director of the Administrative Office of the United States Courts.''.

SEC. 402. DECLASSIFICATION OF DECISIONS, ORDERS, AND OPINIONS.

(a) DECLASSIFICATION.—Title VI (50 U.S.C. 1871 et seq.) is amended—

(1) in the heading, by striking ''**REPORTING REQUIREMENT**'' and inserting ''**OVERSIGHT**''; and

(2) by adding at the end the following new section:

''SEC. 602. DECLASSIFICATION OF SIGNIFICANT DECISIONS, ORDERS, AND OPINIONS.

''(a) DECLASSIFICATION REQUIRED.—Subject to subsection (b), the Director of National Intelligence, in consultation with the Attorney General, shall conduct a declassification review of each decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review (as defined in section 601(e)) that includes a significant construction or interpretation of law, including any novel or significant construction or interpretation of the term 'specific selection term', and, consistent with that review, make publicly available to the greatest extent practicable each such decision, order, or opinion.

''(b) REDACTED FORM.—The Director of National Intelligence, in consultation with the Attorney General, may satisfy the requirement under subsection (a) to make a decision, order, or opinion described in such subsection publicly available to the greatest extent practicable by making such decision, order, or opinion publicly available in redacted form.

''(c) NATIONAL SECURITY WAIVER.—The Director of National Intelligence, in consultation with the Attorney General, may waive the requirement to declassify and make publicly available a particular decision, order, or opinion under subsection (a) if—

''(1) the Director of National Intelligence, in consultation with the Attorney General, determines that a waiver of such requirement is necessary to protect the national security of the United States or properly classified intelligence sources or methods; and

''(2) the Director of National Intelligence makes publicly available an unclassified statement prepared by the Attorney General, in consultation with the Director of National Intelligence—

''(A) summarizing the significant construction or interpretation of law, which shall include, to the extent consistent with national security, each legal question addressed by the decision and how such question was resolved, in general terms the context in which the matter arises, and a description of the construction or interpretation of any statute, constitutional provision, or other legal authority relied on by the decision; and

''(B) that specifies that the statement has been prepared by the Attorney General and constitutes no part of the opinion of the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review.''.

(b) TABLE OF CONTENTS AMENDMENTS.—The table of contents in the first section is amended—

(1) by striking the item relating to title VI and inserting the following new item:

''TITLE VI—OVERSIGHT'';

and

(2) by inserting after the item relating to section 601 the following new item:

''Sec. 602. Declassification of significant decisions, orders, and opinions.''.

TITLE V—NATIONAL SECURITY LETTER REFORM

SEC. 501. PROHIBITION ON BULK COLLECTION.

(a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709(b) of title 18, United States Code, is amended in the matter preceding paragraph (1) by striking ''may'' and inserting ''may, using a term that specifically identifies a person, entity, telephone number, or account as the basis for a request''.

(b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114(a)(2) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(2)) is amended by striking the period and inserting ''and a term that specifically identifies a customer, entity, or account to be used as the basis for the production and disclosure of financial records.''.

(c) DISCLOSURES TO FBI OF CERTAIN CONSUMER RECORDS FOR COUNTERINTELLIGENCE PURPOSES.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended—

(1) in subsection (a), by striking ''that information,'' and inserting ''that information that includes a term that specifically identifies a consumer or account to be used as the basis for the production of that information,'';

(2) in subsection (b), by striking ''written request,'' and inserting ''written request that includes a term that specifically identifies a consumer or account to be used as the basis for the production of that information,''; and

(3) in subsection (c), by inserting '', which shall include a term that specifically identifies a consumer or account to be used as the basis for the production of the information,'' after ''issue an order ex parte''.

(d) DISCLOSURES TO GOVERNMENTAL AGENCIES FOR COUNTERTERRORISM PURPOSES OF CONSUMER REPORTS.—Section 627(a) of the Fair Credit Reporting Act (15 U.S.C. 1681v(a)) is amended by striking ''analysis.'' and inserting ''analysis and that includes a term that specifically identifies a consumer or account to be used as the basis for the production of such information.''.

SEC. 502. LIMITATIONS ON DISCLOSURE OF NATIONAL SECURITY LETTERS.

(a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709 of title 18, United States Code, is amended by striking subsection (c) and inserting the following new subsection:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (d) is provided, no wire or electronic communication service provider that receives a request under subsection (b), or officer, employee, or agent thereof, shall disclose to any person that the Federal Bureau of Investigation has sought or obtained access to information or records under this section.

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A wire or electronic communication service provider that receives a request under subsection (b), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (b) in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall notify the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.

''(3) TERMINATION.—

''(A) IN GENERAL.—In the case of any request under subsection (b) for which a recipient has submitted a notification to the Government under section 3511(b)(1)(A) or filed a petition for judicial review under subsection (d)—

''(i) an appropriate official of the Federal Bureau of Investigation shall, until termination of the nondisclosure requirement, review the facts supporting a nondisclosure requirement annually and upon closure of the investigation; and

''(ii) if, upon a review under clause (i), the facts no longer support the nondisclosure requirement, an appropriate official of the Federal Bureau of Investigation shall promptly notify the wire or electronic service provider, or officer, employee, or agent thereof, subject to the nondisclosure requirement, and the court as appropriate, that the nondisclosure requirement is no longer in effect.

''(B) CLOSURE OF INVESTIGATION.—Upon closure of the investigation—

''(i) the Federal Bureau of Investigation may petition the court before which a notification or petition for judicial review under subsection (d) has been filed for a determination that disclosure may result in the harm described in clause (i), (ii), (iii), or (iv) of paragraph (1)(B), if it notifies the recipient of such petition;

''(ii) the court shall review such a petition pursuant to the procedures under section 3511; and

''(iii) if the court determines that there is reason to believe that disclosure may result in the harm described in clause (i), (ii), (iii), or (iv) of paragraph (1)(B), the Federal Bureau of Investigation shall no longer be required to conduct the annual review of the facts supporting the nondisclosure requirement under subparagraph (A).''.

(b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414) is amended—

(1) in subsection (a)(5), by striking subparagraph (D); and

(2) by inserting after subsection (b) the following new subsection:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (d) is provided, no financial institution that receives a request under subsection (a), or officer, employee, or agent thereof, shall disclose to any person that the Federal Bureau of Investigation has sought or obtained access to information or records under subsection (a).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A financial institution that receives a request under subsection (a), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (a) in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.

''(3) TERMINATION.—

''(A) IN GENERAL.—In the case of any request under subsection (a) for which a recipient has submitted a notification to the Government under section 3511(b)(1)(A) of title 18, United States Code, or filed a petition for judicial review under subsection (d)—

''(i) an appropriate official of the Federal Bureau of Investigation shall, until termination of the nondisclosure requirement, review the facts supporting a nondisclosure requirement annually and upon closure of the investigation; and

''(ii) if, upon a review under clause (i), the facts no longer support the nondisclosure requirement, an appropriate official of the Federal Bureau of Investigation shall promptly notify the financial institution, or officer, employee, or agent thereof, subject to the nondisclosure requirement, and the court as appropriate, that the nondisclosure requirement is no longer in effect.

''(B) CLOSURE OF INVESTIGATION.—Upon closure of the investigation—

''(i) the Federal Bureau of Investigation may petition the court before which a notification or petition for judicial review under subsection (d) has been filed for a determination that disclosure may result in the harm described in clause (i), (ii), (iii), or (iv) of paragraph (1)(B), if it notifies the recipient of such petition;

''(ii) the court shall review such a petition pursuant to the procedures under section 3511 of title 18, United States Code; and

''(iii) if the court determines that there is reason to believe that disclosure may result in the harm described in clause (i), (ii), (iii), or (iv) of paragraph (1)(B), the Federal Bureau of Investigation shall no longer be required to conduct the annual review of the facts supporting the nondisclosure requirement under subparagraph (A).''.

(c) IDENTITY OF FINANCIAL INSTITUTIONS AND CREDIT REPORTS.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended by striking subsection (d) and inserting the following new subsection:

''(d) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (e) is provided, no consumer reporting agency that receives a request under subsection (a) or (b) or an order under subsection (c), or officer, employee, or agent thereof, shall disclose or specify in any consumer report, that the Federal Bureau of Investigation has sought or obtained access to information or records under subsection (a), (b), or (c).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A consumer reporting agency that receives a request under subsection (a) or (b) or an order under subsection (c), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request under subsection (a) or (b) or an order under subsection (c) is issued in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.

''(3) TERMINATION.—

''(A) IN GENERAL.—In the case of any request under subsection (a) or (b) or order under subsection (c) for which a recipient has submitted a notification to the Government under section 3511(b)(1)(A) of title 18, United States Code, or filed a petition for judicial review under subsection (e)—

''(i) an appropriate official of the Federal Bureau of Investigation shall, until termination of the nondisclosure requirement, review the facts supporting a nondisclosure requirement annually and upon closure of the investigation; and

''(ii) if, upon a review under clause (i), the facts no longer support the nondisclosure requirement, an appropriate official of the Federal Bureau of Investigation shall promptly notify the consumer reporting agency, or officer, employee, or agent thereof, subject to the nondisclosure requirement, and the court as appropriate, that the nondisclosure requirement is no longer in effect.

''(B) CLOSURE OF INVESTIGATION.—Upon closure of the investigation—

''(i) the Federal Bureau of Investigation may petition the court before which a notification or petition for judicial review under subsection (e) has been filed for a determination that disclosure may result in the harm described in clause (i), (ii), (iii), or (iv) of paragraph (1)(B), if it notifies the recipient of such petition;

''(ii) the court shall review such a petition pursuant to the procedures under section 3511 of title 18, United States Code; and

''(iii) if the court determines that there is reason to believe that disclosure may result in the harm described in clause (i), (ii), (iii), or (iv) of paragraph (1)(B), the Federal Bureau of Investigation shall no longer be required to conduct the annual review of the facts supporting the nondisclosure requirement under subparagraph (A).''.

(d) CONSUMER REPORTS.—Section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) is amended by striking subsection (c) and inserting the following new subsection:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (d) is provided, no consumer reporting agency that receives a request under subsection (a), or officer, employee, or agent thereof, shall disclose or specify in any consumer report, that a government agency described in subsection (a) has sought or obtained access to information or records under subsection (a).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the head of the government agency described in subsection (a), or a designee, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A consumer reporting agency that receives a request under subsection (a), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the head of the government agency described in subsection (a) or a designee.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request under subsection (a) is issued in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the head of the government agency described in subsection (a) or a designee, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the head or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.

''(3) TERMINATION.—

''(A) IN GENERAL.—In the case of any request under subsection (a) for which a recipient has submitted a notification to the Government under section 3511(b)(1)(A) of title 18, United States Code, or filed a petition for judicial review under subsection (d)—

''(i) an appropriate official of the agency described in subsection (a) shall, until termination of the nondisclosure requirement, review the facts supporting a nondisclosure requirement annually and upon closure of the investigation; and

''(ii) if, upon a review under clause (i), the facts no longer support the nondisclosure requirement, an appropriate official of the agency described in subsection (a) shall promptly notify the consumer reporting agency, or officer, employee, or agent thereof, subject to the nondisclosure requirement, and the court as appropriate, that the nondisclosure requirement is no longer in effect.

''(B) CLOSURE OF INVESTIGATION.—Upon closure of the investigation—

''(i) the agency described in subsection (a) may petition the court before which a notification or petition for judicial review under subsection (d) has been filed for a determination that disclosure may result in the harm described in clause (i), (ii), (iii), or (iv) of paragraph (1)(B), if it notifies the recipient of such petition;

''(ii) the court shall review such a petition pursuant to the procedures under section 3511 of title 18, United States Code; and

''(iii) if the court determines that there is reason to believe that disclosure may result in the harm described in clause (i), (ii), (iii), or (iv) of paragraph (1)(B), the agency described in subsection (1) shall no longer be required to conduct the annual review of the facts supporting the nondisclosure requirement under subparagraph (A).''.

(e) INVESTIGATIONS OF PERSONS WITH ACCESS TO CLASSIFIED INFORMATION.—Section 802 of the National Security Act of 1947 (50 U.S.C. 3162) is amended by striking subsection (b) and inserting the following new subsection:

''(b) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (c) is provided, no governmental or private entity that receives a request under subsection (a), or officer, employee, or agent thereof, shall disclose to any person that an authorized investigative agency described in subsection (a) has sought or obtained access to information under subsection (a).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the head of an authorized investigative agency described in subsection (a), or a designee, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A governmental or private entity that receives a request under subsection (a), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the head of the authorized investigative agency described in subsection (a) or a designee.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (a) in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the head of an authorized investigative agency described in subsection (a), or a designee, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the head of the authorized investigative agency or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.

''(3) TERMINATION.—

''(A) IN GENERAL.—In the case of any request for which a recipient has submitted a notification to the Government under section 3511(b)(1)(A) of title 18, United States Code, or filed a petition for judicial review under subsection (c)—

''(i) an appropriate official of the authorized investigative agency making the request under subsection (a) shall, until termination of the nondisclosure requirement, review the facts supporting a nondisclosure requirement annually and upon closure of the investigation; and

''(ii) if, upon a review under clause (i), the facts no longer support the nondisclosure requirement, an appropriate official of the authorized investigative agency making the request under subsection (a) shall promptly notify the recipient of the request, or officer, employee, or agent thereof, subject to the nondisclosure requirement, and the court as appropriate, that the nondisclosure requirement is no longer in effect.

''(B) CLOSURE OF INVESTIGATION.—Upon closure of the investigation—

''(i) the authorized investigative agency making the request under subsection (a) may petition the court before which a notification or petition for judicial review under subsection (c) has been filed for a determination that disclosure may result in the harm described in clause (i), (ii), (iii), or (iv) of paragraph (1)(B), if it notifies the recipient of such petition;

''(ii) the court shall review such a petition pursuant to the procedures under section 3511 of title 18, United States Code; and

''(iii) if the court determines that there is reason to believe that disclosure may result in the harm described in clause (i), (ii), (iii),

or (iv) of paragraph (1)(B), the authorized investigative agency shall no longer be required to conduct the annual review of the facts supporting the nondisclosure requirement under subparagraph (A).''.

(f) JUDICIAL REVIEW.—Section 3511 of title 18, United States Code, is amended by striking subsection (b) and inserting the following new subsection:

''(b) NONDISCLOSURE.—

''(1) IN GENERAL.—

''(A) NOTICE.—If a recipient of a request or order for a report, records, or other information under section 2709 of this title, section 626 or 627 of the Fair Credit Reporting Act (15 U.S.C. 1681u and 1681v), section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414), or section 802 of the National Security Act of 1947 (50 U.S.C. 3162), wishes to have a court review a nondisclosure requirement imposed in connection with the request or order, the recipient may notify the Government or file a petition for judicial review in any court described in subsection (a).

''(B) APPLICATION.—Not later than 30 days after the date of receipt of a notification under subparagraph (A), the Government shall apply for an order prohibiting the disclosure of the existence or contents of the relevant request or order. An application under this subparagraph may be filed in the district court of the United States for the judicial district in which the recipient of the order is doing business or in the district court of the United States for any judicial district within which the authorized investigation that is the basis for the request is being conducted. The applicable nondisclosure requirement shall remain in effect during the pendency of proceedings relating to the requirement.

''(C) CONSIDERATION.—A district court of the United States that receives a petition under subparagraph (A) or an application under subparagraph (B) should rule expeditiously, and shall, subject to paragraph (3), issue a nondisclosure order that includes conditions appropriate to the circumstances.

''(2) APPLICATION CONTENTS.—An application for a nondisclosure order or extension thereof or a response to a petition filed under paragraph (1) shall include a certification from the Attorney General, Deputy Attorney General, an Assistant Attorney General, or the Director of the Federal Bureau of Investigation, or a designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director, or in the case of a request by a department, agency, or instrumentality of the Federal Government other than the Department of Justice, the head or deputy head of the department, agency, or instrumentality, containing a statement of specific facts indicating that the absence of a prohibition of disclosure under this subsection may result in—

''(A) a danger to the national security of the United States;

''(B) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(C) interference with diplomatic relations; or

''(D) danger to the life or physical safety of any person.

''(3) STANDARD.—A district court of the United States shall issue a nondisclosure order or extension thereof under this subsection if the court determines that there is reason to believe that disclosure of the information subject to the nondisclosure requirement during the applicable time period may result in—

''(A) a danger to the national security of the United States;

''(B) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(C) interference with diplomatic relations; or

''(D) danger to the life or physical safety of any person.''.

SEC. 503. JUDICIAL REVIEW.

(a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709 of title 18, United States Code, is amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

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

''(d) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (b) or a nondisclosure requirement imposed in connection with such request under subsection (c) shall be subject to judicial review under section 3511.

''(2) NOTICE.—A request under subsection (b) shall include notice of the availability of judicial review described in paragraph (1).''.

(b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414) is amended—

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

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

''(d) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or a nondisclosure requirement imposed in connection with such request under subsection (c) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) shall include notice of the availability of judicial review described in paragraph (1).''.

(c) IDENTITY OF FINANCIAL INSTITUTIONS AND CREDIT REPORTS.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended—

(1) by redesignating subsections (e) through (m) as subsections (f) through (n), respectively; and

(2) by inserting after subsection (d) the following new subsection:

''(e) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or (b) or an order under subsection (c) or a non-disclosure requirement imposed in connection with such request under subsection (d) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) or (b) or an order under subsection (c) shall include notice of the availability of judicial review described in paragraph (1).''.

(d) IDENTITY OF FINANCIAL INSTITUTIONS AND CREDIT REPORTS.—Section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) is amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

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

''(d) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or a non-disclosure requirement imposed in connection with such request under subsection (c) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) shall include notice of the availability of judicial review described in paragraph (1).''.

(e) INVESTIGATIONS OF PERSONS WITH ACCESS TO CLASSIFIED INFORMATION.—Section 802 of the National Security Act of 1947 (50 U.S.C. 3162) is amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(2) by inserting after subsection (b) the following new subsection:

''(c) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or a nondisclosure requirement imposed in connection with such request under subsection (b) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) shall include notice of the availability of judicial review described in paragraph (1).''.

TITLE VI—FISA TRANSPARENCY AND REPORTING REQUIREMENTS

SEC. 601. ADDITIONAL REPORTING ON ORDERS REQUIRING PRODUCTION OF BUSINESS RECORDS; BUSINESS RECORDS COMPLIANCE REPORTS TO CONGRESS.

Section 502(b) (50 U.S.C. 1862(b)) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as paragraphs (6), (7), and (8), respectively; and

(2) by inserting before paragraph (6) (as so redesignated) the following new paragraphs:

''(1) a summary of all compliance reviews conducted by the Government for the production of tangible things under section 501;

''(2) the total number of applications described in section 501(b)(2)(B) made for orders approving requests for the production of tangible things;

''(3) the total number of such orders either granted, modified, or denied;

''(4) the total number of applications described in section 501(b)(2)(C) made for orders approving requests for the production of call detail records;

''(5) the total number of such orders either granted, modified, or denied;''.

SEC. 602. ANNUAL REPORTS BY THE GOVERNMENT.

(a) IN GENERAL.—Title VI (50 U.S.C. 1871 et seq.), as amended by section 402 of this Act, is further amended by adding at the end the following new section:

''SEC. 603. ANNUAL REPORTS.

''(a) REPORT BY DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS.—The Director of the Administrative Office of the United States Courts shall annually submit to the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate, subject to a declassification review by the Attorney General and the Director of National Intelligence, a report, made publicly available on an Internet Web site, that includes—

''(1) the number of applications or certifications for orders submitted under each of sections 105, 304, 402, 501, 702, 703, and 704;

''(2) the number of orders entered under each of those sections;

''(3) the number of orders modified under each of those sections;

''(4) the number of orders denied under each of those sections;

''(5) the number of appointments of an individual to serve as amicus curiae under section 103, including the name of each individual appointed to serve as amicus curiae; and

''(6) the number of written findings issued under section 103(i) that such appointment is not appropriate and the text of any such written findings.

''(b) MANDATORY REPORTING BY DIRECTOR OF NATIONAL INTELLIGENCE.—

''(1) IN GENERAL.—Except as provided in subsection (e), the Director of National Intelligence shall annually make publicly available on an Internet Web site a report that identifies, for the preceding 12-month period—

''(A) the total number of orders issued pursuant to titles I and III and sections 703 and 704 and a good faith estimate of the number of targets of such orders;

''(B) the total number of orders issued pursuant to section 702 and a good faith estimate of—

''(i) the number of targets of such orders;

''(ii) the number of individuals whose communications were collected pursuant to such orders;

''(iii) the number of individuals whose communications were collected pursuant to such orders who are reasonably believed to have been located in the United States at the time of collection;

''(iv) the number of search terms that included information concerning a United States person that were used to query any database of the contents of electronic communications or wire communications obtained through the use of an order issued pursuant to section 702; and

''(v) the number of search queries initiated by an officer, employee, or agent of the United States whose search terms included information concerning a United States person in any database of noncontents information relating to electronic communications or wire communications that were obtained through the use of an order issued pursuant to section 702;

''(C) the total number of orders issued pursuant to title IV and a good faith estimate of—

''(i) the number of targets of such orders;

''(ii) the number of individuals whose communications were collected pursuant to such orders; and

''(iii) the number of individuals whose communications were collected pursuant to such orders who are reasonably believed to have been located in the United States at the time of collection;

''(D) the total number of orders issued pursuant to applications made under section 501(b)(2)(B) and a good faith estimate of—

''(i) the number of targets of such orders;

''(ii) the number of individuals whose communications were collected pursuant to such orders; and

''(iii) the number of individuals whose communications were collected pursuant to such orders who are reasonably believed to have been located in the United States at the time of collection;

''(E) the total number of orders issued pursuant to applications made under section 501(b)(2)(C) and a good faith estimate of—

''(i) the number of targets of such orders;

''(ii) the number of individuals whose communications were collected pursuant to such orders;

''(iii) the number of individuals whose communications were collected pursuant to such orders who are reasonably believed to have been located in the United States at the time of collection; and

''(iv) the number of search terms that included information concerning a United States person that were used to query any database of call detail records obtained through the use of such orders; and

''(F) the total number of national security letters issued and the number of requests for information contained within such national security letters.

''(2) BASIS FOR REASONABLE BELIEF INDIVIDUAL IS LOCATED IN UNITED STATES.—A phone number registered in the United States may provide the basis for a reasonable belief that the individual using the phone number is located in the United States at the time of collection.

''(c) DISCRETIONARY REPORTING BY DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence may annually make publicly available on an Internet Web site a report that identifies, for the preceding 12-month period—

''(1) a good faith estimate of the number of individuals whose communications were collected pursuant to orders issued pursuant to titles I and III and sections 703 and 704 reasonably believed to have been located in the United States at the time of collection whose information was reviewed or accessed by an officer, employee, or agent of the United States;

''(2) a good faith estimate of the number of individuals whose communications were collected pursuant to orders issued pursuant to section 702 reasonably believed to have been located in the United States at the time of collection whose information was reviewed or accessed by an officer, employee, or agent of the United States;

''(3) a good faith estimate of the number of individuals whose communications were collected pursuant to orders issued pursuant to title IV reasonably believed to have been located in the United States at the time of collection whose information was reviewed or accessed by an officer, employee, or agent of the United States;

''(4) a good faith estimate of the number of individuals whose communications were collected pursuant to orders issued pursuant to applications made under section 501(b)(2)(B) reasonably believed to have been located in the United States at the time of collection whose information was reviewed or accessed by an officer, employee, or agent of the United States; and

''(5) a good faith estimate of the number of individuals whose communications were collected pursuant to orders issued pursuant to applications made under section 501(b)(2)(C) reasonably believed to have been located in the United States at the time of collection whose information was reviewed or accessed by an officer, employee, or agent of the United States.

''(d) TIMING.—The annual reports required by subsections (a) and (b) and permitted by subsection (c) shall be made publicly available during April of each year and include information relating to the previous year.

''(e) EXCEPTIONS.—

''(1) REPORTING BY UNIQUE IDENTIFIER.—If it is not practicable to report the good faith estimates required by subsection (b) and permitted by subsection (c) in terms of individuals, the good faith estimates may be counted in terms of unique identifiers, including names, account names or numbers, addresses, or telephone or instrument numbers.

''(2) STATEMENT OF NUMERICAL RANGE.—If a good faith estimate required to be reported under clauses (ii) or (iii) of each of subparagraphs (B), (C), (D), and (E) of paragraph (1) of subsection (b) or permitted to be reported in subsection (c), is fewer than 500, it shall exclusively be expressed as a numerical range of 'fewer than 500' and shall not be expressed as an individual number.

''(3) FEDERAL BUREAU OF INVESTIGATION.—Subparagraphs (B)(iv), (B)(v), (D)(iii), (E)(iii), and (E)(iv) of paragraph (1) of subsection (b) shall not apply to information or records held by, or queries conducted by, the Federal Bureau of Investigation.

''(4) CERTIFICATION.—

''(A) IN GENERAL.—If the Director of National Intelligence concludes that a good faith estimate required to be reported under subparagraph (B)(iii) or (C)(iii) of paragraph (1) of subsection (b) cannot be determined accurately, including through the use of statistical sampling, the Director shall—

''(i) certify that conclusion in writing to the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate; and

''(ii) make such certification publicly available on an Internet Web site.

''(B) CONTENT.—

''(i) IN GENERAL.—The certification described in subparagraph (A) shall state with specificity any operational, national security, or other reasons why the Director of National Intelligence has reached the conclusion described in subparagraph (A).

''(ii) GOOD FAITH ESTIMATES OF CERTAIN INDIVIDUALS WHOSE COMMUNICATIONS WERE COLLECTED UNDER ORDERS ISSUED UNDER SECTION 702.—A certification described in subparagraph (A) relating to a good faith estimate required to be reported under subsection (b)(1)(B)(iii) may include the information annually reported pursuant to section 702(l)(3)(A).

''(iii) GOOD FAITH ESTIMATES OF CERTAIN INDIVIDUALS WHOSE COMMUNICATIONS WERE COLLECTED UNDER ORDERS ISSUED UNDER TITLE IV.—If the Director of National Intelligence determines that a good faith estimate required to be reported under subsection (b)(1)(C)(iii) cannot be determined accurately as that estimate pertains to electronic communications, but can be determined accurately for wire communications, the Director shall make the certification described in subparagraph (A) with respect to electronic communications and shall also report the good faith estimate with respect to wire communications.

''(C) FORM.—A certification described in subparagraph (A) shall be prepared in unclassified form, but may contain a classified annex.

''(D) TIMING.—If the Director of National Intelligence continues to conclude that the good faith estimates described in this paragraph cannot be determined accurately, the Director shall annually submit a certification in accordance with this paragraph.

''(f) CONSTRUCTION.—Nothing in this section affects the lawfulness or unlawfulness of any government surveillance activities described herein.

''(g) DEFINITIONS.—In this section:

''(1) CONTENTS.—The term 'contents' has the meaning given that term under section 2510 of title 18, United States Code.

''(2) ELECTRONIC COMMUNICATION.—The term 'electronic communication' has the meaning given that term under section 2510 of title 18, United States Code.

''(3) INDIVIDUAL WHOSE COMMUNICATIONS WERE COLLECTED.—The term 'individual whose communications were collected' means any individual—

''(A) who was a party to an electronic communication or a wire communication the contents or noncontents of which was collected; or

''(B)(i) who was a subscriber or customer of an electronic communication service or remote computing service; and

''(ii) whose records, as described in subparagraph (A), (B), (D), (E), or (F) of section 2703(c)(2) of title 18, United States Code, were collected.

''(4) NATIONAL SECURITY LETTER.—The term 'national security letter' means a request for a report, records, or other information under—

''(A) section 2709 of title 18, United States Code;

''(B) section 1114(a)(5)(A) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)(A));

''(C) subsection (a) or (b) of section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u(a), 1681u(b)); or

''(D) section 627(a) of the Fair Credit Reporting Act (15 U.S.C. 1681v(a)).

''(5) UNITED STATES PERSON.—The term 'United States person' means a citizen of the United States or an alien lawfully admitted for permanent residence (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))).

''(6) WIRE COMMUNICATION.—The term 'wire communication' has the meaning given that term under section 2510 of title 18, United States Code.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents, as amended by section 402 of this Act, is further amended by inserting after the item relating to section 602, as added by section 402 of this Act, the following new item:

''Sec. 603. Annual reports.''.

(c) PUBLIC REPORTING ON NATIONAL SECURITY LETTERS.—Section 118(c) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (18 U.S.C. 3511 note) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''concerning different United States persons''; and

(B) in subparagraph (A), by striking '', excluding the number of requests for subscriber information'';

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

(3) by inserting after paragraph (1) the following:

''(2) CONTENT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each report required under this subsection shall include a good faith estimate of the total number of requests described in paragraph (1) requiring disclosure of information concerning—

''(i) United States persons; and

''(ii) persons who are not United States persons.

''(B) EXCEPTION.—With respect to the number of requests for subscriber information under section 2709 of title 18, United States Code, a report required under this subsection need not separate the number of requests into each of the categories described in subparagraph (A).''.

(d) STORED COMMUNICATIONS.—Section 2702(d) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (2)(B), by striking the period and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(3) the number of accounts from which the Department of Justice has received voluntary disclosures under subsection (c)(4).''.

SEC. 603. PUBLIC REPORTING BY PERSONS SUBJECT TO FISA ORDERS.

(a) IN GENERAL.—Title VI (50 U.S.C. 1871 et seq.), as amended by sections 402 and 602 of this Act, is further amended by adding at the end the following new section:

''SEC. 604. PUBLIC REPORTING BY PERSONS SUBJECT TO ORDERS.

''(a) REPORTING.—A person subject to a nondisclosure requirement accompanying an order or directive under this Act or a national security letter may, with respect to such order, directive, or national security letter, publicly report the following information using 1 of the following structures:

''(1) A semiannual report that aggregates the number of orders or national security letters with which the person was required to comply in the following separate categories:

''(A) The number of national security letters received, reported in bands of 1000 starting with 0–999.

''(B) The number of customer accounts affected by national security letters, reported in bands of 1000 starting with 0–999.

''(C) The number of orders under this Act for contents, reported in bands of 1000 starting with 0–999.

''(D) With respect to contents orders under this Act, in bands of 1000 starting with 0–999, the number of customer selectors targeted under such orders.

''(E) The number of orders under this Act for noncontents, reported in bands of 1000 starting with 0–999.

''(F) With respect to noncontents orders under this Act, in bands of 1000 starting with 0–999, the number of customer selectors targeted under orders under—

''(i) title IV;

''(ii) title V with respect to applications described in section 501(b)(2)(B); and

''(iii) title V with respect to applications described in section 501(b)(2)(C).

''(2) A semiannual report that aggregates the number of orders, directives, or national security letters with which the person was required to comply in the following separate categories:

''(A) The total number of all national security process received, including all national security letters and orders or directives under this Act, combined, reported in bands of 0–249 and thereafter in bands of 250.

''(B) The total number of customer selectors targeted under all national security process received, including all national security letters and orders or directives under this Act, combined, reported in bands of 0–249 and thereafter in bands of 250.

''(3) A semiannual report that aggregates the number of orders or national security letters with which the person was required to comply in the following separate categories:

''(A) The number of national security letters received, reported in bands of 500 starting with 0–499.

''(B) The number of customer accounts affected by national security letters, reported in bands of 500 starting with 0–499.

''(C) The number of orders under this Act for contents, reported in bands of 500 starting with 0–499.

''(D) The number of customer selectors targeted under such orders, reported in bands of 500 starting with 0–499.

''(E) The number of orders under this Act for noncontents, reported in bands of 500 starting with 0–499.

''(F) The number of customer selectors targeted under such orders, reported in bands of 500 starting with 0–499.

''(4) An annual report that aggregates the number of orders, directives, and national security letters the person was required to comply with in the following separate categories:

''(A) The total number of all national security process received, including all national security letters and orders or directives under this Act, combined, reported in bands of 0–100 and thereafter in bands of 100.

''(B) The total number of customer selectors targeted under all national security process received, including all national security letters and orders or directives under this Act, combined, reported in bands of 0–100 and thereafter in bands of 100.

''(b) PERIOD OF TIME COVERED BY REPORTS.—

''(1) A report described in paragraph (1) or (3) of subsection (a)—

''(A) may be published every 180 days;

''(B) subject to subparagraph (C), shall include—

''(i) with respect to information relating to national security letters, information relating to the previous 180 days; and

''(ii) with respect to information relating to authorities under this Act, except as provided in subparagraph (C), information relating to the time period—

''(I) ending on the date that is not less than 180 days before the date on which the information is publicly reported; and

''(II) beginning on the date that is 180 days before the date described in subclause (I); and

''(C) for a person that has received an order or directive under this Act with respect to a platform, product, or service for which a person did not previously receive such an order or directive (not including an enhancement to or iteration of an existing publicly available platform, product, or service)—

''(i) shall not include any information relating to such new order or directive until 540 days after the date on which such new order or directive is received; and

''(ii) for a report published on or after the date on which the 540-day waiting period expires, shall include information relating to such new order or directive reported pursuant to subparagraph (B)(ii).

''(2) A report described in paragraph (2) of subsection (a) may be published every 180 days and shall include information relating to the previous 180 days.

''(3) A report described in paragraph (4) of subsection (a) may be published annually and shall include information relating to the time period—

''(A) ending on the date that is not less than 1 year before the date on which the information is publicly reported; and

''(B) beginning on the date that is 1 year before the date described in subparagraph (A).

''(c) OTHER FORMS OF AGREED TO PUBLICATION.—Nothing in this section prohibits the Government and any person from jointly agreeing to the publication of information referred to in this subsection in a time, form, or manner other than as described in this section.

''(d) DEFINITIONS.—In this section:

''(1) CONTENTS.—The term 'contents' has the meaning given that term under section 2510 of title 18, United States Code.

''(2) NATIONAL SECURITY LETTER.—The term 'national security letter' has the meaning given that term under section 603.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents, as amended by sections 402 and 602 of this Act, is further amended by inserting after the item relating to section 603, as added by section 602 of this Act, the following new item:

''Sec. 604. Public reporting by persons subject to orders.''.

SEC. 604. REPORTING REQUIREMENTS FOR DECISIONS, ORDERS, AND OPINIONS OF THE FOREIGN INTELLIGENCE SURVEILLANCE COURT AND THE FOREIGN INTELLIGENCE SURVEILLANCE COURT OF REVIEW.

Section 601(c)(1) (50 U.S.C. 1871(c)(1)) is amended to read as follows:

''(1) not later than 45 days after the date on which the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review issues a decision, order, or opinion, including any denial or modification of an application under this Act, that includes significant construction or interpretation of any provision of law or results in a change of application of any provision of this Act or a novel application of any provision of this Act, a copy of such decision, order, or opinion and any pleadings, applications, or memoranda of law associated with such decision, order, or opinion; and''.

SEC. 605. SUBMISSION OF REPORTS UNDER FISA.

(a) ELECTRONIC SURVEILLANCE.—Section 108(a)(1) (50 U.S.C. 1808(a)(1)) is amended by

striking ''the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence, and the Committee on the Judiciary of the Senate,'' and inserting ''the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate''.

(b) PHYSICAL SEARCHES.—The matter preceding paragraph (1) of section 306 (50 U.S.C. 1826) is amended—

(1) in the first sentence, by striking ''Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, and the Committee on the Judiciary of the Senate,'' and inserting ''Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate''; and

(2) in the second sentence, by striking ''and the Committee on the Judiciary of the House of Representatives''.

(c) PEN REGISTERS AND TRAP AND TRACE DEVICES.—Section 406(b) (50 U.S.C. 1846(b)) is amended—

(1) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (3), by striking the period and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(4) each department or agency on behalf of which the Attorney General or a designated attorney for the Government has made an application for an order authorizing or approving the installation and use of a pen register or trap and trace device under this title; and

''(5) for each department or agency described in paragraph (4), each number described in paragraphs (1), (2), and (3).''.

(d) ACCESS TO CERTAIN BUSINESS RECORDS AND OTHER TANGIBLE THINGS.—Section 502(a) (50 U.S.C. 1862(a)) is amended by striking ''Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate'' and inserting ''Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate''.

TITLE VII—SUNSETS

SEC. 701. SUNSETS.

(a) USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005.—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (50 U.S.C. 1805 note) is amended by striking ''June 1, 2015'' and inserting ''December 31, 2017''.

(b) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—Section 6001(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 1801 note) is amended by striking ''June 1, 2015'' and inserting ''December 31, 2017''.

Mr. LEE. First, I thank my distinguished colleague, the senior Senator from Vermont, for his leadership on this issue. I am pleased to join him as a cosponsor of this legislation. As the lead cosponsor of this bill, I attest to the fact that this is an issue that is neither Republican nor Democratic, it is neither liberal nor conservative, it is simply American.

It is a fundamental concept of liberty that we have to control the government. The government and the immense power of government has expanded over time with advances in technology. Our country certainly has changed to an enormous degree over the centuries since James Madison penned our Bill of Rights. But the protection of liberty afforded by the Fourth Amendment has only become more important, not less important, as the government's ability to collect information has advanced.

This legislation, which has broad-based bipartisan support, is absolutely necessary. It can be implemented in a way that will still allow the government to protect us. It will also protect us from the risk of overreach by the government.

We have to remember it is not just the government that we have in place today, even if we assume, for purposes of this discussion, that everyone who works for the government, every government agent who participates in the collection of this information is doing what is right. We can't always assume that will be the case in the future.

I see my time has expired. I once again thank my colleague, the senior Senator from Vermont, Mr. LEAHY, for his sponsorship of this legislation. I urge my colleagues to join us in this effort.

Mr. FRANKEN. Mr. President, I rise to talk about the transparency provisions in the USA FREEDOM Act. I am a proud cosponsor of Chairman LEAHY's bill, and I am particularly proud to have written the key transparency provisions with my friend Senator DEAN HELLER of Nevada.

Senator LEE is right. This is not a Republican bill or a Democratic bill. This isn't a Republican issue or a Democratic issue. I thank Senator LEE for his leadership. Of course, we are all indebted to Senator LEAHY for his leadership on this issue.

Because of time constraints, I am not going to be able to give the speech I wanted to, so I will try to ask for time for tomorrow. I know today's floor is very busy.

I wish to say it is very important that there is enough transparency in our NSA surveillance that Americans can judge for themselves if we are striking the right balance between national security and our civil liberties.

Mr. HELLER. Mr. President, today my colleague Senator LEAHY, the chairman of the Judiciary Committee, introduced legislation that would amend the PATRIOT Act. This new legislation reflects a bicameral and bipartisan compromise that ends the bulk data collection practices currently being used. It also gives our intelligence officials specific rules to follow so they can keep the operational capabilities necessary to protect the United States from a terrorist attack without compromising the Fourth Amendment to the Constitution. I thank Senator LEAHY for his work, and I am grateful for his partnership.

This important step is necessary for restoring Americans' privacy rights which were taken by a well-intended but overreaching Federal Government in the wake of the 9/11 terrorist attacks.

The expanded authority given to the National Security Agency through executive action and the PATRIOT Act was intended to prevent another attack on America. While I was not a Member of Congress on 9/11, I shared the horror all Nevadans felt watching the murder of thousands of innocent Americans, and the profound sadness as buildings in New York and Washington, DC, sat smoldering. I understand as well as anyone here the reason behind the actions our Nation's leaders took to ensure that another attack on America never materialized, and why our leaders felt that no limits should be imposed. No matter what the cost, Americans had to be protected against another attack.

Viewing the situation from that lens, it is easy to understand how the Fourth Amendment was brushed aside as the Senate expanded law enforcement surveillance capabilities with just one dissenting vote.

The Federal Bureau of Investigation then used section 215 of the PATRIOT Act to expand the scope of surveillance far beyond even what some of the authors believed they were authorizing. The FBI argued that section 215 provided authority to collect phone data of law-abiding citizens without their knowledge. Specifically, they could use the business records provision to force phone companies to turn over millions of telephone calls when there is a reasonable ground or relevance to believe that the information sought is relevant to an authorized investigation of international terrorism.

As a result, we now have a bulk collection program in existence where telephone companies hand over millions of records to the NSA as part of a massive pre-collection database.

As someone who voted against the PATRIOT Act time and time again, I believe such data collection practices are a massive intrusion of our privacy, which is why I partnered with the senior Senator from Vermont to end these programs. Our legislation tightens the definitions of ''specific selection term'' for section 215 of the PATRIOT Act and FISA pen register trap-and-trace devices so that the information requested is limited to specifically identifying a person, account, address, or a personal device.

With this legislation, bulk collection will be eliminated and the records will stay with the telephone companies. The massive information grabs from the Federal Government based on geography or email service will no longer be permissible. And of the information that is collected, the legislation imposes new restrictions on its use and retention. These reforms will help shift the balance of privacy away from the Federal Government and back to the American people.

I am proud that this bill also includes the Franken-Heller Surveillance

Transparency Act of 2013. I was pleased to join Senator FRANKEN on this legislation because, at the very least, Americans deserve to know the number of people whose information is housed by the NSA. For the first time in American history, the government is forced to disclose to the American people roughly how many of them have had their communications collected.

Our provision calls for reports by the Director of National Intelligence detailing the requests for information authorized under the PATRIOT Act and the FISA Amendments Act. The reports would specify the total number of people whose information has been collected under these programs and how many people living in the United States have had their information collected. They would also permit the intelligence community to report on how many Americans actually had their information looked at by the NSA or any other intelligence agencies.

Furthermore, these provisions would allow telephone and Internet companies to tell consumers basic information regarding FISA court orders they receive and the number of users whose information is turned over.

The principles outlined in this bill to increase transparency for Americans and private companies would clear up a tremendous amount of confusion that exists within the programs. And our private companies need the added disclosure. The Information Technology & Innovation Foundation estimates that American cloud computing companies could lose $22 billion to $35 billion in the next 3 years because of concerns about their involvement with surveillance programs. The analytics firm Forrester put potential losses much higher, at $180 billion.

I want to be clear: I share the concerns of all Americans that we must protect ourselves against threats to the homeland. I believe terrorism is very real and the United States is the target of those looking to undermine the freedoms we hold as the core of our national identity. If the bulk collection programs in existence were bearing so much information to protect the homeland, it would change my opinion on the need for the USA Freedom Act. However, the bulk collection program has simply not provided the tangible results that justify a privacy intrusion of this level. We know this because on October 2, 2013, the chairman of the Senate Judiciary Committee, Senator LEAHY, asked NSA Director Keith Alexander the following question:

> At our last hearing, deputy director Inglis stated that there's only really one example of a case where, but for the use of Section 215 bulk phone records collection, terrorist activity was stopped. Was Mr. Inglis right?

To which Director Alexander responded:

> He's right. I believe he said two, Chairman.

Congress has authorized the collection of millions of law-abiding citizens' telephone metadata for years and it has only solved two ongoing FBI investigations. Of those two investigations, the NSA has publicly identified one. In fact, that case could have easily been handled by obtaining a warrant and going to the telephone company. It is the case of an individual in San Diego who was convicted of sending $8,500 to Somalia in support of al-Shabaab, the terrorist organization claiming responsibility for the Kenyan mall attack. The American phone records allowed the NSA to determine that a U.S. phone was used to contact an individual associated with this terrorist organization. I am appreciative that the NSA was able to apprehend this individual, but it does not provide overwhelming evidence that this program is necessary. The Obama administration has come to the same conclusion and so has the intelligence community.

The operational capabilities the intelligence community relies on to conduct their mission to keep us safe will not be impacted by the USA FREEDOM Act. If it were, the Intelligence Community and the administration would not have brokered this compromise legislation. Ending the bulk collection programs and giving Americans more transparency so they can determine for themselves whether they believe these programs should exist is an obligation we have to all of our constituents.

We have a bill introduced today that would give our law enforcement authorities the tools they need to keep us safe and also stay true to the Fourth Amendment. I encourage my colleagues to support these important reforms and I hope it can quickly be considered by this Chamber.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 526—SUPPORTING ISRAEL'S RIGHT TO DEFEND ITSELF AGAINST HAMAS, AND FOR OTHER PURPOSES

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

S. RES. 526

Whereas Hamas, an organization designated as a Foreign Terrorist Organization by the United States Department of State since 1997, has fired over 2,500 rockets indiscriminately from Gaza into Israel;

Whereas Israel has a right to defend itself from Hamas's constant barrage of rockets and to destroy the matrix of tunnels Hamas uses to smuggle weapons and Hamas fighters into Israel to carry out terrorist attacks;

Whereas the Government of Israel has taken significant steps to protect civilians in Gaza, including dropping leaflets in Gaza neighborhoods in advance of Israeli military attacks, calling Palestinians on the phone urging them to evacuate certain areas before the military strikes targets, and issuing warnings to civilians in advance of firing on buildings;

Whereas Israel's attacks have focused on terrorist targets such as Hamas's munitions storage sites, areas sheltering Hamas's rocket systems, Hamas's weapons manufacturing sites, the homes of militant leaders, and on the vast labyrinth of tunnels Hamas's fighters use to penetrate Israel's territory and attack Israelis;

Whereas Hamas uses rockets to indiscriminately target civilians in Israel;

Whereas Israel has accepted and implemented numerous ceasefire agreements that Hamas has rejected;

Whereas Hamas continued to fire rockets into Israel during a 24-hour truce that Hamas had itself proposed;

Whereas Israel embraced the Egyptian-proposed ceasefire agreement, which Hamas resoundingly rejected on July 27, 2014;

Whereas Hamas intentionally uses civilians as human shields;

Whereas Hamas refuses to recognize Israel's right to exist;

Whereas Israel's Iron Dome has protected Israel's civilian population from the over 2,500 rockets that Hamas has indiscriminately fired into Israel since July 7, 2014;

Whereas, without Iron Dome's ability to intercept and destroy Hamas's missiles, Israeli neighborhoods would have been significantly damaged and Israeli casualties would have been much higher;

Whereas the United Nations Human Rights Council voted to accept a biased resolution establishing a Commission of Inquiry to determine if Israel violated human rights and humanitarian law during the ongoing conflict with Gaza; and

Whereas the United Nations Human Rights Council resolution makes no mention of investigating Hamas's indiscriminate rocket attacks against Israel, nor Hamas's policy of using Palestinian civilians as human shields: Now, therefore, be it

Resolved, That the Senate—

(1) laments all loss of innocent civilian life;

(2) condemns the United Nations Human Rights Council's resolution on July 23, 2014, which calls for yet another prejudged investigation of Israel while making no mention of Hamas's continued assault against Israel, and also calls for an investigation into potential human rights violations by Israel in the current Gaza conflict without mentioning Hamas's assault against innocent civilians and its use of civilian shields;

(3) supports Israel's right to defend itself against Hamas's unrelenting and indiscriminate rocket assault into Israel and Israel's right to destroy Hamas's elaborate tunnel system into Israel's territory;

(4) condemns Hamas's terrorist actions and use of civilians as human shields;

(5) supports United States mediation efforts for a durable ceasefire agreement that immediately ends Hamas's rocket assault and leads to the demilitarization of Gaza; and

(6) supports additional funding the Government of Israel needs to replenish Iron Dome missiles and enhance Israel's defensive capabilities.

SENATE RESOLUTION 527—CONGRATULATING THE MEMBERS OF PHI BETA SIGMA FRATERNITY, INC. FOR 100 YEARS OF SERVICE THROUGHOUT THE UNITED STATES AND THE WORLD, AND COMMENDING PHI BETA SIGMA FRATERNITY, INC. FOR EXEMPLIFYING THE IDEALS OF BROTHERHOOD, SCHOLARSHIP, AND SERVICE WHILE UPHOLDING THE MOTTO ''CULTURE FOR SERVICE AND SERVICE FOR HUMANITY''

Ms. LANDRIEU (for herself, Mr. SCOTT, Mr. CARDIN, Mr. BROWN, Mr. NELSON, Mrs. HAGAN, Mr. LEVIN, and Ms. BALDWIN) submitted the following resolution; which was considered and agreed to:

S. RES. 527

Whereas Phi Beta Sigma Fraternity, Inc. was founded on the campus of Howard University in the District of Columbia on January 9, 1914, by A. Langston Taylor, Leonard F. Morse, and Charles I. Brown;

Whereas since the formation of Phi Beta Sigma Fraternity, Inc., the members of Phi Beta Sigma Fraternity, Inc. have maintained a strong commitment to brotherhood, community involvement, and service to all people;

Whereas Phi Beta Sigma Fraternity, Inc. has implemented a number of initiatives encouraging diversity, business opportunities, and advocacy;

Whereas Phi Beta Sigma Fraternity, Inc. has established the Sigma Wellness, Sigma Cares, and Living Well Brother to Brother programs;

Whereas Phi Beta Sigma Fraternity, Inc. was the first African-American fraternity to establish alumni chapters and youth mentoring clubs and is the only fraternity to form an African-American sorority counterpart, Zeta Phi Beta;

Whereas the men of Phi Beta Sigma Fraternity, Inc. have dedicated themselves to the promotion of civil rights, and the members of Phi Beta Sigma Fraternity, Inc. include influential leaders and activists such as Hosea Williams, A. Philip Randolph, and Lafayette Mckeene Hershaw;

Whereas members belonging to chapters of Phi Beta Sigma Fraternity, Inc. across the United States responded to a call for support of the war efforts of the United States during World War I;

Whereas members of Phi Beta Sigma Fraternity, Inc., such as Alain LeRoy Locke, Weldon Johnson, and A. Philip Randolph, made significant contributions to the Harlem Renaissance;

Whereas Phi Beta Sigma Fraternity, Inc. has over 700 chapters in the United States, Africa, Europe, Asia, and the Caribbean;

Whereas the men of Phi Beta Sigma Fraternity, Inc. have distinguished themselves as public servants, including members such as—

(1) a United States Congressman, civil rights activist, and chairman of the Student Nonviolent Coordinating Committee;

(2) the first African-American Speaker of the Colorado House of Representatives;

(3) the first African-American Democrat elected to the Congress of the United States;

(4) Demetrius C. Newton, Sr., elected in 1986 as the first African-American Speaker Pro Tempore of the Alabama House of Representatives; and

(5) Fleming Jones, Jr., the first African-American Democratic member of the West Virginia House of Delegates; and

Whereas Phi Beta Sigma Fraternity, Inc. commemorated its history and promoted service during the Phi Beta Sigma centennial celebration on January 9, 2014, in the District of Columbia: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Phi Beta Sigma Fraternity, Inc. for 100 years of service to communities throughout the United States and the world; and

(2) commends Phi Beta Sigma Fraternity, Inc. for a continued commitment to the ideals of brotherhood, scholarship, and service.

SENATE RESOLUTION 528—COMMEMORATING THE 125TH ANNIVERSARY OF NORTH DAKOTA'S STATEHOOD

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

S. RES. 528

Whereas the Dakota Territory was incorporated in 1861;

Whereas President Theodore Roosevelt came to the Dakota Territory in 1883 to hunt and begin cattle ranching near Medora, North Dakota;

Whereas President Theodore Roosevelt credited the fact he was elected President to the time he spent and the experiences he had in North Dakota;

Whereas North Dakota was admitted to the Union on November 2, 1889;

Whereas the population of North Dakota grew from 2,000 in 1870 to 680,000 in 1930, and reached a State record of 730,000 people in 2014;

Whereas the battleship USS NORTH DAKOTA, the first turbine-powered ship in the United States Navy, was launched in 1908;

Whereas the North Dakota State flag, the regimental flag carried by the North Dakota Infantry in the Spanish-American War in 1898 and Philippine Island Insurrection in 1899, was designated in 1911;

Whereas the Bank of North Dakota was established in 1919 and the State mill and elevator began operating in 1922;

Whereas, in 1932, the International Peace Garden was established on the border between North Dakota and the Canadian province of Manitoba, a symbol of peace between the governments of the United States and Canada;

Whereas, in 1949, the Theodore Roosevelt National Memorial Park was dedicated, covering 3 areas of the badlands in western North Dakota;

Whereas, in 1953, President Eisenhower dedicated the Garrison Dam, the fifth-largest earthen dam in the world, which created Lake Sakakawea, the third-largest manmade lake in the United States;

Whereas North Dakota has a world-class system of higher education, which supports student development across a variety of fields, including aerospace, agriculture, architecture, education, engineering, law, medicine, and nursing;

Whereas the USS NORTH DAKOTA, a Virginia-class submarine was christened in November 2013;

Whereas North Dakota has had the lowest unemployment rate in the United States for over 5 years;

Whereas, in 2013, North Dakota was either 1st or 2nd in the United States in total agriculture production for 16 different commodities;

Whereas North Dakota is the second largest producer of oil and gas in the United States;

Whereas North Dakota produces over 1,000,000 barrels of oil each day;

Whereas the economy of North Dakota has grown faster than the economy of all other States of the United States for 4 consecutive years;

Whereas the personal income of people in North Dakota is nearly 30 percent above the national average;

Whereas, in 2012, exports from North Dakota topped $4,000,000,000; and

Whereas the economy and communities of North Dakota has experienced unprecedented development, resulting in national recognition: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates—

(A) the State of North Dakota on its 125th anniversary; and

(B) the people of North Dakota for their tremendous work and success in building the prosperity of current and future generations living in the State; and

(2) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the Governor of North Dakota.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3700. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table.

SA 3701. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3702. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill H.R. 5021, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes; which was ordered to lie on the table.

SA 3703. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3704. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3705. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 5021, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3700. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

On page 13, after line 3, insert the following:

SEC. 4. LONG-TERM UNEMPLOYED INDIVIDUALS NOT TAKEN INTO ACCOUNT FOR EMPLOYER HEALTH CARE COVERAGE MANDATE.

(a) IN GENERAL.—Paragraph (4) of section 4980H(c) of the Internal Revenue Code of 1986

is amended by adding at the end the following new subparagraph:

''(C) EXCEPTION FOR LONG-TERM UNEMPLOYED INDIVIDUALS.—The term 'full-time employee' shall not include any individual who is a long-term unemployed individual (as defined in section 3111(d)(3)) with respect to such employer.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to months beginning after December 31, 2013.

SA 3701. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

On page 13, after line 3, insert the following:

SEC. 4. CERTAIN EDUCATIONAL INSTITUTIONS EXEMPT FROM EMPLOYER HEALTH INSURANCE MANDATE.

(a) IN GENERAL.—Section 4980H(c)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(F) EXCEPTION FOR CERTAIN EDUCATIONAL INSTITUTIONS.—The term 'applicable large employer' shall not include—

''(i) any elementary school or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965),

''(ii) any local educational agency or State educational agency (as such terms are defined in section 9101 of such Act), and

''(iii) any institution of higher education (as such term is defined in section 102 of the Higher Education Act of 1965).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to months beginning after December 31, 2013.

SA 3702. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill H.R. 5021, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

SEC. 1_____. HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.

(a) IN GENERAL.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032) is amended by striking paragraph (13) and inserting the following:

''(13) Raleigh-Norfolk Corridor from Raleigh, North Carolina, through Rocky Mount, Williamston, and Elizabeth City, North Carolina, to Norfolk, Virginia.''.

(b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 (109 Stat. 597; 115 Stat. 872; 118 Stat. 293) is amended in the first sentence by inserting ''subsection (c)(13),'' after ''subsection (c)(9),''.

SA 3703. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1247. EXTENSION OF ANNUAL REPORTS ON THE MILITARY POWER OF IRAN.

Section 1245(d) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2544) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2018''.

SA 3704. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XVI, add the following:

SEC. 1616. PROHIBITION ON INTEGRATION OF MISSILE DEFENSE SYSTEMS OF CHINA INTO MISSILE DEFENSE SYSTEMS OF UNITED STATES.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Department of Defense may be used to integrate a missile defense system of the People's Republic of China into any missile defense system of the United States.

SA 3705. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 5021, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PAYMENTS FROM THE ABANDONED MINE RECLAMATION FUND.

(a) IN GENERAL.—Section 411(h) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1240a(h)) is amended—

(1) in paragraph (1)(C)—

(A) by striking ''Payments'' and inserting the following:

''(i) IN GENERAL.—Payments''; and

(B) by adding at the end the following:

''(ii) CERTAIN PAYMENTS REQUIRED.—Not withstanding any other provision of this Act, as soon as practicable after October 1, 2015, of the 7 equal installments referred to in clause (i), the Secretary shall pay to any certified State or Indian tribe to which the total annual payment under this subsection was limited to $15,000,000 in 2013 and $28,000,000 in fiscal year 2014—

''(I) the final 2 installments in 2 separate payments of $82,700,000 each; and

''(II) 2 separate payments of $32,600,000 each.''; and

(2) by striking paragraphs (5) and (6).

(b) EFFECTIVE DATE.—The amendment made by subsection (a)(2) shall take effect October 1, 2015.

(c) OFFSET.—For purposes of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.)—

(1) oil and gas exploration, development, and production activities shall be considered to be compatible with the purposes for which the Arctic National Wildlife Refuge was established; and

(2) no further findings or decisions shall be required to implement those activities.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BROWN. 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 July 29, 2014, at 10:30 a.m. in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled ''Revisiting the RESTORE Act: Progress and Challenges in Gulf Restoration Post-Deepwater Horizon.''

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

Mr. BROWN. 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 July 29, 2014, at 3 p.m. in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled, ''Opportunities and Challenges for Improving Truck Safety on our Highways.''

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 29, 2014, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building to conduct a hearing entitled ''Breaking the Logjam at BLM: Examining Ways to More Efficiently Process Permits for Energy Production on Federal Lands.''

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON FINANCE

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 29, 2014, at 10 a.m. in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Tobacco: Taxes Owed, Avoided, and Evaded.''

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 29, 2014 at 10 a.m., to conduct a hearing entitltd ''Iran: Status of the P–5+1.''

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 29, 2014, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on July 29, 2014, at 9:30 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Judicial Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BROWN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 29, 2014, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

Mr. BROWN. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air and Nuclear Safety of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 29, 2014 at 2:30 p.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''Examining the Threats Posed by Climate Change.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON INTERNATIONAL TRADE, CUSTOMS AND GLOBAL COMPETITIVENESS

Mr. BROWN. Mr. President, I ask unanimous consent that the Subcommittee on International Trade, Customs and Global Competitiveness of the Commmittee on Finance be authorized to me during the session of the Senate on July 29, 2014 at 2:30 p.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''The U.S.-Korea Free Trade Agreement: Lessons Learned Two Years Later.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. FRANKEN. Mr. President, I ask unanimous consent that my counsel detailee, Helen Gilbert, be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent that privileges of the floor be granted to Shirin Panahandeh and Ryan Meyer, research associates in my office, for the remainder of the 113th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Shelby Stepper, be granted privileges of the floor for the balance of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Kelli Andrews and Carter Burwell, who have been detailed to my staff, be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

NAFTALI FRAENKEL REWARD ACT

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. 2577.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2577) to require the Secretary of State to offer rewards totaling up to $5,000,000 for information on the kidnapping and murder of Naftali Fraenkel, a dual United States-Israeli citizen, that began on June 12, 2014.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2577) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2577

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

SECTION 1. REWARDS AUTHORIZED.

(a) IN GENERAL.—In accordance with the Rewards for Justice program authorized under section 36(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(b)), the Secretary of State shall offer a reward to any individual who furnishes information leading to the arrest or conviction in any country of any individual for committing, conspiring or attempting to commit, or aiding or abetting in the commission of the kidnapping and murder of Naftali Fraenkel.

(b) LIMIT ON TOTAL REWARDS.—The total amount of rewards offered under subsection (a) may not exceed $5,000,000.

AUTHORIZING USE OF THE CAPITOL GROUNDS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to H. Con. Res. 103, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 103) authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 103) was agreed to.

AUTHORIZING USE OF EMANCIPATION HALL

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to H. Con. Res. 106, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 106) authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to award Congressional Gold Medals in honor of the men and women who perished as a result of the terrorist attacks on the United States on September 11, 2001.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 106) was agreed to.

PHI BETA SIGMA FRATERNITY, INC. 100TH ANNIVERSARY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 527, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 527) congratulating the members of Phi Beta Sigma Fraternity, Inc. for 100 years of service throughout the United States and the world, and commending Phi Beta Sigma Fraternity, Inc. for exemplifying the ideals of brotherhood, scholarship, and service while upholding the motto ''Culture for Service and Service for Humanity''.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 527) was agreed to.

The preamble was agreed to.

(The resolution (S. Res. 527), with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

CELEBRATING THE 125TH ANNIVERSARY OF NORTH DAKOTA STATEHOOD

Mr. REID. I ask unanimous consent that the Senate proceed to S. Res. 528.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 528) celebrating the 125th anniversary of North Dakota Statehood.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 528) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

MEASURE READ THE FIRST TIME—S. 2685

Mr. REID. Mr. President, I understand S. 2685 is due for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 2685) to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

Mr. REID. I ask for a second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

UNITED STATES INTELLIGENCE PROFESSIONALS DAY

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 521.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 521) designating July 26, 2014, as ''United States Intelligence Professionals Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 521) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Thursday, July 24, 2014, under ''Submitted Resolutions.'')

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding rule XXII, following the vote on the motion to invoke cloture on the motion to proceed to S. 2648, the Senate proceed to executive session to consider Calendar Nos. 535, 783, and 729; that there be 2 minutes for debate equally divided between the two leaders or their designees prior to each vote; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on the nominations listed; that any rollcall votes following the first in the series be 10 minutes in length; that if any nomination is confirmed, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD and the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. For the information of all Senators, we expect the nominations to be considered in this agreement to be confirmed by voice vote.

AMENDING THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF 1998

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 475, H.R. 4028.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4028) to amend the International Religious Freedom Act of 1998 to include the desecration of cemeteries among the many forms of violations of the right to religious freedom.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time and passed and 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 (H.R. 4028) was ordered to a third reading, was read the third time, and passed.

ORDERS FOR WEDNESDAY, JULY 30, 2014

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, July 30, 2014; 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 resume consideration of S. 2569; that there be 1 hour for debate equally divided and controlled between the two leaders or their designees; that upon the use or yielding back of that time, the Senate proceed to vote on the motion to invoke cloture on S. 2569.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, at approximately 10:45 a.m. tomorrow morning, there will be a cloture vote on the Bring Jobs Home Act. If cloture is not invoked, there will be an immediate cloture vote on the motion to proceed to S. 2648, the emergency supplemental appropriations bill.

ORDER FOR ADJOURNMENT

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order following the remarks of Senator GRASSLEY for up to 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa.

DETENTION OF DANIEL CHONG

Mr. GRASSLEY. Mr. President, today I come to the floor to speak about the unconscionable way in which the Drug Enforcement Administration treated Daniel Chong, a San Diego college student, back in 2012. Unfortunately, the American people still do not know all the facts. They do not know what lasting changes are being made to make sure something like this never happens again. And they do not know what is being done to hold the DEA agents involved accountable because if people are not held accountable, there are not going to be any changes made. Most of the time, for people to be held accountable, heads have to roll, and there is no evidence that is the case in this particular case. But here is what we do know. It is a story that you might expect to hear set in some Third World country but never in the United States of America. So here it is.

Back in April 2012, Daniel Chong, a college student at the University of California, San Diego, was arrested by law enforcement conducting a sweep for drugs at a college party. He was taken into custody by the DEA and transported to the local DEA field office. He was questioned by the agents who had arrested him, and the agents apparently concluded that there was no basis to charge him with a crime. The young man may well have simply been in the wrong place at the wrong time.

The agents told him he was going to be released. But Daniel Chong was not

released. Instead, he was taken back to a holding cell in handcuffs, and he was left there for dead for 5 days—5 days without food, 5 days without water, 5 days without sunlight, 5 days without any basic necessities of life, in a holding cell not much larger than a bathroom stall. He cried out for help. He kicked and banged on the door of the cell but to no avail. He became so desperate and dehydrated that he even drank his own urine in an effort to survive. Incredibly, the one thing Daniel Chong found in his cell that he tried to live on turned out to be some methamphetamine. That is right, he found an illegal drug in the DEA's own holding cell. Apparently, it was never searched before Mr. Chong was tossed inside. It got so bad that this young man tried to kill himself. He tried to carve the words ''sorry Mom'' into his own skin. He intended it to be the last message for anyone to pass on who might one day discover his lifeless body in that DEA holding cell.

After 5 days someone finally responded to Daniel Chong's call for help. He was taken immediately to the hospital. He was found to be suffering from extreme dehydration, hypothermia, kidney failure, and cuts and bruises on his wrists. It took 4 days to nurse him back to health.

This all occurred in April 2012. Soon after I learned of it, I sent a letter to the DEA Administrator demanding to know what could have led to such a calamity. I asked how, in a modern age of computers and surveillance cameras, it was possible that an innocent person could be left for dead in a DEA holding cell. I asked about the DEA policies and procedures in place to help prevent this from ever happening again. And I asked whether those responsible for what happened to Mr. Chong were going to be held accountable.

It took the DEA more than a year to respond to my questions—more than a year. In June 2013 the DEA trotted out the familiar response we so often hear from bureaucrats when they do not want to tell you what really happened. They said at that time the DEA could not comment on many aspects of the matter because the Department of Justice's own inspector general was conducting a review. The DEA assured me that, in their words, an ''interim'' policy had been adopted to make sure no other innocent people would be abandoned in a prison cell and left for dead. But the American people would have to wait for a permanent policy change and a full accounting until after the inspector general finished its investigation.

Just a month later, in July 2013, the DEA announced it would be handing over $4.1 million to Daniel Chong to settle his lawsuit. Mr. President, $4.1 million of taxpayer money—almost $1 million for each day he spent forgotten and also ignored in that dark and drug-infested DEA holding cell.

Now, up to date, finally, just this month and more than 2 years after this debacle, the Department of Justice's inspector general finally issued its report of the investigation. We still do not know the full truth about what happened to Daniel Chong. In many ways the inspector general's report raises more questions than it answers, and what the report does tell us is quite disturbing.

According to the report, Daniel Chong was not just forgotten by the agents who arrested him; he was ignored by other DEA employees who knew he was there but assumed he was somebody else's problem.

And the report suggests the DEA may have tried to cover up the whole event.

According to the report, there were three DEA agents and a supervisor directly responsible for making sure this young man was not abandoned in that holding cell. So it is obvious these four agents failed miserably in their responsibilities. But it gets even worse. According to the report, at least four other agents passed in and out of the holding cell area during the 5 days Daniel Chong was imprisoned. These four agents admitted they had either seen or heard Chong in his cell, but they simply assumed someone else was going to take care of him—in other words, he was somebody else's problem.

Daniel Chong was arrested on a Saturday. One of those agents saw him in the cell on Sunday, and one saw him there on Monday, and another two agents either saw him or heard him on Wednesday, but nothing compelled these law enforcement officers to address his plight because they did not believe anything was amiss.

I hope to all my colleagues that what I just told you is very difficult to believe.

In addition, Daniel Chong's holding cell was near a workspace area used by dozens of DEA personnel. According to the report, anyone in that workspace could have clearly heard banging and yelling from inside the cell.

But not a single one of the 25 DEA employees interviewed by the inspector general who worked this area could recall hearing any unusual noises during the time Daniel Chong was imprisoned there. So this is very difficult to believe. It defies all common sense. It contradicts what Daniel Chong says he did by crying out for help and banging on his holding cell door. It contradicts what his injuries tell us he did. It contradicts what anyone left in a holding cell without the basic necessities of life for days would do.

Why did no one respond to Daniel Chong's cries for help? The report does not even attempt to answer that question.

These eight DEA agents were in some way responsible for this young man's wrongful captivity. The report does not say what happened to these agents. This is where you get into accountability. Who is responsible? Are heads going to roll so this behavior changes? Are these agents still working for the DEA? Have they been disciplined? Are they still arresting other people, tossing them behind bars and leaving them for dead?

The problem does not stop here. According to the report, the DEA may have tried to cover up this entire event. The inspector general learned about what happened to Daniel Chong from an anonymous whistleblower who called one of its field offices.

This is another example of the value of whistleblowers, heroes who stand up for what is right, sometimes at great personal risk. According to the IG's report, the whistleblower indicated that the DEA ''was trying to contain this matter locally.'' That is another way of saying, essentially, that a coverup could be in the works.

Incredibly, as it turns out the DEA office in San Diego assigned the very agents who were responsible for Daniel Chong's captivity to process the holding cell area where Chong was held for days. That is right. The agents who left Chong behind bars for 5 days were assigned to investigate their own egregious mistakes—kind of like the fox guarding the chicken house.

DEA management also decided that it was going to conduct its own internal management review of the incident; that is, it would conduct it is own interviews and investigations before DEA notified anybody else. DEA management justified this decision by telling the inspector general that it assumed the conduct ''which resulted in Chong's detention did not amount to misconduct and was not criminal.'' But, of course, as the inspector general found, it should have been readily apparent to DEA management that this was not true. Of course, DEA management may have calculated that undertaking its own investigation could head off an independent outside review; indeed, perhaps the investigation could even be contained ''locally.'' How many other DEA misdeeds have been similarly contained?

So it is obvious what happened. It is outrageous. How it was handled is outrageous. We need to know more about why the inspector general was not called in immediately—that is, even as DEA policy requires—rather than having people who conducted the wrongdoing investigating, in a sense, themselves. We need to know if indeed this was a deliberate attempt to sweep this dereliction of duty under the rug.

The DEA is entrusted with a lot of responsibility and authority. We ask the DEA to enforce our drug laws. We ask the DEA to protect our communities. The DEA has a very tough job. The Obama administration is not making that job any easier because this administration is undermining the DEA by turning a blind eye to illegal marijuana trafficking. It is trying to release convicted drug dealers from our prisons. It is trying to reduce the criminal penalties and minimum mandatory sentences for drug dealers who are still on the streets peddling death in our communities. So I understand

these are very challenging times for the DEA.

When the DEA or any law enforcement agency neglects its responsibilities and then possibly even covers up wrongdoing, then those who are responsible must be held accountable. So I have to ask, if the employees at DEA are not held accountable, what needs to happen in order for action to be taken? Do we need to wait until someone dies?

The DEA's conduct in this case is inexcusable. After 2 years and more than $4 million of taxpayer money, the DEA owes the American people more answers. The American people deserve answers to the questions I posed in my letter to the DEA back in May of 2012, so, not getting a proper answer, I will be writing to the DEA again this week to pose additional questions, including about the possibility of a coverup.

Most importantly, the American people deserve to know that those responsible for the detention and the mistreatment of Daniel Chong will be held accountable for this horrendous event.

CONSTITUTIONAL AMENDMENT

I come to the floor also to discuss a constitutional amendment the Judiciary Committee has just reported to the Senate. The amendment would amend the Bill of Rights for the first time. Let me repeat that. The amendment would amend the Bill of Rights for the first time. I think that is a slippery slope. It would amend one of the most important of those rights—the right of free speech.

The first amendment provides that Congress shall make no laws abridging freedom of speech. The proposed amendment would give Congress and the States the power to abridge free speech. It would allow them to impose reasonable limits—whatever the word ''reasonable'' might mean at a particular time—on contributions and expenditures. By so doing, that has to be putting limits on speech, particularly speech that is very valuable in this country—political speech; in other words, trying to influence the direction of our country through elections. It would allow speech by corporations that would influence the elections to be banned altogether.

This amendment is as dangerous as anything Congress could pass. Were it to be adopted—I believe it will not be adopted—the damage done could be reversed only if two-thirds of both Houses of Congress voted to repeal it through a new constitutional amendment. Then, of course, three-fourths of the States ratify that new amendment.

I would like to start with some basic first principles. The Declaration of Independence states that everyone is endowed by their Creator with unalienable rights that governments are created to protect. Those preexisting rights include the right to liberty.

The Constitution was adopted to secure the blessings of liberty to Americans. Americans rejected the view that the structural limits on government power contained in the original Constitution would adequately protect the liberties they had fought the Revolution to preserve. So when the people came to the conclusion that the original Constitution would not protect their liberties, the people living in the States at that time insisted on the adoption of this very important Bill of Rights.

The Bill of Rights protects individual rights regardless of whether the government or the majority approve of their use. The first amendment in the Bill of Rights protects freedom of speech. That freedom is basic to self-government. Other parts of the Constitution foster equality or justice or representative government, but it is the Bill of Rights—that Bill of Rights is only about individual freedom. Free speech creates a marketplace of ideas in which citizens can learn, debate, persuade fellow citizens on the issues of the day. At its core it enables the citizenry to be educated, to cast votes, to elect our leaders.

Today freedom of speech is threatened as it has not been in many decades. Too many people will not listen and debate and persuade. Instead, they want to punish, intimidate, and silence those with whom they might disagree.

A corporate executive who opposes same-sex marriage—the same position that President Obama held at the very time—is to be fired. Universities that are supposed to foster academic freedom cancel graduation speeches by speakers some students find offensive. Government officials order other government officials not to deviate from the party line concerning proposed legislation.

This resolution filed by the Judiciary Committee, S.J. Res. 19, is cut from the same cloth. It would amend the Constitution for the first time to diminish an important right of Americans; that is, a right contained in the Bill of Rights. In fact, it would cut back on the most important of these rights—core free speech about who should be elected to govern us.

The proposed constitutional amendment would enable government to limit funds contributed to candidates and funds spent influencing the election. That would give the government the ability to limit speech. The amendment would allow the government to set the limit at low levels. There could be little in the way of contributions or election spending. There could be restrictions on public debate on who should be elected. Incumbents would find that outcome—well, you guessed it—to be very successful because it protects incumbents. They would know that no challengers could run an effective campaign against them.

What precedent would this amendment create? Suppose Congress passed limits on what people could spend on abortions or what doctors or hospitals could spend to perform them? What if Congress limited the amount of money people could spend on guns or limited how much people could spend of their own money on health care?

Under this amendment Congress could do what the Citizens United decision rightfully said it could not—make it a criminal offense for the Sierra Club to run an ad urging the public to defeat a Congressman who favors logging in the national forest or for the National Rifle Association to publish a book seeking public support for a challenger to a Senator who favors a handgun ban or for the ACLU to post on its Web site a plea for voters to support a Presidential candidate because of his stance on free speech. That should, for everybody, be a frightening prospect.

Under this amendment, Congress and the States could limit campaign contributions and expenditures without even complying with the existing constitutional provisions. Congress could pass a law limiting expenditures by Democrats, but not by Republicans—by opponents of ObamaCare, but not by its supporters.

What does the amendment mean when it says that Congress can limit funds spent to influence elections? If an elected official says he or she plans to run again, long before any election, Congress, under this amendment, could criminalize criticism of that official as spending to influence the elections.

A Senator on the Senate floor appearing on C–SPAN, free of charge could, with immunity, defame a private citizen. The Member could say that the citizen was buying the elections. If the citizen spent what Congress has said was too much money to rebut the charge, he could go to jail. We would be back to the days when criticism of elected officials was a criminal offense during the Alien and Sedition Acts. Yet its supporters say that this amendment is necessary to preserve democracy.

The only existing right that the amendment says it will not harm is freedom of the press. So Congress and the States could limit the speech of anyone except corporations that control the media. That would produce an Orwellian world in which every speaker is equal but some speakers are more equal than others.

Freedom in the press has never been understood to give the media special constitutional rights denied to others. Even though the amendment by its terms would not affect freedom of the press, I was heartened to read that the largest newspaper in my State, the Des Moines Register, editorialized against this amendment amending the Bill of Rights. They cited testimony from our hearing, and they recognize the threat that the proposed amendment poses to freedom.

But in light of recent Supreme Court decisions, an amendment soon may not be needed at all. Four Justices right now would allow core political speech to be restricted. Were a fifth Justice with this view to be appointed, there would be no need to amend the Constitution to cut back on the freedom.

Justice Breyer's dissent for these four Justices in the McCutcheon decision does not view freedom of speech as an end in itself the same way that our Founding Fathers did. He thinks free political speech is about advancing ''the public's interest in preserving a democratic order in which collective speech matters.''

To be sure, individual rights often advance socially desired goals, but our constitutional rights do not depend on whether unelected judges believe they advance democracy as they conceive it. Our constitutional rights are individual, not collective, as Justice Breyer says. Never in 225 years has any Supreme Court opinion described our rights as collective. Our rights come from God and not from the government or the public. At least that is what the writers of the Declaration of Independence said.

Consider the history of the past 100 years. Freedom has flourished where rights belong to individuals that governments were bound to respect. Where rights are collective and existed only at the whim of a government that determines when they serve socially desirable purposes, the results have been literally horrific: no freedom, no democracy.

We should not move even 1 inch in that direction that the liberal Justices did and that simultaneously this amendment would take us. The stakes could not be higher for all Americans who value their rights and freedoms. Speech concerning who the people's elected representative should be, speech setting the agenda for public discourse, speech designed to open and change the minds of our fellow citizens, speech criticizing politicians, and speech challenging government and its policies are all vital rights. This amendment puts all of them in jeopardy upon the penalty of imprisonment. It would make America no longer America.

Contrary to the arguments of its supporters, the amendment would not advance self-government against corruption and the drowning out of voices of ordinary citizens. No, just the opposite. It would harm the rights of ordinary citizens—individually, as well as in free associations—to advance their political views and to elect candidates who support their views.

By limiting campaign speech, it would limit the information that voters receive in deciding how to vote. It would limit the amount that people can spend on advancing what they consider to be the best political ideas. Its restrictions on speech apply to individuals. Politicians could apply the same rules to individuals who govern corporations. Perhaps individuals cannot be totally prohibited from speaking, but the word ''reasonable'' is in the amendment but that word limits can mean anything. Incumbents likely would set a low limit on how much an individual can spend to criticize them; that is, incumbents protecting their office. Then the individual would have to risk criminal prosecution in deciding whether to speak, hoping that a court would later find that the limit he or she exceeded was unreasonable.

This would create not a chilling effect on speech, but, in fact, a very freezing effect.

This does not further democratic self-government. The amendment would apply to some campaign speech that cannot give rise to corruption.

For instance, under current law, an individual could spend any amount of his or her own money to run for office. An individual could not corrupt himself with his own money and could not be bought by others if he or she did not rely on outside money, but the amendment would allow Congress and the States to strictly limit what even an individual could contribute to or spend on his or her own campaign. That would make beating the incumbent, who would benefit from the new powers to restrict speech, much more difficult.

In practice, individuals seeking to elect candidates in the democratic process must exercise their First Amendment freedom of association to work together with others. This amendment could prohibit that altogether.

It would permit Congress and the States to prohibit ''corporations or artificial entities . . . from spending money to influence elections.'' Now, that even means labor unions. That means nonprofit corporations such as the NAACP Legal Defense and Educational Fund. That means political parties.

The amendment will allow Congress to prohibit political parties from spending money to influence elections. If they can't spend money on elections, then they would be rendered as a mere social club.

The prohibition on political spending by for-profit corporations also does not advance democracy.

Were this amendment to take effect, a company that wanted to advertise beer or deodorant would be given more constitutional protection than a corporation of any kind that wanted to influence an election.

The philosophy of the amendment is very elitist. It says the ordinary citizen cannot be trusted to listen to political arguments and evaluate which ones are persuasive.

Instead, incumbent politicians interested in securing their own reelections are trusted to be high-minded. Surely, they would not use this new power to develop rules that could silence not only their actual opposing candidates, but associations of ordinary citizens who have the nerve to want to vote them out of office.

As First Amendment luminary Floyd Abrams told our committee: ''[P]ermitting unlimited expenditures from virtually all parties leads to more speech from more candidates for longer time periods, and ultimately more competitive elections.''

Isn't that the goal that we should seek through the political process? Having parties led to more speech from more candidates for longer periods of time and ultimately more competitive elections.

Incumbents are unlikely to use this new power to welcome that competition.

In fact, the committee report indicates that State and Federal legislators are not the only people who would have the ability to limit campaign speech under this amendment.

It says that the States and the Federal Government can promulgate regulations to enforce the amendment. So you have unelected State and Federal bureaucrats, who do not answer to anyone, being empowered to regulate what is now the freedom of speech of individuals and entities that for 230 years has been protected by the Bill of Rights. That all makes a mockery of the idea that this proposed amendment would advance democracy and that argument is used by its proponents.

Another argument for the amendment—some voices should not drown out others—also runs counter to free speech. It also is elitist. It assumes that voters will be manipulated into voting against their interests because large sums will produce so much speech as to drown out others and blind them to the voters' true interests.

Tell that to the voters in Virginia's Seventh Congressional District. That incumbent Congressman outspent his opponent 26 to 1. Newspaper reports state that large sums were spent on independent expenditures on the incumbent's behalf, many by corporations. No independent expenditures were made for their opponent, but yet his opponent won.

That doesn't seem to be drowning out people making their own decisions in the ballot box, and it is not some undue influence that proponents of this amendment want you to believe that this constitutional amendment can do away with undue influence. Just think, 26 to 1, trying to convince people to vote for an incumbent Congressman, and he loses.

Let me say this. The exact amount of money that the winner of that primary spent was just over $200,000 to win 55 percent of that vote.

Since a limit that allowed a challenger to win would presumably be reasonable under the amendment, Congress or the States could limit spending on House primaries to as little as $200,000, all by the candidate with no obviously unnecessary outside spending allowed.

The second set of unpersuasive arguments concerns the Supreme Court decision Citizens United. That case has been mischaracterized as activist.

Again, I wish to say what Mr. Abrams testified before the committee. He said that case continues a view of free speech rights by unions and corporations that was expressed by President Truman and by liberal Justices in the 1950s.

What the Citizens United overruled was the departure from precedent. And Citizens United did not give rise to unfettered campaign spending.

The Supreme Court case in 1976, in Buckley v. Valeo, ruled that independent expenditures could not be limited. That decision was not the work of a supposed conservative judicial activist. Wealthy individuals have been able to spend unlimited amounts since then. And corporations and others have been able to make unlimited donations to 501(c)(4) corporations since then as well.

As Mr. Abrams wrote to the Judiciary Committee in questions for the record:

> What Citizens United did do, however, is permit corporations to contribute to PACs that are required to disclose all donors and engage only in independent expenditures.
>
> If anything, Citizens United is a pro-disclosure ruling which brought corporate money further into the light.

And it is this amendment, not Citizens United, that fails to respect precedent. It does not simply overturn one case. As Mr. Abrams responded, it overturns 12 cases, some of which date back almost 40 years. As the amendment has been redrafted, it may be 11½ now, depending upon what the word ''reasonable'' means.

Justice Stevens, whom the committee Democrats relied on at length in support of the amendment, voted with the majority in three of the cases the amendment would overturn. Some members of the committee may not like the long-established broad protections for free speech that the Supreme Court has reaffirmed, but that does not mean there are five activists on the Supreme Court. The Court ruled unanimously in more cases this year than it has in 60 or 75 years, depending on whose figures you use. Its unanimity was frequently demonstrated by rejecting arguments of the Obama administration.

I have made clear that this amendment abridges fundamental freedoms that are the birthright of Americans. The arguments made to support it are unconvincing. The amendment will weaken, not strengthen, democracy. It will not reduce corruption, but will open the door for elected officials to bend democracy's rules to benefit themselves.

The fact that the committee reported this amendment is a very great testimony to the wisdom of our Founding Fathers in insisting on and adopting the Bill of Rights in the first place. As Justice Jackson famously wrote:

> The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the courts.
>
> One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections.

We must preserve our Bill of Rights, including our rights to free speech. We must not allow officials to diminish and ration any one of the Bill of Rights, but especially the first one, which is so important. We must not let the proposal become the supreme law of the land.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 8:51 p.m., adjourned until Wednesday, July 30, 2014, at 9:30 a.m.

NOMINATIONS

Executive nomination received by the Senate:

DEPARTMENT OF STATE

DAVID NATHAN SAPERSTEIN, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR AT LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM, VICE SUZAN D. JOHNSON COOK.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 29, 2014:

DEPARTMENT OF STATE

LARRY EDWARD ANDRE, JR., OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF MAURITANIA.

MICHAEL STEPHEN HOZA, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CAMEROON.

JOAN A. POLASCHIK, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA.

DEPARTMENT OF VETERANS AFFAIRS

ROBERT ALAN MCDONALD, OF OHIO, TO BE SECRETARY OF VETERANS AFFAIRS.

EXTENSIONS OF REMARKS

HONORING THE LIFE OF MAURINE WILLIAMSON CAIN

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. HALL. Mr. Speaker, I rise today in honor of the life of Maurine Williamson Cain of Rockwall who passed away June 19 at the age of 95. Maurine was a faithful church member; dedicated wife, mother, and grandmother; a crucial member of the Rockwall community in her role as an educator; and a dear friend of mine.

The youngest of five children, Maurine was born May 27, 1919 in Forney, Texas to two loving parents—Jim and Grace Williamson. She grew up in Chisholm and Rockwall and enjoyed an active and involved family life.

After Maurine graduated from Rockwall High School in 1936, her brother Clifford and his wife Elva helped Maurine with her first step into higher education. She studied two years at Texas Military College in Terrell, Texas and continued her education at East Texas State Teachers College (known today as Texas A&M University–Commerce) where she earned her Bachelor of Science and Master of Education degrees. She then began her 38-year career as an educator at Scurry Rosser High School and Quinlan High School.

On June 8, 1941, Maurine married Ted Cain in Holdenville, Oklahoma. The couple celebrated the birth of their son, Dewayne, as well as the births of two grandchildren and three great-grandchildren over the course of their 70-year marriage before Ted passed away in 2012.

One year after their marriage, Ted left Texas to serve overseas in World War II. At home, Maurine worked at the defense plant in Garland and began teaching in a one-room school known as Locust Grove Community School. She taught all seven grades by herself and also served as school janitor, cook, and nurse. Maurine spent the last 34 years of her career in education teaching various grade levels at Rockwall Elementary School and Dobbs Elementary School before retiring in 1987.

In honor of Maurine's dedication to educating the children of the Rockwall Community, on October 17, 1999 the Rockwall Independent School District named and dedicated Cain Middle School in her honor. Maurine enjoyed being involved with the school and attended many pep rallies, awards ceremonies, and other school events.

In addition to her involvement with the Rockwall school system, Maurine maintained close relationships with her church family at the First Baptist Church of Rockwall and its Ruth Sunday School class. She was also a member of Sigma Tau Delta, Alpha Chi, and the Texas State Teachers Association.

Maurine is survived by her son, Dewayne Cain, and his wife, Ann Atkins Cain; her granddaughter, Amy Cain Cox, and her husband, Wendell Cox; her grandson, Chris Cain, and his fiancée, Ami Wester; and three grandchildren, Jackson, Johnny, and Annie Cox.

Mr. Speaker, I ask my colleagues to join me in celebrating the life of Maurine Williamson Cain and the positive impact she had upon her community. She was a woman of faith and family who believed "you never stand taller than when you stoop to help a child." I believe we can all learn from her example.

IN RECOGNITION OF ELIZABETHTOWN COMMUNITY AND TECHNICAL COLLEGE CELEBRATING 50 YEARS OF EDUCATIONAL EXCELLENCE

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. GUTHRIE. Mr. Speaker, I rise today in recognition of Elizabethtown Community and Technical College (ECTC). Headquartered in Elizabethtown, KY, ECTC will celebrate 50 years of educational excellence and service to Kentuckians during the 2014–2015 school year.

For five decades, ECTC has enriched the lives of its students by providing access to quality and affordable academic, technical and community education programs. By partnering with the public, these efforts have been felt by the community as well.

From 355 enrolled students in 1964, to 7,000 today—it is clear that ECTC has blossomed into a strong institution of learning. With four campuses and additional extended campus sites, ECTC directly serves 12 counties in the Commonwealth of Kentucky.

To everyone at ECTC—your commitment to the education of future leaders is commendable and I hope you are very proud of this achievement. I join with all of Kentucky's Second District in congratulating everyone at ECTC on reaching this milestone and wish you many more years of continued success.

CONGRATULATING PADRÓN CIGARS ON THEIR 50TH ANNIVERSARY

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. DIAZ–BALART. Mr. Speaker, I rise today to congratulate the Padrón family on the 50th anniversary of Padrón Cigars founding. Padrón Cigars is a landmark institution in the Miami community, and is well-deserving of recognition.

Mr. Jose Orlando Padrón arrived in Miami in 1962 from Cuba. He was thirty-six years old and soon began work as a carpenter, after receiving a small hammer from a friend. With that hammer he worked day and night in order to establish himself, and not live off government assistance. He toiled for months with the goal of opening his own cigar factory, so that he could produce cigars just like the ones he used to smoke in Cuba. After managing to save $600 he was able to open Padrón Cigars on September 8, 1964 in the Little Havana neighborhood of Miami.

Mr. Padrón began by using tobacco from Connecticut. However, in order to meet demand he opened a factory in Nicaragua in 1970. Political turmoil at the time led to the burning of their factory in 1978, but it was restored in 1979. Further issues arose in 1985, which forced him to shift production to Honduras. However, today his company continues to thrive, and is back to manufacturing its award-winning cigars in Nicaragua. Padrón's cigars are continuously rated as one of the best cigars in the world, and have won yearly awards for their exceptional quality. Mr. Padrón himself has been inducted into Cigar Aficionado's Hall of Fame.

On a more personal level, I have known the Padrón family for many years. Jose and my father were very good friends, and the family has since become very close friends of mine. They are truly one of the most exceptional, loyal, trustworthy, and caring friends I have and I cherish our families continued friendship. It is a privilege to know Jose, his children, and the rest of the Padrón family. In addition, they have been devoted to their company, their employees, and the Miami community since its inception. Today, the Padrón family's dedication has made Padrón Cigars an irreplaceable company for South Florida, and their family has become a treasure for the community.

Mr. Speaker, I am honored to congratulate Padrón Cigars, and the entire Padrón family, as they celebrate this milestone. I am certain that we can all look forward to many more years of outstanding cigars, and I ask my colleagues to join me in recognizing their outstanding achievement.

RECOGNIZING MEDAL OF HONOR RECIPIENT WILLIAM R. CHARETTE

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today to recognize Medal of Honor Recipient, Master Chief Hospital Corpsman William R. Charette, for his commendable service in the Korean War.

William Charette was born in Ludington, Michigan. He stayed in Michigan until he signed with the U.S. Navy on January 11, 1951. Charette served in the United States Navy from 1951–1977. During his years of service, William Charette served in Korea, where he was a part of the 2nd Battalion of the 7th Marines.

On March 27, 1953, Charette was serving near Panmunjom, Korea, when his company

was attacked by enemy troops. Charette worked quickly to treat his fellow soldiers as best he could. While treating one soldier, a grenade landed near them, and Charette threw himself on top of the other soldier in an effort to absorb the blast. Although the blast destroyed Charette's medical kit he continued to treat soldiers by tearing off pieces of his uniform to help treat wounds. At one point, a soldier was so badly wounded that he was unable to move on his own accord. Charette stood up in the trench and lifted the man and carried him through enemy fire to safety. For his actions, William Charette was awarded the Congressional Medal of Honor from President Dwight D. Eisenhower on January 12, 1954.

William Charette stands as a shining example of bravery and determination that all Americans strive toward. I ask my colleagues to join me in honoring Master Chief Hospital Corpsman William Charette for his service to the United States of America.

HONORING THE LIFE OF THE LATE ASSEMBLYMAN VINCENT J. GRABER, SR.

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. HIGGINS. Mr. Speaker, I rise today to acknowledge the passing of a legislator, colleague and friend, the Honorable Vincent J. Graber, Sr., who passed away on July 2, 2014.

Vince Graber was a public servant of the highest caliber and during his career was among the most effective lawmakers in the nation. Following his service on the West Seneca Town Board, Vince was elected to the New York State Assembly in 1974, displacing a Republican incumbent who, after election to the state senate, would go on to be a close friend, colleague and ally within the powerful Western New York legislative delegation. In time, Vince rose to chair the Assembly's Transportation Committee; this is where he made his most significant mark.

Vince led the way in New York and in the nation in authoring legislation designed to make it safer to be a passenger in a motor vehicle in the state of New York. From landmark legislation mandating the use of safety seats for children to authorship of the first-in-the-nation mandatory seat belt law, to legislation combating and reducing incidences of DWI, Vince Graber was a leader in transportation policymaking in the United States for better than a generation. It is not hyperbole to suggest that a great many Americans—thousands, to be sure—are alive today because of Vince's good work.

Vince eventually rose to leadership in the State Assembly, ending his career as Speaker Pro Tempore, where he presided over the daily sessions of the Assembly. In so doing, Vince encouraged and facilitated an orderly and urbane atmosphere within the Assembly chamber, a sometimes difficult task in a legislative body known for occasionally raucous debate.

I never served in the State Assembly with Vince, as his service predated my own service in that legislative body by a few years. But I came to know Vince well, first as a local elected official, and later as Vince would visit my office as a government relations official following his years of public service. Vince Graber was always knowledgeable and always prepared, and gave those to whom he was responsible—his family, his constituents and, later, his clients—the very best he had to offer.

The son of the late Howard and Eileen Graber, Vince was a United States Army veteran of the Korean Conflict and was the recipient of countless honors and awards throughout his long career. Vince leaves behind a large and loving extended family, including his wife Patricia, their ten children and their own families.

Mr. Speaker, our community, our state and, yes, this nation owes a great debt of gratitude to Vince Graber. His skill and his vision made New York a safer place for motorists, passengers and pedestrians. I was honored to call Vince Graber my friend, and I am similarly honored to remember and commemorate his many contributions here today.

TRIBUTE TO PETE GIANOPULOS

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. MCCARTHY of California. Mr. Speaker, I rise today to honor a teacher, soldier, public servant, and community leader who for 90 years has lived and breathed the city of Taft, California. Born and raised in Taft, Pete Gianopulos has become well-known throughout the city as a passionate American and an active member of his community.

When the foundation of American resolve was tested by the Second World War, Pete answered the call of duty and served honorably with occupational forces near Hiro, Kure, and Hiroshima, Japan as part of the 41st Infantry Division in the Intelligence and Reconnaissance Platoon. When he returned from the war, Pete completed undergraduate and graduate studies at Taft College and Fresno State College before continuing his graduate work at UCLA, UC Santa Barbara, Cal State Bakersfield, and Fresno State. Upon returning to Taft, Pete began teaching at Lincoln Junior High School, and continued his educational career for 35 years as an Industrial Arts teacher, a counselor, and the Director of Guidance for the Taft Union High School District. Though he retired from teaching in 1986 after 36 years, his service to the education community only represents a portion of his public service.

Pete has served in multiple positions at local levels of government, including the Oildorado Committee, the Kern County Water District, the Kern View Community Mental Health Center Committee, the State of California Resource Agency, and the Department of Water Resources. Notably, he served on the Taft City Council in 1961, where only one year later, Pete Gianopulos became Taft's mayor, and served as such through 1966.

Today, Pete continues to serve as an active member of the community. As the founder, host and producer of ''Taft Heritage,'' a local television program supported by the West Kern Oil Museum and Taft High School, and an active writer for his column in the local paper titled ''Remember When,'' Pete champions the message that there is always something to learn from the rich history of the city of Taft.

Pete's dedication and service to Taft has not gone unnoticed and next month, the Taft City Council will proclaim August 23, 2014 as ''Pete Gianopulos Day.'' On that day, it is my hope that all the residents of Taft look to this man's history as a source of inspiration for what it means to be a citizen of the people. Mr. Speaker, I ask my colleagues to join me in wishing Pete Gianopulos a very happy 90th birthday, and thank him for his many years of dedicated service to the city of Taft.

HONORING KYLE MATTHEW OTA, EAGLE SCOUT, BOY SCOUT TROOP 611, SAN JOSE BUDDHIST CHURCH BETSUIN

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Ms. LOFGREN. Mr. Speaker, I rise to congratulate Kyle Matthew Ota, a member of Boy Scout Troop 611 at the San Jose Buddhist Church Betsuin and one of my constituents, on achieving of the rank of Eagle Scout in April of 2014.

Kyle, the son of Pat and Dorothy Ota, began his scouting career as a member of Cub Scout Pack 611 at the San Jose Buddhist Church Betsuin, where he earned the Metta and Sangha awards, as well as the Arrow of Light. Rising through the ranks, Kyle served as patrol leader, troop quartermaster, dharma scribe, troop scribe, senior patrol leader, and den chief.

Kyle's Eagle Scout project reflects his longstanding commitment to the people of San Jose, and the residents of Japantown in particular. Yu-Ai Kai, a stellar community-based organization that promotes healthy aging, independent living, and high quality of life, provides multi-lingual community services, social interaction, and a sense of belonging to our elderly citizens. Seniors and their families frequently pass in front of Yu-Ai Kai's Akiyama Senior Wellness Center on Jackson Street while traversing beautiful Japantown, so Kyle constructed an outdoor bulletin board in front of the building. This board displays flyers, schedules, and other information that allows seniors to better understand and utilize the Akiyama's many life-improving offerings.

Kyle was a scholar-athlete at St. Francis High School in Mountain View, where he participated in varsity track and intramurals, earned entry into the honor roll and National Honor Society, and was awarded tuition assistance by the California Scholarship Federation. Kyle now attends San Diego State University, where the dedication to community service instilled in him by scouting continues to make his parents—and all of us in California's 19th District—very proud.

IN RECOGNITION OF THE AMERICAN FELLOWS IN THE GERMAN BUNDESTAG

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. KEATING. Mr. Speaker, I rise today to congratulate eight young Americans for their outstanding performance in the German Bundestag this summer as fellows in the prestigious International Parliamentary Scholarship.

Nathan Crist, Gaelen Strnat, Sheila Casserly, Cristina Burack, Betsy Crowder, Josef Nothmann, Joe Verbovszky, and Ian van Son have been fantastic representatives of the United States during their last five months working with a member of the Bundestag. They have learned about the German system of government and contributed to our strong bilateral ties. This experience promises to turbo-charge their future. IPS participants have gone on to serve as leaders in the public and private sectors around the world while maintaining close ties to Germany.

This prestigious program is a demonstration of the deep friendship the United States enjoys with the German people. I thank the Bundestag for hosting the fellows and I hope to see exchanges between our two countries, such as this one or the equally prestigious Congress-Bundestag Youth Exchange, continue for many years to come.

HONORING THE 150TH ANNIVERSARY OF THE BOROUGH OF SLATINGTON

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. DENT. Mr. Speaker, I rise today to congratulate the people of Slatington as they prepare to celebrate their 150th anniversary. That would be their sesquicentennial, Mr. Speaker.

The Borough of Slatington is located in northern Lehigh County and is in Pennsylvania's 15th Congressional District. As their Member of Congress, it is my honor to enter these words into the CONGRESSIONAL RECORD in recognition of this proud event.

The story of Slatington's founding is a very American story. Like so many communities, it began as a farm settlement. Nicholas Kern and his family settled the area in 1741. Their extensive farmstead included a gristmill, sawmill and a tavern. They farmed the fertile soil along the Lehigh River. Another European settler, Ambrose Remaley also established himself in the area, holding land warrants in what is now the southern portion of present day Slatington.

Agriculture remained predominant in the area until three Welshmen, Owen Jones, William Roberts and Nelson LaBar made a significant discovery in 1844. The area was rich in slate—and so Slatington soon gained its name.

By 1847 the first school slate factory in the United States opened in the town. The discovery of slate and subsequent quarrying and production of slate products brought about rapid growth. Slatington incorporated as a borough on September 7, 1864.

At its peak, the slate industry provided employment for 2,000 people. They worked in the quarries or they worked to produce curbing, roofing tiles, sidewalks and importantly, school blackboards and slates.

In fact, the specific type and color of the slate quarried in Slatington proved to be ideal for use in school blackboards. Slatington became known as the ''blackboard capital of America.'' The blackboards and school slates produced in Slatington played an important role in helping educate children across the country in the 19th and early 20th centuries.

Slatington's slate products weren't just shipped all over the United States—they were shipped and bought across the World.

Even as the slate industry began to fade as other materials became cheaper and because of new technologies, Slatington continued to thrive.

Its rich history is a source of pride for the community and for Lehigh County. For example, the Borough boasts the oldest Halloween Parade in the Commonwealth of Pennsylvania. Part of Slatington is a National Register Historic District, and the Borough has two statues of Firemen listed on the National Register of Historic Places.

Present day citizens of Slatington are justifiably proud of their past, especially on the advent of their 150th Anniversary. At the same time, they have their eye on the future and remain intent on assuring that Slatington remains a great place for people to live, work and raise families.

I ask the House and the Speaker to join me in celebrating their Borough's 150th Anniversary and wishing them continued happiness, harmony and success moving forward.

RECOGNIZING TYLER TODAY MAGAZINE FOR 25 YEARS SERVING THE TYLER COMMUNITY

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. HALL. Mr. Speaker, I rise today in recognition of Tyler Today Magazine, the oldest and only local magazine dedicated solely to covering the events and people of Tyler, Texas. This publication recently celebrated 25 years of dedicated news service to its community.

As the representative of the 4th District of Texas, I had the privilege to represent Tyler for many years. It is a town rich with history, and Tyler Today accurately records and promotes the pride, passion, and personality of the people who make Tyler the remarkable and close-knit ''Rose Capital.''

I congratulate those who have contributed to Tyler Today Magazine's distinguished history, with best wishes for continued success.

CONGRATULATING ANNE FIROR SCOTT ON RECEIVING THE 2013 NATIONAL HUMANITIES MEDAL

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate North Carolina's Anne Firor Scott on receiving the 2013 National Humanities Medal. Dr. Scott is being cited ''for pioneering the study of southern women. Through groundbreaking research spanning ideology, race, and class, Dr. Scott's uncharted exploration into the lives of southern women has established women's history as vital to our understanding of the American South.'' I have the privilege of personally knowing Dr. Scott, W.K. Boyd Professor of History Emerita at Duke, as a former academic colleague, constituent, and friend.

Raised in Montezuma, Georgia, Scott graduated summa cum laude and Phi Beta Kappa from the University of Georgia in 1941 before earning a master's degree in political science from Northwestern University in 1944 and a PhD from Harvard (Radcliffe College) in 1949.

Dr. Scott did not, however, immediately pursue an academic career. She held a job at International Business Machines (IBM) and briefly entered a graduate program for personnel managers. Scott notes that it was a United States Congressional internship, during which she had the opportunity to write speeches and listen to politicians talking, which had the greatest impact on her career. These experiences, she later wrote, ''made me so painfully aware of my ignorance that I went back to school.''

Following her master's and PhD work, Scott held temporary teaching appointments at Haverford College and the University of North Carolina at Chapel Hill before joining the history department at Duke University in 1961, where she stayed until her retirement in 1991. During her tenure at Duke, Dr. Scott became the first female chair of Duke's history department. In her autobiographical essay, ''A Historian's Odyssey,'' Scott reviewed her own journals and realized that she began to do history by chance. But, she added, ''If I came to history by indirection, my decision to study the history of women was not, in retrospect, accidental.''

Having been inspired to study women reformers after working for the National League of Women Voters in the 1940s, Scott later helped found the field of U.S. women's history. Her groundbreaking research—spanning ideology, race, and class—and her uncharted exploration into the lives of southern women has established women's history as vital to our understanding of the American South. The Anne Firor Scott papers, which include correspondence, subject files and videos from 1963–2002, are held at Duke University.

Her endowment, the Anne Firor Scott Research Fund, established in 1987, continues to support students conducting innovative independent research in women's history. And the annual Lerner-Scott prize, an award which is jointly named for Dr. Scott and historian Gerda Lerner, is annually awarded to the writer of the best doctoral dissertation in U.S. women's history.

Dr. Scott's accomplishments and accolades are many, including the authorship of ten

books and more than twenty-five articles. Dr. Scott was appointed by President Lyndon Johnson to the Citizens Advisory Council on the Status of Women in 1965. She has served as president of the Southern Historical Association and the Organization of American Historians, and on the advisory boards of the Schlesinger Library, the Princeton University department of history, and the Woodrow Wilson International Center for Scholars.

She has been the recipient of many fellowships, prizes and honorary degrees, including a University Medal from Duke in 1994, a Berkshire Conference Prize in 1980, and honorary degrees from Queens College, Northwestern, Radcliffe and the University of the South. Scott received the Organization of American Historians' Distinguished Service Award in 2002 and the American Historical Association's Scholarly Achievement Award in 2008. In addition, Dr. Scott was the 1994 winner of the John Tyler Caldwell Award for the Humanities, which is the highest honor given by the North Carolina Humanities Council.

This year, Dr. Scott is one of ten winners to be honored with the 2013 National Humanities Medal, presented by President Barack Obama. The National Humanities Medal honors individuals or groups whose work has deepened the nation's understanding of the humanities, broadened our citizens' engagement with the humanities, or helped preserve and expand Americans' access to important resources in the humanities. Previous medalists include Pulitzer Prize winners Philip Roth and Marilynne Robinson, Nobel Prize winner Toni Morrison, essayist Joan Didion, novelist John Updike, Nobel Peace Prize laureate Elie Wiesel, sociologist Robert Coles, poet John Ashbery, filmmaker Steven Spielberg, and Nobel laureate Amartya Sen.

As Jeffries Martin, chair of Duke's history department, has said, "Anne is not only an amazing scholar whose work did much to shape the field of women's history; she is also an amazing person, full of curiosity and insight about the world." I would add that she is a warm and generous person, mentor and friend to many, and a committed citizen—an effective voice for social justice and inclusion for decades. She is the model of the engaged scholar, and one who has contributed greatly to the "New South" to which we aspire. It is therefore with great satisfaction and admiration that I commend Anne Scott today for this wonderful, well-merited recognition.

HUMAN TRAFFICKING PREVENTION ACT

SPEECH OF

HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 23, 2014

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I submit the following article:

[From the New York Times, July 11, 2014]

THE CHILDREN OF THE DRUG WARS: A REFUGEE CRISIS, NOT AN IMMIGRATION CRISIS

(By Sonia Nazario)

Cristian Omar Reyes, an 11-year-old sixth grader in the neighborhood of Nueva Suyapa, on the outskirts of Tegucigalpa, tells me he has to get out of Honduras soon—"no matter what."

In March, his father was robbed and murdered by gangs while working as a security guard protecting a pastry truck. His mother used the life insurance payout to hire a smuggler to take her to Florida. She promised to send for him quickly, but she has not.

Three people he knows were murdered this year. Four others were gunned down on a nearby corner in the span of two weeks at the beginning of this year. A girl his age resisted being robbed of $5. She was clubbed over the head and dragged off by two men who cut a hole in her throat, stuffed her panties in it, and left her body in a ravine across the street from Cristian's house.

"I'm going this year," he tells me.

I last went to Nueva Suyapa in 2003, to write about another boy, Luis Enrique Motiño Pineda, who had grown up there and left to find his mother in the United States. Children from Central America have been making that journey, often without their parents, for two decades. But lately something has changed, and the predictable flow has turned into an exodus. Three years ago, about 6,800 children were detained by United States immigration authorities and placed in federal custody; this year, as many as 90,000 children are expected to be picked up. Around a quarter come from Honduras—more than from anywhere else.

Children still leave Honduras to reunite with a parent, or for better educational and economic opportunities. But, as I learned when I returned to Nueva Suyapa last month, a vast majority of child migrants are fleeing not poverty, but violence. As a result, what the United States is seeing on its borders now is not an immigration crisis. It is a refugee crisis.

Gangs arrived in force in Honduras in the 1990s, as 18th Street and Mara Salvatrucha members were deported in large numbers from Los Angeles to Central America, joining homegrown groups like Los Puchos. But the dominance in the past few years of foreign drug cartels in Honduras, especially ones from Mexico, has increased the reach and viciousness of the violence. As the United States and Colombia spent billions of dollars to disrupt the movement of drugs up the Caribbean corridor, traffickers rerouted inland through Honduras, and 79 percent of cocaine-smuggling flights bound for the United States now pass through there.

Narco groups and gangs are vying for control over this turf, neighborhood by neighborhood, to gain more foot soldiers for drug sales and distribution, expand their customer base, and make money through extortion in a country left with an especially weak, corrupt government following a 2009 coup.

Enrique's 33-year-old sister, Belky, who still lives in Nueva Suyapa, says children began leaving en masse for the United States three years ago. That was around the time that the narcos started putting serious pressure on kids to work for them. At Cristian's school, older students working with the cartels push drugs on the younger ones—some as young as 6. If they agree, children are recruited to serve as lookouts, make deliveries in backpacks, rob people and extort businesses. They are given food, shoes and money in return. Later, they might work as traffickers or hit men.

Teachers at Cristian's school described a 12-year-old who demanded that the school release three students one day to help him distribute crack cocaine; he brandished a pistol and threatened to kill a teacher when she tried to question him.

At Nueva Suyapa's only public high school, narcos "recruit inside the school," says Yadira Sauceda, a counselor there. Until he was killed a few weeks ago, a 23-year-old "student" controlled the school. Each day, he was checked by security at the door, then had someone sneak his gun to him over the school wall. Five students, mostly 12- and 13-year-olds, tearfully told Ms. Sauceda that the man had ordered them to use and distribute drugs or he would kill their parents. By March, one month into the new school year, 67 of 450 students had left the school.

Teachers must pay a "war tax" to teach in certain neighborhoods, and students must pay to attend.

Carlos Baquedano Sánchez, a slender 14-year-old with hair sticking straight up, explained how hard it was to stay away from the cartels. He lives in a shack made of corrugated tin in a neighborhood in Nueva Suyapa called El Infiernito—Little Hell—and usually doesn't have anything to eat one out of every three days. He started working in a dump when he was 7, picking out iron or copper to recycle, for $1 or $2 a day. But bigger boys often beat him to steal his haul, and he quit a year ago when an older man nearly killed him for a coveted car-engine piston. Now he sells scrap wood.

But all of this was nothing, he says, compared to the relentless pressure to join narco gangs and the constant danger they have brought to his life. When he was 9, he barely escaped from two narcos who were trying to rape him, while terrified neighbors looked on. When he was 10, he was pressured to try marijuana and crack. "You'll feel better. Like you are in the clouds," a teenager working with a gang told him. But he resisted.

He has known eight people who were murdered and seen three killed right in front of him. He saw a man shot three years ago and still remembers the plums the man was holding rolling down the street, coated in blood. Recently he witnessed two teenage hit men shooting a pair of brothers for refusing to hand over the keys and title to their motorcycle. Carlos hit the dirt and prayed. The killers calmly walked down the street. Carlos shrugs. "Now seeing someone dead is nothing."

He longs to be an engineer or mechanic, but he quit school after sixth grade, too poor and too afraid to attend. "A lot of kids know what can happen in school. So they leave."

He wants to go to the United States, even though he knows how dangerous the journey can be; a man in his neighborhood lost both legs after falling off the top of a Mexican freight train, and a family friend drowned in the Rio Grande. "I want to avoid drugs and death. The government can't pull up its pants and help people," he says angrily. "My country has lost its way."

Girls face particular dangers—one reason around 40 percent of children who arrived in the United States this year were girls, compared with 27 percent in the past. Recently three girls were raped and killed in Nueva Suyapa, one only 8 years old. Two 15-year-olds were abducted and raped. The kidnappers told them that if they didn't get in the car they would kill their entire families. Some parents no longer let their girls go to school for fear of their being kidnapped, says Luis López, an educator with Asociación Compartir, a nonprofit in Nueva Suyapa.

Milagro Noemi Martínez, a petite 19-year-old with clear green eyes, has been told repeatedly by narcos that she would be theirs—or end up dead. Last summer, she made her first attempt to reach the United States "Here there is only evil," she says. "It's better to leave than have them kill me here." She headed north with her 21-year-old sister, a friend who had also been threatened, and $170 among them. But she was stopped and deported from Mexico. Now back in Nueva Suyapa, she stays locked inside her mother's house. "I hope God protects me. I am afraid to step outside." Last year, she

says, six minors, as young as 15, were killed in her neighborhood. Some were hacked apart. She plans to try the journey again soon. Asking for help from the police or the government is not an option in what some consider a failed state. The drugs that pass through Honduras each year are worth more than the country's entire gross domestic product. Narcos have bought off police officers, politicians and judges. In recent years, four out of five homicides were never investigated. No one is immune to the carnage. Several Honduran mayors have been killed. The sons of both the former head of the police department and the head of the national university were murdered, the latter, an investigation showed, by the police.

''You never call the cops. The cops themselves will retaliate and kill you,'' says Henry Carías Aguilar, a pastor in Nueva Suyapa. A majority of small businesses in Nueva Suyapa have shuttered because of extortion demands, while churches have doubled in number in the past decade, as people pray for salvation from what they see as the plague predicted in the Bible. Taxis and homes have signs on them asking God for mercy.

The United Nations High Commissioner for Refugees recently interviewed 404 children who had arrived in the United States from Honduras, El Salvador, Guatemala and Mexico; 58 percent said their primary reason for leaving was violence. (A similar survey in 2006, of Central American children coming into Mexico, found that only 13 percent were fleeing violence.) They aren't just going to the United States: Less conflicted countries in Central America had a 712 percent increase in asylum claims between 2008 and 2013.

''If a house is burning, people will jump out the window,'' says Michelle Brané, director of the migrant rights and justice program at the Women's Refugee Commission.

To permanently stem this flow of children, we must address the complex root causes of violence in Honduras, as well as the demand for illegal drugs in the United States that is fueling that violence.

In the meantime, however, we must recognize this as a refugee crisis, as the United Nations just recommended. These children are facing threats similar to the forceful conscription of child soldiers by warlords in Sudan or during the civil war in Bosnia. Being forced to sell drugs by narcos is no different from being forced into military service.

Many Americans, myself included, believe in deporting unlawful immigrants, but see a different imperative with refugees.

The United States should immediately create emergency refugee centers inside our borders, tent cities—operated by the United Nations and other relief groups like the International Rescue Committee—where immigrant children could be held for 60 to 90 days instead of being released. The government would post immigration judges at these centers and adjudicate children's cases there.

To ensure this isn't a sham process, asylum officers and judges must be trained in child-sensitive interviewing techniques to help elicit information from fearful, traumatized youngsters. All children must also be represented by a volunteer or government-funded lawyer. Kids in Need of Defense, a nonprofit that recruits pro bono lawyers to represent immigrant children and whose board I serve on, estimates that 40 percent to 60 percent of these children potentially qualify to stay under current immigration laws—and do, if they have a lawyer by their side. The vast majority do not. The only way to ensure we are not hurtling children back to circumstances that could cost them their lives is by providing them with real due process.

Judges, who currently deny seven in 10 applications for asylum by people who are in deportation proceedings, must better understand the conditions these children are facing. They should be more open to considering relief for those fleeing gang recruitment or threats by criminal organizations when they come from countries like Honduras that are clearly unwilling or unable to protect them.

If many children don't meet strict asylum criteria but face significant dangers if they return, the United States should consider allowing them to stay using humanitarian parole procedures we have employed in the past, for Cambodians and Haitians. It may be possible to transfer children and resettle them in other safe countries willing to share the burden. We should also make it easier for children to apply as refugees when they are still in Central America, as we have done for people in Iraq, Cuba, countries in the former Soviet Union, Vietnam and Haiti. Those who showed a well-founded fear of persecution wouldn't have to make the perilous journey north alone.

Of course, many migrant children come for economic reasons, and not because they fear for their lives. In those cases, they should quickly be deported if they have at least one parent in their country of origin. By deporting them directly from the refugee centers, the United States would discourage future non-refugees by showing that immigrants cannot be caught and released, and then avoid deportation by ignoring court orders to attend immigration hearings.

Instead of advocating such a humane, practical approach, the Obama administration wants to intercept and return children en route. On Tuesday the president asked for $3.7 billion in emergency funding. Some money would be spent on new detention facilities and more immigration judges, but the main goal seems to be to strengthen border control and speed up deportations. He also asked Congress to grant powers that could eliminate legal protections for children from Central America in order to expedite removals, a change that Republicans in Congress have also advocated.

This would allow life-or-death decisions to be made within hours by Homeland Security officials, even though studies have shown that border patrol agents fail to adequately screen Mexican children to see if they are being sexually exploited by traffickers or fear persecution, as the agents are supposed to do. Why would they start asking Central American children key questions needed to prove refugee status?

The United States expects other countries to take in hundreds of thousands of refugees on humanitarian grounds. Countries neighboring Syria have absorbed nearly 3 million people. Jordan has accepted in two days what the United States has received in an entire month during the height of this immigration flow—more than 9,000 children in May. The United States should also increase to pre-9/11 levels the number of refugees we accept to 90,000 from the current 70,000 per year and, unlike in recent years, actually admit that many.

By sending these children away, ''you are handing them a death sentence,'' says José Arnulfo Ochoa Ochoa, an expert in Honduras with World Vision International, a Christian humanitarian aid group. This abrogates international conventions we have signed and undermines our credibility as a humane country. It would be a disgrace if this wealthy nation turned its back on the 52,000 children who have arrived since October, many of them legitimate refugees.

This is not how a great nation treats children.

HONORING DAVE DOBILL FOR HIS YEARS OF SERVICE AS FRANKLIN COUNTY CLERK

HON. WILLIAM L. ENYART

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. ENYART. Mr. Speaker, I rise today to ask my colleagues to join me in honoring Dave Dobill, who will be retiring at the end of this year after over 29 years as County Clerk for Franklin County, Illinois.

Dave Dobill began his service to the people of Franklin County in 1979 as Supervisor of Assessments. In June of 1985 he was appointed to the position of County Clerk and was elected to that position for the first time in 1986. He has held this office continually ever since.

Dave is not only one of the longest-serving county officials in Illinois, but he is well known among his peers as a knowledgeable leader willing to help his constituents and his colleagues. Dave is one of the foremost experts in property tax law in the State of Illinois and has assisted numerous colleagues and officials understanding the law to ensure fair and lawful taxation. He has also been a leader in election administration, having modernized the election process in Franklin County to an electronic voting system long before the Help America Vote Act mandated such improvements.

Dave has earned the respect of his peers and was recognized for his professional accomplishments last year when he was named the State of Illinois County Clerk/Recorder of the Year at the Illinois Association of County Clerks/Recorders fall conference.

Known as the "go-to guy" in Franklin County, Dave has not limited his community service to his official duties as County Clerk. The community and fraternal organizations that have benefited from Dave's involvement have included: the Franklin County Tourism Bureau, Six Mile Democratic Club, Benton Chamber of Commerce, Royalton Jaycees and Little League, Zeigler Rotary and Eagles and West Frankfort Moose.

Dave is also very active in his church, St. Aloysius, and has served as treasurer of the St. Aloysius Men's Club.

Dave and his wife, Dixie, had two children and have one grandchild. Dave looks forward to spending more time with his family, and more time engaging in his favorite pastime, fishing. The fish in Rend Lake and around Southern Illinois have reason to be worried as Dave approaches retirement.

Mr. Speaker, I ask my colleagues to join me in wishing Dave Dobill well and thanking him for a lifetime of service to the people of Southern Illinois.

PERSONAL EXPLANATION

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. WILSON of South Carolina. Mr. Speaker, I submit the following remarks regarding my absence from votes which occurred on July 28, 2014. I was visiting the Savannah

River Site in the Second Congressional District of South Carolina with Department of Energy Secretary Ernest Moniz and National Nuclear Security Administrator Frank Klotz where I appreciate their recognition of the dedicated professionals at the site promoting vital missions. Listed below is how I would have voted if I had been present if the flight from Columbia had not been delayed.

Roll Number 455—H.R. 935—To amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes—''aye.''

Roll 456—H.R. 3202—Essential Transportation Worker Identification Credential Assessment Act—''aye.''

Roll 457—H.R. 3107—Homeland Security Cybersecurity Boots-on-the-Ground Act—''aye.''

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $17,611,454,807,678.76. We've added $6,984,577,758,765.68 to our debt in 5 years. This is over $6.9 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING VENEZUELAN NATIONAL ASSEMBLY MEMBER AND OPPOSITION LEADER MÁRIA CORINA MACHADO

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. HOYER. Mr. Speaker, I rise to pay tribute to an individual who, at great risk to her own life and safety, has been standing up for democracy and freedom in Venezuela. Mária Corina Machado, a Member of the National Assembly and a leader of the opposition, has taken a courageous stand against the repressive regime of President Nicolás Maduro, speaking out on behalf of those whose voices have been silenced by fear of arrest or violence.

Since the death of former President Hugo Chavez, the Maduro regime has maintained Venezuela on the path of suppressing democracy, silencing protest, preventing press freedom, and intimidating political opponents like Ms. Machado. In one instance, Maduro supporters physically assaulted opposition Members in the National Assembly chamber, and Ms. Machado was beaten and had her nose broken. None of the perpetrators were brought to justice.

Over the past several months, Venezuela has seen a number of mass protests by those seeking greater democracy. These are not part of a 'coup d'etat,' as President Maduro has alleged, but a result of his oppressive regime. The Venezuelan people deserve the chance to build a free and democratic nation and choose their own future course, free from fear. As democracy continues to come under assault by the Maduro regime, Americans will continue to look to Venezuela with a deep concern for the safety of its people and solidarity with those seeking to restore their freedom.

Mária Corina Machado has helped draw international attention to the ongoing repression in her country, and for her work she will be honored by the International Foundation for Electoral Systems with its annual Charles T. Manatt Democracy Award on October 1. This annual award recognizes individuals who have demonstrated a commitment to advancing freedom and democratic values in their nations and around the world.

I will continue to monitor the situation in Venezuela closely, and I will continue to highlight the work of courageous pro-democracy activists like Ms. Machado, who have faced death threats and been accused of treason by the ruling regime. The United States is watching what takes place in Venezuela with great interest, and Congress will be paying particular attention to the safety and security of Ms. Machado and other opposition figures who have dared to speak out for the rights of the Venezuelan people.

I congratulate Ms. Machado on being chosen for the Charles T. Manatt Democracy Award, and I stand with her and other peaceful supporters of democratic reform as they seek to build a brighter future for all Venezuelans.

HONORING EMMITT AND PAT SMITH

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize Emmitt and Pat Smith, the recipients of the Congressional Award Foundation's 2014 Horizon Award.

The Horizon Award is bestowed upon individuals who have made a significant commitment to expanding opportunities for all Americans through personal contributions. Emmitt and Pat Smith, exemplify the virtues of integrity, respect, accountability and character embodied by this award. Through their philanthropic activities, they have inspired young people throughout North Texas to reach for their dreams and to do the seemingly impossible.

The Pat and Emmitt Smith Charities create and fund unique educational experiences and enrichment opportunities for underprivileged youth. Because of their sacrifices and humanitarian efforts, these deserving children are given the opportunity to attend the most prestigious learning institutions throughout the city of Dallas.

I ask my colleagues to join me in recognizing Emmitt and Pat Smith's selfless contributions to the City of Dallas and communities beyond. Because of their partnership, the City of Dallas is better; our nation is better; and our future is brighter.

PERSONAL EXPLANATION

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. CARTER. Mr. Speaker, on July 28, 2014, I was unable to be present for all votes due to my attendance at a graduation ceremony at Fort Hood, TX.

If present, I would have voted accordingly on the following votes: H.R. 935, Reducing Regulatory Burdens Act—''aye''; H.R. 3202, Essential Transportation Worker Identification Credential Assessment—''aye''; and H.R. 3107, Homeland Security Cybersecurity Boots-on-the-Ground Act—''aye.''

HONORING BLUEGRASS COMMUNITY AND TECHNICAL COLLEGE

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. BARR. Mr. Speaker, I rise today to recognize the Bluegrass Community and Technical College, located in Lexington, Kentucky, on the celebration of its 75th anniversary.

Since its establishment 75 years ago, the Bluegrass Community and Technical College (BCTC) has set an example of excellence for central Kentucky and provided Kentucky's youth with strong higher education programs.

As the largest two-year institution in the State, BCTC offers daytime, evening and weekend classes at six convenient locations and online. With more than 11,500 students, BCTC has recently expanded to its third campus in Lexington—the Newtown campus—to accommodate its continued growth. The Bluegrass Community and Technical College is specifically designed to promote the advancement of academic achievements in young people. The BCTC education encourages students to achieve success at their own pace and to explore various technical programs to help further their careers.

BCTC's recent expansion is a testament to its continued success in the educational community and the positive impact it is making on students and employers across our Commonwealth. I commend BCTC for its dedication to education and community outreach, and I know that its varied educational services will continue to serve the people of our great district for years to come.

RECOGNIZING ISMAEL ''SMILEY'' CORDOVA

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise to honor the life of New Mexico resident, and businessman Ismael ''Smiley'' Cordova.

Ismael "Smiley" Cordova was born on May 17, 1935 in Los Chavez, New Mexico. He would go on to accomplish many things in his life, but was best known for founding Belen Consumer Finance, which he owned and managed for over 25 years, providing loan services for the citizens of Belen and its surrounding area.

When he wasn't helping locals qualify for loans at work he was contributing in other ways. Ismael proudly served in the United States Army National Guard, was an active member of the Knights of Columbus, Elks Lodge, Moose Lodge, the Valencia County Sheriff's Posse, and an avid parishioner at Our Lady of Belen Catholic Church.

More than that, Ismael was a devoted husband and father. Together, Ismael and his wife Kandy made a dynamic duo full of life, knowledge and exuberant warmth to a community that they loved dearly. A savvy businessman and spirited legislator they inspired everyone who had the opportunity to share their company. Ismael loved his four beloved children whom he kept close to his heart and the family gatherings where everyone would reminisce on the amazing experiences growing up in Los Chavez.

A successful businessman, loving father and husband—Ismael was indeed a caring man of faith and courage. His character, love of family, charisma and selflessness were felt by all who knew him. My thoughts and prayers are with family, friends and everyone who has experienced Ismael's generosity and compassion. May the memory of Ismael live on in our hearts.

40TH ANNIVERSARY OF A DIVIDED CYPRUS

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. WHITFIELD. Mr. Speaker, I rise today on the heels of the 40th anniversary of a divided Cyprus. A division that has left both Turkish and Greek Cypriots bogged down in an unacceptable status quo that continues to impede economic and social progress on the island. Until these differences are resolved, all Cypriots will feel the negative effects of this division and Cyprus will be unable to realize its full potential in the international community.

This past February represented a significant shift in the deadlock when both Cypriot leaders resumed long stalled negotiations and issued a joint statement outlining principles the two sides will use to work toward a reunification of Cyprus. Both sides have met regularly since this announcement and real progress is being made. That said, many controversial issues remain and the path forward will be a difficult one. This makes it even more important that the United States Congress, the Administration, the United Nations, Turkey, Greece, and other stakeholders remain engaged and continue to encourage expeditious, good faith negotiations on both sides.

I believe these negotiations represent a historic opportunity to put all Cypriots on a path to peace and prosperity. During this process, it's important that all parties remain focused on the future of Cyprus and refrain from inflammatory dialogue that only serves to derail progress. A comprehensive settlement is within reach and I would encourage my colleagues to support this effort.

ALL CHRISTIAN CHURCHES AND INSTITUTIONS IN MOSUL, IRAQ DESTROYED BY ISIS TERRORISTS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. WOLF. Mr. Speaker, I submit the following list of Christian churches and institutions in Mosul, Iraq, that have been destroyed by "Islamic State of Iraq and Syria" (ISIS) since the Islamist terrorist group captured the city on June 10. According to the Assyrian International News Agency, all of the 45 Christian sites in Mosul have been destroyed, occupied, converted to mosques, converted to ISIS headquarters or otherwise shuttered.

The following is the full list of destroyed Christian sites compiled by the Assyrian International News Agency, grouped by denomination:

SYRIAC CATHOLIC CHURCH

1. Syrian Catholic Diocese—Maidan Neighborhood, Mosul
2. The Old Church of the Immaculate—Maidan Neighborhood, Mosul (The church goes back to the eighth century AD)
3. The New Church of the Immaculate—Maidan Neighborhood
4. Church of Mar (Saint) Toma—Khazraj Neighborhood
5. Museum of Mar (Saint) Toma—Khazraj Neighborhood
6. Church of Our Lady of the Annunciation—Muhandiseen Neighborhood
7. Church of the Virgin of Fatima—Faisaliah Neighborhood
8. Our Lady of Deliverance Chapel—Shifaa Neighborhood
9. The House of the Young Sisters of Jesus—Ras Al-Kour Neighborhood
10. Archbishop's Palace Chapel—Dawasa Neighborhood

SYRIAC ORTHODOX CHURCH

1. Syrian Orthodox Archdiocese—Shurta Neighborhood
2. The Antiquarian Church of Saint Ahodeeni—Bab AlJadeed Neighborhood
3. Mar (Saint) Toma Church and cemetery, (the old Bishopric)—Khazraj Neighborhood
4. Church of The Immaculate (Castle)—Maidan Neighborhood
5. Church of The Immaculate—Shifaa Neighborhood
6. Mar (Saint) Aprim Church—Shurta Neighborhood
7. St. Joseph Church—The New Mosul Neighborhood

HOLY APOSTOLIC CATHOLIC ASSYRIAN CHURCH OF THE EAST

1. Diocese of the Assyrian Church of the East—Noor Neighborhood
2. Assyrian Church of the East, Dawasa Neighborhood
3. Church of the Virgin Mary (old rite)—Wihda Neighborhood

CHALDEAN CHURCH OF BABYLON

1. Chaldean Diocese—Shurta Neighborhood
2. Miskinta Church—Mayassa Neighborhood
3. The Antiquarian Church of Shimon alSafa—Mayassa Neighborhood
4. Church of Mar (Saint) Buthyoon—Shahar AlSouq Neighborhood
5. Church of St. Ephrem, Wady AlAin Neighborhood
6. Church of St. Paul—Majmooaa AlThaqafiya District
7. The Old Church of the Immaculate (with the bombed archdiocese)—Shifaa Neighborhood
8. Church of the Holy Spirit—Bakir Neighborhood
9. Church of the Virgin Mary—Drakziliya Neighborhood
10. Ancient Church of Saint Isaiah and Cemetery—Ras AlKour Neighborhood
11. Mother of Aid Church—Dawasa Neighborhood
12. The Antiquarian Church of St. George—Khazraj Neighborhood
13. St. George Monastery with Cemetery—Arab Neighborhood
14. Monastery of AlNasir (Victory)—Arab Neighborhood
15. Convent of the Chaldean Nuns—Mayassa Neighborhood
16. Monastery of St. Michael—Hawi Church Neighborhood
17. The Antiquarian Monastery of St. Elijah—Ghazlany Neighborhood

ARMENIAN ORTHODOX CHURCH

1. Armenian Church—Maidan Neighborhood
2. The New Armenian Church—Wihda Neighborhood

EVANGELICAL PRESBYTERIAN CHURCH

1. Evangelical Presbyterian Church—Mayassa Neighborhood

LATIN CHURCH

1. Latin Church and Monastery of the Dominican Fathers and Convent of Katrina Siena Nuns—Sa'a Neighborhood
2. Convent of the Dominican Sisters—Mosul AlJadeed Neighborhood
3. Convent of the Dominican Sisters (AlKilma Monastery)—Majmooaa AlThaqafiya District
4. House of Qasada AlRasouliya (Apostolic Aim) (Institute of St John the Beloved)

CEMETERIES

1. Christian Cemetery in the Ekab Valley which contains a small chapel.

CELEBRATING THE ACCOMPLISHMENTS OF ELIZABETH PARKER

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. LANCE. Mr. Speaker, I rise today to celebrate the accomplishments of Elizabeth Parker of Harding Township, New Jersey for her distinguished career in journalism and to congratulate her on receiving the esteemed Emma C. McKinney Award from the National Newspaper Association. Liz has been an important presence in the media for over 30 years, providing readers an insightful digest of news and thoughtful commentary that has helped shape the community.

Liz has spent much of her career with the Recorder Community Newspapers, a premier outlet for New Jersey news and opinion. There she rose to the position of Editor, where under her leadership the Recorder's reach soon extended to 17 weekly newspapers serving the diverse constituencies of Morris, Somerset, Hunterdon and Essex Counties. She now serves as Co-Publisher and Executive Editor of the New Jersey Hills Media Group.

Liz's leadership has been recognized nationally, most notably with her selection as

President of the National Newspaper Association in 2010. She became only the fourth woman and second New Jerseyan in its 129-year history to lead the institution representing the interests of community newspapers. She also previously served as President of the New Jersey Press Association.

Her passion for her community extends beyond the newsroom with her service on the boards for the Morris County Habitat for Humanity, Morristown Festival of Books and membership in the Rotary Club of Madison.

I congratulate Elizabeth Parker on this well-deserved honor and thank her for the many years of dedicated public service to journalism in New Jersey and indeed the Nation.

DOMESTIC VIOLENCE—THE NFL IS OUT OF BOUNDS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. POE of Texas. Mr. Speaker, abuse is never okay. It can never be justified, defended or explained. However, the message that the NFL sent last week says otherwise.

Recently, a video emerged of Baltimore Ravens' running back, Ray Rice, dragging his unconscious then-fiancée out of an elevator after allegedly punching her in the face several times.

Rice was charged with third-degree aggravated assault. However, prosecutors later dropped the charge after a plea deal was reached. But what is equally as troubling and disturbing is how the NFL chose to handle the situation.

The league suspended Rice for two games. This pathetic punishment is just a mere slap on the wrist. The NFL has issued harsher punishments for ''offenses'' such as eating unapproved foods or taking fertility drugs without approval.

For better or for worse, our society idolizes its athletes. In 2013, over 108 million Americans watched Rice help the Ravens win the Super Bowl. Thousands of young Americans wore Rice's jersey with pride. After this decision, would a high school athlete think twice before pushing around his girlfriend? Would the abused girlfriend even bother to come forward?

Sadly, the NFL seems to be more concerned with protecting its image than taking a stand and sending a strong message that violence against women will not be tolerated.

Ravens' head coach, John Harbaugh, called the attack, a ''mistake.''

Mr. Speaker, a mistake implies an accident. Punching your fiancée until she becomes unconscious is no accident nor should it be treated that way.

Our society has come a long way; domestic violence was once seen as a ''family issue,'' not spoken of outside of the home. We have made some progress, but the NFL's actions show we still have a long way to go.

Those who commit violence against women—yes, even star football players—cannot get away with it. With the NFL's decision, another one just did. Abuse is never okay.

NFL greed, stardom and fame scores points over justice.

And that's just the way it is.

INTRODUCTION OF THE VA BONUS ACCOUNTABILITY ACT

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Ms. SINEMA. Mr. Speaker, today Dr. DAN BENISHEK and I will introduce the VA Bonus Accountability Act. This bipartisan legislation claws back bonuses fraudulently paid to VA employees who manipulated wait times data.

The revelations that veterans at the Phoenix VA, and veterans at other VA facilities across the country, were placed on secret lists and had to wait months before seeing a doctor are immoral and un-American. That veterans who served our country honorably may have died while waiting for care is unconscionable. Those responsible for this disaster must be held accountable.

Ongoing audits by the VA and the VA Office of Inspector General reveal systemic problems with wait times, with the scheduling process, and with the honesty and integrity of the system. Evidence from multiple VA facilities shows intentional and systemic manipulation occurred to cover up long wait times and veteran deaths. Despite this misconduct and administrative failures, thousands of VA employees received bonuses for their performance.

In 2013, the VA awarded more than $380,000 in bonuses to executives and directors at 38 VA hospitals where investigations were ongoing regarding increased delays in patient care and potential falsification of appointment records. Last year in total, the VA gave out $2.7 million in extra pay to its top ranking officials.

Over the last three years, the Phoenix VA, ground zero for the VA scandal, paid out almost $10 million in bonuses to its employees. All of this as patient wait times increased, data was intentionally manipulated, and whistleblowers were ignored or punished.

Our legislation requires the Secretary of Veterans Affairs, based on the findings of the VA Office of Inspector General and after notice and opportunity for a hearing, to order employees who contributed to the purposeful omission of veterans from electronic wait lists, and received a bonus in part because of such omission, to repay the bonus.

The first priority of the VA and Congress must be providing our veterans the care they need. Many dedicated VA employees, many of them veterans themselves, work tirelessly to provide the best care to our veterans, but they are limited by this broken system, which is failing millions of our veterans.

If we are going to change the culture at the VA so that veterans truly come first, we must also hold accountable those who intentionally manipulated wait times data and received bonuses based on this fraudulent data.

We urge our colleagues to cosponsor our legislation to bring accountability and change the corrosive culture at the VA.

INTRODUCTION OF THE ''CLEARANCE AND OVER-CLASSIFICATION REFORM AND REDUCTION ACT'' OR ''CORRECT ACT''

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. THOMPSON of Mississippi. Mr. Speaker, I am proud to introduce legislation today titled the ''Clearance and Over-Classification Reform and Reduction Act'' or ''CORRECT Act.''

The CORRECT Act recognizes that the massive proliferation of original and derivative classified material and the exponential growth in the number of individuals with security clearances present significant homeland security and national security challenges that warrant timely action. In addition to the high costs incurred by the Federal government to investigate an unnecessarily large number of individuals for positions requiring security clearances, over-designations have undoubtedly resulted in the Federal government recruiting, hiring, and paying individuals at rates that are higher than necessary and not hiring individuals who otherwise have the required knowledge and skills.

The CORRECT Act amends the existing Reducing Over-Classification Act by (1) requiring the President to establish a goal for the reduction of classified information by not less than 10 percent within five years through improved declassification and improved original and derivative classification decision-making; (2) creating standardized sampling techniques for use by Federal departments and agencies conducting self-inspections to assess their progress at improving classification decision-making within their organizations; (3) creating annual training to each employee with original classification authority; and (4) requiring the Inspector General of each department or agency to report on the progress of each respective department or agency with respect to implementation of the Reducing Over-Classification Act as well as the President's 10 percent classified information reduction goal.

The CORRECT Act also includes a sense of Congress that a position should only be designated as requiring a security clearance when it requires access to classified information, presents a risk of a material, adverse effect on the national security, or is a position of public trust for any agency that has the authority to issue security clearances.

Additionally, the CORRECT Act sets forth specific reforms at the Department of Homeland Security (DHS) to make it a leader among Federal agencies with respect to security clearance practices. The reforms at DHS are targeted at the designation, investigation, adjudication, denial, suspension, revocation, and appeals processes. In particular, to increase transparency and improve performance among investigation service providers, including Office of Personnel Management, it requires the DHS Secretary to publish on the Department's website an annual Department-wide satisfaction survey. If a pattern of performance problems with a particular investigation service provider emerges, the DHS Chief Security Officer is required to make a recommendation to the Secretary regarding corrective action, including suspension or cancelation of services.

I urge support of this commonsense legislation.

RECOGNIZING CHIEF TERRY SCHNELL AND CAPTAIN KURT IRELAND

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. REED. Mr. Speaker, I rise today to recognize the decorated careers of Chief Terry Schnell and Captain Kurt Ireland of the Olean Police Department. Longtime members of the department, Chief Schnell and Captain Ireland have a combined 68 years of dedicated service to the Olean community.

Terry Schnell joined the Olean Police Department in 1982 and rose to the rank of chief in 2006. Throughout his 32-year career, Chief Schnell earned the trust and respect of his fellow officers, city leaders, and citizens. During his time with the Olean Police Department, Chief Schnell completed training at the FBI Academy, learning advanced skills and strategies that have positively benefited the department. Throughout his tenure as chief, Mr. Schnell repeatedly fought to secure necessary funding and support for the police department. His career exemplifies the values outlined in the department's mission statement, serving with ''integrity, common sense, and sound judgment.''

Kurt Ireland joined the Olean Police Department in 1977. He spent the majority of his 36-year career with the department's patrol division, earning promotions to sergeant in 1993 and captain in 1998. While holding these leadership positions, Captain Ireland managed the daily operations of his unit and established department procedures. Captain Ireland was a responsible, dedicated, and hard-working officer who served his community with the highest level of integrity.

I congratulate Chief Terry Schnell and Captain Kurt Ireland on their retirement from the Olean Police Department. We owe these men a debt of gratitude for their combined 68 years of service to the Olean community. Their impressive careers in law enforcement and numerous contributions to our community improved quality of life and made Olean a safer place to live.

HONORING ANGELA EVANS

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. MORAN. Mr. Speaker, I rise to honor the contributions of a respected and long-serving public servant, Angela Evans. This remarkable woman merits our recognition and gratitude for her dedication and commitment to public service, serving more than 35 years at the Congressional Research Service (CRS)—the Legislative Branch agency created by the U.S. Congress to serve as its primary source for policy research and analysis.

Angela Evans began her career at CRS in 1971 as an analyst working on welfare reform, health care finance, education and training, and budget reform. She quickly advanced in her management and policy roles, as she displayed a unique talent for advancing the mission of CRS, as well as strategically examining how the agency's role may evolve in the future. By 1982, she was serving as the Section Head for the Education and Public Welfare Division, where she secured the House and Senate Appropriations Committees as first-time clients for CRS. Additionally, in her role as Section Head she began the first formal student intern program, which was then adopted agency-wide.

In 1994, she was hand picked by the Librarian of Congress, James H. Billington, to be the Head of Congressional Relations and to assist with Deputy Librarian duties for the 1994 calendar year. Her leadership in these two roles led to the inauguration of the ''THOMAS'' website for the Library. Additionally she led the team that developed the ''Legislative Information System,'' or LIS, which was the first integrated confidential website for the Congress. For the next two years, as Acting Assistant Director for the Research at CRS, she achieved Senior Specialist status, the highest research position in CRS at the time, for her research undertaken on the social sciences. She also led efforts to evaluate all CRS research projects, resulting in the establishment of formal standards of quality and analytic rigor that are still in place today.

Beginning in 1996, and for the last 13 years of her time at CRS, she served as the Deputy Director of CRS. She was the first woman to hold this position—a feat worth recognizing on its own. Here she oversaw all facets of research, scholarship, development, and operations at CRS. She personally developed, managed, and supported organizational efforts to build and sustain relationships with Members of Congress, with policy and public administration scholars, university administrators, and with foundations. She believed in the mission of the agency and strived every day to exceed the goals and expectations set before her. Angela Evans led major organizational changes that not only enhanced the research capacity of CRS, but also improved the effectiveness of critical operations. Among her many achievements was developing the first agency-wide research framework used to identify public policy challenges, guide interdisciplinary research on these challenges, and assess the quality of the research. She also led the first agency-wide reorganization in 30 years, where a more streamlined structure was established to support interdisciplinary collaboration across research areas and professional disciplines to better serve Congress. These are just several examples of many contributions that Angela Evans made during her time at CRS that we are still seeing the direct impact of today. Her dedication, leadership, and commitment were recognized by CRS in 2009, when she was honored with the Distinguished Service Award.

Her public service did not end when she retired from the agency in 2009. She continues to serve the public now as a Clinical Professor in Public Policy Practice at the Lyndon B. Johnson School of Public Affairs, University of Texas at Austin. There, she has already received a variety of accolades from her students, fellow faculty, and alumni, including: the Best New Professor, 2010; the Most Valuable Class, 2011 and 2012; an alumni Texas Exes Teaching Award, 2012; and the Most Helpful Professor to Students each year 2010 through 2014. Angela Evans also continues to play essential roles in national organizations which focus on continuing the advancement of public service in this country. She is a Fellow of the National Academy of Public Administration and has served on its Nominating Committee and the Business Model Task Force. She is also the current President of the Association for Public Policy Analysis and Management (APPAM) and serves on the Executive Committee of the Network of Schools of Public Policy, Affairs, and Administration (NASPAA).

As 2014 marks the 100-year anniversary of CRS, it is only fitting that we recognize Angela Evans for her great contributions to the advancement of public service. I commend her for her lifetime commitment to this challenge and am pleased to recognize her achievements.

TRIBUTE TO ALBERT CLYDE McDONALD

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. ADERHOLT. Mr. Speaker, I would like to pay tribute on the passing of a gracious and wonderful man who made a significant impact on his state, his community and his family. A man I was proud to call my father-in-law, Albert Clyde McDonald.

He was the kind of man who some may call old-fashioned with his quiet dedication to service—service to God, his family, his land, and his state.

Albert McDonald passed from this life on July 6, 2014 at his home in the Huntsville area, surrounded by his beloved family.

He was born in Dayton, Tennessee to Clyde McDonald and Nahoma Welch McDonald. He was preceded in death by both his parents and his siblings, Malcolm Rhea McDonald and Mary Lynn Goodwin.

He is survived by his wife of 58 years, Shirley Shields McDonald; and four children, Mark Russell McDonald, Stan (Mabel) McDonald, Caroline McDonald Aderholt, and Leah McDonald Engler. Also, he is survived by fourteen grandchildren, Dr. Matthew McDonald, Carter McDonald, Lewis McDonald, Locker McDonald, Lloyd McDonald, Mary Eleanor McDonald, Melissa Suzanne McDonald, Luke McDonald, Manie McDonald, Christian Rutherford, Mary Elliott Aderholt, Robert Hayes Aderholt, Bruce Erich Engler, and Anna Kate Engler.

After graduating from Auburn University in 1953, Commissioner McDonald made his home in North Alabama, planting cotton, soybeans, and grain on his family farm in the Huntsville area. He was a member of various agriculture-related organizations, such as the National Cotton Council, and served on the Cotton Incorporated Executive Committee, and as President of the Southern Cotton Growers Incorporated.

Recognizing that he could play a role in representing agriculture because of his talents and farming experience, Albert McDonald launched his political career in 1974. He served two terms in Alabama State Senate. During his second term, Albert served as chairman of the Senate Rules Committee.

Then, in 1982, he ran for and was elected to serve as Commissioner of Agriculture and Industries for the State of Alabama and was re-elected to serve a second term in 1986. In 1991, he was appointed by President George H.W. Bush to be the Executive Director of the Alabama Farm Services Administration. Beginning in 1995, he was appointed by the Huntsville City Council to serve on the governing board of Huntsville Hospital, and was appointed by Alabama Governor Fob James to serve on the Auburn University Board of Trustees in 1996.

Sometimes, he was a man of few words. However, when Albert McDonald spoke, people listened. He was a leader and statesman in every sense of the word, as well as my father-in-law. He will be missed by so many at home and across the state. I can only imagine that he was welcomed to heaven with those sweet words, "Well done, my good and faithful servant."

TRIBUTE TO DARRELL G. RICE

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to Darrell G. Rice, a dedicated firefighter, community member and friend who passed away on April 22, 2014. As a pillar of the community, he will be deeply missed.

By the nature of their jobs, firefighters must be committed individuals willing to put their lives in harm's way for the safety of their communities and for the protection of life and property for those surrounding them. Darrell Rice not only fulfilled these responsibilities, but often went above and beyond the call of duty throughout his twenty-two years of service. Darrell took on the challenges of this position with full knowledge of the inherent dangers he would have to face daily. This willingness to accept a responsibility of such magnitude speaks to Darrell's courage and dedication.

Day in and day out, Darrell faithfully represented his department and acted as a refreshing inspiration to all who surrounded him. As a strong believer in teamwork, Darrell would continually provide encouragement to all staff. Darrell was successful in spreading this sentiment throughout the community as well during his time in his final assignment as an inspector. Working with the Fire Prevention Division's Petroleum Chemical Unit, Darrell worked with businesses to ensure their safety for the public, and understood the responsibility of his job.

As such a dedicated individual, Darrell will always be remembered for his incredible work ethic and charismatic leadership. I extend my deepest sympathies and condolences to Darrell's family and friends, most especially to his wife, Phyllis, and his daughter, Candace, of Corona, California. Although Darrell may be gone, the light and goodness he brought to the community remains and will never be forgotten.

HUMAN TRAFFICKING PRIORITIZATION ACT

SPEECH OF

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 23, 2014

Mr. MESSER. Mr. Speaker, I rise in support of the Human Trafficking Prioritization Act, which will bolster America's efforts to prevent human trafficking.

I want to commend Chairman ROYCE and Representative CHRIS SMITH for bringing this measure forward.

Despite international condemnation, trafficking in persons is still a prolific violation of human rights that affects people in every country, including the United States.

This transnational crime exploits the most vulnerable and often subjects the victims to mental and physical abuse.

The United States has responded to this widespread human rights violation by creating in the State Department the Office to Monitor and Combat Trafficking, which focuses on the prevention and prosecution of human trafficking, and the protection of its victims.

This legislation would further strengthen U.S. anti-trafficking policies by designating this office as a bureau with direct access to the Secretary of State, all without expanding the role of the Federal government.

A vote for this legislation is a vote in favor of prioritizing the protection of human dignity.

I urge my colleagues to support this measure.

HONORING THE LIFE OF PAULETTE BROOKS

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. MCGOVERN. Mr. Speaker, I rise to honor Paulette Brooks, of Holden, Massachusetts, who passed away suddenly on July 24th, and to offer my sincere condolences to her family, friends and colleagues. Ms. Brooks was a devoted civil servant at the Department of Homeland Security Office of the Citizenship and Immigration Services Ombudsman. Her untimely death leaves a great loss in the Department and in the world of immigration expertise. Her legacy is one of tireless, innovative and distinctive service to thousands of American citizens, their families and immigrants that include the most vulnerable among us.

Ms. Brooks completed law school after raising a family while a widow. She then offered pro bono legal services in her community and rose to serve the CIS Ombudsman with distinction in customer service excellence and legal acumen. She served as an expert in Child Status Protection Act matters, Violence Against Women Act protection cases and in assisting members of the military with immigration or naturalization matters impacting the soldier or his or her family. Ms. Brooks also wrote definitive recommendations for the Department that will serve a wide range of stakeholders for years to come.

On volunteer time, she led federal workplace charitable initiatives such as Feds Feed Families and the Combined Federal Campaign. She garnered the President's Award for exceeding Departmental fundraising goals with her infectious enthusiasm and innovation in inspiring others to participate in and enjoy giving. In addition, she served numerous charities in the New England region. Her colleagues at DHS will remember her love of service and learning; her passion for public service; and her integrity, good humor, justice, common sense, transparency and excellence in all she did.

I know my colleagues in the House join me in celebrating the life of Paulette Brooks and offering our deepest sympathies to those who knew and loved her.

THE INTRODUCTION OF THE RESTORE OPPORTUNITY, STRENGTHEN, AND IMPROVE THE ECONOMY ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Ms. NORTON. Mr. Speaker, today, I introduce the Restore Opportunity, Strengthen, and Improve the Economy (ROSIE) Act. Millions of workers are part of the "federally dependent workforce" and hold low-wage jobs with federal contractors. Seventy percent of these workers are women and 45 percent are people of color. With so many workers dependent on federal contracts, the federal government has the ability to use its purchasing power to incentivize private-sector firms to create good jobs for American workers, rebuild the middle class, address income inequality, and invigorate the economy by increasing the purchasing power of working Americans.

Under the bill, Congress finds that the disappearance of good jobs, the shrinking of the middle class, and growing income inequality are the greatest domestic challenges confronting our nation. The federal government is the largest purchaser of goods and services in the nation's private-sector economy, spending over $1.5 trillion annually at firms that employ a quarter of American workers. Federal purchasing power is currently creating millions of poverty-level jobs, subsidizing labor-law-breakers, and funding ballooning executive compensation.

The bill also notes that the federal government is our nation's leading creator of low-wage jobs in the private sector, funding more than two-million jobs paying under 12 dollars per hour. The federal government awards taxpayer dollars to a substantial number of firms that violate federal labor, employment and occupational safety laws, and its purchasing subsidizes the excessive salaries of private-sector executives who do business with the American people. When federal purchasing power is used in such a manner, workers have less to spend on the necessities of life and are forced to rely on public assistance. Lack of purchasing power hurts job creation and undermines economic growth, ultimately imposing significant costs on American taxpayers.

Federal purchasing power can and should be used to create good jobs, rebuild the middle class, and curb rising income inequality. These good jobs would allow workers and their families to live in dignity without relying

on public assistance or private charity, and would pay enough to provide for subsistence, healthcare, education, housing and savings, as well as enough disposable income to allow workers to enjoy quality time off with their loved ones. Federal purchasing power can and should be used to rebuild the middle class. A strong middle class stimulates the economy by increasing consumer spending and job growth. Federal purchasing power can and should be used to narrow the growing gulf between the richest one percent of the population and ordinary working families, which is threatening the survival of our participatory democracy.

The bill directs the Secretary of Labor to promulgate regulations implementing Good Jobs Model Employer Standards. Under these standards, whenever an executive agency awards a contract for the acquisition of supplies or services, it shall not award the contract to a source that is not a Good Jobs Model Employer, unless there is no offer from a source that is a model employer. An executive agency could not provide other forms of financial or nonfinancial assistance to entities that are not model employers when there is a similarly situated Good Jobs Model Employer that could receive the assistance, unless doing so would substantially undermine the value of the assistance to the public. These provisions do not apply to direct federal statutory requirements, mandatory awards, direct awards to foreign governments or public international organizations, benefits to an individual as a personal entitlement, or federal employment.

The bill defines a Good Jobs Model Employer as an employer that meets the following standards: (1) respects employees' rights to bargain collectively with their employers without being forced to take strike action to win better wages and working conditions; (2) offers to each employee living wages, decent benefits including, health care, paid leave for sickness and caregiving, and fair work schedules that are predictable and stable; (3) affirmatively demonstrates an exemplary standard of compliance with workplace protection laws, including laws governing labor relations, wages and hours and health and safety, as well as other applicable labor laws; (4) limits executive compensation to fifty times the median salary paid to the company's workers; (5) employs a workforce not less than 35 percent of which reside within one or more Historically Underutilized Business Zones; and (6) subcontracts only with other Good Jobs Model Employers.

This bill is just one step in lifting millions of Americans out of poverty and into the middle class. These contracting requirements will incentivize, rather than penalize, employers to raise their workplace standards to retain much sought-after federal contracts. They will also provide savings to the federal government by lowering the cost of the federal safety net because fewer workers will be reliant on federal benefits. With these standards, Demos has estimated an annual benefit savings of approximately $3.3 billion for the Supplemental Nutrition Assistance Program, $3.1 billion for Medicaid, and $2.5 billion for the Earned Income Tax Credit. Ultimately, the ROSIE Act will uplift our workers and benefit our entire country.

I urge my colleagues to support this bill.

VICTIMS OF CHILD ABUSE ACT REAUTHORIZATION ACT OF 2013

SPEECH OF

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 2014

Mr. FRANKS of Arizona. Mr. Speaker, on July 28, I made remarks on S. 1799, the Victims of Child Abuse Act Reauthorization Act. I want to clarify that the bill makes funds available to the Department of Justice, including the FBI and the U.S. Attorneys' Offices for victims' services under the Crime Victims Fund. S. 1799 clarifies that funds available may only be used to benefit victims, through the work of Victim Witness Coordinators, Advocates, and Specialists, and for the administrative support of these employees to help them in their service to crime victims. For example, these Coordinators, Advocates, and Specialists may not be used to do witness travel services but instead should be exclusively providing services for the benefit of crime victims as the statute says. This provision was contained in a House bill, the Justice for Crime Victims Act of 2014, which I introduced in March of this year.

PERSONAL EXPLANATION

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. FOSTER. Mr. Speaker, on July 22, I missed one recorded vote. I would like to indicate how I would have voted had I been present.

On rollcall No. 434, I would have voted "aye."

COMMEMORATING THE GRAND OPENING OF THE NEW AMERICAN SOCIETY OF ANESTHESIOLOGISTS BUILDING IN SCHAUMBURG, ILLINOIS

HON. TAMMY DUCKWORTH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Ms. DUCKWORTH. Mr. Speaker, I rise today to welcome the American Society of Anesthesiologists (ASA), their more than 200 employees and their beautiful new headquarters building to Schaumburg, Illinois.

The American Society of Anesthesiologists represents more than 52,000 members and is a cutting edge education and professional association. ASA is dedicated to the advancement and study of the practice of anesthesiology, with patient safety and standards of care at the core of its mission.

For more than 100 years, this association has worked to ensure that all Americans have access to high-quality and safe health care, and has been active in ensuring Congress does all it can to protect patient safety.

Anesthesiology was one of the first medical specialties to champion patient safety as a specific focus, leading to the creation of the independent Anesthesia Patient Safety Foundation in 1985. This organization, supported by the ASA, works to assure that no patient will be harmed by anesthesia. This has led to national standards of practice, a rare feat for a medical professional society.

In its new state-of-the-art headquarters, ASA can better highlight the important role of physician anesthesiologists and their responsibility for patient care before, during, and after surgery. Since 2008, ASA has showcased its focus on patient safety through the Anesthesia Quality Institute, which develops and maintains a registry of case data that helps physician anesthesiologists assess and improve patient care. Additionally, ASA has maintained focus on the best methods of improving patient safety and recovery, developing the Perioperative Surgical Home (PSH), an innovative model of delivering health care during the entire patient surgical experience from the time of the decision for surgery until patient recovery.

The new facility features an updated Wood Library and Museum of Anesthesiology, which highlights these and other important historical developments of the practice of anesthesiology from its origin as the first organized anesthesia society in Long Island, NY.

From the Land of Lincoln to our nation's capital, the importance of patient safety continues to be a top priority. This is reflected in the Dr. Crawford Long statue, the father of anesthesiology, here in the U.S. Capitol building, a reminder of the ongoing efforts to develop the safest and most effective methods of anesthesiology and pain relief. Through the education, advocacy and involvement of ASA, the medical field of anesthesiology continues to grow and advance.

I am proud to rise and stand in support of the American Society of Anesthesiologists. Thank you for all that you have done and continue to do for patient safety within the field of anesthesiology. I ask my colleagues to join me in thanking them for their efforts and congratulating them on their new headquarters located in the Eighth District of Illinois.

A TRIBUTE TO INGRID WALKER-HENRY

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Ms. MOORE. Mr. Speaker, I rise today to recognize Ingrid Walker-Henry, an elementary school teacher, union leader, activist, mother, and wife from the Fourth Congressional District of Wisconsin.

Ingrid Walker-Henry was born and raised in Milwaukee and attended Milwaukee Public Schools. Her family has a history of teachers with both her mother and aunt having taught in the Milwaukee Public School System. She aspired to be a teacher from a young age. She graduated from Riverside University High School and joined the Young Educators' Society while attending school there. She graduated with a bachelor's degree from the University of Wisconsin-Madison and has a master's degree in Instructional Technology from Cardinal Stritch University.

Ingrid Walker-Henry is an elementary school teacher, as well as an instructional coach in the Milwaukee Public School System. She is

also a union leader and activist. Ms. Walker-Henry has taught at several schools in the Milwaukee Public School System including: Silver Spring, Clemens, Auer, Hawthorne, Browning, and Gwen T. Jackson schools.

Ms. Walker-Henry serves as Secretary on the Executive Board of the Milwaukee Teachers' Education Association and is an active member in the Schools and Communities United Coalition. She is also active in the local NAACP efforts to increase voter turnout and voter registration in Milwaukee.

Recently, Ms. Walker-Henry was recognized by Essence Magazine in an article recognizing African American Moms involved in educational activism. As an educator and lifelong Milwaukee resident, Ingrid is a strong supporter of children and families and is a leader for her fellow union members in the fight for quality public education for every child. Mr. Speaker, it is for these reasons that I rise to pay tribute to a woman who is a Milwaukee and Wisconsin treasure. I am proud that she hails from the 4th Congressional District.

HONORING THE UNIVERSITY OF COLORADO COLORADO SPRINGS (UCCS)

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. LAMBORN. Mr. Speaker, I rise today to honor the University of Colorado Colorado Springs on the occasion of its upcoming 50th Anniversary.

UCCS is one of the fastest growing universities in the United States, and is the designated growth campus for the University of Colorado with over 11,000 students. It is also one of the largest employers in southern Colorado with an economic impact of over $300 million annually to the state and local economies.

Since 1965, UCCS has brought the world-class standards of the University of Colorado System to southern Colorado and continues to educate and inspire not only the students, faculty, and staff of the university, but also the community-at-large. On behalf of the Colorado Fifth Congressional District, I wish UCCS a very happy 50th Anniversary and look forward to the next 50 years of growth and prosperity.

HONORING CELESTE WEINGARDT

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Ms. BROWNLEY of California. Mr. Speaker, today I rise to recognize Celeste Weingardt, an inspiring leader and determined activist, who has assiduously worked on women's issues including protecting and promoting access to reproductive healthcare and services. For over two decades, Celeste has served as a beacon of empowerment for women in politics and community leadership in Ventura County.

Celeste first became involved with the Women's Political Appointments Coalition of Ventura County in 1990. Shortly thereafter, she joined the Commission for Women in Ventura County, where she served as chair of the organization during her years of dedicated service. Celeste has also offered her extensive and invaluable leadership and expertise to organizations such as the Ventura County Reproductive Rights Network; the Coalition to End Domestic and Sexual Violence; the National Women's Political Caucus at the city, state, and national levels; and the Ventura County Women's Forum Collaborative.

Throughout her years of service, Celeste has advocated for a vast array of women's issues including reproductive rights and justice, teenage pregnancy prevention, the prevention and elimination of violence against women both locally and globally, as well as access to quality and affordable childcare. Her exemplary work has been a true inspiration to many women throughout our region.

In addition, Celeste currently sits on the organizing committee of the Women's Political Council of Ventura County and serves on the board of the Planned Parenthood Action Fund of Santa Barbara, Ventura, and San Luis Obispo Counties, which actively works to protect family planning and reproductive rights.

It is my sincere pleasure to join the Ventura County Women's Political Council in recognizing Celeste Weingardt for her instrumental efforts and activities to engage and empower women. For her continued active and effective advocacy and leadership, I wholeheartedly commend Celeste Weingardt for her impressive career of service which she has selflessly given to her community.

IN RECOGNITION OF CHRIS KINGSLEY

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. McGOVERN. Mr. Speaker, I rise today to honor the work of Los Angeles Kings Head Trainer Chris Kingsley, a native of Greenfield, Massachusetts. I would like to congratulate Mr. Kingsley's contribution to the Kings' recent Stanley Cup win, and recognize his fundraising efforts on behalf of the Franklin County Hockey Association.

For over 40 years, the Franklin County Hockey Association has contributed to the development of our youth through the game of hockey. The FCHA provides young people with the opportunity to have fun while learning the basic skills of ice skating and how to play hockey. As a team sport, hockey affirms the importance of commitment, self-discipline, and sportsmanship. This helps young people develop skills and values they can carry with them for the rest of their lives.

My district is so fortunate that Mr. Kingsley has used his success in the game of hockey to help the sport in the community where he grew up. On behalf of the people of Franklin County, I congratulate Chris Kingsley for another championship season with the Los Angeles Kings and thank him for his continued support of the Franklin County Hockey Association.

TRIBUTE TO PAM HAZE

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to Pam Haze, an individual whose dedication and contribution to public service is exceptional. Her extensive experience and knowledge have been a great benefit to the Department of the Interior, Congress, and the American people. Pam will soon be retiring from the Department of the Interior after 34 years of federal service.

Pam has tirelessly dedicated herself to public service, committing her career to a wide range of positions. Currently, Pam is the Deputy Assistant Secretary of Budget, Finance, Performance and Acquisition at the Department of the Interior, a position she was appointed to in October of 2009. It is in this current position that Pam has been responsible for the oversight and management of the Department's programs and policies in budget; finance; acquisition and property management; performance management; and small and disadvantaged business.

Pam has been an invaluable resource to me and my staff on the Interior, Environment and Related Agencies Appropriations Subcommittee. Whether she is testifying before our committee, or responding to a myriad of questions on behalf of the Department, Pam has been a key liaison between the Appropriations Committee and the Department. Pam is that rare individual who focuses on solving problems when faced with even the most challenging circumstances. She has earned the admiration and respect of Republicans and Democrats alike for her knowledge of the issues and ability to arrive at solutions considered fair and reasonable by all sides.

Pursuing her interests in the environment, Pam received both an undergraduate degree in wildlife biology and a graduate degree in environmental science and ecology from George Mason University. Pam took her passion with her to the Department of Interior, where she has spent the majority of her federal career within Interior bureaus, such as the Fish and Wildlife Service, the U.S. Geological Survey, the Bureau of Land Management and the former Bureau of Outdoor Recreation. It was in these Interior agencies that Pam was able to effectively lead as a planner, hydrologist, field biologist, contaminant biologist, program analyst, administrator, budget analyst and manager.

Prior to her current service as the Deputy Assistant Secretary of Budget, Finance, Performance and Acquisition, Pam spent time as the Deputy Director and Co-Director of the Office of the Budget from 1999 to 2006 and from 2007 to 2009 as the director of the Department's Office of Budget. Pam also has a great depth of experience with other federal agencies, such as the Small Business Administration and the Office of the Federal Inspector for the Alaska Natural Gas Transportation System in which she played a critical role in successfully facilitating the completion of the Alaska natural gas pipeline. In addition, Pam has also previously devoted her time and knowledge to Cambridge Scientific Abstracts.

For her many years of public service, Pam deserves our thanks and praise. Her tireless

passion for service has contributed immensely to the betterment of our nation. Through her broad range of roles in our government, she has spent her working life in the service of others, and this merits my most sincere gratitude. I ask that the House join me in wishing Pam the best as she begins the next chapter of her life.

HONORING THE LIFE OF MR. DOUG NIECE OF FLEMINGTON, NEW JERSEY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. LANCE. Mr. Speaker, I rise today to honor the life of Mr. Doug Niece of Flemington, New Jersey, who passed away earlier this month at the age of 93. Mr. Niece was a long-time Cubmaster for Cub Scout Pack 61 in Flemington, where he served for more than 60 years and influenced the lives of more than 6,000 scouts.

Mr. Niece was a beloved figure in the Boy Scout community and is believed to have been the longest-serving Cubmaster in the country when he retired from his scouting responsibilities in 2010. During the Boy Scouts of America 100th anniversary celebration, he was honored and recognized as one of the Top 100 Scouters in service to the Nation.

Mr. Niece was professionally involved with Hunterdon County's two major newspapers, first the Republican and later the Democrat. In Flemington, he led the annual Christmas tree lighting and organized the traditional pre-dawn Christmas carolling with the Flemington Children's Choir School. He also served as a board member of the Jennie Haver Scholarship Fund, as a volunteer aide at Franklin Township School and an elder, deacon, Sunday School teacher and superintendent at Flemington Presbyterian Church.

I had the great pleasure of knowing Mr. Niece and seeing many of his great contributions to the Flemington community. I know he will be missed by all who were influenced by his dedicated public service.

RECOGNIZING RICHARD ROOF

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Mr. WHITFIELD. Mr. Speaker, I rise today to recognize Mr. Richard Roof for his extraordinary service to the people of Paducah, and Kentucky's entire First Congressional District. Mr. Roof is celebrating his fortieth year as manager of Barkley Regional Airport. Barkley Regional's existence is due in part to Paducah native Vice President Alben Barkley, for whom the airport is also named. The airport provides travel to Chicago's O'Hare, one of the best connected airports in the United States.

Richard's career in the aviation industry began in 1962 when he passed the commercial pilot's written exam, at age 18. Throughout Mr. Roof's college years he would work as a pilot, carrying overnight mail between Lexington, Huntington and Louisville.

Richard Roof took the job of assistant manager on July 1, 1974, and two months later, he took over as manager. Richard's role at the airport is not limited to sitting behind a desk. Richard is said to wear ''many hats,'' which has proven beneficial to the airport's operation. When not carrying out his managerial duties, you may find him snow plowing the airport's 80 acres of pavement.

Throughout Richard's 40 year tenure as manager at the airport, he has witnessed the evolution of the airline industry. Through Richard's leadership, the airport has survived the changes and weathered periods of unfavorable economic conditions, and has emerged as a $30 million economic mainstay in Western Kentucky.

Richard Roof serves as a symbol to all Americans that through hard work and dedication, one life can truly change the lives of hundreds. I would like to call to the attention of the House of Representatives, Richard's many years of service to the people of Kentucky and urge all members of Congress to join me in congratulating him on this milestone.

HONORING DR. CORA B. MARRETT

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 2014

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor a cherished colleague to the Science community, Dr. Cora Marrett. After serving with distinction for nearly two decades she will be retiring after serving as Deputy Director of the National Science Foundation (NSF).

Dr. Marrett is a shining example of what it means to be an effective public servant She has built her career on bipartisanship, expertise and dependability. Dr. Marrett has always kept the needs of the American people close at heart. Dr. Marrett deserves to be commended for serving at the helm of NSF during tumultuous times, such as sequestration and the government shutdown. She earned NSF's Distinguished Service Award for her groundbreaking leadership of the Social, Behavioral, and Economic Sciences directorate.

As Ranking Member for the Committee on Science, Space, and Technology, I have the distinct pleasure of working closely with Dr. Marrett. Over the years, she has demonstrated a tremendous mastery of the political process and led NSF's mission to achieve excellence in U.S. science, technology, engineering and mathematics (STEM) education at all levels. She has shown a clear commitment to furthering scientific and intellectual advancement here in the United States. I am especially grateful for the insights she provided as a witness a number of times. I thank her for her service and wish her the best of luck in her retirement.

Mr. Speaker, the National Science Foundation (NSF) and the American people will be losing a loyal advocate this August. I have an immense amount of respect for Dr. Marrett, and I wish her and her family all the best in any future endeavors.

CORRECTION

Daily Digest

HIGHLIGHTS

Senate confirmed the nomination of Robert Alan McDonald, of Ohio, to be Secretary of Veterans Affairs.

Senate passed H.R. 5021, Highway and Transportation Funding Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S5005–S5074

Measures Introduced: Eleven bills and three resolutions were introduced, as follows: S. 2675–2685, and S. Res. 526–528. **Pages S5050–51**

Measures Reported:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2015". (S. Rept. No. 113–222)

S.J. Res. 36, relating to the approval and implementation of the proposed agreement for nuclear cooperation between the United States and the Socialist Republic of Vietnam, with an amendment in the nature of a substitute. (S. Rept. No. 113–221)

S. Res. 502, concerning the suspension of exit permit issuance by the Government of the Democratic Republic of Congo for adopted Congolese children seeking to depart the country with their adoptive parents, with an amendment in the nature of a substitute and with an amended preamble.

S. Res. 513, honoring the 70th anniversary of the Warsaw Uprising.

S. Res. 520, condemning the downing of Malaysia Airlines Flight 17 and expressing condolences to the families of the victims.

S. Res. 522, expressing the sense of the Senate supporting the U.S.-Africa Leaders Summit to be held in Washington, D.C. from August 4 through 6, 2014. **Page S5047**

Measures Passed:

Highway and Transportation Funding Act: By 79 yeas to 18 nays (Vote No. 248), Senate passed H.R. 5021, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, by the order of the Senate of Wednesday, July 23, 2014, 60 Senators having voted in the affirmative, after taking action on the following amendments proposed thereto: **Pages S5021–39**

Adopted:

By 71 yeas to 26 nays (Vote No. 244), Wyden/Hatch Amendment No. 3582, to modify the provisions relating to revenue. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmative votes, be agreed to.) **Pages S5021–26, S5037**

By 66 yeas to 31 nays (Vote No. 245), Carper Amendment No. 3583, in the nature of a substitute. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmative votes, be agreed to.) **Pages S5031-37, S5037-38**

Rejected:

By 28 yeas to 69 nays (Vote No. 246), Lee Amendment No. 3584, to empower States with authority for most taxing and spending for highway programs and mass transit programs. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S5028–31, S5038**

By 47 yeas to 50 nays (Vote No. 247), Toomey Amendment No. 3585, to ease Federal burdens on State and local governments recovering from catastrophic events. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S5026–28, S5038–39**

Providing for the Correction of an Enrollment: Senate agreed to H. Con. Res. 108, providing for the correction of the enrollment of H.R. 5021. **Page S5039**

Supporting Israel's Right to Defend Itself: Senate agreed to S. Res. 526, supporting Israel's right to defend itself against Hamas. **Page S5039**

Naftali Fraenkel: Senate passed S. 2577, to require the Secretary of State to offer rewards totaling up to $5,000,000 for information on the kidnapping and murder of Naftali Fraenkel, a dual United States-Israeli citizen, that began on June 12, 2014. **Page S5069**

Authorizing the Use of the Capitol Grounds: Senate agreed to H. Con. Res. 103, authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run. **Page S5069**

Authorizing the Use of Emancipation Hall: Senate agreed to H. Con. Res. 106, authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to award Congressional Gold Medals in honor of the men and women who perished as a result of the terrorist attacks on the United States on September 11, 2001. **Page S5069**

Congratulating the Members of Phi Beta Sigma Fraternity: Senate agreed to S. Res. 527, congratulating the members of Phi Beta Sigma Fraternity, Inc. for 100 years of service throughout the United States and the world, and commending Phi Beta Sigma Fraternity, Inc. for exemplifying the ideals of brotherhood, scholarship, and service while upholding the motto "Culture for Service and Service for Humanity". **Page S5069**

125th Anniversary of North Dakota's Statehood: Senate agreed to S. Res. 528, commemorating the 125th anniversary of North Dakota's Statehood. **Pages S5069–70**

United States Intelligence Professionals Day: Committee on the Judiciary was discharged from further consideration of S. Res. 521, designating July 26, 2014, as "United States Intelligence Professionals Day", and the resolution was then agreed to. **Page S5070**

International Religious Freedom Act: Senate passed H.R. 4028, to amend the International Religious Freedom Act of 1998 to include the desecration of cemeteries among the many forms of violations of the right to religious freedom. **Page S5070**

Measures Considered:

Emergency Supplemental Appropriations Act: Senate continued consideration of the motion to proceed to consideration of S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014. **Pages S5005–07, S5040–42**

Bring Jobs Home Act—Agreement: A unanimous-consent-time agreement was reached providing that at approximately 9:30 a.m., on Wednesday, July 30, 2014, Senate resume consideration of S. 2569, Bring Jobs Home Act, that there be one hour for debate equally divided and controlled between the two Leaders or their designees; that upon the use or yielding back of time, Senate vote on the motion to invoke cloture on S. 2569, Bring Jobs Home Act. **Page S5070**

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 that was originally declared in Executive Order 13441 with respect to Lebanon; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–52) **Pages S5045–46**

Akuetteh, Moritsugu, and Kennedy Nominations—Agreement: A unanimous-consent-time agreement was reached providing that notwithstanding Rule XXII, following the vote on the motion to invoke cloture on the motion to proceed to consideration of S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, Senate begin consideration of the nominations of Cynthia H. Akuetteh, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Gabonese Republic, and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe, Erika Lizabeth Moritsugu, of the District of Columbia, to be an Assistant Secretary of Housing and Urban Development, and Richard A. Kennedy, of Pennsylvania, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring May 30, 2016; that there be two minutes for debate equally divided between the two Leaders, or their designees prior to each vote; that upon the use or yielding back of time, Senate vote, without intervening action or debate, on confirmation of the nominations in the order listed; that any roll call votes, following the first in the series, be 10 minutes in length; and that no further motions be in order to the nomination. **Page S5070**

Nominations Confirmed: Senate confirmed the following nominations:

By a unanimous vote of 97 yeas (Vote No. EX. 243), Robert Alan McDonald, of Ohio, to be Secretary of Veterans Affairs. **Pages S5015-18, S5018-21, S5074**

Larry Edward Andre, Jr., of Virginia, to be Ambassador to the Islamic Republic of Mauritania. **Pages S5021, S5074**

Michael Stephen Hoza, of Washington, to be Ambassador to the Republic of Cameroon. **Pages S5021, S5074**

Joan A. Polaschik, of Virginia, to be Ambassador to the People's Democratic Republic of Algeria. **Pages S5021, S5074**

Nomination Received: Senate received the following nomination:

David Nathan Saperstein, of the District of Columbia, to be Ambassador at Large for International Religious Freedom. **Page S5074**

Messages from the House: **Page S5046**

Measures Referred: **Page S5046**

Measures Placed on the Calendar: **Pages S5005, S5046**

Measures Read the First Time: **Pages S5046, S5070**

Enrolled Bills Presented: **Pages S5046–47**

Executive Communications: **Page S5047**

Executive Reports of Committees: **Pages S5047–50**

Additional Cosponsors: **Pages S5051–53**

Statements on Introduced Bills/Resolutions: **Pages S5053–67**

Additional Statements: **Page S5045**

Amendments Submitted: **Pages S5067–68**

Authorities for Committees to Meet: **Pages S5068–69**

Privileges of the Floor: **Page S5069**

Record Votes: Six record votes were taken today. (Total—248) **Pages S5021, S5037–39**

Adjournment: Senate convened at 10 a.m. and adjourned at 8:51 p.m., until 9:30 a.m. on Wednesday, July 30, 2014. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5070.)

Committee Meetings

(Committees not listed did not meet)

CLIMATE CHANGE

Committee on the Budget: Committee concluded a hearing to examine the economic and budgetary consequences of climate change, focusing on the cost of inaction, and opportunities to reduce Federal fiscal exposures through greater resilience to climate change and extreme weather, after receiving testimony from Alfredo Gomez, Director, Natural Resources and Environment, Government Accountability Office; Mindy Lubber, Ceres, Boston, Massachusetts; Sherri W. Goodman, CNA Military Advisory Board, Arlington, Virginia; W. David Montgomery, NERA Economic Consulting, Washington, DC; and Bjorn Lomborg, Copenhagen Consensus Center, Copenhagen, Denmark.

RESTORE ACT AND GULF RESTORATION

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine revisiting the Resources and Ecosystems Sustainability, Tourist Opportunities and Revived Economies Act, focusing on progress and challenges in Gulf restoration post-*Deepwater Horizon*, after receiving testimony from Bruce H. Andrews, Deputy Secretary of Commerce; Trudy D. Fisher, Mississippi Department of Environmental Quality Executive Director, Jackson; Justin R. Ehrenwerth, New Orleans, Louisiana, and Mimi A. Drew, Tallahassee, Florida, both of the Gulf Coast Ecosystem Restoration Council; Grover C. Robinson IV, Escambia County Commissioner, Pensacola, Florida, on behalf of the Florida Gulf Coast Consortium; and Thomas E. Kelsch, National Fish and Wildlife Foundation Gulf Environmental Benefit Fund, Washington, DC.

TRUCK SAFETY ON OUR HIGHWAYS

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security concluded a hearing to examine opportunities and challenges for improving truck safety on our highways, after receiving testimony from Anne S. Ferro, Administrator, Federal Motor Carrier Safety Administration, Department of Transportation; Joan Claybrook, Advocates for Highway and Auto Safety, and David J. Osiecki, American Trucking Associations, both of Washington, DC; Major David Palmer, Commercial Vehicle Safety Alliance, Austin, Texas; and William G. Dawson, United Parcel Service, Anna, Texas, on behalf of the International Brotherhood of Teamsters.

ENERGY PRODUCTION ON FEDERAL LANDS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine breaking the logjam at the Bureau of Land Management, focusing on ways to more efficiently process permits for energy production on Federal lands, and understanding the obstacles in permitting more energy projects on Federal lands, including S. 279, to promote the development of renewable energy on public land, and S. 2440, to expand and extend the program to improve permit coordination by the Bureau of Land Management, after receiving testimony from Senator Tester; Neil Kornze, Director, Bureau of Land Management, Department of the Interior; Mark A. Christensen, Campbell County Board of Commissioners Chairman, Gillette, Wyoming, on behalf of the Wyoming County Commissioners Association; Lorinda

Wichman, Nye County Commission Vice Chairman, Round Mountain, Nevada; Scott M. Kidwell, COG Operating LLC, Midland, Texas, on behalf of Concho Resources, Inc.; Kathleen Sgamma, Western Energy Alliance, Denver, Colorado; Arthur Haubenstock, Perkins Coie LLP, San Francisco, California, on behalf of the Solar Energy Industries Association; and Scott Nichols, U.S. Geothermal Inc., Boise, Idaho.

THREATS POSED BY CLIMATE CHANGE

Committee on Environment and Public Works: Subcommittee on Clean Air and Nuclear Safety concluded a hearing to examine the threats posed by climate change, after receiving testimony from Carl Hedde, Munich Reinsurance America, Inc., Princeton, New Jersey; Kristin Jacobs, Broward County Commissioner, Fort Lauderdale, Florida; Bill Mook, Mook Sea Farm, Walpole, Maine; Bjorn Lomborg, Copenhagen Consensus Center, Lowell, Massachusetts; and Raymond J. Keating, Small Business and Entrepreneurship Council, Vienna, Virginia.

TOBACCO TAXES

Committee on Finance: Committee concluded a hearing to examine tobacco, focusing on taxes owed, avoided, and evaded, after receiving testimony from John J. Manfreda, Administrator, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury; David Gootnick, Director, International Affairs and Trade, Government Accountability Office; Michael Tynan, Oregon Health Authority Public Health Division Policy Officer, Portland; Ronald J. Bernstein, Liggett Vector Brands LLC, Morrisville, North Carolina; Rocky Patel, Rocky Patel Premium Cigars, Inc., Naples, Florida; and Scott Drenkard, Tax Foundation, Washington, DC.

UNITED STATES-KOREA FREE TRADE AGREEMENT

Committee on Finance: Subcommittee on International Trade, Customs, and Global Competitiveness concluded a hearing to examine the United States-Korea free trade agreement, focusing on lessons learned two years later, after receiving testimony from Stephen E. Biegun, Ford Motor Company, Dearborn, Michigan; Sean P. Murphy, Qualcomm Incorporated, San Diego, California; Shawna Morris, U.S. Dairy Export Council and National Milk Producers Federation, Arlington, Virginia; and Michael Rue, Rue and Forsman Ranch, Inc., Rio Oso, California, on behalf of the USA Rice Federation.

P−5+1 NEGOTIATIONS WITH IRAN

Committee on Foreign Relations: Committee concluded a hearing to examine Iran, focusing on the status of the P−5+1 negotiations with Iran, after receiving testimony from Wendy Sherman, Under Secretary of State for Political Affairs; David S. Cohen, Under Secretary of the Treasury for Terrorism and Financial Intelligence; Olli Heinonen, Harvard University John F. Kennedy School of Government Belfer Center for Science and International Affairs, Cambridge, Massachusetts; and Michael Singh, The Washington Institute for Near East Policy, Washington, DC.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of John Francis Tefft, of Virginia, to be Ambassador to the Russian Federation, Donald L. Heflin, of Virginia, to be Ambassador to the Republic of Cabo Verde, Craig B. Allen, of Virginia, to be Ambassador to Brunei Darussalam, Earl Robert Miller, of Michigan, to be Ambassador to the Republic of Botswana, Michele Jeanne Sison, of Maryland, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Deputy Representative of the United States of America to the United Nations, and to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador and the Deputy Representative of the United States of America in the Security Council of the United Nations, Stafford Fitzgerald Haney, of New Jersey, to be Ambassador to the Republic of Costa Rica, and Charles C. Adams, Jr., of Maryland, to be Ambassador to the Republic of Finland, all of the Department of State, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. Res. 502, concerning the suspension of exit permit issuance by the Government of the Democratic Republic of Congo for adopted Congolese children seeking to depart the country with their adoptive parents, with an amendment in the nature of a substitute;

S. Res. 522, expressing the sense of the Senate supporting the U.S.-Africa Leaders Summit to be held in Washington, D.C. from August 4 through 6, 2014;

S. Res. 513, honoring the 70th anniversary of the Warsaw Uprising;

S. Res. 520, condemning the downing of Malaysia Airlines Flight 17 and expressing condolences to the families of the victims; and

The nominations of Todd D. Robinson, of New Jersey, to be Ambassador to the Republic of Guatemala, Jane D. Hartley, of New York, to be Ambassador to the French Republic, and to serve concurrently and without additional compensation as Ambassador to the Principality of Monaco, Kevin F. O'Malley, of Missouri, to be Ambassador to Ireland, James D. Pettit, of Virginia, to be Ambassador to the Republic of Moldova, Brent Robert Hartley, of Oregon, a to be Ambassador to the Republic of Slovenia, Marcia Stephens Bloom Bernicat, of New Jersey, to be Ambassador to the People's Republic of Bangladesh, David Pressman, of New York, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador, and to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations, George Albert Krol, of New Jersey, to be Ambassador to the Republic of Kazakhstan, Allan P. Mustard, of Washington, to be Ambassador to Turkmenistan, Erica J. Barks Ruggles, of Minnesota, to be Ambassador to the Republic of Rwanda, John R. Bass, of New York, to be Ambassador to the Republic of Turkey, John Francis Tefft, of Virginia, to be Ambassador to the Russian Federation, and Michele Jeanne Sison, of Maryland, to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America in the Security Council of the United Nations, and to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Deputy Representative of the United States of America to the United Nations, all of the Department of State.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Madeline Cox Arleo, to be United States District Judge for the District of New Jersey, who was introduced by Senator Menendez, Victor Allen Bolden, to be United States District Judge for the District of Connecticut, who was introduced by Senator Murphy, and David J. Hale, and Gregory N. Stivers, both to be a United States District Judge for the Western District of Kentucky, who were both introduced by Senator Paul, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Select Committee on Intelligence: Committee ordered favorably reported "The Intelligence Authorization Act for Fiscal Year 2015".

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 26 public bills, H.R. 5229–5254; and 1 resolution, H.J. Res. 121 were introduced. **Pages H7039–40**

Additional Cosponsors: **Pages H7041–42**

Reports Filed: Reports were filed today as follows:

H.R. 4299, to amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing (H. Rept. 113–565, Pt. 1) and

H. Res. 694, providing for consideration of the resolution (H. Res. 676) providing for authority to initiate litigation for actions by the President or other executive branch officials inconsistent with their duties under the Constitution of the United States; providing for consideration of the bill (H.R. 935) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes; and providing for proceedings during the period from August 1, 2014, through September 5, 2014 (H. Rept. 113–566). **Pages H7038–39**

Speaker: Read a letter from the Speaker wherein he appointed Representative Farenthold to act as Speaker pro tempore for today. **Page H6979**

Recess: The House recessed at 11:10 a.m. and reconvened at 12 noon. **Page H6986**

Chaplain: The prayer was offered by the guest chaplain, Reverend Jeff Parish, First Baptist Church of Indian Rocks, Largo, Florida. **Page H6986**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H6986, H7024**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Amending the Longshore and Harbor Workers' Compensation Act to provide a definition of recreational vessel for purposes of such Act: H.R. 3896, amended, to amend the Longshore and Harbor Workers' Compensation Act to provide a definition of recreational vessel for purposes of such Act; **Pages H6995–97**

SAFE Act Confidentiality and Privilege Enhancement Act: H.R. 4626, to ensure access to certain information for financial services industry regulators; **Pages H6997–98**

Examination and Supervisory Privilege Parity Act of 2014: H.R. 5062, amended, to amend the Consumer Financial Protection Act of 2010 to specify that privilege is maintained when information is shared by certain nondepository covered persons with Federal and State financial regulators; **Pages H6998–H7002**

Agreed to amend the title so as to read: ''To amend the Consumer Financial Protection Act of 2010 to specify that privilege and confidentiality are maintained when information is shared by certain nondepository covered persons with Federal and State financial regulators, and for other purposes.''. **Page H7002**

Reauthorizing the Defense Production Act: H.R. 4809, amended, to reauthorize the Defense Production Act and to improve the Defense Production Act Committee, by a ⅔ yea-and-nay vote of 386 yeas to 32 nays, Roll No. 464; and **Pages H7002–04, H7024**

Ensuring Patient Access and Effective Drug Enforcement Act of 2014: H.R. 4709, amended, to improve enforcement efforts related to prescription drug diversion and abuse. **Pages H7004–07**

21st Century Endangered Species Transparency Act: The House passed H.R. 4315, to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, by a recorded vote of 233 ayes to 190 noes, Roll No. 463. **Pages H7007–24**

Rejected the Kirkpatrick motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 197 ayes to 225 noes, Roll No. 462. **Pages H7022–23**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–55 shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. **Page H7015**

Agreed to:

Hastings (WA) manager's amendment (No. 1 printed in H. Rept. 113–563) that amends Section 2 of the bill to clarify extent of disclosure policy as it relates to State law and to Department of Defense classified information and **Pages H7016–17**

Duffy amendment (No. 4 printed in H. Rept. 113–563) that requires disclosure of any Federal funding used by a person or a governmental or nongovernmental entity in bringing a claim in a covered suit. **Pages H7019–20**

Rejected: DeFazio amendment (No. 2 printed in H. Rept. 113–563) that sought to exclude scientific information published solely in internal Interior Department publications from the definition of ''best available science'' (by a recorded vote of 188 ayes to 227 noes, Roll No. 460) and **Pages H7017–18, H7020–21**

Holt amendment (No. 3 printed in H. Rept. 113–563) that sought to strike a provision which automatically defines all data submitted by State, County or Tribal governments as the ''best available science'', regardless of its merit (by a recorded vote of 204 ayes to 215 noes, Roll No. 461). **Pages H7018–19, H7021–22**

H. Res. 693, the rule providing for consideration of the bill, was agreed to by a recorded vote of 225 ayes to 192 noes, Roll No. 459, after the previous question was ordered by a yea-and-nay vote of 224 yeas to 192 nays, Roll No. 458. **Pages H6989–95**

Moment of Silence: The House observed a moment of silence in memory of M. Caldwell Butler, former Member of Congress. **Page H7025**

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007, is to continue in effect beyond August 1, 2014—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 113–142). **Page H7026**

Quorum Calls—Votes: Two yea-and-nay votes and five recorded votes developed during the proceedings of today and appear on pages H6994–95, H6995, H7020–21, H7021–22, H7023, H7023–24, H7024. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:44 p.m.

Committee Meetings

COORDINATING FUTURE INVESTMENTS IN BROADBAND

Committee on Agriculture: Subcommittee on Livestock, Rural Development, and Credit held a hearing on coordinating future investments in broadband. Testimony was heard from John Padalino, Administrator, Rural Utilities Service, Department of Agriculture; and public witnesses.

SECURITY SITUATION IN IRAQ AND SYRIA: U.S. POLICY OPTIONS AND IMPLICATIONS FOR THE REGION

Committee on Armed Services: Full Committee held a hearing entitled ''Security Situation in Iraq and Syria: U.S. Policy Options and Implications for the Region''. Testimony was heard from Duncan Hunter, Former Chairman, House Armed Services Committee; and public witnesses.

MISCELLANEOUS MEASURE

Committee on Armed Services: Full Committee held a markup on H. Res. 644, condemning and disapproving of the Obama administration's failure to comply with the lawful statutory requirement to notify Congress before releasing individuals detained at United States Naval Station, Guantanamo Bay, Cuba, and expressing national security concerns over the release of five Taliban leaders and the repercussions of negotiating with terrorists. The resolution was ordered reported, as amended.

FERC PERSPECTIVES: QUESTIONS CONCERNING EPA'S PROPOSED CLEAN POWER PLAN AND OTHER GRID RELIABILITY CHALLENGES

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled ''FERC Perspectives: Questions Concerning EPA's Proposed Clean Power Plan and other Grid Reliability Challenges''. Testimony was heard from the following Federal Energy Regulatory Commission officials: Cheryl A. LaFleur, Acting Chairman; Philip D. Moeller, Commissioner; John R. Norris, Commissioner; Tony Clark, Commissioner; and Norman C. Bay, Commissioner.

NANOTECHNOLOGY: UNDERSTANDING HOW SMALL SOLUTIONS DRIVE BIG INNOVATION

Committee on Energy and Commerce: Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled ''Nanotechnology: Understanding How Small Solutions Drive Big Innovation''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee began a markup on the following legislation: H.R. 3522, the ''Employee Health Care Protection Act''; H.R. 4701, the ''Lyme and Tick-borne Diseases Act of 2014''; H.R. 4067, to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2014; H.R. 5214, to require the Secretary of Health and Human Services to provide for recommendations for the development and use of clinical data registries for the improvement of patient care; H.R. 3670, the ''Anti-Spoofing Act of 2013''; H.R. 5161, the ''E-LABEL Act''; and H.R. 1575, the ''Kelsey Smith Act''.

MISCELLANEOUS MEASURES

Committee on Financial Services: Full Committee began a markup on the following legislation: H.R. 5018, the ''Federal Reserve Accountability and Transparency Act of 2014''; H.R. 4329, the ''Native American Housing Assistance and Self-Determination Reauthorization Act of 2014''; H.R. 3240, the ''Regulation D Study Act''; H.R. 3913, to amend the Bank Holding Company Act of 1956 to require agencies to make considerations relating to the promotion of efficiency, competition, and capital formation before issuing or modifying certain regulations; H.R. 4042, the ''Community Bank Mortgage Service Asset Capital Requirements Study Act of 2014''; and H.R. 5148, the ''Access to Affordable Mortgages Act of 2014''. H.R. 3240 was ordered reported, without amendment.

THE SHOOTDOWN OF MALAYSIAN FLIGHT 17 AND THE ESCALATING CRISIS IN UKRAINE

Committee on Foreign Affairs: Subcommittee on Europe, Eurasia, and Emerging Threats; and Subcommittee on Terrorism, Nonproliferation, and Trade held a joint subcommittee hearing entitled ''The Shootdown of Malaysian Flight 17 and the Escalating Crisis in Ukraine''. Testimony was heard from public witnesses.

IRAN NUCLEAR NEGOTIATIONS: FROM EXTENSION TO FINAL AGREEMENT?

Committee on Foreign Affairs: Full Committee held a hearing entitled ''Iran Nuclear Negotiations: From Extension to Final Agreement?''. Testimony was heard from Wendy R. Sherman, Under Secretary for Political Affairs, Department of State; and David S. Cohen, Under Secretary for Terrorism and Financial Intelligence, Department of the Treasury.

EXAMINING TSA'S MANAGEMENT OF THE SCREENING PARTNERSHIP PROGRAM

Committee on Homeland Security: Subcommittee on Transportation Security held a hearing entitled "Examining TSA's Management of the Screening Partnership Program". Testimony was heard from William Benner, Director, Screening Partnership Program, Office of Security Operations, Transportation Security Administration, Department of Homeland Security; Jennifer A. Grover, Acting Director, Homeland Security and Justice, Government Accountability Office; and public witnesses.

PROTECTING THE HOMELAND FROM NUCLEAR AND RADIOLOGICAL THREATS

Committee on Homeland Security: Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies held a hearing entitled "Protecting the Homeland from Nuclear and Radiological Threats". Testimony was heard from Huban Gowadia, Director, Domestic Nuclear Detection Office, Department of Homeland Security; and David C. Trimble, Director, Natural Resources and Environment, Government Accountability Office.

OVERSIGHT OF U.S. CITIZENSHIP AND IMMIGRATION SERVICES

Committee on the Judiciary: Full Committee held a hearing on oversight of U.S. citizenship and immigration services. Testimony was heard from Leon Rodriguez, Director, U.S. Citizenship and Immigration Services.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing on the following legislation: H.R. 596, the "Public Lands Renewable Energy Development Act of 2013"; H.R. 1363, the "Exploring for Geothermal Energy on Federal Lands Act"; and H.R. 2004, the "Geothermal Production Expansion Act of 2013". Testimony was heard from Michael Nedd, Assistant Director, Minerals and Realty Management, Bureau of Land Management, Department of the Interior; Eric Fitzer, Senior Energy Programs Manager, Arizona Governor's Office of Energy Policy; and public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Public Lands and Environmental Regulation held a hearing on the following legislation: H.R. 445, the "National Heritage Area Act of 2013"; H.R. 1785, the "Mountains to Sound Greenway National Heritage Area Act"; H.R. 4119, the "West Hunter Street Baptist Church Study Act"; H.R. 4901, the "Advancing Conservation and Education Act of 2014"; H.R. 4979, the "Red River Private Property Protection Act"; H.R. 5086, to amend the National Trails System Act to direct the Secretary of the Interior to conduct a study on the feasibility of designating the Chief Standing Bear National Historic Trail, and for other purposes; S. 311, the "Lower Mississippi River Area Study Act"; S. 476, to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission; and S. 609, the "San Juan County Federal Land Conveyance Act". Testimony was heard from the following Representatives: Thornberry, Reichert, Johnson of Georgia, Fortenberry, Clyburn, Mullin, Tonko, and Dent; Steve Ellis, Deputy Director, Bureau of Land Management, Department of the Interior; Vanessa P. Hickman, Land Commissioner, Arizona State Land Department, State of Arizona; Mary Abrams, Director, Department of State Lands, State of Oregon; Pat Canan, Captain Game Warden, Wichita Falls, TX; Stephanie Toothman, Associate Director, Cultural Resources, Partnerships and Science, National Park Service, Department of the Interior; and public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Indian and Alaska Native Affairs held a hearing on the following legislation: H.R. 3608, the "Grand Portage Band Per Capita Adjustment Act"; H.R. 4534, the "Native American Children's Safety Act"; H.R. 5020, the "Indian Tribal Self-Determination in Land Consolidation Act of 2014"; H.R. 5049, the "Blackfoot River Land Exchange Act of 2014"; and H.R. 5050, the "May 31, 1918 Act Repeal Act". Testimony was heard from Larry Roberts, Principal Deputy Assistant Secretary for Indian Affairs, Department of the Interior; Representative Simpson; and public witnesses.

EXAMINING ALLEGATIONS OF CORRUPTION AT THE EXPORT-IMPORT BANK

Committee on Oversight and Government Reform: Subcommittee on Economic Growth, Job Creation and Regulatory Affairs held a hearing entitled "Examining Allegations of Corruption at the Export-Import Bank". Testimony was heard from Fred P. Hochberg, Chairman and President, Export-Import Bank of the United States; and a public witness.

EXAMINING THE FEDERAL GOVERNMENT'S FAILURE TO CURB WASTEFUL STATE MEDICAID FINANCING SCHEMES

Committee on Oversight and Government Reform: Subcommittee on Energy Policy, Health Care and Entitlements held a hearing entitled "Examining the

Federal Government's Failure to Curb Wasteful State Medicaid Financing Schemes''. Testimony was heard from Katherine M. Iritani, Director, Health Care, Government Accountability Office; John Haag, Director of Medicaid Audits, Department of Health and Human Services; and Cindy Mann, Deputy Administrator and Director, Centers for Medicare and Medicaid Services.

FEDERAL REAL PROPERTY: ELIMINATING WASTE AND MISMANAGEMENT OF REAL PROPERTY ASSETS

Committee on Oversight and Government Reform: Subcommittee on Government Operations held a hearing entitled ''Federal Real Property: Eliminating Waste and Mismanagement of Real Property Assets''. Testimony was heard from David Mader, Controller, Office of Federal Financial Management, Office of Management and Budget; Michael Gelber, Deputy Commissioner, Public Buildings Service, General Services Administration; David J. Wise, Director, Physical Infrastructure Team, Government Accountability Office; and James M. Sullivan, Director, Office of Enterprise Office Management, Department of Veterans Affairs.

PROVIDING FOR AUTHORITY TO INITIATE LITIGATION FOR ACTIONS BY THE PRESIDENT OR OTHER EXECUTIVE BRANCH OFFICIALS INCONSISTENT WITH THEIR DUTIES UNDER THE CONSTITUTION OF THE UNITED STATES; REDUCING REGULATORY BURDENS ACT OF 2013

Committee on Rules: Full Committee held a hearing on H. Res. 676, providing for authority to initiate litigation for actions by the President or other executive branch officials inconsistent with their duties under the Constitution of the United States; and H.R. 935, the ''Reducing Regulatory Burdens Act of 2013''. The committee granted, by record vote of 7–4, a closed rule for H. Res. 676. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules. The rule waives all points of order against consideration of the resolution. The rule provides that the amendment recommended by the Committee on Rules now printed in the resolution shall be considered as adopted. The rule provides that the resolution, as amended, shall be considered as read and shall not be subject to a demand for division of the question. Additionally, the rule grants a closed rule for H.R. 935. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. 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. In section 3, the rule provides that on any legislative day during the period from August 1, 2014, through September 5, 2014: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment. In section 4, the rule provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of the resolution. In section 5, the rule provides that each day during the period addressed by section 3 of the resolution shall not constitute a calendar day for purposes of section 7 of the War Powers resolution (50 U.S.C. 1546). In section 6, the rule provides that each day during the period addressed by section 3 of the resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII (resolutions of inquiry).

REVIEW OF THE NATIONAL EARTHQUAKE HAZARDS REDUCTION PROGRAM

Committee on Science, Space, and Technology: Subcommittee on Research and Technology held a hearing entitled ''Review of the National Earthquake Hazards Reduction Program''. Testimony was heard from John R. Hayes, Jr., Director, National Earthquake Hazards Reduction Program, National Institute of Standards and Technology; Pramod P. Khargonekar, Assistant Director, Directorate of Engineering, National Science Foundation; David Applegate, Associate Director for Natural Hazards, U.S. Geological Survey; Roy E. Wright, Deputy Associate Administrator for Mitigation, Federal Emergency Management Agency; Jonathon Monken, Director and Homeland Security Advisor, Illinois Emergency Management Agency; and public witnesses.

WHAT WORKERS NEED TO KNOW ABOUT SOCIAL SECURITY AS THEY PLAN FOR RETIREMENT

Committee on Ways and Means: Subcommittee on Social Security held a hearing on what workers need to know about Social Security as they plan for retirement. Testimony was heard from Charles P. Blahous III, Public Trustee, Social Security and Medicare Boards of Trustees; and public witnesses.

ADVANCING THE U.S. TRADE AGENDA: TRADE WITH AFRICA AND THE AFRICAN GROWTH AND OPPORTUNITY ACT

Committee on Ways and Means: Subcommittee on Trade held a hearing on advancing the U.S. trade agenda: trade with Africa and the African Growth

and Opportunity Act. Testimony was heard from public witnesses.

Joint Meetings

INCREASING ECONOMIC OPPORTUNITY FOR AFRICAN AMERICANS

Joint Economic Committee: Committee concluded a hearing to examine increasing economic opportunity for African Americans, focusing on local initiatives that are making a difference, after receiving testimony from Angela Glover Blackwell, PolicyLink, Oakland, California; Eva Moskowitz, Success Academy Charter Schools, New York, New York; Bill Bynum, Hope Enterprise Corporation/Hope Federal Credit Union, Jackson, Mississippi; and Aparna Mathur, American Enterprise Institute, Washington, DC.

VETERANS' ACCESS TO CARE THROUGH CHOICE, ACCOUNTABILITY, AND TRANSPARENCY ACT

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 3230, to improve the access of veterans to medical services from the Department of Veterans Affairs.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D860)*

H.R. 255, to amend certain definitions contained in the Provo River Project Transfer Act for purposes of clarifying certain property descriptions. Signed on July 25, 2014. (Public Law 113–129)

H.R. 272, to designate the Department of Veterans Affairs and Department of Defense joint outpatient clinic to be constructed in Marina, California, as the ''Major General William H. Gourley VA–DOD Outpatient Clinic''. Signed on July 25, 2014. (Public Law 113–130)

H.R. 291, to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota. Signed on July 25, 2014. (Public Law 113–131)

H.R. 330, to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California. Signed on July 25, 2014. (Public Law 113–132)

H.R. 356, to clarify authority granted under the Act entitled ''An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah''. Signed on July 25, 2014. (Public Law 113–133)

H.R. 507, to provide for the conveyance of certain land inholdings owned by the United States to the Pascua Yaqui Tribe of Arizona. Signed on July 25, 2014. (Public Law 113–134)

H.R. 697, to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site. Signed on July 25, 2014. (Public Law 113–135)

H.R. 876, to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho. Signed on July 25, 2014. (Public Law 113–136)

H.R. 1158, to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area. Signed on July 25, 2014. (Public Law 113–137)

H.R. 1216, to designate the Department of Veterans Affairs Vet Center in Prescott, Arizona, as the ''Dr. Cameron McKinley Department of Veterans Affairs Veterans Center''. Signed on July 25, 2014. (Public Law 113–138)

H.R. 1376, to designate the facility of the United States Postal Service located at 369 Martin Luther King Jr. Drive in Jersey City, New Jersey, as the ''Judge Shirley A. Tolentino Post Office Building''. Signed on July 25, 2014. (Public Law 113–139)

H.R. 1813, to redesignate the facility of the United States Postal Service located at 162 Northeast Avenue in Tallmadge, Ohio, as the ''Lance Corporal Daniel Nathan Deyarmin, Jr., Post Office Building''. Signed on July 25, 2014. (Public Law 113–140)

H.R. 2337, to provide for the conveyance of the Forest Service Lake Hill Administrative Site in Summit County, Colorado. Signed on July 25, 2014. (Public Law 113–141)

H.R. 3110, to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska. Signed on July 25, 2014. (Public Law 113–142)

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 30, 2014

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to receive a closed briefing on the situation in Ukraine, 2:30 p.m., SVC–217.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing, Transportation, and Community

Development, to hold hearings to examine flood insurance claims process in communities after Sandy, focusing on lessons learned and potential improvements, 9:45 a.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine wireless phone bills, focusing on a review of consumer protection practices and gaps, 2:45 p.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Public Lands, Forests, and Mining, to hold hearings to examine S. 1049 and H.R. 2166, bills to direct the Secretary of the Interior and Secretary of Agriculture to expedite access to certain Federal lands under the administrative jurisdiction of each Secretary for good Samaritan search-and-recovery missions, S. 1437, to provide for the release of the reversionary interest held by the United States in certain land conveyed in 1954 by the United States, acting through the Director of the Bureau of Land Management, to the State of Oregon for the establishment of the Hermiston Agricultural Research and Extension Center of Oregon State University in Hermiston, Oregon, S. 1554, to direct the heads of Federal public land management agencies to prepare reports on the availability of public access and egress to Federal public land for hunting, fishing, and other recreational purposes, to amend the Land and Water Conservation Fund Act of 1965 to provide funding for recreational public access to Federal land, S. 1605, for the relief of Michael G. Faber, S. 1640, to facilitate planning, permitting, administration, implementation, and monitoring of pinyon-juniper dominated landscape restoration projects within Lincoln County, Nevada, S. 1888 and H.R. 1241, bills to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, S. 2123, to authorize the exchange of certain Federal land and non-Federal land in the State of Minnesota, S. 2616, to require the Secretary of the Interior to convey certain Federal land to Idaho County in the State of Idaho, H.R. 1684, to convey certain property to the State of Wyoming to consolidate the historic Ranch A, and H.R. 3008, to provide for the conveyance of a small parcel of National Forest System land in Los Padres National Forest in California, 9:30 a.m., SD–366.

Committee on Environment and Public Works: business meeting to consider S. 1463, to amend the Lacey Act Amendments of 1981 to prohibit importation, exportation, transportation, sale, receipt, acquisition, and purchase in interstate or foreign commerce, or in a manner substantially affecting interstate or foreign commerce, of any live animal of any prohibited wildlife species, the nominations of Jane Toshiko Nishida, of Maryland, and Ann Elizabeth Dunkin, of California, both to be an Assistant Administrator, and Manuel H. Ehrlich, Jr., of New Jersey, to be a Member of the Chemical Safety and Hazard Investigation, all of the Environmental Protection Agency, Corps of Engineers Study Resolution relating to San Francisco Bay to Stockton Navigation Channels, California, and General Services Administration resolutions, Time to be announced, S–216, Capitol.

Committee on Finance: to hold hearings to examine ''The African Growth and Opportunity Act'' at 14, focusing on the road ahead; to be immediately followed by a business meeting to consider the nominations of Robert W. Holleyman II, of Louisiana, to be a Deputy United States Trade Representative, with the rank of Ambassador, D. Nathan Sheets, of Maryland, to be Under Secretary, and Ramin Toloui, of Iowa, to be Deputy Under Secretary, both of the Department of the Treasury, Maria Cancian, of Wisconsin, to be Assistant Secretary of Health and Human Services for Family Support, and Cary Douglas Pugh, of Virginia, to be a Judge of the United States Tax Court, 2 p.m., SD–215.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Children and Families, to hold hearings to examine paid family leave, focusing on the benefits for businesses and working families, 10:15 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: business meeting to consider H.R. 4007, to recodify and reauthorize the Chemical Facility Anti-Terrorism Standards Program, S. 1618, to enhance the Office of Personnel Management background check system for the granting, denial, or revocation of security clearances or access to classified information of employees and contractors of the Federal Government, S. 1347, to provide transparency, accountability, and limitations of Government sponsored conferences, S. 1396, to authorize the Federal Emergency Management Agency to award mitigation financial assistance in certain areas affected by wildfire, S. 2640, to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, S. 2547, to establish the Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee under the Federal Emergency Management Agency's National Advisory Council to provide recommendations on emergency responder training and resources relating to hazardous materials incidents involving railroads, S. 2323, to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service, S. 2664, Integrated Public Alert and Warning System Authorization Act of 2014, S. 2651, DHS OIG Mandates Revision Act of 2014, H.R. 4197, to amend title 5, United States Code, to extend the period of certain authority with respect to judicial review of Merit Systems Protection Board decisions relating to whistleblowers, S. 2665, Emergency Information Improvement Act of 2014, S. 1898, to require adequate information regarding the tax treatment of payments under settlement agreements entered into by Federal agencies, S. 2247, to prohibit the awarding of a contract or grant in excess of the simplified acquisition threshold unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has no seriously delinquent tax debts, H.R. 606, to designate the facility of the United States Postal Service located at 815 County Road 23 in Tyrone, New York, as the ''Specialist Christopher Scott Post Office Building'', H.R. 1671, to designate the facility of the United States Postal Service located at 6937 Village Parkway in Dublin, California, as the ''James 'Jim' Kohnen Post Office'', H.R. 2291, to

designate the facility of the United States Postal Service located at 450 Lexington Avenue in New York, New York, as the ''Vincent R. Sombrotto Post Office'', H.R. 3472, to designate the facility of the United States Postal Service located at 13127 Broadway Street in Alden, New York, as the ''Sergeant Brett E. Gornewicz Memorial Post Office'', H.R. 3765, to designate the facility of the United States Postal Service located at 198 Baker Street in Corning, New York, as the ''Specialist Ryan P. Jayne Post Office Building'', and the nominations of Joseph L. Nimmich, of Maryland, to be Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security, Anne E. Rung, of Pennsylvania, to be Administrator for Federal Procurement Policy, and James C. Miller, III, of Virginia, Stephen Crawford, of Maryland, David Michael Bennett, of North Carolina, and Victoria Reggie Kennedy, of Massachusetts, all to be a Governor of the United States Postal Service, 9:30 a.m., SD–342.

Committee on Indian Affairs: business meeting to consider S. 1948, to promote the academic achievement of American Indian, Alaska Native, and Native Hawaiian children with the establishment of a Native American language grant program, S. 2299, to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages, S. 2442, to direct the Secretary of the Interior to take certain land and mineral rights on the reservation of the Northern Cheyenne Tribe of Montana and other culturally important land into trust for the benefit of the Northern Cheyenne Tribe, S. 2465, to require the Secretary of the Interior to take into trust 4 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico, S. 2479, to provide for a land conveyance in the State of Nevada, S. 2480, to require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for certain Indian tribes, and H.R. 4002, to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe; to be immediately followed by an oversight hearing to examine responses to natural disasters in Indian country, 2:30 p.m., SD–628.

Committee on the Judiciary: to hold hearings to examine the next steps for the ''Violence Against Women Act'' (VAWA), focusing on protecting women from gun violence, 10 a.m., SD–106.

Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold hearings to examine pricing policies and competition in the contact lens industry, 2:15 p.m., SD–226.

Special Committee on Aging: to hold hearings to examine the impact of Medicare observation status on seniors, 2:15 p.m., SR–418.

House

Committee on Agriculture, Subcommittee on Horticulture, Research, Biotechnology, and Foreign Agriculture, hearing to review the impact of enforcement activities by the Department of Labor on specialty crop growers, 10 a.m., 1300 Longworth.

Committee on Armed Services, Full Committee, hearing entitled ''Risks to Stability in Afghanistan: Politics, Security, and International Commitment'', 10 a.m., 2118 Rayburn.

Subcommittee on Seapower and Projection Forces, hearing entitled ''Logistics and Sealift Force Requirements and Force Structure Assessment'', 2 p.m., 2212 Rayburn.

Committee on Energy and Commerce, Full Committee, markup on the following legislation: H.R. 3522, the ''Employee Health Care Protection Act''; H.R. 4701, the ''Lyme and Tick-borne Diseases Act of 2014''; H.R. 4067, to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2014; H.R. 5214, to require the Secretary of Health and Human Services to provide for recommendations for the development and use of clinical data registries for the improvement of patient care; H.R. 3670, the ''Anti-Spoofing Act of 2013''; H.R. 5161, the ''E-LABEL Act''; and H.R. 1575, the ''Kelsey Smith Act'', 10 a.m., 2123 Rayburn.

Committee on Financial Services, Full Committee, markup on the following legislation: H.R. 5018, the ''Federal Reserve Accountability and Transparency Act of 2014''; H.R. 4329, the ''Native American Housing Assistance and Self-Determination Reauthorization Act of 2014''; H.R. 3913, to amend the Bank Holding Company Act of 1956 to require agencies to make considerations relating to the promotion of efficiency, competition, and capital formation before issuing or modifying certain regulations; H.R. 4042, the ''Community Bank Mortgage Service Asset Capital Requirements Study Act of 2014''; and H.R. 5148, the ''Access to Affordable Mortgages Act of 2014'', 9 a.m., 2128 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled ''Allegations of Discrimination and Retaliation and the CFPB Management Culture'', 3:30 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, markup on the following legislation: H.R. 3398, the ''Girls Count Act of 2014''; H.R. 5041, the ''Naftali Fraenkel Rewards for Justice Act of 2014''; H.R. 5206, to allow Foreign Service and other executive agency employees to designate beneficiaries of their death benefits; the ''Emergency Iron Dome Replenishment Act''; H. Res. 281, expressing concern over persistent and credible reports of systematic, state-sanctioned organ harvesting from non-consenting prisoners of conscience, in the People's Republic of China, including from large numbers of Falun Gong practitioners imprisoned for their religious beliefs, and members of other religious and ethnic minority groups; and H. Res. 683, expressing the sense of the House of Representatives on the current situation in Iraq and the urgent need to protect religious minorities from persecution from the Sunni Islamist insurgent and terrorist group the Islamic State in Iraq and Levant (ISIL) as it expands its control over areas in northwestern Iraq, 10 a.m., 2172 Rayburn.

Subcommittee on the Western Hemisphere, hearing entitled ''Building Prosperity in Latin America: Investor Confidence in the Rule of Law'', 2 p.m., 2200 Rayburn.

Subcommittee on Asia and the Pacific, hearing entitled ''Twenty-Years of U.S. Policy on North Korea: From Agreed Framework to Strategic Patience'', 2 p.m., 2172 Rayburn.

Committee on the Judiciary, Full Committee, hearing entitled ''The IRS Targeting Scandal: The Need for a Special Counsel'', 10 a.m., 2141 Rayburn.

Subcommittee on The Constitution and Civil Justice, hearing on oversight of the False Claims Act, 1 p.m., 2237 Rayburn.

Subcommittee on Courts, Intellectual Property and the Internet, hearing entitled ''The U.S. Patent and Trademark Office: The America Invents Act and Beyond, Domestic and International Policy Goals'', 3 p.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, markup on the following legislation: H. J. Res. 120, approving the location of a memorial to commemorate the more than 5,000 slaves and free Black persons who fought for independence in the American Revolution; H.R. 361, the ''Alpine Lakes Wilderness Additions and Pratt and Middle Fork Snoqualmie Rivers Protection Act''; H.R. 3006, to authorize a land exchange involving the acquisition of private land adjacent to the Cibola National Wildlife Refuge in Arizona for inclusion in the refuge in exchange for certain Bureau of Land Management lands in Riverside County, California, and for other purposes; H.R. 3109, to amend the Migratory Bird Treaty Act to exempt certain Alaskan Native articles from prohibitions against sale of items containing nonedible migratory bird parts, and for other purposes; H.R. 4119, the ''West Hunter Street Baptist Church Study Act''; H.R. 4182, to provide that the Ozark National Scenic Riverways shall be administered in accordance with the general management plan for that unit of the National Park System, and for other purposes; H.R. 4867, the ''Economic Development Through Tribal Land Exchange Act''; H.R. 5026, the ''Fish Hatchery Protection Act''; H.R. 5069, the ''Federal Duck Stamp Act of 2014''; H.R. 5203, the ''Dwight D. Eisenhower Memorial Commission Reform Act''; H.R. 5204, the ''Federal Lands Recreation Enhancement Modernization Act of 2014''; H.R. 5205, the ''Northern Nevada Land Conservation and Economic Development Act''; S. 311, the ''Lower Mississippi River Area Study Act''; S. 354, the ''Oregon Caves Revitalization Act of 2013''; S. 476, to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission; and S. 1603, the ''Gun Lake Trust Land Reaffirmation Act'', 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''IRS Abuses: Ensuring that Targeting Never Happens Again'', 9:30 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Full Committee, hearing entitled ''EPA's Carbon Plan: Failure by Design'', 10 a.m., 2318 Rayburn.

Committee on Small Business, Full Committee, hearing entitled ''Regulatory Overreach: Is EPA Meeting Its Small Business Obligations?'', 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing entitled ''GSA Tenant Agencies: Challenges and Opportunities in Reducing Costs of Leased Space'', 10 a.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Select Revenue Measures, hearing on dynamic analysis of the Tax Reform Act of 2014, 10 a.m., 1100 Longworth.

Subcommittee on Human Resources, hearing on subsidized jobs programs and their effectiveness in helping families escape poverty, 2 p.m., 1100 Longworth.

Next Meeting of the SENATE

9:30 a.m., Wednesday, July 30

Senate Chamber

Program for Wednesday: Senate will resume consideration of S. 2569, Bring Jobs Home Act.

At 10:45 a.m., Senate will vote on the motion to invoke cloture on S. 2569, Bring Jobs Home Act. If cloture is not invoked on S. 2569, Senate will vote on the motion to invoke cloture on the motion to proceed to S. 2648, Emergency Supplemental Appropriations Act, and on confirmation of the nominations of Cynthia H. Akuetteh, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Gabonese Republic, and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe, Erika Lizabeth Moritsugu, of the District of Columbia, to be an Assistant Secretary of Housing and Urban Development, and Richard A. Kennedy, of Pennsylvania, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring May 30, 2016.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, July 30

House Chamber

Program for Wednesday: Consideration of H. Res. 676—Providing for authority to initiate litigation for actions by the President or other executive branch officials inconsistent with their duties under the Constitution of the United States (Subject to a Rule).

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